United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, SECOND SESSION

Vol. 170 WASHINGTON, THURSDAY, JULY 11, 2024 No. 115

Senate

(Legislative day of Wednesday, July 10, 2024)

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

PRAYER

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

Let us pray.

Eternal God, the giver of every good and perfect gift, we thank You for the exemplary life and legacy of former Senator James Inhofe. Lord, we praise You for his life, which was like the light of morning at sunrise on a cloudless day and like the brightness after rain that brings the grass from the Earth.

Inspired by the footprints he left on the sands of time, may we seek to see You more clearly, to love You more dearly, and to follow You more nearly day by day.

And, Lord, use our lawmakers this day for Your glory.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

LEGISLATIVE SESSION

REPRODUCTIVE FREEDOM FOR WOMEN ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER (Mr. WARNOCK). The clerk will report the pending business.

The senior assistant 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 majority leader is recognized.

REPRODUCTIVE FREEDOM FOR WOMEN ACT

Mr. SCHUMER. Mr. President, yesterday was a very sad day for women in America. Yesterday, Senate Republicans blocked a bill that simply expressed support for a woman's right to choose. That is it; no more, no less.

Supporting a woman's right to make her own healthcare decisions should have been one of the easiest ''yes'' votes we have taken all year. By voting no, Republicans told every woman in America: ''Your body, our choice.''

Republicans are saying ''We don't care'' to all the women who live in States where reproductive rights are almost gone, from Texas to Florida, to Alabama, and beyond.

This is the terrible legacy of the Senate Republicans and the Trump administration: They cleared the way for the Supreme Court to overturn Roe.

Years ago, Donald Trump himself said overturning Roe was part of the plan. He said:

[I]f we put another two or . . . three justices on [the Supreme Court]—that will happen.

And then, Senate Republicans—even many who don't abide by the MAGA philosophy—just laid down and voted for all of the President's nominees.

To this day, Senate Republicans keep doubling down and tripling down on undermining women's rights, despite so much blowback from the American people. Senate Republicans voted no on protecting contraception. They voted no on protecting IVF. And they voted no again yesterday on supporting the right to choose.

So let me say to America: Do you want to know who is on your side protecting abortion and women's rights? It is the Democrats. Every Republican—with one or two exceptions—has universally voted to take away women's rights. That is the truth of it.

Our Republican colleagues can run, but they can't hide. They are voting against women because extreme MAGA groups are pushing them to do it or maybe because of belief. Either way, they are out of touch with America.

Now, for all the chaos and disaster of the first Trump Presidency, it pales in comparison to the threat of a second Trump Presidency. We have all heard about the policy platform, 2025, drafted by the Heritage Foundation—a project overseen by former Trump officials and advisers and appointees. It is a manifesto for the second Trump Presidency.

What does it do? The Trump manifesto lays a groundwork for a nationwide abortion ban. That is the heart and soul of the Republican Party. That is where they always go when they are in power, folks. When they are not in power, they say some words here and there. When they are running for office, they try to run away from how they vote and how they feel. Then they come here, and they vote to roll over women's rights again and again and again. And each time they do it, it becomes more extreme and more extreme. And that is just the beginning on the issues.

The Trump manifesto, 2025, calls for the most conservative agenda America has ever seen. It calls for more tax cuts for the very wealthy, more tax cuts for corporate elites, more tax cuts for megacorporations. It calls for reversing Democrats' clean energy agenda while empowering the Nation's biggest oil and gas polluters. And the Trump manifesto even calls for silencing and attacking all of Donald Trump's political opponents.

Can you imagine? It is like a dictatorship. It is like a dictatorship, with nothing—Trump says: ''I am going to prosecute people''—no evidence. Wow. What happened to rule of law in this

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

grand country? What happens to the visions of the Founding Fathers when Donald Trump and the MAGA Court take over?

The hard right is done speaking euphemisms. They are smelling blood. They are saying it straight to our faces: If you disagree with Donald Trump, watch your back. It is bone-chilling. It is un-American. It is dangerous for our democracy.

The Trump manifesto is an autocrats' dream. If MAGA Republicans get the chance to act on the Heritage Foundation's ideas, the damage to the America we all know and love may well be irreversible. We will never get it back. Our children and grandchildren will live in a less grand country than we have lived in. The destruction would be unthinkable, and it would betray everything America has represented for 248 years.

U.S. SUPREME COURT

Mr. President, on SCOTUS, above the entrance to the Supreme Court are these words: ''Equal Justice Under Law.''

Last week, the conservative Justices put some new writing on those walls, figuratively: ''The President of the United States is above the law.'' Instead of ''Equal justice under the law,'' they replaced it with ''The President of the United States is above the law.''

In the aftermath of the 2020 elections, Donald Trump and his allies conspired for weeks to undermine the will of the people and halt the peaceful transfer of power. These efforts culminated in the violent insurrection on January 6. These are the facts. Many of us in the Senate lived through it. I was within 30 feet of the hooligans who invaded the Capitol.

No free Nation can condone a tyrant who abuses his office to try and cling to power, but that is, in effect, what the conservative majority on the Supreme Court has done. By ruling Donald Trump enjoys broad immunity from criminal prosecution for his actions as President after the 2020 election, the conservative majority has violated the most basic premise of our Constitution that no man is above the law.

Most Americans will see what the Court did and think it was grossly political, a shameless attempt to help Donald Trump out.

I worry that over time, Americans will increasingly lose trust in what the courts say. They have already begun to lose that trust with these rightwing MAGA decisions, very few of them founded in any precedent at all. It could be the unraveling of trust in our democratic institutions.

The good news is that the Constitution provides a remedy to the Supreme Court's terrible decision: Congress has the authority to exercise strong checks on the judiciary through legislation. We should look precisely into that. One possible avenue: clarifying that Donald Trump's election-subversion acts do not count as official acts of the Presidency. Such a notion should hardly be controversial, and I am working with my colleagues on legislation to see what kind of proposals would be appropriate.

We were all taught in grade school that there are no kings here in America, but what the conservative Justices have done is placed a crown on the head of Donald Trump. They declared, in effect, the same thing Nixon told David Frost in 1977 when he said—this is what Nixon said, chased out of office for potential criminal acts:

When the President does it, that means it is not illegal.

That is going to be the new ''rule of law'' in America with these Justices? What a bone-chilling proposition. If future Presidents no longer fear prosecution for their conduct in office, then what the heck is going to rein them in? One election every 4 years? That is cold comfort if a corrupt President can use their office to undermine elections in the first place. It is a catch-22, a very evil one. It is autocracy 101. What if future Presidents order the DOJ to arrest election workers? What if they escalate their attacks on the press? What if they take bribes in exchange for favors or money? What if, in each of these instances, they claim they were acting in an official capacity? America would be in a state of constitutional pandemonium.

The American people are tired of Justices who think they are beyond accountability. We in Congress should be open to sensible, reasonable solutions to restore the checks and balances that the MAGA Court has taken away.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Republican leader is recognized.

NATO

Mr. MCCONNELL. Mr. President, as NATO's Washington summit draws to a close today, there is clearly tremendous resolve among many of our allies to make the transatlantic alliance fit for purpose for another 75 years. But a strong and effective NATO has always required strong and effective American leadership, and here at home, there is reason for cautious optimism that support for leadership on collective defense is widespread.

Last month, the Reagan Institute released the findings of its latest poll on the American people's views of global issues. Here is what it found: A majority of Americans support ''a more engaged U.S. foreign policy'' and hold favorable views of the NATO alliance and support lethal assistance to Ukraine. Despite the media spending years amplifying views from the fringes of our politics, a majority of Republicans believe that ''U.S. involvement in international events'' benefits America.

When asked recently whether peace, prosperity, and security were products of American leadership and sacrifice—listen to this—more Republicans than Democrats actually agreed with that.

Here is the kicker: They are not just telling this to pollsters; they are actually demonstrating it at the ballot box. By massive, double-digit margins, Republican primary voters have picked candidates who supported the national security supplemental earlier this spring. Let me say that again. Not a single Republican incumbent who voted to help America's friends resist authoritarian aggression and rebuild the arsenal of democracy lost their primary. Not one lost their primary. Across the country, voters rejected fringe candidates who peddled isolationist pablum and voted instead for American leadership.

The way Speaker JOHNSON put it earlier this week, he has had people come up to him at events in 31 different States in recent months to say the same thing: We are glad Congress delivered the supplemental.

So, Mr. President, it can often seem like the loudest voices in Washington are the ones that bemoan the responsibilities of American leadership while enjoying the peace and prosperity it underwrites, but these voices are increasingly estranged from the views of most Americans. The American people know instinctively that leadership on the world stage isn't some handout to allies and partners; it is an investment—an investment—in our own security. They know this leadership is what preserves the U.S.-led order that has underpinned peace and prosperity for decades. Now they just need a President who is willing to exercise that leadership.

For years, the American people watched the Biden administration dither and wring its hands over fears that standing with a sovereign democracy might invite escalation from a tyrant who was already conducting a full-scale war of conquest. Since last fall, they have heard the President insist in one breath that America's commitment to a close ally was ironclad and then withhold urgent assistance in another.

It is well and good to talk about American leadership, but talk is cheap. This week would have been a great opportunity for the Commander in Chief to start backing up his words with firm commitments to start investing seriously—seriously—in hard power. It should have been the week the Democratic leader brought the NDAA up for Senate consideration. It could have been a great week to lead.

Fortunately, the most successful military alliance in history has had some strong leadership in Brussels with Secretary General Jens Stoltenberg. I am deeply grateful for his tireless work on both urgent and

long-term challenges facing the alliance and for his deep devotion to the cause of collective defense.

The Secretary General took office months—just months—after Russia launched its unprovoked invasion of Ukraine back in 2014, and after a pivotal decade, he will leave the alliance with renewed clarity and resolve to face even graver Russian aggression and linked authoritarian threats all around the world.

For 10 years, he has worked relentlessly to expand allies' focus to include serious challenges emanating from beyond NATO's borders.

Recognizing the links between major threats to global security, he has improved the alliance's engagement with critical Indo-Pacific nations like Japan, South Korea, and Australia.

Just yesterday, he led allies in making clear that China is the ''decisive enabler'' of Russia's war against Ukraine and that ''the PRC cannot enable the largest war in Europe in recent history without this negatively impacting its interests and reputation.''

He has successfully expanded NATO, most recently welcoming Sweden and Finland as highly capable additions to our ranks.

In the face of Russian aggression, the Secretary General has been an extraordinarily effective advocate and spokesman for collective defense, rallying renewed investment from allies and leading the most significant NATO rearmament since the Cold War.

As he navigated the predictably diverse and spirited views of dozens of allies, the Secretary General demonstrated a keen appreciation for America's legitimate, longstanding, and bipartisan concerns about burden-sharing across the alliance and has repeatedly urged allies to take on more responsibility for our shared security.

On a personal note, I am immensely grateful for the time the Secretary General and I have spent working closely together. I have appreciated his candor, his professionalism, and his devotion to our common cause. I was particularly proud to welcome him to address a joint meeting of Congress earlier in his term.

As he departs his post, Secretary General Stoltenberg should take great pride in the historic accomplishments of his tenure and remain optimistic, as I am, in the course he has set for the alliance. He has the gratitude of allies and partners all across the free world, and he will leave big shoes for his successor, Mark Rutte, to fill.

NOMINATION OF SARAH NETBURN

Mr. President, now on another matter, I have spoken before about the New York magistrate judge with a bad habit of engaging in political activism from the bench and lying about it under oath. Unfortunately, the red flags on Judge Netburn's record aren't limited to the inappropriate actions she does commit; there is also the important work she has inexplicably chosen to ignore.

Take it from the family members of victims of 9/11 who wrote recently to our colleagues on the Judiciary Committee. As these loved ones sought a small piece of justice for the lives that terrorist killers snuffed out, Judge Netburn failed to rule on the unopposed motions they submitted that would have entitled them to participate in the next round of compensation for grieving families.

As they put it:

> We cannot understand how a Magistrate Judge could treat 9/11 family members so callously or so blithely disregard her duties.

Mr. President, I have posed this question before on another of the administration's nominees, Nancy Maldonado. But I will ask it again: Why on Earth do our Democratic colleagues continue to entertain lifetime promotions for nominees with a demonstrated inability to do the job?

This sort of gross negligence is damning. It is disqualifying. And, frankly, the Netburn nomination isn't worth another second of the Judiciary Committee's time, let alone the Senate's.

INFLATION

Mr. President, on one final matter, cumulative inflation since President Biden took office now sits at 21 percent, and working families across America are still feeling the pinch in their wallets, especially when it comes to basic necessities like housing.

In New Jersey, one man who has watched his rent soar said:

> I thought things were going to taper off, but it doesn't appear to be tapering.

In my State of Kentucky, one resident said he was ''sticker-shocked'' at the skyrocketing costs of homeowners' insurance, property taxes, and utility bills. And he is certainly not alone. One survey showed nearly one in five homeowners could not afford a $500 emergency repair on their home.

Last month, 46 percent of Americans reported that they are struggling to keep pace financially, and only 25 percent of this group said they planned on supporting President Biden.

The American people know which party ignored the warnings of top economists, lit money on fire with reckless taxing-and-spending sprees, and fueled the worst inflation this country has seen since the Carter administration. The American people are sick and tired of Bidenomics. I expect they will have more to say about it this November.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

BORDER SECURITY

Mr. THUNE. Mr. President, last month's arrest of eight men from Tajikistan with suspected ties to ISIS further underscores what we have known for a long time, and that is that President Biden's 3-year-plus border crisis is a threat to our national security. All eight of these individuals had made their way into our country across our southern border, and they are hardly the only dangerous individuals to have made their way into our country on President Biden's watch.

An illegal immigrant who had successfully evaded the Border Patrol to enter the United States has been arrested for the murder of a mother in Maryland. An illegal immigrant released into the country on parole has been charged with the murder of a nursing student in Georgia. Two illegal immigrants are charged with the killing of a 12-year-old girl in Texas.

Unfortunately, I could go on.

In another alarming case, 50 out of 400 illegal immigrants who entered the United States through an ISIS-linked smuggling network are still unaccounted for. It is, of course, impossible to predict or stop every crime, but the chaos at our southern border that President Biden has allowed to rage for 3-plus years has unquestionably created an environment that facilitates the entry of dangerous individuals into our country.

Since President Biden took office, approximately 10 million individuals, that we know of, have made their way illegally into our country—10 million.

That is larger than the population of the vast majority of American States. We have had 3 successive years of record-breaking illegal immigration on President Biden's watch—3. And we can only hope that we will manage to avoid yet a fourth.

The situation is so bad that President Biden finally realized that if he didn't do something, his disastrous record on the border might tank his reelection prospects. And while it would be nice if the executive action he took last month had been motivated by the clear national security dangers the situation presents and not by fear of losing an election, at least he finally conceded that he had to do something—inadequate and full of exemptions as it might be.

But while this might—and I emphasize ''might''—be a case of better late than never, I am afraid it is also a case of too little, too late. Because a tremendous amount of damage has been done that President Biden can't fix, even if he should succeed in restricting future flows.

As I said, roughly 10 million illegal immigrants have entered our country on President Biden's watch. And while I am sure that many of these individuals were simply in search of a better life, we can be pretty confident that there are others, like the recently arrested individuals with suspected ties to ISIS, who have more malign intentions.

Of particular concern are the roughly 1.8 million known ''got-aways.'' Those are individuals who the Border Patrol

saw but was unable to apprehend, who have made their way into the country over the course of this administration.

U.S. Border Patrol Chief Jason Owens, speaking earlier this year about the number of ''got-aways'' at the border said:

[T]hose are the numbers that really keep us up at night, because if you know that all you need to do is turn yourself into the Border Patrol and go through the process, what possible reason would you have for wanting to evade capture? Could it be that those are the folks that probably have criminal intent?

Chief Owens was referring to the fact that under the Biden administration's lax asylum system, individuals who show up at the border claiming asylum have frequently been released into the country with court dates as much as a decade into the future.

And his point, of course, is that when turning yourself into the Border Patrol when a claim for asylum is likely to result in years of, essentially, legal permanent residence, it is especially concerning that we have had hundreds of thousands of individuals choosing not to turn themselves in and escaping into the interior of our country.

So, again, even if President Biden's executive action from last month does do something to help reduce the flow of illegal immigration—which very much remains to be seen—we will still be left with the effects of the chaos he has allowed to rage at our southern border for 3-plus years. And we will still be left with the effects of his other disastrous border and immigration policies from offering mass amnesty to hundreds of thousands of individuals whose asylum cases have been closed without a decision to fast-tracking mass parole through the CBP One app to placing unaccompanied children with possibly dangerous guardians in the United States—something, by the way, that Senator GRASSLEY is currently working to prevent in the future.

And I expect we will still be dealing with the consequences of President Biden's dangerous policies for a long time to come.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 8369

Mr. CRUZ. Mr. President, I rise at a time of widespread and acute peril for the national security of the United States and for America's allies. Led by China, our enemies and our adversaries—Russia, Iran, North Korea—are actively cooperating to target us and our allies all over the world. In extreme cases, they seek nothing less than the physical annihilation of the countries they are targeting.

In Europe, Russia has launched a full-scale invasion of Ukraine. In Asia, China is engaged in day-by-day aggression against our allies and is threatening another full-scale invasion of Taiwan. And in the Middle East, Israel is fighting for its survival in the face of a war of extermination being waged against it by the Iranian regime. October 7 was the worst 1-day mass murder of Jews since the Holocaust. Iran and its terrorists have attacked Israel from the Gaza Strip, from Lebanon, from Syria, from Judea and Samaria, from Yemen, from Iraq, and from Iran.

And what has the Biden administration's policy been? Since the opening days of this administration, they have pursued an obscene policy of denying weapons to our allies while allowing resources to flow to our enemies.

They immediately halted arms to our Arab allies that they were using against Iran's Houthi terrorists while lifting sanctions simultaneously on the Houthi terrorists. The Houthis immediately launched a vast offensive and today are significantly blocking shipping through the Red Sea. The administration denied critical weapons such as ATACMS to Ukraine at a period that they could have stalled Russia's offensive, providing both time and space for Iran to flood drones to be used by Russian forces against Ukraine.

And, of course, the Biden administration flooded unaccountable hundreds of millions of dollars into the Hamas-controlled Gaza Strip, which they knew would benefit Hamas. Joe Biden sent that money to Gaza, even though he was warned that the money would inevitably go to Hamas and be used for terrorism.

I joined 19 Senators in making that point explicitly: If you send this money to Gaza, it will be used by Hamas for terrorism. And we now know that the Biden administration agreed with me. The Biden administration concluded that it was ''highly likely''—that is their assessment—''highly likely'' that the money going to Gaza would be used by Hamas for terrorism.

Now, ordinarily, under U.S. anti-terrorism law, that is the end of the matter. If it is highly likely the money will be used for terrorism, you don't send it.

Do you know what they did instead? They waived our anti-terrorism law and said: Send it anyway.

I guess they are OK if Hamas uses U.S. dollars to murder Israelis because that is exactly what happened.

After October 7, the administration didn't change. Even after October 7, the Biden administration has slowed and halted critical weapons that our Israeli allies need to counter Hamas.

That utter incoherence has entangled this body. During the debate over the last national security supplemental, I and many other lawmakers found ourselves unable to support the policy, in part, because we did not believe that the Biden administration would faithfully implement the authorities and appropriations Congress would be providing.

Those doubts were subsequently publicly confirmed. President Biden has explicitly said that he is blocking precision weapons to Israel and that he would even block artillery if Israel moves to fully root out Hamas from Rafah.

I will add, Mr. President, that this policy is particularly egregious in the context of the Gaza pier because the Biden administration requires Israelis to provide force protection for the pier while denying them the weapons they need to do so.

Senate Democrats have, unfortunately, found themselves in the position of knowing that this policy is both incoherent and catastrophic. But at the same time, it is their party's policy so they defend it anyway.

What we should be doing is providing Israel weapons now and denying Hamas the resources it needs to continue its war of terror against Israel.

That is why, in a moment, I am going to propound a unanimous consent request to ensure that the Biden administration delivers to Israel the weapons that the Biden administration is withholding.

This legislation has already passed the House. In a moment, it might pass the Senate.

For folks at home who are watching, you should watch very carefully. When I raise the unanimous consent request, a Democrat Senator will stand up and begin speaking. He will begin by saying: ''Reserving the right to object,'' and then he will give some remarks.

Listen for two words: ''I object'' because this is binary. If at the end of his remarks he says ''I object,'' it will defeat this motion, and it will mean that Senate Democrats have decided they agree with Joe Biden in blocking weapons to Israel. And if he doesn't—if he gives the identical speech and just pulls out his pen and crosses out those two words written at the bottom of the speech, he just doesn't say ''I object''—do you know what happens? The legislation that has already passed the House would pass the Senate unanimously, 100 to 0, and go to the President's desk for signature.

Just about every Member of this body goes and gives speeches and says: I support Israel.

Well, talk is cheap. If you support Israel, provide them the weapons they need in a time of war. We are going to find out if the Democrats are willing to do so or not.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 398, H.R. 8369; I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Vermont.

Mr. WELCH. Mr. President, reserving the right to object, the war in Gaza has been a humanitarian catastrophe, and tens of thousands of civilians have been killed and wounded. Thousands of children are not able to obtain medical care that they urgently need. Hundreds of thousands of people in northern Gaza have been told to relocate again and again and again. There is no safe place for these innocent people to go in Gaza. Also, 100 precious lives of hostages do remain in Hamas control. And I am very upset about the escalation of anti-Israel sentiment here in our own country.

But everyone is painfully aware that Hamas built its underground system of tunnels and military command beneath Gaza schools, hospitals, and other civilian structures. It is a very difficult dilemma, but the answer is not the entire destruction of Gaza.

And Secretary of Defense Austin said that ''there's a better way'' to prosecute the military campaign and to eliminate Hamas while protecting civilians. That is our military leader. And that is a sentiment that is shared by many U.S. military officers, both active and retired and, incidentally, many Israeli officers.

Israel has received, as my colleague from Texas knows—and as my colleague from Texas also knows—Israel has continued to receive massive amounts of U.S. weapons, ammunition, and other military aid. And the Congress passed an emergency supplemental, in addition to the fiscal year 2024 appropriations bill. And together, they provide, literally, billions of dollars—billions of dollars—in military aid for Israel. So the suggestion that Israel is lacking for U.S. weapons and ammunition is without any merit whatsoever.

The conflict between Israelis and Palestinians will not be solved with more bombs, particularly when the Netanyahu government has yet to articulate achievable goals or a credible plan for what comes next after the war ends—something that many Israeli citizens are pointing out and objecting to the manner in which Prime Minister Netanyahu is conducting this war.

In the meantime, starvation is escalating for women and children—innocent people in Gaza—who had nothing to do with what happened on October 7. And, incidentally, as the Senator from Texas knows, every single one of us in the Senate is absolutely horrified by what Hamas did on that day, October 7. And as my good friend from Texas said, that was the worst mass murder of innocent Jewish people since the Holocaust—horrifying.

I think it is fair to say that everybody in this body wants the war to end. They want a secure, peaceful Israel, and we want a secure, peaceful Palestinian State. But the suggestion that the U.S. Government is not providing significant aid to Israel, which I have objected to but this Congress has supported by a very large margin, is flatout wrong.

So for these reasons, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Texas.

MOTION TO DISCHARGE—S.J. RES. 89

Mr. CRUZ. Mr. President, I move to discharge S.J. Res. 89 from the Foreign Relations Committee.

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

The legislative clerk read as follows:

Motion to discharge from the Committee on Foreign Relations, S.J. Res. 89, a joint resolution to direct the termination of the use of United States Armed Forces for the construction, maintenance, and operation of the Joint Logistics Over-the-Shore pier on the coast of the Gaza Strip that has not been authorized by Congress.

The PRESIDING OFFICER. The motion is debatable for 1 hour.

The Senator from Texas.

Mr. CRUZ. Mr. President, the Gaza pier is a perfect example of the Biden administration's foreign policy incoherence. This was a nearly half-billion-dollar stunt trying to buy a few votes in Michigan. It has been an unconscionable waste of American taxpayer dollars, and, simultaneously, it has undermined America's geopolitical credibility with our allies.

The pier is unnecessary. We can debate whether sufficient aid is getting to the Gaza Strip, but I believe that our Israeli allies have taken unprecedented steps to ensure that indeed there is. I understand that many Democrats disagree.

What is undeniable, however, is that whatever aid is coming in, it has not, will not, and, indeed, could not have come through this God-forsaken pier. The operation was simply too insignificant and too convoluted.

Moreover, we know that Hamas diverts aid delivered through this pier. The pier has also been reportedly attacked by Palestinian terrorists, and three U.S. servicemembers have been injured because of pier operations.

Further, the pier has cost American taxpayers a minimum of $320 million to construct. And that was an estimate from April, so it is surely higher now.

Meanwhile, we have required our Israeli allies to provide a ''security bubble'' around the pier. We are pressuring them to protect this operation, which is bringing supplies hijacked by Hamas.

Joe Biden is asking Israel to protect the Gaza pier from Hamas while denying Israel the weapons to counter Hamas. And as we just saw, Senate Democrats are endorsing that policy. I find it difficult to think of a more ridiculous policy.

Let's be clear. American policy should be unequivocal: We need to ensure that Israel has the military and diplomatic support to utterly eradicate Hamas. That is good for Israel, and it is good for America.

Unfortunately, we have seen a recurring theme from the Biden administration and from Senate Democrats: Undermine Israel at every step of the way and aid terrorists at every step of the way.

In fact, this administration has been the greatest friend to Hamas and Hezbollah and the greatest ally to Ayatollah Khamenei on the entire planet. Under the Biden Presidency, over $100 billion has flowed to Iran, and $6 billion of it was in ransom for five Americans—a policy which I warned at the time would lead to more Americans being taken hostage. Tragically, on October 7, we saw that come to pass.

Where we are now is the Biden administration is sending money to Gaza, and they are combining it with blocking weapons to Israel. The policy is utterly backward. If you were to ask anyone on the street ''What should we do on foreign policy?'' they would say that we should support our friends and stand up to our enemies. Unfortunately, Joe Biden and the Democrats—their policy—has blocked weapons to our friends, blocked weapons to Israel, and sent billions of dollars to our enemies who are actively trying to kill Israelis and actively trying to kill Americans. It is Alice in Wonderland through the looking glass.

What the Senate should be doing is voting on the legislation the House has already passed to provide the weapons Israel needs now. Just a minute ago, I tried to pass that here on the floor of the Senate, and you saw Senate Democrats object to that. Why is it that we are not voting right now on providing the weapons to Israel that Joe Biden has blocked? Because Senate Democrats do not want to vote on it.

The only reason it didn't pass a minute ago is that a Senate Democrat objected and did so on behalf of all of the Democrats, and we know that it is all of the Democrats because CHUCK SCHUMER is the majority leader of this body. Senator SCHUMER could schedule the House bill for a vote anytime he wants, and he said he will not allow it to come to a vote.

So understand, if you support Israel, the reason the Biden administration is able to block weapons from going to Israel is because every Senate Democrat is standing in solidarity with this White House in blocking weapons from going to Israel in a time of war.

The reason you heard the words ''I object'' is some Senate Democrats don't want to go on the record for that. They don't want to actually cast the vote.

The Senator who objected is from the State of Vermont. Vermont is a bright-blue State—a State that they comfortably believe is safe to make an objection. Senators who are on the ballot in red or purple States are not eager to go on record on this question.

Procedurally, I do not have the ability to force a vote on passing the already passed House bill that would provide immediate weapons to Israel.

There is not a procedural vehicle to do that, but there is a procedural vehicle to vote on the mirror image of that policy. If we can't vote in saying America should provide weapons to our friend the State of Israel, what we can vote on is if we should stop giving money to our enemies—to Hamas.

The Gaza pier is flowing money to Gaza that is benefiting Hamas. Under the War Powers Act, I have the ability procedurally to force a vote, which we are about to have, on whether to cut off that money.

Everyone at home, I want you to understand this is a vote, yes, on the Gaza pier and, yes, on cutting off money to Hamas, but it is also a vote on the other half of the policy: Should we provide weapons to Israel?

I would have more than happily withdrawn this war powers resolution if—if—if the Democrat majority would have allowed a vote on the legislation that has already passed the House providing immediate weapons to Israel, but Democrat leadership doesn't want that vote. So I am going to force the only vote we can get.

Understand, when you see Democrat after Democrat after Democrat walk down to the well of the Senate and vote—I am going to make a prediction—they are going to vote quietly. You may see a couple—a couple—who have been among the loudest opponents of Israel. A couple may vote loudly, but most Democrats are going to walk in very quietly and go to the clerk and go ''no'' or maybe point down quietly, but it is not going to be a vote they are proud of. It is going to be a vote that they hope their constituents don't know about, that they hope the men and women they represent don't hear about, and it is going to be a vote, sadly, that simply reflects party loyalty in that the Biden White House has cracked the whip and has said: We support our enemies; we oppose our friends. Now fall in line and vote accordingly.

I am hoping that Senate Democrats will rediscover that the Senate is an independent body; that the Senate doesn't work for the White House even if your own party is in charge; that the Senate was designed to provide checks and balances on the President, especially concerning foreign policy; that the Senate was given by the Framers of the Constitution unique responsibilities concerning foreign policy: the responsibility to declare war, the responsibility to ratify treaties, the responsibility to confirm Ambassadors, to confirm the Secretary of State, to confirm military officers. The Framers designed the Senate to check an Executive, whether from your own party or the opposing party.

There is a long history of Senate Democrats who were willing to stand up to Democrat Presidents. You know, there was a Senate Democrat named Scoop Jackson. Scoop Jackson actually had the courage to stand up, even if it was a Democrat President, and fight for American national security. I wish we had even one Scoop Jackson Democrat left in the Senate, even one Democrat who would stand up and say: Look, I am with the Biden White House most of the time, but on cutting off weapons to Israel, on funding Gaza, on sending money to Iran and Hamas, enough is enough. I can't do that.

It is within the prerogative of every Senator to do just that, and I would note it is possible.

You know, we just had a Senate Judiciary markup where, going into the markup, everyone assumed that a judicial nominee from New York was going to be voted favorably out of the Judiciary Committee.

Now, this was a particularly radical nominee. This was a nominee who as a magistrate judge had ordered a 6-foot-2-inch biological man who was a serial—repeat—rapist to be housed in a women's prison, putting every woman in that prison at risk of sexual assault or rape. It was an extreme and radical nominee. I and others led the opposition to it.

I will tell you, we just had the markup. We walked into the markup, and everyone assumed, as has happened for 3½ years, that the Democrats would vote like the politburo—''da''—and vote for whatever extreme nominee was in front of us. Something shocking happened. When the vote happened, one of the Democrat Senators, the Democrat Senator from Georgia, voted no, and the nominee was defeated.

I am going to point to that as an example to the Democrats in this Chamber. I understand that the White House expects you to fall in line, that President Biden is coming to join you for lunch today, but every Senator has the prerogative to make their own choice: Do you agree with undermining Israel? Do you agree with flowing money to Gaza and Hamas and Iran and terrorists who want to kill us? If you don't, the people of your State have elected you and given you the prerogative and given you the voice to stand up and say no to this policy that is endangering America and endangering our allies.

I urge every Member, Republican and Democrat, to stand together, united. It would be powerful if we saw a bipartisan vote saying: We stand with our friends, and we stand against our enemies, and enough with this nonsense of funding people who want to kill us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, just to alert our colleagues, it is my intention at the end of this debate to make a point of order that this joint resolution is not entitled to privilege under 50 U.S.C. 1546a due to U.S. troops not being engaged in hostilities, but in order to allow the debate to continue, I will withhold that motion until the end of discussions.

This resolution that is before us would be an unprecedented invocation of the expedited procedures in the War Powers Resolution. I am a strong supporter of the War Powers. I think it is an appropriate use of oversight on our power to commit our troops to harm's way. This resolution does not seek to remove U.S. forces from hostilities but, rather, to end a specific mission. The War Powers is to deal with our military troops, not to deal with tactical military and nonmilitary actions. The Senate should not allow the privileged vehicles intended for entirely different purposes to be used as a backdoor effort to stop humanitarian assistance.

Let me be clear about this. American boots are not on the ground in Gaza. The U.S. troops who are operating the pier in question are not engaged in hostilities or in carrying out a mission that requires the authorization of the use of military force. They are facilitating the delivery of food, water, and other basic humanitarian assistance. The supplies are not even being delivered by U.S. forces.

Let me just call to our colleagues' attention what is included in the War Powers Act itself. It deals with U.S. Armed Forces when they are ''[i]nto hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.'' That is not what we have here in regards to the pier, so this is not the appropriate use of the War Powers Act.

I might tell you, this is somewhat moot because we expect, by the end of this month, for the pier operations to cease.

In any event, I think it is important for this body to make clear that we support the War Powers. This is not an appropriate use of the War Powers. For that reason, I will be making a motion, at the end, of a point of order.

I understand some of my other colleagues have some points, so I will yield the floor, but I will ask for the floor before the end of the debate.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise in support of Senator CARDIN and basically of the concerns we have of the War Powers Act and in diminishing the act to the point that we can't really react to the needs that we have around the world in trying to defend ourselves and help our allies.

I agree also with Senator CRUZ that this pier has not worked, that it has not done what it was intended to do. There have been difficult conditions, and a lot of money has been spent. To go any further is needless.

I intend to enter into a resolution—to have a resolution for today—that basically will do exactly what Senator CRUZ has said in his, except we will do it as a sense of the Senate versus invoking the War Powers Act. I will ask for consent and hopefully receive the support of my colleagues on both sides of the aisle. That will be later. We will do it today before we leave.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, let me thank my colleague from West Virginia.

I think my colleague is going about it the right way in dealing with the substance of the issue through a resolution and not by invoking the authorities we have for expedited procedures under the War Powers Act.

For that reason, I later intend to make a point of order.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, the Senator from Maryland said that he intends to raise a point of order objecting to this war powers resolution because we do not have servicemembers in harm's way; we do not have active hostilities, which is what is required by the War Powers Act. That is a creative procedural argument. It just has the inconvenient fact of not being true. Not only is it not true, but what the chairman of the Foreign Relations Committee is arguing to this body is directly contrary to the explicit position of the Biden Department of Defense.

I want to read to you from a press briefing from the Biden Department of Defense on May 16. A reporter asked the official spokesperson for the Department of Defense:

> The USAID spokesperson said yesterday that he wasn't satisfied yet with the deconfliction arrangement yet, and then he added that the maritime corridors exposed to—we do not think the JLOTS of the maritime corridor is exposed to any additional risk above and beyond that which is already present in Gaza. That's pretty frightening now, isn't it, given how many people have been killed . . .

Answer—and this is from the Biden Department of Defense:

> I don't think we've come up here with rose-colored glasses and said this is not a risk. This is an active war zone.

The Biden Department of Defense has explicitly stated: ''This is an active war zone''—that they are putting U.S. personnel at risk. And that is precisely why the War Powers Act gives this body the ability to act.

I would note, as well, my friend from West Virginia said he wanted a sense of the Senate but not to use the War Powers Act. The War Powers Act is a way for Congress to exercise its prerogative.

Over recent decades, we have seen the Senate hand away much of our responsibility on foreign policy and national security to the executives. That is contrary to the design of our Constitution, and it is, frankly, harmful to the Senate and harmful to this country.

We are not merely a body that has a sense of the Senate. Look, I assume I will join with whatever the sense of the Senate is. If it says this is a dumb idea, I will join that. But while we are at it, we ought to rename a post office.

The Senate exists to do more important things than make general musings into the ether. The Senate has the constitutional power and, under the War Powers Act, the legal and statutory power to say: Stop spending money to send U.S. service men and women into harm's way.

Now, far too often, the Senate has stepped out of our historic role in foreign policy and has said: Whatever the President wants, we, the Senate, aren't going to say anything about it.

When there is a Republican President, Democrat Senators suddenly discover their voice and say: Hey, the Senate ought to say something.

But when it is a Democrat President, it seems no matter how incoherent and disastrous the foreign policy from the Democrat President, Democrat Senators don't want the Senate to exercise its authority.

I will reiterate the offer that I made just moments ago to the staff of the Senate majority leader: I will withdraw this war powers resolution if the Senate votes on the legislation that has already passed the House to provide the weapons that the Biden White House is blocking to Israel.

The Democrats don't want to do that because they don't want their Members on record. And because they don't want their Members on record, this is the only vehicle I have, because, procedurally, under the statute, I have a right to force a vote on this.

The chairman of the Foreign Relations Committee said there are not active hostilities. The Biden Department of Defense has explicitly disagreed.

To quote again:

> I don't think we've come up here with rose-colored glasses and said that this is not a risk. This is an active war zone.

That means the War Powers Act fully applies.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, there is no dispute that there is active hostility in Gaza. That is not the issue. The question is whether American troops have been engaged in that hostility, and they are not. That is when the War Powers Act is triggered.

American presence through missions are common in areas surrounding active hostilities. That is not unusual. So the use of the War Powers Act in this circumstance would be unprecedented.

I would urge my colleagues to recognize there are other ways we can express ourselves. I thank Senator MANCHIN for giving us that opportunity. But this is the wrong procedure to use.

And if all time is yielded back—

Mr. CRUZ. It will be momentarily.

Mr. CARDIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. A very brief response to what my friend from Maryland said: The pier was fired upon twice. It is difficult to say that we are not in active hostilities when we are being fired upon, and so it clearly falls under the statute.

With that, I yield all further time.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. In a brief rebuttal, I will tell you a mission dealing with humanitarian assistance is not introducing our soldiers.

POINT OF ORDER

Mr. President, I yield back our time, and I make a point of order that this joint resolution is not entitled to privilege under 50 U.S.C. 1546a due to U.S. troops not being engaged in hostilities.

VOTE ON POINT OF ORDER

The PRESIDING OFFICER. The Chair submits the question to the Senate for its decision.

Is the point of order well taken?

Mr. CARDIN. 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 Massachusetts (Mr. MARKEY) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Montana (Mr. DAINES), 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 48, nays 46, as follows:

[Rollcall Vote No. 212 Leg.]

YEAS—48

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

NAYS—46

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

NOT VOTING—6

Capito	Markey	Romney
Daines	Menendez	Scott (FL)

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 48, the nays are 46. The point of order is

well-taken. The motion to discharge falls.

The point of order is sustained and the motion falls.

The PRESIDING OFFICER. The Senator from Louisiana.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KENNEDY. Madam President, I ask unanimous consent that the Senate proceed to executive session and that at 1:45 p.m. today the Chair execute the order of July 9, 2024, with respect to the Meriweather nomination.

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

The clerk will report the Meriweather nomination.

The senior assistant legislative clerk read the nomination of Robin Michelle Meriweather, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

The PRESIDING OFFICER. The Senator from Kansas.

WAR POWERS

Mr. MORAN. Madam President, the Senator from Arizona, I want to speak just briefly about the vote that we just cast but, more than the vote, the topic that it represents.

The pier constructed to deliver aid to Gaza is a failure, was a failure, and it was a very expensive failure, and it has cost taxpayers hundreds of millions of dollars. It was an idea poorly conceived and poorly executed. It is unsustainable to maintain, and it is not fulfilling its purpose. It should be dismantled, and there are already plans underway to eliminate the pier after remaining aid has been distributed or removed.

Our U.S. forces, as they were in this instance, were called upon to deliver aid to areas of the world that are plagued by violence or areas that are hostile to the United States. And my complaint about the planning is nothing to distract from my admiration and respect for those who serve our country, and that continues in those individuals in the military who have served in the effort to try to provide aid to the people of Gaza.

But this is not an isolated instance in which the United States and its military are asked to serve. The United States has previously assisted Iran after a devastating earthquake. This year U.S. forces delivered aid to Haiti, which is racked with gang violence. The capabilities of the U.S. military and the generosity of the American people to help innocent victims, no matter who they are or what government rules over them, is a testament to America's goodness and to American power.

The point I want to make is the War Powers Resolution allows Congress to remove forces ''engaged in hostilities without specific authorization.'' I want to caution my colleagues against utilizing these authorities and setting a precedent that Congress can or should intervene any time we simply don't like the entity, the people, who are receiving the aid.

I wholeheartedly respect Congress's ability to utilize war powers when appropriate. There is no greater responsibility we have than deciding when to send our sons and daughters to take part in a war. This decision should not and must not be allowed to reside with the President, with the executive branch alone. Yet, too often, it is exactly what we do, ignoring our obligations as Members of Congress.

The Framers of our Nation determined that war is to be declared by Congress. And in too many instances and way too often, we fail to live up to our constitutional responsibilities.

I believe there are many more opportunities more pressing and more damaging to our troops than just this failure of the pier, where Congress could and should intervene. At this moment, for example, the U.S. sailors are engaged in kinetic activities against the Houthis without any such authorization. Just like the Gaza pier, the Biden administration has placed servicemembers in harm's way without any strategy for success, at significant cost to taxpayers and finite defense munitions. This pier demonstrated President Biden's ham-fisted approach to the Middle East.

Why should we allow him—but the point is broader than that. Why should we allow him—or any President—to continue missions that are adrift and have no prospect of a solution? It is a failure on Congress's part to assert our constitutional obligations in matters of war.

Today's vote was a step—a step, I think, in the right direction—but we have much more to do to carry out the responsibilities we were elected to. I have said this on the Senate floor many times: When Congress looks the other way, when a President of either party issues executive orders or rules and regulations that make no sense under the law that was enacted that they are operating under, it is important, I think—again, I have said this on the floor before too many times—people just want the result they want, and they don't care about the process by which they get it. And the process is what protects our freedoms and liberties. The process is what the Constitution is about, and we ought to be fulfilling our constitutional responsibilities, certainly when it comes to the ability to have members of our military in harm's way.

Our freedoms and liberties are determined by that. The Framers understood that this country should not have a king and that the powers are vested in the legislative branch, not the executive.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

REMEMBERING JAMES M. INHOFE

Mr. SCOTT of South Carolina. Madam President, I rise today to take a moment to reflect on the remarkable life of Senator Jim Inhofe, who passed away and is now spending time with his Lord and Savior in heaven.

I rise for a number of reasons: One, because he was such a fantastic public servant who served our Nation in the U.S. Senate for nearly 30 years. I rise because, as a member of the U.S. Army, he served his Nation valiantly and selflessly. I rise because here is a man of great faith who dedicated his life to public service.

But I also rise because of the slanderous headlines that marked his death. People wonder time and time again why the American people continue to lose faith in our media, when the headlines from Associated Press or Politico, New York Times and ABC News reflects a partisan difference on policy and leads them to label his death in such a negative way. It does, indeed, cripple their credibility in the eyes of the American people when the Washington Post speaks of the death of an ISIS terrorist by saying he was an austere, religious scholar at the helm of the Islamic State. But Senator James Inhofe, the Oklahoma Senator and climate change denier, dies at 89. It saddens me, as an American, that our press pays so little attention to the sacrifice of public servants and so much respect for those who kill because they can.

Jim Inhofe will be remembered in Oklahoma and around the country as a man of deep faith, as a man who sacrificed on behalf of a country that he dearly and deeply loved, and as a man who brought people together in Bible studies and faith communities and, frankly, around the world.

I remember traveling with Senator Inhofe a number of years ago on what we call a congressional delegation. It was a 7-day trip with 10 country stops. If you wanted to sleep on Senator Inhofe's codels, you slept on the plane because there was too much to do when the plane landed.

I recall him bringing together African leaders who had been warring against each other, and having a moment of prayer before he found a way, courageously, to bring two warring factions to the same table to solve deeply rooted problems that seemed impossible to solve.

I remember with great affection seeing some of his reelection acts, where he was flying a plane upside down at the age of 84 or 85.

Jim Inhofe was a great man, and his family does not deserve to read the headlines of media outlets that denigrate his public service, denigrate his character, and lessen his reputation. Thankfully, no one can touch his character. They can only darken the shadow around it, because he indeed was a man of great character.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AFFORDABLE PRESCRIPTIONS FOR PATIENTS ACT OF 2023

Mr. CORNYN. Madam President, I am glad the Presiding Officer is in the Chair because, committed as I know she is to solving real problems, the legislation that we are going to pass here momentarily by unanimous consent has been 7 years in the making but will actually address the problem of high drug prices.

In the last few years, I have heard, certainly, from my constituents in Texas about the struggle to obtain their medication at affordable costs. It is not because no treatment exists or because they don't have insurance or because it is a brandnew drug that just hit the market. Many patients can't afford prescriptions they have been taking for years because the prices continue to go up, and there is little evidence of anything to justify those price increases.

I have heard heartbreaking stories about patients leaving their prescriptions unfilled simply because they can't afford them, rationing doses of blood pressure medication, and traveling across the international border to Mexico to get certain medications at lower prices. The problem is, when you go to Mexico to get your medication, it may look like the same medication you take in the United States, but chances are it may well be counterfeit, so that is a real problem in and of itself.

These challenges have been compounded by high inflation under President Biden's policies. We know everything has gone up in cost—an average of 20 percent over the last 3 years for groceries, gas, rent. Just about everything is more expensive today than it was when President Biden took office.

Senators from both sides of the aisle, on a bipartisan basis, have offered a number of bills to try to get at this problem of high drug prices. One of these is a bipartisan bill that I introduced with Senator RICHARD BLUMENTHAL from Connecticut called the Affordable Prescriptions for Patients Act. This legislation addresses one of the most egregious practices contributing to high drug prices, which is patent abuse.

Our country offers robust protection for intellectual property. In other words, if you are going to do the research and development and go to the expense and take the risk associated with creating something new and innovative, like a new drug to treat a deadly disease, our laws allow the right to sell that drug on an exclusive basis for a period of time. I think it is very important to incentivize that sort of innovation and research, and it produces lifesaving drugs. We know that many companies are unlikely to pour expensive resources into discovering new cures if, at the end of it, they can't even recoup their own costs, much less make a profit.

That is where our patent system comes in. It is as old as our country is old. The patent system provides a limited time period for the manufacturer to be the sole seller in the marketplace before generic versions can become available, but some companies are abusing the system. They are taking extreme steps to maintain their exclusivity for a drug and keep the money rolling in. One way they do this is through a practice known as patent thickening. This involves creating intricate webs of patents to keep the competition at bay for as long as possible because as long as you can continue to sell these drugs on an exclusive basis, the money is going to keep coming in, and it will not go generic and result in competition from others.

The Affordable Prescriptions for Patients Act aims to stop this anticompetitive behavior and allow new drugs to come to market sooner. That is how we improve competition and ultimately lower prices for patients without standing in the way of innovation.

The added benefit to this bill is the Federal savings that it would provide for taxpayers. The Congressional Budget Office has estimated that this bill would lead to lower Federal spending by $1.8 billion over 10 years.

At a time when our national debt is at an alltime high—approaching $35 trillion—anything we can do to help deal with that rising debt I think should be regarded as positive. And this is just a savings to the Federal Government for Medicare and Medicaid. There will, undoubtedly, be significant savings for consumers who have private health insurance on top of that.

This bipartisan legislation checks every box. It protects innovation; it increases competition; and it saves money for taxpayers and consumers. Most importantly, it lowers prices at a time when many patients are seeing their drug prices go up and up and up—apparently, without end.

I can't imagine why anybody would oppose such a piece of legislation. Election day is 4 months away, and the Senate is only scheduled to be in session for 20 days between now and then, including today. Patients in Texas and across the country are asking their elected representatives to do something to address these high drug prices, and it is time for the Senate to deliver.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 22, S. 150.

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

The senior assistant legislative clerk read as follows:

A bill (S. 150) to amend the Federal Trade Commission Act to prohibit product hopping, 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.

Mr. CORNYN. Madam President, I further ask that the Cornyn substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 2399) 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 ''Affordable Prescriptions for Patients Act of 2023''.

SEC. 2. TITLE 35 AMENDMENTS.

(a) IN GENERAL.—Section 271(e) of title 35, United States Code, is amended—

(1) in paragraph (2)(C), in the flush text following clause (ii), by adding at the end the following: ''With respect to a submission described in clause (ii), the act of infringement shall extend to any patent that claims the biological product, a method of using the biological product, or a method or product used to manufacture the biological product.''; and

(2) by adding at the end the following:

''(7)(A) Subject to subparagraphs (C), (D), and (E), if the sponsor of an approved application for a reference product, as defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i)) (referred to in this paragraph as the 'reference product sponsor'), brings an action for infringement under this section against an applicant for approval of a biological product under section 351(k) of such Act that references that reference product (referred to in this paragraph as the 'subsection (k) applicant'), the reference product sponsor may assert in the action a total of not more than 20 patents of the type described in subparagraph (B), not more than 10 of which shall have issued after the date specified in section 351(l)(7)(A) of such Act.

''(B) The patents described in this subparagraph are patents that satisfy each of the following requirements:

''(i) Patents that claim the biological product that is the subject of an application under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)) (or a use of that product) or a method or product used in the manufacture of such biological product.

''(ii) Patents that are included on the list of patents described in paragraph (3)(A) of section 351(l) of the Public Health Service Act (42 U.S.C. 262(l)), including as provided under paragraph (7) of such section 351(l).

''(iii) Patents that—

''(I) have an actual filing date of more than 4 years after the date on which the reference product is approved; or

''(II) include a claim to a method in a manufacturing process that is not used by the reference product sponsor.

''(C) The court in which an action described in subparagraph (A) is brought may increase the number of patents limited under that subparagraph—

''(i) if the request to increase that number is made without undue delay; and

''(ii)(I) if the interest of justice so requires; or

''(II) for good cause shown, which—

''(aa) shall be established if the subsection (k) applicant fails to provide information required section 351(k)(2)(A) of the Public Health Service Act (42 U.S.C. 262(k)(2)(A)) that would enable the reference product sponsor to form a reasonable belief with respect to whether a claim of infringement under this section could reasonably be asserted; and

''(bb) may be established—

''(AA) if there is a material change to the biological product (or process with respect to the biological product) of the subsection (k) applicant that is the subject of the application;

''(BB) if, with respect to a patent on the supplemental list described in section 351(l)(7)(A) of Public Health Service Act (42 U.S.C. 262(l)(7)(A)), the patent would have issued before the date specified in such section 351(l)(7)(A) but for the failure of the Office to issue the patent or a delay in the issuance of the patent, as described in paragraph (1) of section 154(b) and subject to the limitations under paragraph (2) of such section 154(b); or

''(CC) for another reason that shows good cause, as determined appropriate by the court.

''(D) In determining whether good cause has been shown for the purposes of subparagraph (C)(ii)(II), a court may consider whether the reference product sponsor has provided a reasonable description of the identity and relevance of any information beyond the subsection (k) application that the court believes is necessary to enable the court to form a belief with respect to whether a claim of infringement under this section could reasonably be asserted.

''(E) The limitation imposed under subparagraph (A)—

''(i) shall apply only if the subsection (k) applicant completes all actions required under paragraphs (2)(A), (3)(B)(ii), (5), (6)(C)(i), (7), and (8)(A) of section 351(l) of the Public Health Service Act (42 U.S.C. 262(l)); and

''(ii) shall not apply with respect to any patent that claims, with respect to a biological product, a method for using that product in therapy, diagnosis, or prophylaxis, such as an indication or method of treatment or other condition of use.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to an application submitted under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)) on or after the date of enactment of this Act.

(c) MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''$0'' and inserting ''$1,800,000,000''.

The bill (S. 150), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. CORNYN. Madam President, I yield the floor.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I ask unanimous consent that the vote scheduled for 1:45 p.m. commence immediately.

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

VOTE ON MERIWEATHER NOMINATION

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

Mr. MORAN. 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 Massachusetts (Mr. MARKEY) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Montana (Mr. DAINES), the Senator from Kansas (Mr. MARSHALL), the Senator from Utah (Mr. ROMNEY), the Senator from Florida (Mr. SCOTT), and the Senator from Alabama (Mr. TUBERVILLE).

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

The result was announced—yeas 52, nays 39, as follows:

[Rollcall Vote No. 213 Ex.]

YEAS—52

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

NAYS—39

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

NOT VOTING—9

Blackburn	Markey	Romney
Capito	Marshall	Scott (FL)
Daines	Menendez	Tuberville

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—H.R. 8281

Mr. LEE. Madam President, one citizen, one vote—today, this foundational principle is under attack. It is under attack because President Biden refuses to enforce the law. Now we face a direct threat to our entire electoral system.

Consider this: Since President Biden's inauguration on January 20, 2021, over 10 million illegal immigrants have entered the United States. This figure exceeds the populations of 36 States, creating a crisis that has been met with troubling silence and inaction from far too many on the other side of the aisle.

With millions of unauthorized people now on U.S. soil, living here in the United States, the potential for election fraud through ineligible voting is not just a hypothetical risk—no; it is a looming reality.

With the influx of noncitizens under this administration, even if just a fraction—let's just say something like 1 in 100—were to vote, this could translate to hundreds of thousands of votes, enough to sway our tightly contested elections and potentially alter their outcomes.

This is deeply concerning considering that a recent study showed that noncitizens have ample openings to vote illegally. It found that anywhere from 10 to 27 percent of noncitizens are registered to vote and 5 to 13 percent of noncitizens do actually vote in Presidential elections, no less.

Across the Nation, instances abound where States have inadvertently facilitated this very crisis. From unsolicited voter registration forms being mailed out to noncitizens to driver's licenses issued without adequate checks, practices relying merely on the honesty of illegal aliens have opened up the floodgates to voter fraud.

While it is true that it is already illegal for noncitizens to vote in Federal elections, there are no effective systems in place to verify the citizenship of voters. A mere check on a box is all it takes, with little risk of being caught. In short, you are on the honor system with those forms.

Federal law even prohibits States from requiring proof of citizenship when registering voters via Federal forms. So it is not just that the States aren't doing an adequate job of verifying citizenship as a condition precedent to registering to vote in a Federal election; they are prohibited by law from doing so.

An increasing number of localities permit noncitizens to votes in local elections, and this makes it even worse. It further blurs the distinctions that are there that have historically been meant to protect the integrity of our elections.

Prominent Democrats have openly discussed these tactics, in many instances as beneficial to their agenda, as likely to help their political ambitions. Only months ago, every Senate Democrat voted to count illegal aliens in the census to help them shore up more seats in Congress and consequently more votes in the electoral college.

This cannot continue. It is our responsibility, our imperative, to close these gates. My bill, the SAVE Act, would ensure that this stops. It would be a vital step in securing the electoral process, ensuring that every vote cast is legitimate and every voter is duly recognized and registered and properly brought into the system so that they can vote.

The SAVE Act amends the National Voter Registration Act—the same act that was interpreted a few years ago by the Supreme Court as prohibiting the States from requesting any positive proof of citizenship—so that States can

ensure that only U.S. citizens may participate in Federal elections. It fixes the NVRA. If the NVRA was interpreted that way, this would close that loophole.

The SAVE Act requires States to obtain concrete documentary proof of citizenship at the time of voter registration. It specifies acceptable documentation and requires States to establish alternative verification processes for those rare instances in which standard documents might be unavailable. Furthermore, the SAVE Act compels States to proactively remove noncitizens from voter rolls and introduces severe Federal penalties for those who intentionally register noncitizens.

This bill echoes the sentiments of the American people from coast to coast. It transcends political affiliations, with an overwhelming bipartisan supermajority of Americans supporting it, and it speaks directly to the core of what makes our country great: fair, free, and secure elections operating within our constitutional Republic.

This is about protecting our elections from foreign interference—something my Democratic colleagues claim to care about and long have. If we truly want our elections to be free of foreign interference, then by all means pass the SAVE ACT. Let's pass it today. Let's pass it right now.

So for those of my colleagues who are opposed to this, why aren't they concerned about the ability of tens of millions of foreign nationals—noncitizens—in the United States to vote in America? Why should we allow tens of millions of foreign nationals who are not citizens of the United States to vote in U.S. elections?

Now, if the Biden administration insists on keeping America's border open as, to my great dismay, it has for the entirety of the 3½ years or so that Biden has been in office—if they are going to insist on keeping the borders open, by all means, they must at least, at a bare minimum, ensure that none of those noncitizens are interfering in our elections. Every single day that we delay, the foundation of our electoral process erodes a little more.

We cannot wait for this administration to enforce the law, to enforce the border, which they haven't done. They continue to refuse to do it. More people continue to enter, but in the meantime, they have let in 10 million illegal aliens. Add to that those who were already here, and an estimated 30 million noncitizens currently reside in the United States.

But this administration just keeps right on trucking, not doing anything about this problem. In fact, this administration strongly opposes this legislation. Now, let's run through the reasoning. The reasoning is really telling. There are several arguments raised by the White House in the statement they issued just earlier this week.

First, the White House protests:

> It is already illegal for noncitizens to vote in Federal elections—it is a Federal crime punishable by prison and fines.

Now, to be clear, that is, on its face, a correct statement of the law. I won't disagree with the statement on its four corners, but the conclusion is really messed up. As I have already stated, there is absolutely no functioning mechanism for enforcing the law.

And it is worse than that. It is not just that current law doesn't create an adequate enforcement mechanism; it is that current law, as interpreted by the Supreme Court, affirmatively prohibits the States from doing what they would need to do in order to prevent noncitizens from registering to vote and subsequently voting in Federal elections, contrary to Federal law. Meanwhile, DOJ investigations of illegal voting are all but nonexistent.

A law without enforcement cannot and will not stop illegal behavior; and there are many, many circumstances in which, notwithstanding the fact that the underlying conduct is criminally prohibited, you still need some sort of verification mechanism to make it enforceable.

By the White House's own logic, it would be unnecessary and, perhaps, even unwise to have laws requiring a photo ID to buy beer and cigarettes. You know, we have got these laws on the books, after all, that already make it a crime to sell beer and cigarettes to children. So according to the White House's logic, we shouldn't need an additional law requiring age verification with a photo ID. Now, nobody would be that crazy or that insane to make that argument there. We shouldn't be making it here. It is the same argument, the exact same argument.

Next, in second position, the administration makes the unsubstantiated claim that ''the justification for the SAVE Act is based on easily disproven falsehoods.'' But then, well, the administration utterly fails and defiantly refuses to offer anything to support that statement.

It is ironic because that justification for opposing it on grounds that the justification for the SAVE Act is based on disproven falsehoods is its own disproven falsehood. There is nothing there. There is no falsehood that has been disproven. They have not disproven the fact that noncitizens, whether legally or illegally in this country at the time, can easily obtain voter registration eligibility to vote in Federal elections—or the physical ability to do it, rather, so long as they are willing to check a box and sign their name.

They don't dispute the fact that, in all 50 States and DC, a noncitizen can apply for and receive a driver's license or that the National Voter Registration Act makes it easy, when applying for a driver's license, to check a box and sign your name and thereby register to vote in Federal elections. When you add to that the fact that States are affirmatively, legally prohibited, based on the Supreme Court's interpretation of the NVRA a few years ago which said that the States cannot, may not, must not ask for any kind of documentation to verify citizenship, we have a problem.

So for them to say that our justification for the SAVE Act is based on falsehoods, on easily disproven falsehoods, is itself easily disproven, and it is a falsehood.

Third, the administration asserts that ''making a false claim of citizenship or unlawfully voting in an election is punishable by removal from the United States and a permanent bar to admission.''

Well, this is an interesting argument. This one is rich coming from this administration.

Look, it is true that the naturalization form, as a self-reporting mechanism, asks the applicant if the applicant has ever voted illegally. Yes, that is true. As far as I can tell, even when they do self-report in those, I suspect, rare instances when they do, absolutely nothing has been done with that information under the Biden administration. Joe Biden isn't deporting anyone for illegally voting. Joe Biden has opened the floodgates and just lets people come in. So that is rich coming from this administration suggesting that there is going to be, suddenly, rigorous enforcement of laws governing our border security in this instance when, No. 1, they are not doing it, and No. 2, everywhere you look, they are doing the opposite of that.

Fourth, the administration asserts, ''[s]tates already have effective safeguards in place to verify voters' eligibility and maintain the accuracy of voter rolls.''

That assertion is simply flatout wrong. It is just false. It is false factually, and it is false legally, meaning it is not true, and it cannot be true by operation of law for the reasons I have just explained. States are legally prohibited from requiring proof of citizenship when registering voters for Federal elections. This, I fear, may well be a feature, not a bug, for the administration and a reason for the administration to oppose it, tragically. We will get back to that more in a moment.

But, look, this loophole that I am describing based on the Supreme Court's interpretation of the NVRA—telling the States they may not and must not ask for any kind of evidence of citizenship—is a gaping loophole that we must fix.

Lastly, the administration claims that, instead of safeguarding our elections, this bill, with its incredibly generous list of ways to demonstrate citizenship, would make it harder for Americans to vote.

Well, look, the reality is that there is an expansive list of ways to demonstrate citizenship even if you lack the documentation traditionally involved in proving it.

Keep in mind it is not unusual for Americans to be asked for proof of citizenship. Every single time an American citizen starts new employment, starts a new job, they fill out an I–9.

They have got to provide proof of citizenship. If you are not a citizen, you have to show evidence of your visa and your eligibility to work in the United States under that visa. If you can't do that, you can't start a job. This happens all the time.

It is not as if the ability to prove citizenship and a requirement that one do so is foreign to us nor is it the case under this bill that would be exceptionally difficult, because even if you are one of those rare individuals who, for whatever reason, doesn't have or have access to a birth certificate or something else that can prove it, we have got a long list of other ways you can do it even if you lack the traditionally utilized documentation.

This bill allows all American citizens to vote. More importantly, if enacted, it would mean that no American vote could be canceled out by a vote cast illegally by a noncitizen. This bill would make it harder to cheat in elections and ensure the integrity of every ballot lawfully cast.

There is no valid argument against the SAVE Act—none. The only reason to oppose this bill would exist if you needed illegal votes to win elections—full stop. That is it.

By passing the SAVE Act, we would send a clear message that in the United States of America, voting is not just a privilege of citizenship but a cherished and protected right. As debates about election integrity rage, the SAVE Act stands out by guaranteeing that only American citizens can have a say in our elections. American elections must be decided by American voters—full stop.

So, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 8281, which is at the desk; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. BOOKER). Is there an objection?

The Senator from California.

Mr. PADILLA. Mr. President, in reserving the right to object, I ask you this: How many times do we have to go through this?

Less than 2 months ago, I came down to the floor of the Senate to object to this very same bill—expressing concerns, answering questions—and here we are again, and nothing has changed. So it doesn't matter how many times this bill comes to the floor. It doesn't matter how many times our Republican colleagues feign outrage over noncitizens unlawfully voting—without a shred of evidence—it doesn't change the fact that, as good as the proponents may make this bill sound or try to make this bill sound, it is nothing other than a solution in search of a problem.

Now, I speak both as a Senator representing California but also as a former chief elections officer of California, where I—as the secretaries of State across the country, by the way—worked alongside tireless election clerks and administrators across the political spectrum at the State and local levels. Given that experience, I can tell you this: There is no credible evidence of a meaningful number of noncitizens voting in our elections. In 2016, audits showed that noncitizens accounted for 0.0001 percent of the vote.

Even the conservative Cato Institute has said:

> Noncitizens don't illegally vote in detectable numbers.

Now, I am glad Senator LEE mentions the National Voter Registration Act because, as he pointed out, it was upheld by the Supreme Court of the United States in terms of its guidance of what States can and should do and what they cannot do. He also didn't mention that the National Voter Registration Act was adopted on an overwhelming bipartisan vote of Congress.

But, rather than propose legislation based on facts, this bill would respond to the alarming allegations that Republicans themselves have fabricated. It would create more barriers to exercising the right to vote and would restrict ballot access for even more Americans than is currently the case. It would make voting harder for the more than 21 million eligible voters in America who can't easily access their proof of citizenship.

I don't know about you. I am not in the habit of carrying around my birth certificate or even my passport. Not everybody has a passport. It doesn't mean you are not a citizen if you don't carry a passport. And I am not just talking about Democrats or Republicans; I am talking about Americans of both political parties. The bill would clearly, also, disproportionately impact voters in communities of color.

In addition, this bill seeks to undermine faith in our elections by injecting fear and uncertainty, particularly in an election cycle, at a time when our democracy demands more calm and understanding of the integrity of the process.

But Senator LEE and I agree on one thing, believe it or not. That is that voting is a sacred responsibility and that the right to vote, in and of itself, is fundamentally sacred.

So to my colleagues on both sides of the aisle, if you are truly worried about the election and our democracy, then I will ask you this: Join me. Join me in passing the Freedom to Vote Act and making sure that all eligible Americans—yes, only U.S. citizens—can make their voices heard at the ballot box without any unnecessary barriers or obstacles.

It is the most American and the most bipartisan thing that we could do. But until then, let's be honest with the American people.

So, yes, Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate how the Presiding Officer always speaks loud enough so that everyone can hear. The Presiding Officer also manages the floor with great assertiveness, which I also appreciate.

I am grateful to my friend and colleague, the distinguished Senator from California, and his thoughtful approach to legislation.

There are some things that he said that I feel that I need to address. One of them is a reference to a belief that there is no credible evidence of noncitizens voting, at least no credible evidence of noncitizens voting in any significant numbers.

Well, there are studies that go in exactly the opposite direction, studies like the one that I cited just moments ago showing that it is a nontrivial sum, such that if even something at the low end of the percentages cited in that study were correct, that could easily be enough to sway the outcome of some elections.

But, regardless, what my friend is referring to has to be taken with a grain of salt, considering how things have changed on the ground. The enumerator and the denominator of that fraction have changed over the last few years, where we have now got about 30 million noncitizens living in the United States, with about 10 million who have come in who are illegally in the United States now, who entered this country unlawfully and are now living in the United States. That is not a nontrivial sum when that many people entered the United States that quickly. And when you have now got all 50 States and DC that issue driver's licenses to noncitizens; that, coupled with the National Voter Registration Act—and the way the National Voter Registration Act was interpreted a few years ago by the Supreme Court of the United States saying that the State officials who processed those Federal forms submitted under the NVRA so that people can register to vote in Federal elections while applying for their driver's license, that creates a toxic soup in which there is an environment just rife with opportunities for foreign interference in U.S. elections.

You cannot add this many noncitizens, legal or illegal noncitizens, to the United States in this short of a period of time and couple it with that kind of voter registration framework and not anticipate that there will be significant numbers of people who will end up registering to vote—some perhaps somewhat innocently, perhaps others less innocently. I don't know. But it would be supremely naive and, worse than that, willfully—willfully—blind to what we all know is going to happen unless we pass this.

Now, the House of Representatives passed this bill yesterday, which gets to another point made by my colleague saying that we have been down here over and over and over again doing this bill. I am not sure what he is referring to. The bill hasn't even been around that long, but something material changed yesterday.

Yesterday, the House version of the SAVE Act, which is the version that I am coming to the floor today to propose, the one that I just tried to pass by unanimous consent moments ago before it was met with the objection of the Senator from California, that bill was passed yesterday, less than 24 hours ago, by the House of Representatives, with bipartisan support, I would add—not just Republicans over there, some Democrats who are concerned, with very good reason, joined with Republicans in order to get this thing passed.

So to say that this is an area in which there is no credible evidence of any need to act is science fiction fantasy. It is contrary to fact. It is contrary to logic. It is contrary to our human understanding of nature, contrary to our understanding of the National Voter Registration Act and how it has been interpreted by the Supreme Court of the United States and how elections work.

As to my colleague's suggestion that this is feigned outrage—feigned outrage—that is animating this, nothing could be further from the truth. Look, I wish this could be feigned. I wish I had the luxury of this being something that was feigned. This is serious business.

We lose something as Americans, certainly, anytime we allow our elections to be vulnerable to interference from forces outside the United States, including foreign nationals, non-U.S. citizens inside this country.

When that happens, when the public starts to perceive that others are voting in this, diluting their votes, that has deleterious effects on the effective operation of our republican form of government that are very difficult to recapture once they are lost. We can't treat this casually.

Look, I will be back. It is unfortunate that we weren't able to pass this today.

Let me restate the point I made earlier: There is not a legitimate reason to oppose this bill. We make it incredibly easy under this bill for any American. If you are an American citizen, you can easily prove your citizenship and you can do it in the way this bill requires and you can still vote. It is not hard. It is not expensive. It need not require anyone to spend a dime, a nickel, or even a penny. It just requires you to be an American.

There is not a legitimate reason to oppose this bill. There is not a logical reason to oppose this bill, unless, of course, your objective is different, unless, of course, you are just fine with and in fact excited about or reliant upon noncitizens voting. That is alarming.

The PRESIDING OFFICER. The Senator from Rhode Island.

U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I am back now for the 33rd time to keep shining a little light on the rightwing billionaires' covert scheme to capture and control our Supreme Court.

As a result of that scheme, the Court's rightwing just took a wrecking ball to the government's ability to protect Americans from big polluters and corporate cheaters.

This year's billionaire bonanza came through four decisions that gutted administrative Agencies' ability to do their job—perfect payback to the polluter billionaires who helped foot the bill to get these Justices onto the Court in the first place.

The first decision is Ohio v. EPA, where the Supreme Court undermined the Environmental Protection Administration's ability to enforce the ''good neighbor'' provision of the Clean Air Act, the provision that defends the air quality of ''downwind'' States like mine, Rhode Island, from powerplants and industrial facilities in ''upwind'' States, where sometimes they build the smokestacks extra high so that the pollution doesn't hit the polluting State, but it floats over and comes down and hits us in Rhode Island.

Without even full briefing on the merits, industry litigants succeeded in getting the Court to stall proposed clean air regulations and place a thumb on the scales in favor of polluters. At the hands of the Federalist Society Justices, the right of polluters to pollute beat the right of Rhode Islanders to breathe clean air.

Then came SEC v. Jarkesy, where the rightwing Justices undercut the ability of Federal Agencies to hold fraudsters accountable through administrative enforcement proceedings.

The Court held that civil penalties for securities fraud required a jury trial under the Seventh Amendment, undermining administrative adjudication in all sorts of civil enforcement proceedings across the Federal Government—protecting consumers from predatory financial institutions, workers from unsafe conditions, and the environment against polluters.

I am angry that the Court picked this case to express concern about the right to a civil jury while it has been busily eroding that same civil jury right when doing so favored big corporations over regular people.

If you are a fraudster on the losing end of a regulatory violation, they are all about the Seventh Amendment. If you are a consumer or employee injured by a big business, off you go to private, secret, mandatory arbitration.

At the hands of the Federalist Society Justices, the right of fraudsters to commit fraud defeated the right of people to be protected from fraud.

In Loper Bright Enterprises v. Raimondo, the Court overruled 40 years of precedent granting what is called Chevron deference to Federal Agencies when they are implementing laws that protect health, safety, and the environment.

Chevron recognized that courts should defer to an executive Agency's reasonable interpretation of a statute it is charged with administering. Just reading that sentence tells you how eminently reasonable the rule was. Plus, Congress can't be expected to make fine-grained determinations in technical areas that are best left to experts with decades of training and experience.

In Loper, the rightwing Justices removed that deference to expertise. The result? Look at this Washington Post headline: ''Corporate lobbyists eye new lawsuits after supreme court limits federal power''—more ways for polluters to stall regulations with delays that could save polluters billions.

Just to read this text:

> Mere hours after the Supreme Court sharply curbed the power of federal agencies, conservative and corporate lobbyists began plotting how to harness the favorable ruling in a redoubled quest to whittle down climate, finance, health, labor and technology regulations in Washington.

These cases are a power grab by a captured Court, transferring regulatory authority from an elected Congress and an elected executive to an unaccountable judiciary ill-suited to make such technical determinations.

Almost laughably, as they did this, Justice Gorsuch had to amend his opinion in that Ohio v. EPA case because he confused ''nitrous oxide''—laughing gas—with ''nitrogen oxides'' that were the subject of that case. So much for judges knowing technical stuff better than the experts.

The right of Federalist Society judges to make up fake science for billionaires triumphed over the right of regular people to have real experts defend them.

Finally, in Corner Post v. Federal Reserve, the Court held that the 6-year statute of limitations to challenge a Federal Agency's action begins when a person or entity challenging a rule is allegedly injured—maybe decades after the rule became law.

Every regulation can now be litigated for eternity. Agencies will be perpetually vulnerable to litigation on every rulemaking stalled by deep-pocketed litigants armed with exotic legal theories and the backing of this captured Court.

As Justice Jackson wrote in her dissent in Corner Post:

> The tsunami of lawsuits against agencies . . . has the potential to devastate the functioning of the Federal Government. Even more to the present point, that result simply cannot be what Congress intended when it enacted legislation that stood up and funded federal agencies and vested them with authority to set the ground rules for the individuals and entities that participate in our economy and our society.

At the hands of the Federalist Society Justices, the power of special interests to tangle up regulatory Agencies has defeated the right of taxpayers to protection from those special interests.

Here is how I explained that protection in my amicus brief in the Loper case:

> Over the last century, our society has advanced remarkably. As industries and corporations grew, their motive to maximize profits caused social harms and threatened

consumer safety. Regulation responded. Heavy equipment and dangerous chemicals came to mines, factories, and construction sites; regulators implemented workplace safety standards. Meatpacking and mass production . . . ballooned; regulators implemented sanitation requirements in production facilities. Americans widely adopted automobiles; regulators required seat belts and air bags.

The modern economy necessitated a modernization of the U.S. regulatory framework. Congress responded to the complexities of the modern world by ensuring that administrative agencies have the capacity, flexibility, and expertise to respond to new developments. Part of that project was delegating clear and broad authority to executive agencies and allowing those agencies to adopt and adapt regulations to respond to new hazards.

As a result, daily life in the United States is safer. Workplace illnesses, injuries, and deaths declined. Children on average have lower levels of lead in their blood. Foodborne illnesses that used to kill thousands of people per year have been practically wiped out. Highways are no longer ''carnage,'' and air travel is even safer than highway travel.

So why tear down what has worked so well for generations? Well, the billionaire-funded think tanks say it is to strip power from so-called ''unaccountable bureaucrats.'' They love to talk about unaccountable bureaucrats—except that Federal Agencies are not unaccountable. Indeed, they are way more accountable than judges.

Again from my Loper brief:

Agency experts report to politically appointed executive agency heads nominated by the President and confirmed by the Senate.

Accountable.

These agency heads serve at the pleasure of the president, who is accountable to the people. If the public is unhappy with how agencies are implementing Congress's policies, voters can make that known at the ballot box.

Congress oversees agency actions through legislative committees dedicated to agency oversight, and regularly conducts oversight hearings where heads of agencies are called to account. Congress retains the power to enact legislation to limit or reverse agency rulemakings if it disagrees with the agency's actions, in some cases on an expedited calendar. Furthermore, Congress holds the power of the purse; every appropriations bill presents an opportunity to expand, correct, or contract agency authorities. If the public is unhappy with how Congress is holding agencies accountable, voters can make that known at the ballot box.

Finally, agencies are accountable to the judiciary, which has the authority to review an agency's statutory interpretations and actions to ensure the agency's decisions are reasonable and follow appropriate processes and procedures.

The myth of unaccountable administrative Agencies is a fake. The real objection is that career Agency employees are experts and can go toe-to-toe with industry trickery. And worse, for polluters, they can't put the fix in politically with a big campaign contribution or a couple of million dollars to a super PAC because Agencies are forbidden to take political considerations into account, and they are forbidden to self-deal.

All of this wreckage of the longstanding protections of our administrative process was done by polluters who fund the Republican Party and paid to stack the Court that dark money built, and this is the polluters' payday.

A whole smelly ecosystem of secretly fronted front groups is involved. Anti-regulation doctrines get cooked up in rightwing hothouses funded by polluters. The doctrines get amplified by rightwing front groups funded by polluters. They then get fed to the Court via little flotillas of rightwing amici funded by polluters. Secret, dark money funding from billionaire special interests underpins the entire operation. Much of this is the Koch Industries' political influence operation—a powerful, rightwing, dark money political polluter network.

Look at that Loper case. The lawyers who represented the petitioners in that case worked for free—supposedly—for a public interest law firm supposedly called Cause of Action. Interesting law firm: It discloses no donors, and it does not report any employees. In fact, the New York Times discovered the group's lawyers who supposedly work for Cause of Action actually work for Americans for Prosperity, the main battleship of the Koch political front group armada—an operation that is so cozy with the far-right Justices it helped put on the Supreme Court that Justice Thomas has repeatedly flown out to join fundraisers for Koch political operations, including Americans for Prosperity.

Here is the flotilla of front groups that appeared in Loper as amici curiae: the Buckeye Institute, the Cato Institute, the Competitive Enterprise Institute, the Landmark Legal Foundation, the Mountain States Legal Foundation, the National Right to Work Legal Defense Foundation, the New Civil Liberties Alliance, the Pacific Legal Foundation, and, of course, our dear friends the U.S. Chamber of Commerce—a proper murderers' row of polluter mischief. And who are they funded by? Oh, let's look. DonorsTrust, the Donors Capital Fund, Koch family foundations, the Bradley Foundation, and ExxonMobil itself.

DonorsTrust and Donors Capital Fund are so-called donor-advised funds. They don't actually do anything. They don't actually produce anything, build anything. What they do is provide rightwing identity-laundering services. DonorsTrust has been described as the ''dark-money ATM of the right'' and, with Donors Capital, has laundered over a third of a trillion dollars into climate denial operations.

If you are ExxonMobil or a billionaire polluter and you want to support climate denial but you don't want your name on the phony front group that is doing the climate denial work, you send your check to DonorsTrust, and they take it and they send the money where you tell them—to the other group—only it is disclosed by them as coming from DonorsTrust. It is an identity-laundering operation for dark money political influence.

Some amici also were funded by front groups affiliated with Leonard Leo, whom we know as the billionaires' operative in the Court capture operation. The Loper amicus Advancing American Freedom received $1.5 million from Leonard Leo's Concord Fund between 2020 and 2021—$1.5 million. Leo's Concord Fund, which is this operation on this graphic, operates also under the fictitious name of the ''Judicial Crisis Network.''

When I say ''fictitious name,'' I mean that under Virginia corporate law, Concord Fund has filed ''Judicial Crisis Network'' as a fictitious name—term of art in the law—under which it is allowed to operate without disclosing that it is actually the Concord Fund.

Through the Judicial Crisis Network, Leo and his confederates spent millions of dollars on the Court capture operation: TV ads, barrages of TV ads, huge checks in for $15 million and $17 million from undisclosed donors to pump the rightwing Justices that they had chosen through confirmation.

So this same group that helped push the Justices from the Federalist Society lists onto the Supreme Court then files a brief through Advancing American Freedom—$1.5 million from Concord into Advancing American Freedom.

This whole thing is a billionaire-backed shell game in which the Court willingly participates.

The connection between Court capture and regulation destruction—that is not even in dispute. The Court capture operation and the anti-regulatory operation were admitted by Trump's White House Counsel, Don McGahn, to be—and I am quoting him here—''two sides of the same coin.'' You stack the Court to tear down the regulations so your polluters are happy and they fund your effort to stack the Court and support Republican power. And about this slate of recent decisions I have just discussed, he proudly told the New York Times—and I am quoting him again—''None of this was an accident.'' ''None of this was an accident.'' Indeed. It was bought and paid for.

There is considerable literature about a phenomenon called regulatory capture, sometimes called Agency capture. It is the capture of regulatory Agencies by industry to corrupt government decisionmaking. You can imagine railroad barons taking over a railroad commission whose job it is to set the rates for their railroads.

Well, the Supreme Court has been captured in the same way. This was no small or incidental undertaking. True North Research estimates that at least $580 million has been spent on the Court capture operation. These groups were a significant part of it, and these groups enjoy the benefit of it.

Now, $580 million is a lot of money, but just these four decisions are payback for the polluters that makes that $580 million a cheap investment. And

the public will pay the price, but that is a price that this captured Court is happy to have the public pay.

I am going to conclude with Justice Kagan's dissent in the Loper case. She pointed out—because she saw this game play out right in front of her. She is over there on the Court watching this game play out. She pointed out that the polluters' Justices stopped applying the Chevron doctrine back in 2016 as part of a plan because, she said, they were—and I am quoting her here—''preparing to overrule Chevron since around that time''—an 8-year-long plot to take out a precedent that bothers polluters. Forget calling balls and strikes; these Justices were on a multiyear billionaire polluters' mission.

It is not just Chevron; this is a pattern.

As Justice Kagan went on to say:

That kind of self-help on the way to reversing precedent has become almost routine at this Court. And here is how she describes it: ''Stop applying a decision where one should; throw some gratuitous criticisms into a couple of opinions; issue a few separate writings questioning the decision's premises; give the whole process a few years . . . and voila!—you have a justification for overruling the decision,'' something she called an ''overruling-through-enfeeblement technique [that] mock[s] stare decisis.''

As she described it, this captured Court, at the big donors' direction, stalks for years and then kills off precedent that the billionaires don't like, precedent that interferes with their polluting or interferes with their cheating.

That stalking and killing plan may be a lot of things, Mr. President, but I will tell you what it is not: What it is not is judging.

To be continued.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Rhode Island.

Mr. WHITEHOUSE. That would be Senator REED, Mr. President. Am I recognized?

The PRESIDING OFFICER. Would the Senator forgive me for my mistake?

The junior Senator from Rhode Island.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. BENJAMIN L. CARDIN,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 24–47, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States (TECRO) for defense articles and services estimated to cost $60.2 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

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

Enclosures.

TRANSMITTAL NO. 24–47

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

(i) Prospective Purchaser: Taipei Economic and Cultural Representative Office in the United States (TECRO).

(ii) Total Estimated Value:

Major Defense Equipment* $55.5 million.

Other $4.7 million.

Total $60.2 million.

Funding Source: National Funds.

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

Major Defense Equipment (MDE):

Seven hundred twenty (720) Switchblade 300 (SB300) All Up Rounds (AURs) (includes 35 fly-to-buy AURs).

One hundred one (101) SB300 fire control systems (FCS).

Non-MDE: The following non-MDE will also be included: first line spares packs; operator manuals; operator and maintenance training; logistics and fielding support; Lot Acceptance Testing (LAT); U.S. Government technical assistance, including engineering services, program management, site surveys, facilities, logistics, and maintenance evaluations; quality assurance and de-processing team; field service representative(s); transportation; and other related elements of logistics and program support.

(iv) Military Department: Army (TW–B–ZEC).

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

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

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

(viii) Date Report Delivered to Congress: June 18, 2024.

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

POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office in the United States—Switchblade 300 Anti-Personnel and Anti-Armor Loitering Missile System

The Taipei Economic and Cultural Representative Office in the United States (TECRO) has requested to buy seven hundred twenty (720) Switchblade 300 (SB300) All Up Rounds (AURs) (includes 35 fly-to-buy AURs) and one hundred one (101) SB300 fire control systems (FCS). The following non-Major Defense Equipment will also be included: first line spares packs; operator manuals; operator and maintenance training; logistics and fielding support; Lot Acceptance Testing (LAT); U.S. Government technical assistance, including engineering services, program management, site surveys, facilities, logistics, and maintenance evaluations; quality assurance and de-processing team; field service representative(s); transportation; and other related elements of logistics and program support. The estimated total cost is $60.2 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96–8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, and economic progress in the region.

The proposed sale will improve the recipient's ability to meet current and future threats. The recipient will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor will be AeroVironment, Inc., located in Simi Valley, CA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of eight U.S. Government and two contractor representatives for a duration of up to five years to support equipment fielding, training, and program management.

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

TRANSMITTAL NO. 24–47

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

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Switchblade 300 (SB300) is a loitering, self-contained, tube-launched, lightweight, manportable, day/night, direct-fire precision guided-missile system. It is capable of line-of-sight and beyond line-of-sight engagements, enabled by a live video feed from the missile to the fire control system (FCS). This capability provides small tactical units with organic, responsive precision fires. An operator can fly to the target area, loiter, wave off, or engage a target. A small, forward-firing fragmentation warhead defeats stationary or moving personnel and light vehicles while reducing potential collateral damage.

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

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

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

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

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. BENJAMIN L. CARDIN,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 24–56, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States (TECRO) for defense articles and services estimated to cost $300 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

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

Enclosures.

TRANSMITTAL NO. 24–56

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

(i) Prospective Purchaser: Taipei Economic and Cultural Representative Office in the United States (TECRO).

(ii) Total Estimated Value:
Major Defense Equipment* 0.
Other $300 million.
Total $300 million.
Funding source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:
Major Defense Equipment (MDE):
None.

Non-MDE: The following non-MDE is included: ALTIUS 600M–V systems, comprised of an Unmanned Aerial Vehicle (UAV) loitering munition with extensible warhead and electro-optical/infrared (EO/IR) camera; ALTIUS 600 inert training UAVs; Pneumatic Integrated Launch Systems (PILS); PILS transport trailers; ground control systems; associated support, including spares; battery chargers; operator and maintenance training; operator, maintenance, and training manuals; technical manuals; logistics and fielding support; testing; technical assistance CONUS and OCONUS, including for engineering services; program management; site surveys; facility, logistics and maintenance evaluations; quality assurance and deprocessing team support; field service representative support; transportation; and other related elements of logistics and program support.

(iv) Military Department: Navy (TW–P–AMC).

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

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

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

(viii) Date Report Delivered to Congress: June 18, 2024.

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

POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office in the United States—ALTIUS 600M-V Unmanned Aerial Vehicles

The Taipei Economic and Cultural Representative Office in the United States (TECRO) has requested to buy the following non-MDE: ALTIUS 600M–V systems, comprised of an Unmanned Aerial Vehicle (UAV) loitering munition with extensible warhead and electro-optical/infrared (EO/IR) camera; ALTIUS 600 inert training UAVs; Pneumatic Integrated Launch Systems (PILS); PILS transport trailers; ground control systems; associated support, including spares; battery chargers; operator and maintenance training; operator, maintenance, and training manuals; technical manuals; logistics and fielding support; testing; technical assistance CONUS and OCONUS, including for engineering services; program management; site surveys; facility, logistics and maintenance evaluations; quality assurance and deprocessing team support; field service representative support; transportation; and other related elements of logistics and program support. The estimated total cost is $300 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96–8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, and economic progress in the region.

The proposed sale will improve the recipient's ability to meet current and future threats. The recipient will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor will be Anduril, located in Atlanta, GA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require assignment of 5 U.S. Government and 12 contractor representatives for a duration of up to two years to support equipment fielding/training and program management.

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

TRANSMITTAL NO. 24–56

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

Annex Item No. vii

vii. Sensitivity of Technology:

1. The ALTIUS 600M–V system is composed of an Unmanned Aerial Vehicle (UAV), Pneumatic Integrated Launch System (PILS), payload, and associated support. Each UAV is integrated with a command-and-control radio and assured positioning, navigation, and timing modules. The ALTIUS 600M–V system is designed for expeditionary deployment by air, mobile, ground, or maritime forces. It leverages autonomy to allow a single operator to control multiple UAVs simultaneously. The PILS is a reusable launcher holding up to one UAV at a time per canister. The UAV's payload is an electro-optical/infrared (EO/IR) camera and extensible warhead, which provides a loitering munition capability. The ALTIUS 600M–V can operate up to 18,000 feet above ground level with an endurance of approximately 90 minutes, a range of up to 160km, and a dash speed of 1851 km/hour, dependent on payload.

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

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

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

5. All defense articles and services listed in this transmittaI have been authorized for release and export to the recipient.

U.S. SENATE STARS OF VALOR FELLOWSHIPS PROGRAM REGULATIONS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD updated U.S. Senate fellowship regulations.

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

U.S. SENATE STARS OF VALOR FELLOWSHIPS PROGRAM REGULATIONS

ADOPTED BY THE COMMITTEE ON RULES AND ADMINISTRATION ON JULY 10, 2024

1.0 Scope—Senate Resolution 442 (117th Congress) established the SFC Sean Cooley and SPC Christopher Horton Gold Star Family Fellowship, Senate Resolution 443 (117th Congress) established the McCain-Mansfield Fellowship, and Senate Resolution 737 (118th Congress) established the Active-Duty Military Spouses Fellowship and consolidated all

fellowships into the Stars of Valor Fellowships Program. These programs create fellowship positions within the Senate that provide qualified military veterans and their family members with career transition and development opportunities. These regulations describe the administration, eligibility criteria, selection, and placement procedures of the programs.

2.0 Definitions—For purposes of these regulations, the following terms shall have the meaning specified.

2.1 Active-Duty shall have the same meaning as set forth in 10 U.S.C. §101(d)(1).

2.2 Disabled means a Veteran with a service-connected disability rating of 30% or greater.

2.3 Family Member means a widow or widower (remarried or not); parent (mother, father, stepmother, stepfather, mother through adoption, father through adoption, or foster parent who stands in loco parentis); child, stepchild, or adopted child; or brother, sister, half-brother, or half-sister.

2.4 Fellow means an individual serving in the Stars of Valor Fellowships Program.

2.5 Participating Senate Office means the personal office of a Senator that chooses to employ a Fellow and for which a Fellow is available by operation of the priority system described in section 5.0 of these regulations.

2.6 Program means the Stars of Valor Fellowships Program.

2.7 Rules Committee means the U.S. Senate Committee on Rules and Administration.

2.8 SAA means the Senate Sergeant at Arms.

2.9 Spouse shall have the same meaning as set forth in 10 U.S.C. §101(g)(5).

2.10 Stars of Valor Fellowships Program means the SFC Sean Cooley and SPC Christopher Horton Gold Star Family Fellowship established by Senate Resolution 442 (117th Congress) and the McCain-Mansfield Fellowship established by Senate Resolution 443 (117th Congress).

2.11 U.S. Armed Forces shall have the same meaning as set forth in 10 U.S.C. §101(a)(4).

2.12 Veteran shall have the same meaning as set forth in 38 U.S.C. §101(2).

2.13 Wounded shall have the same meaning as set forth in 10 U.S.C. §1129.

3.0 General Program Information—The SAA, in consultation with the Rules Committee, is responsible for the Program's administration.

3.1 Availability. The number of fellowships available is contingent on appropriations.

3.2 Duty Station. Fellows are detailed to a Participating Senate Office in the District of Columbia or a state. Fellows may request specific location assignments, but such requests are not guaranteed.

3.3 Duration. Fellowships are expected to last 24 months and are contingent upon employee conduct and performance, as well as the Senator's continued tenure.

3.3.1 If, for any reason, a Senator leaves office, a Fellow placed with that Participating Senate Office may, upon the determination of the SAA after consultation with the Rules Committee, be reassigned for the remainder of the 24 months to another Participating Senate Office or be terminated.

3.4 Appointment Selection. The SAA is responsible for advertising Program vacancies, forwarding qualified candidates to Participating Senate Offices for consideration and selection, submitting selected candidates for a background check by the U.S. Capitol Police, appointing Fellows, coordinating Fellow onboarding, and setting compensation of Fellows.

3.5 Senate Office Responsibility. Participating Senate Offices are required to sign a Statement of Understanding with the SAA. The Statement of Understanding shall memorialize the terms and conditions governing the SAA's placement of a Fellow to a Participating Senate Office. Official travel for any Fellow shall be at the sole expense of the Participating Senate Office pursuant to the United States Senate Travel Regulations and as memorialized in the Statement of Understanding.

3.6 Program Employment Policies. Program employment policies for Fellows shall be set forth in a Program handbook prepared by the SAA, in consultation with the Senate Chief Counsel for Employment. To the maximum extent possible, the Program handbook will establish that the policies set by the Participating Senate Office govern in matters concerning a Fellow's day-to-day employment. In matters where the Program handbook and the Participating Senate Office's policies conflict, the Program handbook will control.

3.7 Employment Exclusions. For purposes of the Program's administration only, all Fellows shall be considered employees of the SAA; however, no Fellow shall be included in the SAA's full-time employee count, and no Fellow's compensation shall be included in the determination of the aggregate gross compensation limit for employees of the SAA. The compensation paid to a Fellow serving in Participating Senate Office shall not be included in the determination of the aggregate gross compensation for employees employed by the Senator under section 105(d)(1) of the Legislative Branch Appropriation Act, 1968.

4.0 Program Eligibility Criteria—

4.1 SFC Sean Cooley and SPC Christopher Horton Gold Star Family Fellowship candidates. The SFC Sean Cooley and SPC Christopher Horton Gold Star Family Fellowship candidates must be a Family Member of a U.S. Armed Forces Servicemember who died in the line of duty or a Veteran of the U.S. Armed Forces who died of service-connected injuries. To qualify for the SFC Sean Cooley and SPC Christopher Horton Gold Star Family Fellowship, a candidate must submit the following:

4.1.1 For eligibility through Servicemember's death in the line of duty: DD Form 1300, ''Report of Casualty,'' or DD Form 2064, ''Certificate of Death (Overseas),'' and documentation of kinship with Servicemember, such as a marriage license or birth certificate.

4.1.2 For eligibility through Veteran's death due to service-connected injuries: Documentation from the Department of Veterans Affairs and documentation of kinship with Servicemember, such as a marriage license or birth certificate.

4.2 McCain-Mansfield Fellowship candidates. McCain-Mansfield Fellowship candidates must be a Wounded or Disabled Veteran of the U.S. Armed Forces. To qualify for the McCain-Mansfield Fellowship, a candidate must submit the following:

4.2.1 Submit DD Form 214 or other official documentation confirming an honorable discharge or a general discharge under honorable conditions;

4.2.2 Have been released from active duty within the last five years;

4.2.3 Qualify as Wounded or Disabled, and provide official documentation thereof, which may include a DD Form 214 or other documentation from the Department of Veterans Affairs; and

4.2.4 Confirm a terminal pay grade at or below E–5 (Enlisted), CW–2 (Chief Warrant Officers), or O–3 (Officers).

4.2.4.1 Veterans promoted to the pay grades of E–6, W–3, or O–4 within six months of separation from active duty are eligible.

4.3 Active-Duty Military Spouse candidates. Active-Duty Military Spouse candidates must, at the time of application, be the spouse of an Active-Duty U.S. Armed Forces servicemember. Active-Duty servicemembers work for the U.S. Armed Forces full-time and are subject to permanent change of station, or permanent change of assignment orders, upon completion of each tour of duty. Those servicemembers subject to Title X mobilization are not eligible. To qualify for the Active-Duty Military Spouse Fellowship, a candidate must submit the following:

4.3.1 Proof of spouse's Active-Duty service, such as a Department of Defense issued Common Access Card.

4.3.2 Documentation of marriage to the Active-Duty servicemember, such as a marriage certificate or a Department of Defense Uniformed Services identification card.

5.0 Priority Order for Fellow Assignments—The SAA shall assign fellowships to Senators in the following order and subject to available appropriations:

5.1 The SAA shall use Senatorial seniority to offer one Fellow to the senior Senator from each state.

5.2 The SAA shall then use Senatorial seniority to offer one Fellow to the junior Senator from each state.

5.3 If the SAA has offered Fellows to all Senators as detailed in sections 5.1 and 5.2, and still has fellowship candidates to place, then the SAA shall repeat the assignment process detailed in sections 5.1 and 5.2.

5.4 If a Senator declines to participate in the Program they are not eligible to be assigned a Fellow until the SAA has offered a Fellow to all other Senators through the assignment process detailed in sections 5.1 and 5.2.

TRIBUTE TO LIEUTENANT GENERAL JODY J. DANIELS

Mr. BOOZMAN. Mr. President, I rise today to congratulate the Chief of Army Reserve and Commanding General of U.S. Army Reserve Command, LTG Jody J. Daniels on her retirement from the U.S. Army Reserve. Lieutenant General Daniels' 41-year career has been characterized by exceptionally meritorious service while serving in positions of increasing responsibility, culminating as the Chief of Army Reserve. A native of Rolla, MO, Lieutenant General Daniels' leadership positively impacted the lives of countless servicemembers. Her career of service and achievements will have a lasting impact on the Army's future ability to support our Nation's defense. Lieutenant General Daniels' distinguished performance represents exemplary achievement in the finest traditions of the United States of America, clearly observed through her becoming the first woman to serve in the role of Chief of Army Reserve.

Lieutenant General Daniels served with honor and distinction across command assignments to include commanding general of the 88th Readiness Division; commander of the 87th Army Reserve Support Command (East) where she also served as the deputy commanding general, First Army Division (East); commander of the Theater Support Command, Fort Belvoir, Virginia; commander of the 2200th Military Intelligence Group; commander of 1st Battalion, 417th Regiment, 1st Brigade (Basic Combat Training), 98th Division (Institutional Training); and

commander, Headquarters and Service Company, 524th Military Intelligence Battalion.

Lieutenant General Daniels' professionalism advanced national security initiatives around the globe as she served in key staff assignments to include chief of staff, U.S. Army Forces Command; assistant deputy chief of staff G–2, office of the deputy chief of staff, G–2; deputy director and director, Intelligence and Knowledge Development Directorate (J2) for U.S. Africa Command; and assistant chief of staff for U.S. Africa Command. I, along with countless others, applaud her highly effective leadership and appreciate her ability to connect with servicemembers within her ranks.

I thank Lieutenant General Daniels for her dedicated service to the U.S. Army and our Nation. Part of what makes the U.S. military the greatest in the world is that servicemembers like Jody voluntarily dedicate their lives to serve and sacrifice for this country. Military service is a family affair so I also express our gratitude for the support of her husband, Col. (Ret.) John McCarthy and stepdaughter Shannon. I wish them all the best in what I hope to be a restful and enjoyable future.

REMEMBERING JOSE A. OLIVIERI

Ms. BALDWIN. Mr. President, today I rise to honor the life and legacy of Jose A. Olivieri, an accomplished attorney, determined civic leader, and a pillar in the Hispanic community in Milwaukee, whose work left an indelible mark on the State of Wisconsin.

Born in Santurce, PR, he moved to Waukesha, WI, to attend Carroll College, where he graduated in 1978 with a bachelor's degree in political science. In 1981 he received his juris doctorate from Marquette University Law School and, the same year, joined Michael Best as an associate.

Jose's career at Michael Best spanned 43 years of service in both the legal and academic profession. He was the firm's longest serving chair, leading the firm's higher education industry group and founding Michael Best's immigration law practice. His leadership roles also extended to the Milwaukee office managing partner and labor and employment relations chair and government and public policy group cochair roles. His work largely centered around counseling universities on a variety of issues and employment law issues and later taught law seminar at Marquette University and spoke on employment and immigration issues.

Jose was also a founding member and past president of the Wisconsin Hispanic Lawyers Association. He served on several additional boards over the years, including the University of Wisconsin System Board of Regents, the Mount Mary University Board of Trustees, past chair of Carroll University's Board of Trustees, and National Association of College and University Attorneys—NACUA.

Beyond his work at Michael Best, Jose was deeply committed to strengthening his Milwaukee community. Jose was described as hard working, humble, and as the premier leader of the Wisconsin Hispanic Community by local leaders. He was passionate about education access and elderly care and spent his time advocating on behalf of those issues. For 40 years, he worked with the United Community Center in the Walkers Point neighborhood of Milwaukee, including serving as the chair of the board of directors to strengthen Milwaukee's near South Side neighborhoods. He also held positions on the Greater Milwaukee Foundation, Milwaukee Public Library Foundation, Milwaukee Art Museum, United Way of Greater Milwaukee, Lutheran Social Services, and Froedtert Health System boards.

Throughout his career, Jose received awards and recognitions that highlighted the work and dedication he demonstrated to his community. He was a recipient of the Notable Alumni Award by BizTimes Media, Future Milwaukee Community Service Award, Metropolitan Milwaukee Civic Alliance Special Service Award, the Todd Wehr Award from the Greater Milwaukee chapter of the national Society of fundraising executives, the Greater Milwaukee Foundation's President's Leadership in Racial Equity and Social Justice Award, the Posner Pro Bono Award, and named a Top Latino Lawyer by Latino Leaders magazine. He was consistently included on the prestigious Best Lawyers list, including Lawyer of the Year twice.

Jose's legacy is one of professional excellence and dedicated public service. Our Milwaukee community is better because of Jose, and he will be missed.

ADDITIONAL STATEMENTS

TRIBUTE TO ELLEN NISSENBAUM

● Mr. BOOKER. Mr. President, I wish to recognize Ellen Nissenbaum, senior adviser and senior member of the government affairs team at the Center on Budget and Policy Priorities, for her extraordinary leadership towards meeting the needs of people with low incomes.

On July 24, the Coalition on Human Needs will honor Ms. Nissenbaum with its 2024 Human Needs Hero award. For over 40 years, Ellen Nissenbaum has been a tireless and effective advocate, protecting and advancing Federal programs to improve health and reduce hunger and poverty.

In 1984, Ms. Nissenbaum testified on behalf of the formerly named Coalition on Block Grants and Human Needs before the Senate Committee on Agriculture, chaired then by Senator Jesse Helms, to oppose a bill allowing States to opt into a block grant to replace the Federal Food Stamp program. Then and now, she stood firmly for the responsibility of the Federal Government to ensure that the basic needs of Americans are met, wherever they live, protected from discrimination based on race, ethnicity, disability, or poverty.

Ms. Nissenbaum was part of the initial staff of seven at the Center on Budget and Policy Priorities at its formation in 1984 and has been an essential leader in the decades since. She is a master of the complexities of the Federal budget process, providing respected and reliable information to Members of Congress and human needs advocates alike about the impact of Federal proposals on the health and well-being of people with low incomes.

Over the decades, Ms. Nissenbaum has educated Congress and human needs advocates about the need for strong Medicaid, SNAP, and low-income tax credit programs and has played a truly significant role in expanding benefits for those most in need. Millions of Americans, young and old alike, have been helped because of Ellen Nissenbaum's work. I am proud of the opportunities I have had to work with her to secure major advances in the child tax credit and to protect against efforts to reduce benefits in Medicaid, SNAP, and other programs.

Ms. Nissenbaum is a stellar educator of policymakers and advocates, speaking regularly to faith and civil rights groups and those advocating to improve health and reduce poverty, hunger, and inequality in this Nation. She has been a very effective member of the board of the Coalition on Human Needs for decades and is a regular speaker at its weekly meetings of advocates.

Members of Congress, the executive branch, and advocates alike all know that Ellen Nissenbaum's command of facts and analysis of policy options is utterly reliable. She is respected by all because of her rigorous, fact-based approach.

All of Ellen Nissenbaum's work is grounded in her devotion to reducing inequality. She recognizes that the growing concentration of wealth and income, unfairly undertaxed, prevents our Nation from making the investments needed to ensure that no one is denied health coverage or is too poor to afford nutritious food.

Over the years, Ms. Nissenbaum has addressed organizations representing diverse faiths, helping them to advocate effectively to demand a strong Federal role in reducing poverty. She has been a mainstay of the Coalition on Human Needs' strong efforts to lift up the needs of the poor, people of color, immigrants, children, the aging, and people with disabilities in Federal budget and tax decision-making. It is my honor and privilege to recognize Ellen Nissenbaum today for her unflagging commitment and effectiveness and to celebrate her receiving the Coalition on Human Needs' 2024 Human Needs Hero award.●

TRIBUTE TO DR. LAURENCE B. ALEXANDER

● Mr. BOOZMAN. Mr. President, I rise today to recognize Dr. Laurence B. Alexander for his exceptional and transformative leadership as his tenure as the ninth chancellor of the University of Arkansas at Pine Bluff comes to a close.

Dr. Alexander set ambitious goals for UAPB when he arrived on campus, and as a result of his steadfast and unwavering pursuit of excellence, the school has met or exceeded many of those aspirations. Over the past 11 years with Dr. Alexander at the helm, UAPB experienced its largest increase in graduation rates in over a decade. From 2016 to today, UAPB's 6-year graduation rate has increased from 23 percent to 40 percent, an increase of almost 75 percent. UAPB also experienced its highest retention rates in the school's history at 77 percent. Under his leadership, UAPB achieved recognition as a Top-25 public Historically Black Colleges and Universities in the U.S. News and World Report and rose to the 15th ranked institution in the Washington Monthly ranking of Bachelor's Colleges. Dr. Alexander's hand in that success has been very clear to the surrounding community. He was recognized in 2017 by the Arkansas Business Journal Influencer in Education, featured as one of the Arkansas Business 200 Most Influential Leaders by Arkansas Business Publishing Group in 2018, and recognized nationally as one of the HBCU Campaign Fund's 10 Most Dominant HBCU Leaders in 2019.

His strategic vision has brought millions in additional grant funding and research dollars to the university and attracted world-class scientists and researchers, paving the way for UAPB to be recognized as a national leader in nanotechnology, biomedicine, agriculture, aquaculture, biotechnology, nutrition, water, and farm management.

As an 1890 Land-Grant Institution, UAPB has continued to fulfill its mission to promote education in agriculture, Arkansas' largest industry. With the average age of today's farmer being over 57 years old, it is schools like UAPB, with leaders like Dr. Alexander, that are helping develop the next generation of agriculturalists who will make critical advancements to meet the needs of today's producers.

Along with advancing UAPB's high-quality teaching and nursing programs and promoting the stellar Reserve Officers Training Corps program, Dr. Alexander has been instrumental in establishing new agricultural engineering, hospitality management, and master of business administration programs. UAPB is empowering students with real skills they can use to serve their communities and address some of Arkansas' greatest needs.

Dr. Alexander's impact reaches well beyond the city of Pine Bluff, Jefferson County, and even Arkansas State lines. He became the first leader of an 1890 Land-Grant Institution to be appointed to serve as chair of the Board for International Food and Agricultural Development, which advises the U.S. Agency for International Development on how to leverage the expertise and assets of American universities to support food security and development efforts abroad.

I congratulate Dr. Alexander on his exceptional and impactful tenure at the University of Arkansas at Pine Bluff and thank him for all he has done.

While Dr. Alexander's time in the Natural State has come to close, he has certainly left it better than he found it. Thanks to his efforts, UAPB has plenty to look forward to on the horizon. For that, all Arkansans are grateful.

I wish him the very best as he moves on to his next endeavor and hope he knows he will always have a home in Arkansas.●

TRIBUTE TO LYNN HELMS

● Mr. CRAMER. Mr. President, I rise to honor the 26 years of distinguished service of a remarkable North Dakota public servant who retired June 30.

Lynn Helms, longtime director of the North Dakota Department of Mineral Resources, has been an invaluable and supportive resource to me in the U.S. Senate, as he was when I served in the House of Representatives and the North Dakota Public Service Commission. Through all these years, he made himself available whenever I asked, testifying at hearings, meeting with other lawmakers and regulators, and always providing wise and valued counsel to me and my staff.

He is a treasure, not just to North Dakota, but to the entire energy industry. He is a spectacular regulator who understands the role of regulation, the role of rich mineral resources in North Dakota, and the contribution of these resources to American security and America's economy.

In the Senate, I worked with him on several efforts and initiatives. A notable collaboration included the REGROW Act, a bipartisan bill to remediate the Nation's orphaned wells, which was built off the State program Lynn implemented. His leadership helped secure its inclusion in the Infrastructure Investment and Jobs Act, which was signed into law on November 2021.

A graduate of the South Dakota School of Mines and Technology, Lynn spent his early years as a petroleum engineer with Texaco and the Hess Corporation. Since 1998, as the director of the North Dakota Oil and Gas Division and now the Department of Mineral Resources, he has had a front row seat to oil and gas development in our State. Through the ups and downs and challenges and triumphs, he helped steer North Dakota's petroleum industry through decades of responsible growth.

He is the consummate professional, explaining to all of us the intricate challenges of regulating the drilling and production of North Dakota's oil and gas resources. His genial demeanor and steady voice during his 26 years with the State helped us all navigate through this epic time in our State's history.

Today, North Dakota's economy is thriving due to the sensible energy development policies and reasonable regulations the State has championed. As a leading oil producing State, North Dakota's petroleum industry enhances the quality of life for our residents now and well into the future.

During Lynn's tenure, the State's average daily oil production increased from 99,217 barrels per day in 1998 to an alltime high of 1,519,037 in 2019 before stabilizing. Under his supervision, natural gas capture also reached an alltime high of more than 3.5 billion cubic feet per day.

It will take decades for the impact of Lynn Helms' contributions to our State to be adequately measured. On a personal note, I will miss working with him as a valued colleague. On behalf of all North Dakotans, I thank him for his years of service to the State of North Dakota. I congratulate him on his well-earned retirement and wish him many years of health and happiness in the future.●

RECOGNIZING BARN WIRED

● Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Barn Wired of Sigourney, IA, as the Senate Small Business of the Week.

The owner of Barn Wired, Amanda Snakenberg embodies the essence of American entrepreneurship. Amanda sold personally designed barn boards and barbed-wired signs at craft fairs and farmers markets across Iowa as a side hustle that eventually led to the opening of Barn Wired in 2015. After 2 years of renting, Amanda's passion and dedication led her family to purchase a brick-and-mortar storefront on the historic downtown square in Sigourney that is located next to the town mural, offering a warm and welcoming atmosphere for all her customers. Barn Wired evolved from a specialty home decor business to a multifunctional community hub where not only can you buy one-of-a-kind crafts and home decorations, it also houses the only full-service coffee shop in the town. Barn Wired is no stranger to hosting community gatherings, wedding rehearsal dinners, class reunions, and special holidays.

Today, Barn Wired employs 12 people throughout the community and will soon celebrate its 10th anniversary. Barn Wired offers a great selection of home-cooked meals, smoked meats,

fresh salads, and more with Amanda and her team always ready to host live performers, providing entertainment and supporting local entrepreneurs.

Barn Wired prioritizes community involvement. Amanda introduced initiatives such as Ladies' Night Around the Square and a community farmers market to showcase Sigourney's amazing businesses. She also collaborated with welding students, an autobody shop, and a local family to design planters for the town. Amanda herself sits on the July 4th planning committee, is a former board member for the Keokuk County Expo Fair, and was selected to be a representative on the Empower Rural Iowa Taskforce.

Barn Wired is also a member of the Keokuk County Economic Development Coalition, which helps businesses across the county not only survive but thrive.

Amanda's journey with Barn Wired is a testament to the power of hard work, passion, and community engagement. I applaud her entrepreneurial spirit and unwavering dedication to the Keokuk County community. Congratulations to the Snakenberg family and the entire team at Barn Wired. I look forward to seeing their continued growth and success in Iowa.●

RECOGNIZING BLACK SHEEP COFFEE BAA

● Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Black Sheep Coffee Baa of Greene, IA, as the Senate Small Business of the Week.

After spending 30 years in the law and tax industries, Connie Debner founded Black Sheep Coffee Baa in 2015. The coffee shop offers a space for customers to gather and relax while enjoying a cup of coffee or tea and roasts coffee beans locally. They offer a wide selection of products including lattes, frappes, coffee flights, tea, and smoothies.

In 2018, Black Sheep Coffee Baa partnered with Clayton's Bakery to add food to their menu including cinnamon rolls, scones, pies, pizza, and even options for Taco Tuesday. Always prioritizing the customer experience, Black Sheep Coffee Baa also developed a mobile app for folks to conveniently place orders online. The business has grown into a community hub that provides catering services and rental spaces for folks in Butler County.

Black Sheep Coffee Baa has been featured in numerous food blogs across the State and is an active member of the Iowa food scene thanks to their great customer service, welcoming storefront, and top-notch food. Connie is also actively involved in the Iowa Restaurant Association, National Federation of Independent Business, and the Butler-Grundy Development Alliance. This year, the team at Black Sheep Coffee Baa is celebrating their ninth business anniversary.

Black Sheep Coffee Baa's commitment to providing not only high-quality coffee, teas, and food but creating a community hub in Greene, IA, is clear. I want to congratulate Connie Debner and the entire team at Black Sheep Coffee Baa, and I look forward to watching their business continue to thrive.●

RECOGNIZING L&J INDUSTRIES, INC.

● Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize L&J Industries of Charles City, IA, as the Senate Small Business of the Week.

L&J Welding was founded in 1965 by James Garden as a welding and repair shop in Charles City. In 1986, James's son Chris started his career at L&J Welding after graduating with a degree in business from North Iowa Area Community College. In 1989, L&J Welding changed its name to L&J Industries, and James continued to grow the business with the support of his wife Lillian. They passed the torch to their son and daughter-in-law Chris and Lisa Garden in 2003.

L&J Industries renovated their space in 2018 and converted it into an employee breakroom while simultaneously expanding their manufacturing plant. Today, they are known for manufacturing ''Free-Flow Floor Supports'' for grain bins both domestically and abroad.

L&J Industries is a three-generation, family-owned-and-operated business with Chris and Lisa's children Jacie and Brady joining the team in 2022. The Garden family has been instrumental in connecting L&J Industries to the Charles City community and ensuring they remain in the same location on Cleveland Avenue.

In 2002, it had been 37 years since James Garden founded L&J Industries when he sadly passed away. Prior to founding L&J Industries, James served in the U.S. Army during World War II and was an active member of VFW Post 4335. James Garden is succeeded by his wonderful family who continue his legacy of leadership, hard work, and service to his country and community.

The Garden family is actively involved in the Charles City and Floyd County communities. For example, Chris is a member of the Charles City Rotary Club that leads the planning of the Santa's Shining Lights Show to provide the community with holiday festivities, and Lisa served on the board of The Learning Center, as well as a spokesperson for their fundraising. The city recognized their efforts, and in September 2010, L&J Industries received the Renew Rural Iowa Entrepreneur Award from the Iowa Farm Bureau.

Three generations of the Garden family exemplify the American dream. I want to congratulate the family and the entire team at L&J Industries for their continued commitment to the Charles City community. As they move forward and continue to provide quality manufacturing services for the agriculture industry, the next generation of the Gardens will be inspired to uphold the values of the family business and take it to new heights.●

RECOGNIZING MILLHOLLOW

● Mr. RISCH. Mr. President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor Millhollow as the Idaho Small Business of the Month for July 2024.

Established in 1982, Millhollow was the first soft-frozen yogurt shop in southeast Idaho. Founded by Joe Romney after he moved from San Luis Obispo, CA, to Rexburg, ID, the shop brought a ''taste of California,'' job opportunities, and real-world experiences to the community and Joe's three children. When Joe's son, Aaron, returned from his church mission in Argentina, Aaron took over the family restaurant. Over the years, Millhollow gained significant popularity, and Aaron and his wife Connie decided to expand the restaurant. In 1995, they opened a new location in downtown Rexburg, extending the menu to include toasted sandwiches, salads, catering, and more.

Driven by Joe's vision to provide his children with the chance to learn about responsibility and instill in them a strong work ethic, Millhollow continues to give the next generation an opportunity to give back to their community. Aaron and Connie carried forward this ''all hands-on deck'' approach to foster a work environment where Idaho's youth can actively contribute to the restaurant's operations and growth.

Congratulations to the Romneys and all the employees at Millhollow on their selection as the Idaho Small Business of the Month for July 2024. Thank you for serving Idaho as small business owners and entrepreneurs. You make our great State proud, and I look forward to your continued growth and success.●

TRIBUTE TO SUZANNE DOWNING

Mr. SULLIVAN. Mr. President, I rise today to pay a special tribute to a very special Alaskan, Suzanne Downing. Suzanne turned 70 this year, and—big news for Alaska—sold her news site Must Read Alaska to businessman Jon Faulkner of Homer, who has already

done a great job with it. So thank you, Jon.

Established in 2015, Must Read Alaska is a conservative online site that has a huge impact in Alaska. Suzanne's reporting gives voice to issues and opinions that a large part of our State can't get elsewhere, particularly in her unwavering commitment to holding the mainstream media accountable or, as Suzanne puts it, ''at least on their toes.''

Tens of thousands of Alaskans read Suzanne's stories on Must Read every day, in part because of her crisp prose and her point of view, but also because she is so prolific. She works 10-hour days, at least, writing two, sometimes three or more stories a day, covering local political races, national issues, foreign policy, you name it. Must Read Alaska has been so successful in Alaska in large part because she offers an outlet for conservative voices and ideas, but also because of her knowledge on many different subjects, particularly on all things Alaska. This is knowledge that comes from real world experiences, the kind of varied experiences that so many journalists lack today.

So let me talk briefly about Suzanne's interesting background. Suzanne moved to Alaska as a child in 1969, only 10 years after statehood. She lived with her family along Auke Bay near the capital city of Juneau in a small cabin on the water. Juneau would eventually be her home as an adult. In Juneau, she worked in various capacities: in the state legislature, at the University of Alaska Southeast, in shops in downtown Juneau, and as an editor of the Juneau Empire. She worked in commercial fishing in Cook Inlet and on a crab boat out of Kodiak. As I said, she has an interesting background, and there is more.

Eventually, Suzanne became a mom and finished her technical writing degree at Oregon State University. She got a job as a reporter and editor on Bainbridge Island in Washington State for the island's weekly newspaper. After 3 years, Alaska called Suzanne home once again, and she was hired as the Sunday editor of the Juneau Empire, eventually working her way to full-time editor.

Suzanne then moved to Georgia, where she was the editorial page editor for 3 years for the Augusta Chronicle before meeting her husband Patrick Yack. They moved to Florida, where she worked in the inner city for Fresh Ministries, an Episcopalian group which offered wrap-around services for the poor.

After Hurricane Katrina hit, she created a ministry called ''Neighbors to the Rescue,'' which connected volunteers to families who had escaped the path of the hurricane and could not return to their Louisiana homes.

The cutting-edge technology she deployed in ''Neighbors to the Rescue'' caught then-Florida Governor Jeb Bush's attention. She was hired as the Florida State Director for faith and community based programs, expanding ''Neighbors to the Rescue'' statewide.

After 7 years away, Suzanne returned to Alaska in 2007, where she worked as a philanthropic program developer for the newly-founded Alaska Community Foundation. This position reconnected her with people across the State, and the next year, she was hired by then Alaska Governor Sean Parnell to be his speechwriter. Suzanne stayed with his administration until Governor Parnell left office in 2014. The next year, Suzanne started Must Read Alaska, which indeed turned into a must-read for Alaskans of all political persuasions.

In addition to news and opinion, the site serves as a community message board of sorts, celebrating the success of local Alaskans, small businesses, and highlighting events throughout the State, uniting a large State with a small population. Importantly, in addition Suzanne's own reporting, Must Read Alaska also offers space for other conservative columnists. In fact, it is one of the things that Suzanne is most proud of. Other outlets across the State tend to shut these voices out—to their detriment. In fact, one of the sites most-read stories was by Juneau sage Paulette Simpson, who wrote a column about the ferry system.

Suzanne's job is not easy. It is grueling to write as much as she does. And I can image that it takes an emotional toll, too. She is often under attack—sometimes viciously—from those who take issue with her politics. But I know she has thick skin and takes strength from so many in Alaska who defend her. They, as well as I, fervently believe that defending your beliefs, and giving others a space to do so, is the right thing do to. And Suzanne is doing that. I also know that she is buoyed by her love of our State, our country, and by something her grandfather, the Presbyterian Reverend Robert H. Price, used to tell her: ''The world will hear from you.'' Indeed, the good reverend, whom Suzanne was very close to, was prophetic. The world has heard from her.

The sale of Must Read Alaska is thankfully not the end of Suzanne's news career. She is still one of the board members, as well as the day-to-day manager of the publication. While remaining very hands-on, Suzanne is now happy to spend more of her summers in Skagway, AK, where she and her husband Pat plan to dote on their granddaughter Aven Rain Call.

I know I, as well as thousands of Alaskans, look forward to seeing Must Read Alaska's continued success as the conservative news source for many more years to come. With Suzanne's guidance, I know it will be. Congratulations again, Suzanne, on all of your great accomplishments, happy birthday, and thank you for all you do for our State and our country.

REMEMBERING LIEUTENANT COLONEL SIDNEY Z. LAWRENCE, M.D.

● Mr. VAN HOLLEN. Mr. President, I rise today to pay tribute to the tremendous life of the late Dr. Sidney Z. Lawrence of Bethesda, MD.

Dr. Lawrence was born in Paterson, NJ, where he attended local schools and went on to St. Lawrence University before receiving his M.D. in the Netherlands. He spent 21 years in the U.S. Army, where he rose to the rank of lieutenant colonel and served as a skilled surgeon, providing critical care to servicemembers around the world. In 1986, he spent 6 months in Honduras where he helped to establish a clinic to provide care to women requiring vascular surgery and performed over 400 operations at that facility. In 1990, during the first Gulf War, he was a member of a medical unit serving in Saudi Arabia that provided care to injured combatants. When he returned home, Dr. Lawrence's last posting was at the U.S. Military Academy at West Point.

After retiring from the Army, he spent 14 years as an emergency room doctor. With an indefatigable dedication to his patients and the practice of medicine, Dr. Lawrence then worked in the field of occupational health until he was 78 years old.

Dr. Lawrence was interred at Arlington National Cemetery on May 16, 2024, with full military honors. I extend my deepest condolences to his wife of 59 years, Louise Lawrence-Israels; their three daughters Judith, Naomi, and Jordana; their six grandchildren; and their great-grandson.

I trust that all members of the U.S. Senate join me in expressing our deep appreciation to Dr. Lawrence for his devoted military service helping those in uniform and their families along with the many Marylanders he cared for throughout his medical career. He will be deeply missed, but his legacy will live on in the hearts and minds of all those he touched and through his many good works.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 8281. An act 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.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 8281. An act 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. 4727. A bill to amend title 5, United States Code, to clarify the nature of judicial review of agency interpretations of statutory and regulatory provisions.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–5268. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance for Taxpayers to Allocate Basis in Digital Assets to Wallets or Accounts as of January 1, 2025'' (Rev. Proc. 2024–28) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Finance.

EC–5269. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Reporting and Penalty Relief for Brokers for Certain Digital Asset Transactions Under Section 6045'' (Notice 2024–57) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Finance.

EC–5270. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Transitional Relief Under Sections 3403, 3406, 6721, 6651, and 6656 with Respect to the Reporting of Information and Backup Withholding on Digital Assets by Brokers under Section 6045'' (Notice 2024–56) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Finance.

EC–5271. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Gross Proceeds and Basis Reporting by Brokers and Determination of Amount Realized and Basis for Digital Asset Transactions'' (RIN1545–BP71) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Finance.

EC–5272. A communication from the Chief of Listing Policy and Support, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Species Status for Pearl River Map Turtle with Section 4(d) Rule; and Threatened Species Status for Alabama Map Turtle, Barbour's Map Turtle, Escambia Map Turtle, and Pascagoula Map Turtle Due to Similarity of Appearance with Section 4(d) Rule'' (RIN1018–BF42) received in the Office of the President of the Senate on July 8, 2024; to the Committee on Environment and Public Works.

EC–5273. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Operating Permit Program; California; South Coast Air Quality Management District'' (FRL No. 10530–02–R9) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Environment and Public Works.

EC–5274. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Wisconsin; Milwaukee Second 10-Year 2006 24-hour PM2.5 Limited Maintenance Plan'' (FRL No. 11761–02–R5) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Environment and Public Works.

EC–5275. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''North Carolina: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 11972–02–R4) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Environment and Public Works.

EC–5276. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''New Source Performance Standards; Incorporation by Reference; Correction'' (FRL No. 12032–01–OAR) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Environment and Public Works.

EC–5277. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Connecticut; Low Emissions Vehicles Program'' (FRL No. 12048–01–R1) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Environment and Public Works.

EC–5278. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Pennsylvania; Interim Final Determination to Stay and Defer Sanctions Related to Reasonably Available Control Technology Requirements for Keystone, Conemaugh, Homer City and Montour Generating Facilities for the 1997 and 2008 Ozone National Ambient Air Quality Standards'' (FRL No. 12064–03–R3) received in the Office of the President of the Senate on July 9, 2024; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–143. A joint memorial adopted by the legislature of the State of Colorado urging the United States Congress to fully fund the authorized thirty-five million dollars to the ''Water Infrastructure Improvements for the Nation Act'' according to the recommendations of the Colorado River Drought Task Force; to the Committee on Indian Affairs.

SENATE JOINT MEMORIAL NO. 24–002

Whereas, The Ute People were the original inhabitants of what is now the state of Colorado, and the two federally recognized tribes in Colorado are the sovereign nations of the Ute Mountain Ute Tribe and the Southern Ute Indian Tribe; and

Whereas, The Pine River Indian Irrigation Project, or ''PRIIP'', is a series of canals and ditches, largely located in southwestern Colorado on Southern Ute Indian tribal land, that is intended to bring water to tribal lands for agriculture and that was constructed by the Bureau of Indian Affairs during the late 1800s and early 1900s; and

Whereas, The PRIIP system should be providing water to approximately 14,495 acres and nearly 400 individual users, including approximately 100 non-Native users and the town of Ignacio, Colorado, but due to extreme deterioration of infrastructure, its actual output falls far below that goal; and

Whereas, The deteriorated condition of the PRIIP system means that some of its users are unable to access and use water for agricultural irrigation; this neglect has had a devastating effect on many farmers and ranchers; and

Whereas, Making efforts toward rehabilitation and improvement of the PRIIP system, the Southern Ute Indian Tribe started a multiyear program to rehabilitate portions of the PRIIP system using $4.88 million of tribal funding in 2018, but funding to finish construction on completed engineering designs is running low; and

Whereas, in 2023, the Bureau of Indian Affairs, which still operates the PRIIP system, completed a modernization plan for the system that has a rough cost estimate of $60.7 million, and there are other cost estimates for modernization that range as high as $109 million; and

Whereas, PRIIP system water users pay 100% of the system's operations and maintenance annual assessments; however, these fees are simply insufficient to accomplish the necessary annual operations and maintenance work, much less the millions required to address deferred maintenance; and

Whereas, The growing disrepair of the PRIIP system has still not been adequately catalogued, though the following issues have been highlighted by studies done in 2000 and 2008 by the Bureau of Indian Affairs and illustrate the system's dilapidated condition:

- Only an estimated 15% of the PRIIP system's 175 miles of canals can be considered to be in good condition;
- Some of the system's major diversion structures date back to the 1930s, with no major rehabilitation or improvements since the early 1960s;
- The system's largest canal, the Dr. Morrison canal, which serves over 4,500 irrigable acres of Tribal land and non-Tribal land, has breached 3 times;
- The Dr. Morrison canal also has multiple large, antiquated flumes in danger of failing;
- Dozens of smaller irrigation structures constructed before the 1920s have collapsed and have simply been abandoned;
- Ditches have also been abandoned, and lands that were previously irrigated have become derelict, requiring costly rehabilitation;
- Erosion has created miles of incised channels and ditches, where elevated headgates no longer allow for the diversion of water to lands that were historically irrigated; and
- Neglect of operation and maintenance roads has made access to many structures and sections of ditch either unsafe or impossible altogether; and

Whereas, This ongoing lack of efficient water delivery to both Tribal lands and non-Tribal lands presents a significant barrier to agricultural development for the Southern Ute Indian Tribe, as well as the local community; and

Whereas, Recently, the Bureau of Indian Affairs received $466 million from the Bipartisan Infrastructure Law, as enacted in 2021 by the federal ''Infrastructure Investment and Jobs Act'', to be used over the next 5 years; however, of that funding, only $35 million, $7 million annually, is allocated to the 16 Indian Irrigation Projects in the western United States; and

Whereas, The Bureau of Indian Affairs' report for the fourth quarter of the 2021 fiscal year outlines an initial spending plan for the Bipartisan Infrastructure Law funding and recognizes that, altogether, there is $788 million in deferred maintenance for all 16 Indian Irrigation Projects; and

Whereas, Funding to address some of the PRIIP system's needs was authorized in the federal ''Water Infrastructure Improvements for the Nation Act'', or the ''WIIN Act'', which was enacted in 2016; and

Whereas, The ''WIIN Act'' established the Indian Irrigation Fund in the United States Department of the Treasury to address the deferred maintenance, repair, and replacement needs of Indian Irrigation Projects in the western United States; and

Whereas, The ''WIIN Act'' came as a great relief to the Southern Ute Indian Tribe and many other tribes who had been requesting help with decaying federal irrigation projects for decades, but repairs under the ''WIIN Act'' met an unexpected delay; while the ''WIIN Act'' authorized funding for this critical purpose, the actual appropriations have not come close to the authorized amounts; and

Whereas, in 2020, the Bureau of Indian Affairs Southern Ute Agency received ''WIIN Act'' funding, and the amount awarded was approximately $135,000; this money was spent by the Bureau of Indian Affairs to purchase much-needed heavy equipment, but the needs for the PRIIP system go well beyond what heavy equipment can do; and

Whereas, The ''WIIN Act'' directs the United States Secretary of the Treasury to deposit $35 million annually through the 2028 fiscal year into the Indian Irrigation Fund, with such sums plus accrued interest to be transferred to the United States Secretary of the Interior for distribution by the Bureau of Indian Affairs; however, since its inception, Congress has only appropriated $10 million per year to the fund, less than one-third of the $35 million authorized; and

Whereas, Not only does this level of appropriation fail to even begin to address the demonstrated need, continued delay simply adds to future costs as deterioration of the PRIIP system continues; and

Whereas, in light of this demonstrated need, the Colorado River Drought Task Force's Sub-task Force on Tribal Matters, in the final report of the task force dated December 15, 2023, unanimously recommended legislative support from the Colorado General Assembly; now, therefore, be it

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

(1) That the Colorado River Drought Task Force considers the deterioration of the Pine River Indian Irrigation Project an urgent matter of the state of Colorado, as reflected by the Sub-task Force's unanimous recommendation for legislative support; and

(2) That the Congress of the United States is hereby memorialized to fully fund the authorized $35 million to the ''Water Infrastructure Improvements for the Nation Act'' for necessary improvements to the Pine River Indian Irrigation Project; and be it further

Resolved, That copies of this Memorial be sent to President Joseph Biden; Governor Jared Polis; the Speaker of the United States House of Representatives; the President of the United States Senate; each member of Colorado's congressional delegation; the Tribal Council of the Ute Mountain Ute Tribe and the chairman of the Tribe, Manuel Heart; the Tribal Council of the Southern Ute Indian Tribe and the chairman of the Tribe, Melvin J. Baker; and the United States House of Representatives and Senate Appropriations Subcommittees on Interior, Environment, and Related Agencies.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Appropriations:

Special Report entitled ''Allocation to Subcommittees of Budget Totals for Fiscal Year 2025'' (Rept. No. 118–190).

By Ms. SINEMA, from the Committee on Appropriations, without amendment:

S. 4677. An original bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2025, and for other purposes (Rept. No. 118–191).

By Mr. REED, from the Committee on Appropriations, without amendment:

S. 4678. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2025, and for other purposes (Rept. No. 118–192).

By Mr. HEINRICH, from the Committee on Appropriations, without amendment:

S. 4690. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2025, and for other purposes (Rept. No. 118–193).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. DURBIN for the Committee on the Judiciary.

Embry J. Kidd, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Adam B. Abelson, of Maryland, to be United States District Judge for the District of Maryland.

Michelle Williams Court, of California, to be United States District Judge for the Central District of California.

Anne Hwang, of California, to be United States District Judge for the Central District of California.

Stacey D. Neumann, of Maine, to be United States District Judge for the District of Maine.

Joseph Francis Saporito, Jr., of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Meredith A. Vacca, of New York, to be United States District Judge for the Western District of New York.

Cynthia Valenzuela Dixon, of California, to be United States District Judge for the Central District of California.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BUDD:

S. 4670. A bill to amend the Workforce Innovation and Opportunity Act regarding employer-directed skills development, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. WARNOCK, Ms. KLOBUCHAR, Mr. FETTERMAN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. HEINRICH, Ms. BALDWIN, and Mr. WELCH):

S. 4671. A bill to limit cost sharing for prescription drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SINEMA (for herself, Mr. CORNYN, Mr. PETERS, and Mr. CRAMER):

S. 4672. A bill to require the Commissioner for U.S. Customs and Border Protection to assess current efforts to respond to hazardous weather and water events at or near United States borders and, to the extent such efforts may be improved, to develop a hazardous weather and water events preparedness and response strategy, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SINEMA (for herself and Mr. CORNYN):

S. 4673. A bill to require the Director of the Office of Management and Budget to issue guidance to agencies requiring special districts to be recognized as local government for the purpose of Federal financial assistance determinations; to the Committee on Homeland Security and Governmental Affairs.

By Ms. CANTWELL (for herself, Mrs. BLACKBURN, and Mr. HEINRICH):

S. 4674. A bill to require transparency with respect to content and content provenance information, to protect artistic content, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 4675. A bill to require the United States Postal Service to submit a comprehensive proposal to the Postal Regulatory Commission before implementing any network changes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SINEMA (for herself, Mr. HOEVEN, Mr. KELLY, and Mr. LANKFORD):

S. 4676. A bill to enhance the effectiveness of the Shadow Wolves Program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SINEMA:

S. 4677. An original bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2025, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. REED:

S. 4678. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2025, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. PETERS:

S. 4679. A bill to amend title XLI of the FAST Act to improve the Federal permitting process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. SCHUMER, Mr. MCCONNELL, Mr. CARDIN, Mr. RISCH, Mr. REED, Mr. WICKER, Mr. BENNET, Ms. KLOBUCHAR, Mr. COONS, Mr. BOOKER, Ms. STABENOW, Mr. VAN HOLLEN, Mr. PADILLA, Mr. KAINE, Ms. CANTWELL, Ms. SMITH, Mr. KING, Ms. SINEMA, Ms. CORTEZ MASTO, Ms. MURKOWSKI, Mr. ROUNDS, Mr. THUNE, Ms. COLLINS, Mr. MANCHIN, Ms. ERNST, Mr. MORAN, Mr. SCOTT of South Carolina, Mr. CORNYN, Mr. GRAHAM, Mr. FETTERMAN, Mrs. FISCHER, Mr. MULLIN, Mr. RICKETTS, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. HICKENLOOPER, Mr. MARKEY, Mr. MENENDEZ, Mr. CRAPO, Mrs. MURRAY, Mr. MERKLEY, Mr. MURPHY, Mr. GRASSLEY, Mr. WELCH, Mr. LUJÁN, Ms. HIRONO, Mr. SULLIVAN, Mr. SCHATZ, Ms. ROSEN, Mr. TESTER, Mr. WARNER, Mr. WARNOCK, Mr. BLUMENTHAL, Mr. CASEY, Ms. HASSAN, Ms. DUCKWORTH, and Mrs. GILLIBRAND):

S. 4680. A bill to award a Congressional Gold Medal to Jens Stoltenberg, in recognition of his contributions to the security, unity, and defense of the North Atlantic Treaty Organization; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PETERS:

S. 4681. A bill to ensure a timely, fair, meaningful, and transparent process for individuals to seek redress because they were wrongly identified as a threat under the screening and inspection regimes used by the Department of Homeland Security, to require a report on the effectiveness of enhanced screening programs of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4682. A bill to amend the Patient Protection and Affordable Care Act to establish a public health insurance option, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY:

S. 4683. A bill to amend the Immigration and Nationality Act to provide for claims of ineffective assistance of counsel in immigration matters, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNOCK (for himself, Ms. BALDWIN, Mr. CASEY, Ms. WARREN, and Mr. OSSOFF):

S. 4684. A bill to ensure affordable health insurance coverage for low-income individuals in States that have not expanded Medicaid; to the Committee on Finance.

By Mr. BROWN:

S. 4685. A bill to amend the Internal Revenue Code of 1986 to establish the truck fleet retreaded tire tax credit, to require Federal agencies to consider the use of retreaded tires, and for other purposes; to the Committee on Finance.

By Mr. BARRASSO (for himself and Ms. LUMMIS):

S. 4686. A bill to amend the Higher Education Act of 1965 to require the disclosure of the annual percentage rates applicable to Federal student loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. BENNET, Mr. KING, Mr. RISCH, Mr. WICKER, Mr. HICKENLOOPER, Mr. CRAPO, Mr. HEINRICH, and Mr. DAINES):

S. 4687. A bill to award a Congressional Gold Medal to wildland firefighters in recognition of their strength, resiliency, sacrifice, and service to protect the forests, grasslands, and communities of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 4688. A bill to require the designation in the National Security Council of a coordinator for combating foreign kleptocracy and corruption, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 4689. A bill to remove aliens who fail to comply with a release order, to enroll all aliens on the ICE nondetained docket in the Alternatives to Detention program with continuous GPS monitoring, and for other purposes; to the Committee on the Judiciary.

By Mr. HEINRICH:

S. 4690. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2025, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. SHAHEEN (for herself, Mr. SANDERS, Ms. DUCKWORTH, Mr. BROWN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. KING, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. MANCHIN, Mr. DURBIN, Mr. REED, Mr. MURPHY, Mr. WELCH, Mr. KAINE, Ms. WARREN, Ms. BALDWIN, and Ms. HIRONO):

S. 4691. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for prescription drugs; to the Committee on Finance.

By Mr. CASSIDY:

S. 4692. A bill to require agency officials to communicate with and testify before Congress regarding certain agency actions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. STABENOW (for herself, Mr. BROWN, Mr. PETERS, and Mr. PADILLA):

S. 4693. A bill to amend the Internal Revenue Code of 1986 to provide an investment credit for converting non-residential buildings to affordable housing; to the Committee on Finance.

By Mr. LEE:

S. 4694. A bill to provide an exemption from certain Jones Act restrictions for vessels that arrive at or depart from the Helen Delich Bentley Port of Baltimore, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE (for himself, Ms. LUMMIS, and Mrs. BLACKBURN):

S. 4695. A bill to repeal the District of Columbia Home Rule Act; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE:

S. 4696. A bill to provide an exemption from certain dredging restrictions for vessels that arrive at or depart from the Helen Delich Bentley Port of Baltimore, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. ROSEN (for herself, Mr. YOUNG, and Mr. KING):

S. 4697. A bill to enhance the cybersecurity of the Healthcare and Public Health Sector; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PETERS:

S. 4698. A bill to authorize the Joint Task Forces of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL:

S. 4699. A bill to provide limited authority to use the Armed Forces to suppress insurrection or rebellion and quell domestic violence; to the Committee on Armed Services.

By Mr. LANKFORD:

S. 4700. A bill to modify the government-wide financial management plan, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN:

S. 4701. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 4702. A bill to impose duties on electromagnets, battery cells, electric storage batteries, and photovoltaic cells imported from certain countries; to the Committee on Finance.

By Mr. RUBIO:

S. 4703. A bill to enhance the partnership between the United States and the Philippines, and for other purposes; to the Committee on Foreign Relations.

By Mr. RUBIO:

S. 4704. A bill to authorize shoreline erosion control projects to protect the infrastructure of military installations from shoreline erosion; to the Committee on Armed Services.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 4705. A bill to approve the settlement of water rights claims of the Yavapai-Apache Nation in the State of Arizona, to authorize construction of a water project relating to those water rights claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BOOKER, Mr. WELCH, Mrs. SHAHEEN, Mr. REED, Mr. SCHATZ, and Mr. CARDIN):

S. 4706. A bill to modernize the business of selling firearms; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Ms. HASSAN):

S. 4707. A bill to direct the Under Secretary for Management of the Department of Homeland Security to assess contracts for covered services performed by contractor personnel along the United States land border with Mexico, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4708. A bill to amend title 18, United States Code, to modify provisions relating to kidnapping, sexual abuse, and illicit sexual conduct with respect to minors; to the Committee on the Judiciary.

By Mr. LEE:

S. 4709. A bill to amend the National Labor Relations Act to modify the authority of the National Labor Relations Board with respect to rulemaking, issuance of complaints, and authority over unfair labor practices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself, Mr. RISCH, Mr. CRAPO, Mrs. CAPITO, Mr. BARRASSO, Mr. LANKFORD, Ms. LUMMIS, Mr. SCOTT of South Carolina, and Mr. CRAMER):

S. 4710. A bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS:

S. 4711. A bill to limit the consideration of marijuana use when making an employment suitability or security clearance determination, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER (for himself, Mr. RUBIO, Mr. HICKENLOOPER, Mr. CASSIDY, Mr. COONS, Mr. KING, Mr. TILLIS, and Mr. KELLY):

S. 4712. A bill to increase support by the United States Government for critical minerals projects outside the United States, and for other purposes; to the Committee on Foreign Relations.

By Ms. HIRONO (for herself, Mr. TILLIS, Mr. DURBIN, Mr. COONS, Mr. BLUMENTHAL, Mr. PADILLA, Ms. KLOBUCHAR, and Mr. GRASSLEY):

S. 4713. A bill to amend chapter 11 of title 35, United States Code, to require the voluntary collection of demographic information for patent inventors, and for other purposes; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. PADILLA, Ms. HIRONO, Mr. WELCH, and Mr. WHITEHOUSE):

S. 4714. A bill to prohibit the distribution of false AI-generated election media and to amend the National Voter Registration Act of 1993 to prohibit the removal of names from voting rolls using unverified voter challenge databases; to the Committee on Rules and Administration.

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

S. 4715. A bill to require the National Cyber Director to submit to Congress a plan to establish an institute within the Federal Government to serve as a centralized resource and training center for Federal cyber workforce development; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4716. A bill to amend section 7504 of title 31, United States Code, to improve the single audit requirements; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4717. A bill to include pregnancy and loss of pregnancy as qualifying life events under the TRICARE program and to require a study on maternal health in the military health system, and for other purposes; to the Committee on Armed Services.

By Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. RISCH, and Mr. DAINES):

S. 4718. A bill to amend the Federal Land Policy and Management Act of 1976 to clarify the nature of public involvement for purposes of certain rulemaking, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CORTEZ MASTO (for herself and Mr. MULLIN):

S. 4719. A bill to provide the Secretary of Energy with the authority to enter into contracts and cooperative agreements to improve the security and resilience of defense critical electric infrastructure and reduce the vulnerability of critical defense facilities to the disruption of the supply of energy to those facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEE (for himself, Mr. TUBERVILLE, and Mr. PAUL):

S. 4720. A bill to require the Secretary of Defense to submit annual reports on allied contributions to the common defense, and for other purposes; to the Committee on Foreign Relations.

By Mr. OSSOFF (for himself, Mr. ROUNDS, and Mr. CRAMER):

S. 4721. A bill to make dependents of members of the Armed Forces who died while serving on active duty eligible for enrollment in Department of Defense Education Activity schools on a tuition-free, space-available basis; to the Committee on Armed Services.

By Mr. RUBIO (for himself, Ms. ERNST, Mr. HAGERTY, Mr. RICKETTS, and Mr. BUDD):

S. 4722. A bill to prohibit the United States from collaborating with certain foreign countries of concern on fundamental research intended to support the military, intelligence, or security capabilities of the United States, to strengthen the security and integrity of the United States scientific and research enterprise, and for other purposes; to the Committee on the Judiciary.

By Ms. BUTLER (for herself, Mr. SCHATZ, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. FETTERMAN, Ms. HIRONO, Mr. KING, Mr. LUJÁN, Mr. MERKLEY, Ms. ROSEN, Mr. SANDERS, Mrs. SHAHEEN, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WELCH):

S. 4723. A bill to limit the separation of families at or near ports of entry; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. CASEY, Mr. WARNER, Mr. KAINE, and Mr. BRAUN):

S. 4724. A bill to amend title XXXIII of the Public Health Service Act with respect to flexibility and funding for the World Trade Center Health Program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ:

S. 4725. A bill to amend title 18, United States Code, to establish a criminal penalty for unauthorized access to Department of Defense facilities; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. TUBERVILLE, Mr. PAUL, and Mr. RUBIO):

S. 4726. A bill to require the Secretary of Defense to submit annual reports on allied contributions to the common defense, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHMITT (for himself, Mr. CRAMER, Ms. ERNST, Mr. CRUZ, Mr. BRAUN, Mr. BUDD, Mr. TUBERVILLE, Mr. HAGERTY, Mr. THUNE, Mrs. BLACKBURN, and Mr. PAUL):

S. 4727. A bill to amend title 5, United States Code, to clarify the nature of judicial review of agency interpretations of statutory and regulatory provisions; read the first time.

By Ms. KLOBUCHAR (for herself and Ms. DUCKWORTH):

S. 4728. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of food and limit the presence of contaminants in infant and toddler food, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself, Mr. CORNYN, Mr. LEE, and Ms. LUMMIS):

S.J. Res. 102. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to ''Endangered and Threatened Wildlife and Plants; Endangered Species Status for the Dunes Sagebrush Lizard''; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MERKLEY (for himself, Mr. WHITEHOUSE, Ms. DUCKWORTH, Mr. WELCH, Mr. VAN HOLLEN, and Mr. BOOKER):

S. Res. 763. A resolution designating July 2024 as ''Plastic Pollution Action Month''; to the Committee on the Judiciary.

By Mr. JOHNSON (for himself and Mr. ROUNDS):

S. Res. 764. A resolution expressing support for the designation of July 2024 as ''National Sarcoma Awareness Month''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LANKFORD (for himself, Mr. MULLIN, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mrs. BRITT, Mr. BROWN, Mr. BUDD, Ms. BUTLER, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mr. FETTERMAN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LEE, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. REED, Mr. RICKETTS, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHMITT, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. VANCE, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 765. A resolution relating to the death of the Honorable James Mountain Inhofe, former Senator for the State of Oklahoma; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mrs. FISCHER):

S. Res. 766. A resolution recognizing September 17, 2024, as ''National Voter Registration Day''; considered and agreed to.

By Mr. CARDIN (for himself, Mr. KAINE, and Mr. DURBIN):

S. Res. 767. A resolution commemorating 175 years of diplomatic relations between the United States and the Republic of Guatemala; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 91

At the request of Mr. HAGERTY, the names of the Senator from Minnesota (Ms. SMITH), the Senator from Missouri (Mr. SCHMITT), the Senator from New Mexico (Mr. LUJÁN) and the Senator from Pennsylvania (Mr. FETTERMAN) 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. 134

At the request of Ms. COLLINS, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 134, a bill to require an

annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 590

At the request of Mr. RUBIO, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 590, a bill to allow the Administrator of the National Aeronautics and Space Administration to enter into agreements with private and commercial entities and State governments to provide certain supplies, support, and services.

S. 597

At the request of Mr. BROWN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 597, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 618

At the request of Mr. COONS, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 618, a bill to establish the United States Foundation for International Conservation to promote long-term management of protected and conserved areas, and for other purposes.

S. 633

At the request of Mr. PADILLA, the name of the Senator from Nevada (Ms. CORTEZ MASTO) 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. 1119

At the request of Mr. BROWN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1119, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 1231

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 1231, a bill to prohibit disinformation in the advertising of abortion services, and for other purposes.

S. 1558

At the request of Ms. BALDWIN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1558, a bill to award a Congressional Gold Medal, collectively, to the brave women who served in World War II as members of the U.S. Army Nurse Corps and U.S. Navy Nurse Corps.

S. 1699

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 1699, a bill to support the use of technology in maternal health care, and for other purposes.

S. 1909

At the request of Mr. HEINRICH, the names of the Senator from Georgia (Mr. OSSOFF), the Senator from Washington (Mrs. MURRAY) and the Senator from Minnesota (Ms. SMITH) 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. 2024

At the request of Ms. BALDWIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2024, a bill to provide for the establishment of an education program to expand abortion care training and access.

S. 2647

At the request of Mr. BOOKER, the names of the Senator from Montana (Mr. TESTER) and the Senator from Oklahoma (Mr. MULLIN) were added as cosponsors of S. 2647, a bill to improve research and data collection on stillbirths, and for other purposes.

S. 2781

At the request of Mr. HEINRICH, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2781, a bill to promote remediation of abandoned hardrock mines, and for other purposes.

S. 2860

At the request of Mr. MERKLEY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2860, a bill to create protections for financial institutions that provide financial services to State-sanctioned marijuana businesses and service providers for such businesses, and for other purposes.

S. 3367

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 3367, a bill to amend the Internal Revenue Code of 1986 to eliminate tax loopholes that allow billionaires to defer tax indefinitely through planning strategies such as ''buy, borrow, die'' , to modify over 30 tax provisions so that billionaires are required to pay taxes annually, and for other purposes.

S. 3651

At the request of Mr. CASSIDY, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 3651, a bill to amend title XVIII of the Social Security Act to ensure coverage of mental health services furnished through telehealth.

S. 3679

At the request of Mr. KAINE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3679, a bill to reauthorize the Dr. Lorna Breen Health Care Provider Protection Act, and for other purposes.

S. 3751

At the request of Mr. OSSOFF, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3751, a bill to expand and modify the grant program of the Department of Veterans Affairs to provide innovative transportation options to veterans in highly rural areas, and for other purposes.

S. 3755

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 3755, a bill to amend the CARES Act to remove a requirement on lessors to provide notice to vacate, and for other purposes.

S. 3775

At the request of Ms. COLLINS, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 3775, a bill to amend the Public Health Service Act to reauthorize the BOLD Infrastructure for Alzheimer's Act, and for other purposes.

S. 4084

At the request of Mr. WELCH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4084, a bill to amend the Public Works and Economic Development Act of 1965 to authorize the Secretary of Commerce to make grants to professional nonprofit theaters for the purposes of supporting operations, employment, and economic development.

S. 4141

At the request of Mr. YOUNG, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 4141, a bill to require the Secretary of the Treasury to mint coins in commemoration of the FIFA World Cup 2026, and for other purposes.

S. 4243

At the request of Ms. BUTLER, the names of the Senator from Montana (Mr. TESTER), the Senator from Georgia (Mr. OSSOFF) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 4243, a bill to award posthumously the Congressional Gold Medal to Shirley Chisholm.

S. 4292

At the request of Mr. LEE, the name of the Senator from South Carolina (Mr. SCOTT) 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. 4476

At the request of Mr. KAINE, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 4476, a bill to require additional disclosures with respect to nominees to serve as chiefs of mission, and for other purposes.

S. 4499

At the request of Mr. COONS, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 4499, a bill to reauthorize grants to the Girl Scouts of the United States of America, the Boy Scouts of America, the National 4-H Council, and the National FFA Organization to establish pilot projects to expand the programs carried out by the organizations in rural areas and small towns, and for other purposes.

S. 4539

At the request of Mr. SCHMITT, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor

of S. 4539, a bill to amend the Internal Revenue Code of 1986 to make certain provisions with respect to qualified ABLE programs permanent.

S. 4569

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 4569, a bill to require covered platforms to remove nonconsensual intimate visual depictions, and for other purposes.

S. 4593

At the request of Mr. TILLIS, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 4593, a bill to amend title 28, United States Code, to authorize removal of a civil action or criminal prosecution against a President, Vice President, former President, or former Vice President.

S. 4616

At the request of Mr. BENNET, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 4616, a bill to establish a public health plan.

S. 4621

At the request of Mr. CRUZ, the names of the Senator from Nebraska (Mr. RICKETTS), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Nevada (Ms. ROSEN) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 4621, a bill to amend the Internal Revenue Code of 1986 to eliminate the application of the income tax on cash tips through a deduction allowed to all individual taxpayers.

S. 4646

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 4646, a bill to provide grants to State and local governments that enact right to counsel legislation for low-income tenants facing eviction, and for other purposes.

S. 4666

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of 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.

S.J. RES. 87

At the request of Mr. MANCHIN, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S.J. Res. 87, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Treasury relating to ''Clean Vehicle Credits Under Sections 25E and 30D; Transfer of Credits; Critical Minerals and Battery Components; Foreign Entities of Concern'' .

S.J. RES. 99

At the request of Mr. MANCHIN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S.J. Res. 99, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Council on Environmental Quality relating to ''National Environmental Policy Act Implementing Regulations Revisions Phase 2''.

AMENDMENT NO. 2080

At the request of Mr. MANCHIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from South Dakota (Mr. ROUNDS) 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.

AMENDMENT NO. 2094

At the request of Mrs. SHAHEEN, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of amendment No. 2094 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.

AMENDMENT NO. 2109

At the request of Mr. HICKENLOOPER, his name was added as a cosponsor of amendment No. 2109 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.

AMENDMENT NO. 2110

At the request of Mr. HICKENLOOPER, his name was added as a cosponsor of amendment No. 2110 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.

AMENDMENT NO. 2118

At the request of Mr. COONS, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Nebraska (Mr. RICKETTS) were added as cosponsors of amendment No. 2118 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.

AMENDMENT NO. 2122

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of amendment No. 2122 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.

AMENDMENT NO. 2130

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of amendment No. 2130 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.

AMENDMENT NO. 2158

At the request of Mr. KELLY, the names of the Senator from Tennessee (Mr. HAGERTY), the Senator from Indiana (Mr. YOUNG), the Senator from Ohio (Mr. BROWN), the Senator from Arizona (Ms. SINEMA) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of amendment No. 2158 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.

AMENDMENT NO. 2165

At the request of Mr. CORNYN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2165 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.

AMENDMENT NO. 2184

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2184 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.

AMENDMENT NO. 2213

At the request of Mrs. GILLIBRAND, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor

of amendment No. 2213 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.

AMENDMENT NO. 2225

At the request of Mr. HAWLEY, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 2225 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.

AMENDMENT NO. 2238

At the request of Mr. CORNYN, the names of the Senator from Arizona (Mr. KELLY) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of amendment No. 2238 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 4701. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 4701

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 ''Protecting Our Students and Taxpayers Act of 2024'' or ''POST Act of 2024''.

SEC. 2. 85/15 RULE.

(a) IN GENERAL.—Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) meets the requirements of paragraph (2).'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) REVENUE SOURCES.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ALTERNATIVE FINANCING ARRANGEMENT.—The term 'alternative financing agreement' means a financing agreement between—

''(I) a student of an institution; and

''(II)(aa) the institution;

''(bb) any entity or individual—

''(AA) in the institution's ownership tree; or

''(BB) with any common ownership of the institution and the entity providing the funds; or

''(cc)(AA) an entity that has any other relationship or agreement with the institution; or

''(BB) an entity with common ownership with an entity described in subitem (AA).

''(ii) FEDERAL EDUCATION ASSISTANCE FUNDS.—The term 'Federal education assistance funds' means Federal funds that are disbursed or delivered to or on behalf of a student to be used to attend such institution, as calculated under subparagraph (C).

''(B) 85/15 RULE.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution's revenues from sources other than Federal education assistance funds, as calculated in accordance with subparagraphs (A) and (C).

''(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (B), an institution of higher education shall—

''(i) use the cash basis of accounting;

''(ii) consider as revenue only those funds generated by the institution from—

''(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

''(II) activities conducted by the institution that are necessary for the education and training of the institution's students, if such activities are—

''(aa) conducted on campus or at a facility under the control of the institution;

''(bb) performed under the supervision of a member of the institution's faculty;

''(cc) required to be performed by all students in a specific educational program at the institution; and

''(dd) related directly to services performed by students;

''(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training; and

''(IV) funds paid by a student, or on behalf of a student by a party unrelated to the institution, its owners, or affiliates, for an education or training program that is not eligible for assistance under title IV, as long as—

''(aa) such noneligible program does not include any courses offered in an eligible program of the proprietary institution;

''(bb) such noneligible program is provided by the institution, and taught by an instructor of the institution, at—

''(AA) its main campus or one of its additional locations, as approved by the appropriate accrediting agency or association;

''(BB) another school facility approved by the appropriate State agency or accrediting agency or association; or

''(CC) an employer facility; and

''(cc) such noneligible program is not a program where the institution is merely providing facilities for test preparation courses, acting as a proctor, or overseeing a course of self-study;

''(iii) presume that any Federal education assistance funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student's tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student's account or pays such funds directly to the student, except to the extent that the student's tuition, fees, or other institutional charges are satisfied by—

''(I) grant funds provided by an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees, executives, or board members with the institution; and

''(II) institutional scholarships described in clause (vi);

''(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by current or former students to the institution during the fiscal year for which the determination is being made on such loans that are—

''(I) used to satisfy tuition, fees, and other institutional charges;

''(II) bona fide, as evidenced by standalone repayment agreements between the students and the institution that are enforceable promissory notes;

''(III) issued at intervals related to the institution's enrollment periods;

''(IV) subject to regular loan repayments and collections by the institution; and

''(V) separate from the enrollment contracts signed by the students;

''(v) include funds from an income share agreement, or any other alternative financing agreement, with a student only if—

''(I) the institution clearly identifies the student's institutional charges, and such charges are the same or less than the stated rate for institutional charges;

''(II) the agreement clearly identifies the maximum time and maximum amount a student would be required to pay, including the implied or imputed interest rate and any fees and revenue generated for a related third party, the institution, or an entity described in subparagraph (A)(i)(II), for that maximum time period; and

''(III) all payments under the agreement are applied with a portion allocated to the return of capital and a portion allocated to profit, with revenue, interest, and fees not included in the calculation;

''(vi) include a scholarship provided by the institution—

''(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

''(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees, executives, or board members with the institution; and

''(vii) exclude from revenues—

''(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student's institutional charges;

''(II) the amount of funds the institution received under subpart 4 of part A of title IV;

''(III) the amount of funds provided by the institution as matching funds for any Federal program;

''(IV) the amount of Federal education assistance funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

''(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

''(D) REGAINING ELIGIBILITY.—Notwithstanding subparagraph (B), a proprietary institution of higher education that fails to meet the requirements of such subparagraph for a fiscal year shall be ineligible for purposes of this paragraph for a period of not less than 2 institutional fiscal years. To regain eligibility under this paragraph, the proprietary institution shall demonstrate compliance with all eligibility and certification requirements under section 498 for a minimum of 2 institutional fiscal years after the institutional fiscal year in which the institution became ineligible.

''(E) REPORT TO CONGRESS.—Not later than July 1, 2026, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

''(i) the amount and percentage of such institution's revenues received from Federal education assistance funds; and

''(ii) the amount and percentage of such institution's revenues received from other sources.''.

(b) REPEAL OF EXISTING REQUIREMENTS.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking ''subsection (e)'' and inserting ''subsection (d)''; and

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking ''subsection (h)'' and inserting ''subsection (g)'';

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in the matter preceding paragraph (1) of subsection (d) (as redesignated by paragraph (3)), by striking ''(a)(25)'' and inserting ''(a)(24)'';

(5) in subsection (f)(1) (as redesignated by paragraph (3)), by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''; and

(6) in subsection (g)(1) (as redesignated by paragraph (3)), by striking ''subsection (a)(27)'' in the matter preceding subparagraph (A) and inserting ''subsection (a)(26)''.

(c) CONFORMING AMENDMENTS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking ''subsections (a)(27) and (h) of section 487'' and inserting ''subsections (a)(26) and (g) of section 487''; and

(B) in subsection (b)(1)(B)(i)(I), by striking ''section 487(e)'' and inserting ''section 487(d)'';

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking ''section 487(a)(25)'' each place the term appears and inserting ''section 487(a)(24)'';

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking ''section 487(f)'' and inserting ''section 487(e)''; and

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking ''section 487(f)'' and inserting ''section 487(e)''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect on July 1, 2025.

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

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

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BOOKER, Mr. WELCH, Mrs. SHAHEEN, Mr. REED, Mr. SCHATZ, and Mr. CARDIN):

S. 4706. A bill to modernize the business of selling firearms; to the Committee on the Judiciary.

S. 4706

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Firearm Licensee Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS.

Congress finds the following:

(1) A growing body of evidence demonstrates that firearm dealers' sales practices affect the probability of firearms getting to criminals and that policies designed to hold firearm sellers accountable can curtail the diversion of firearms to criminals.

(2) Federal laws governing firearm dealers—

(A) have not been updated in more than 30 years;

(B) contain safeguards that protect dealers who engage in illegal practices from adverse enforcement action;

(C) frustrate law enforcement efforts to curb firearm trafficking and violence; and

(D) are, thus, inadequate to meet the realities of the 21st century.

(3)(A) The Tiahrt Amendments, for one—

(i) severely limit the authority of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (commonly known as the ''ATF'') to disclose crime firearm trace data to the public;

(ii) prevent—

(I) the collection of valuable information; and

(II) the establishment of effective policies to prevent illegal firearms from being used in crimes; and

(iii) impede enforcement of the firearm laws by—

(I) requiring most background check records to be destroyed within 24 hours; and

(II) barring the Government from requiring owners of firearm shops to conduct annual inventory audits.

(B) Repealing the Tiahrt Amendments would support law enforcement efforts and give the public vital information needed to craft the most effective policies against illegal firearms.

(4) Additionally, Federal law imposes no requirements that firearm dealers physically secure their highly valuable and lethal inventory. The number of firearm thefts from licensed firearm dealers has increased more than the number from any other source. Between 2013 and 2017, the number of firearms stolen in firearm-dealer burglaries more than doubled and the number of firearms stolen in firearm-dealer robberies tripled.

SEC. 3. DEFINITIONS.

Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(38) The term 'facilitator' means any person engaged in the business of hosting a commercial marketplace in which offers for firearm sales, purchases, or other transfers are allowed to be made, except that such a person shall not be considered to be a facilitator with respect to any transaction that is made through the use of a website or mobile application owned or operated by the person if—

''(A) the transaction violates the terms of service of the website or mobile application; and

''(B) the person has made a good faith effort to enforce the terms of service by, at a minimum, auditing firearms transactions on a quarterly basis to ensure compliance with this chapter.

''(39) The term 'occasional' means, with respect to transactions, fewer than 5 transactions in a 12-month period.

''(40) The term 'personal collection' includes any firearm obtained only for the personal use of an individual and not for the purpose of selling or trading, except that a firearm obtained through inheritance shall not be considered part of a personal collection until the firearm has been possessed for 1 year.

''(41) The term 'business inventory firearm' means, with respect to a person, a firearm required by law to be recorded in the acquisition and disposition logs of any firearms business of the person.

''(42)(A) The term 'frame' means the part of a handgun, or a variant thereof, that provides housing or a structure for the primary

energized component designed to hold back the hammer, striker, bolt, or similar component prior to initiation of the firing sequence (such as a sear or the equivalent), even if pins or other attachments are required to connect such component to the housing or structure.

''(B) The term 'receiver' means the part of a rifle, shotgun, or projectile weapon other than a handgun, or a variant thereof, that provides housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence (such as a bolt, breechblock, or the equivalent), even if pins or other attachments are required to connect such component to the housing or structure.

''(C) For purposes of this paragraph, the term 'variant' means a weapon utilizing a similar frame or receiver design irrespective of new or different model designations or configurations, characteristics, features, components, accessories, or attachments. For example, an AK-type firearm with a short stock and a pistol grip is a pistol variant of an AK-type rifle, an AR-type firearm with a short stock and a pistol grip is a pistol variant of an AR-type rifle, and a revolving cylinder shotgun is a shotgun variant of a revolver.''.

SEC. 4. REPEAL OF TEMPORARY BRADY PROVISION.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by striking subsection (s).

(b) CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 922—

(A) in subsection (t)—

(i) in paragraph (3)(C)(ii), by striking ''(as defined in subsection (s)(8))''; and

(ii) by adding at the end the following:

''(A) For purposes of this subsection, the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.''; and

(B) in subsection (y)(2), in the matter preceding subparagraph (A), by striking '', (g)(5)(B), and (s)(3)(B)(v)(II)'' and inserting ''and (g)(5)(B)'';

(2) in section 924(a)(5), by striking ''subsection (s) or (t) of section 922'' and inserting ''section 922(t)''; and

(3) in section 925A, in the matter preceding paragraph (1), by striking ''subsection (s) or (t) of section 922'' and inserting ''section 922(t)''.

SEC. 5. PHYSICAL SECURITY OF LICENSEE PREMISES.

(a) SECURITY PLAN SUBMISSION REQUIREMENT.—

(1) IN GENERAL.—Section 923(d)(1)(G) of title 18, United States Code, is amended—

(A) by striking '', the applicant'' and inserting the following: ''—

''(i) the applicant'';

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

(C) by adding at the end the following:

''(ii) the applicant—

''(I) submits with the application a security plan that describes how the applicant will secure, in accordance with the regulations issued under section 926(d), the premises from which the applicant will conduct business under the license (including in the event of a natural disaster or other emergency); and

''(II) certifies that, if issued such a license, the applicant will comply with the plan described in subclause (I).''.

(2) WRITTEN APPROVAL REQUIRED BEFORE LICENSE RENEWAL.—Section 923(d)(1) of title 18, United States Code, is amended—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), as amended by paragraph (1), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(H) in the case of an application to renew a license to deal in firearms—

''(i) the license is not suspended;

''(ii) no license issued to the applicant under this chapter has been revoked; and

''(iii) the Attorney General has inspected the premises and provided written approval of the security plan submitted by the applicant under subparagraph (G)(ii)(I).''.

(3) APPLICABILITY TO EXISTING DEALERS WHOSE LICENSE WILL EXPIRE .—

(A) IN GENERAL.—If, not later than 1 year after the date on which regulations are prescribed under section 926(d) of title 18, United States Code (as added by subsection (c) of this section), a person described in subparagraph (B) of this paragraph submits to the Attorney General a security plan described in clause (ii)(I) of section 923(d)(1)(G) of that title (as added by paragraph (1) of this subsection), the security plan shall be considered to have been submitted in accordance with such section 923(d)(1)(G).

(B) PERSON DESCRIBED.—A person described in this subparagraph is a person—

(i) who, on the date of enactment of this Act, is a licensed dealer (as defined in section 921(a)(11) of title 18, United States Code); and

(ii) whose license to deal in firearms issued under chapter 44 of title 18, United States Code, will expire on or after the date that is 1 year after the date on which regulations are prescribed under section 926(d) of that title (as added by subsection (c) of this section).

(b) ANNUAL COMPLIANCE CERTIFICATION REQUIREMENT.—

(1) IN GENERAL.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

''(m) ANNUAL CERTIFICATION.—

''(1) IN GENERAL.—Each licensed manufacturer, licensed importer, and licensed dealer shall—

''(A) annually certify to the Attorney General that each premises from which the licensee conducts business subject to license under this chapter is in compliance with the regulations prescribed under section 926(d); and

''(B) in the case of a licensed dealer, include with the certification under subparagraph (A)—

''(i) the results of a reconciliation of the resale firearms then in the business inventory of the licensee against the resale firearms in the business inventory of the licensee at the time of the most recent prior certification (if any) under this paragraph; and

''(ii) all dispositions and acquisitions of resale firearms in the year covered by the certification, identifying and reporting any missing firearm.

''(2) CIVIL PENALTY.—The Attorney General shall impose a civil penalty of not more than $5,000 on, and may suspend the license issued under this section to, a licensee who fails to comply with paragraph (1).''.

(2) APPLICABILITY.—In the case of a person who, on the date of enactment of this Act, is a licensee referred to in section 923(m) of title 18, United States Code (as added by paragraph (1)), such section 923(m) shall apply to the person on and after the date that is 1 year after the date on which regulations are prescribed under subsection (d) of section 926 of that title (as added by subsection (c)(1)).

(c) REGULATIONS.—

(1) IN GENERAL.—Section 926 of title 18, United States Code, is amended by adding at the end the following:

''(d) SECURING PREMISES FROM THEFT.—The Attorney General shall prescribe such regulations as are necessary to ensure that any premises at which a licensee referred to in section 923(m) conducts business is secure from theft, which shall include requiring—

''(1) compliance with the security plan submitted by the licensee pursuant to section 923(d)(1)(G)(ii)(I), if applicable;

''(2) the use of locked metal cabinets and fireproof safes;

''(3) security systems, video monitoring, and anti-theft alarms;

''(4) security gates, strong locks, and site hardening;

''(5) concrete bollards and other access controls, if necessary; and

''(6) the use of any other security-enhancing features appropriate for the specific circumstances of the licensee.''.

(2) APPLICABILITY.—The regulations prescribed under section 926(d) of title 18, United States Code, as added by paragraph (1), shall not apply to a person who, on the date of the enactment of this Act, is a licensee referred to in section 923(m) of that title, until the date that is 1 year after the date on which the regulations are prescribed.

SEC. 6. BUSINESS INVENTORY FIREARMS.

(a) REQUIREMENT TO TRANSFER FIREARM IN PERSONAL COLLECTION TO BUSINESS INVENTORY BEFORE DISPOSITION.—Section 923(c) of title 18, United States Code, is amended—

(1) by striking the second sentence and inserting the following: ''Nothing in this chapter shall be construed to prohibit a licensed manufacturer, licensed importer, or licensed dealer from maintaining a personal collection of firearms.'';

(2) by striking the third sentence; and

(3) by adding at the end the following: ''Any firearm disposed of by a licensee shall be from the business inventory of the licensee.''.

(b) LICENSEE FIREARMS INVENTORY.—Section 923(g) of title 18, United States Code, is amended by adding at the end the following:

''(8)(A) Each quarter, a licensee shall conduct a physical check of the firearms inventory of the business of the licensee licensed under this chapter and report to the Attorney General and appropriate local authorities any firearm that is lost, stolen, or unaccounted for.

''(B) The Attorney General shall prescribe regulations to implement the requirements under subparagraph (A), which shall require, at a minimum, that a licensee record, for each firearm in the inventory of the licensee—

''(i) the date of receipt of the firearm;

''(ii) the name, address, and license number, if applicable, of the person from whom the firearm was received;

''(iii) the name of the manufacturer and, if applicable, importer of the firearm;

''(iv) the model, serial number, type, and caliber or gauge of the firearm; and

''(v) the date of the sale or other disposition of the firearm.

''(C) Nothing in this paragraph shall be construed to prohibit the Attorney General from, at any time, requiring the regular or one-time submission of the inventory records of a licensee to ensure that the licensee is in compliance with this chapter.''.

(c) REPEAL OF LIMITATIONS ON IMPOSITION OF REQUIREMENT THAT FIREARMS DEALERS CONDUCT PHYSICAL CHECK OF FIREARMS INVENTORY.—

(1) FISCAL YEAR 2013.—The fifth proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2013 (18 U.S.C. 923 note; Public Law 113–6; 127 Stat.

248) is amended by striking ''and any fiscal year thereafter''.

(2) FISCAL YEAR 2012.—The matter under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112–55; 125 Stat. 609) is amended by striking the seventh proviso.

(3) FISCAL YEAR 2010.—The seventh proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3129) is amended by striking ''or any other''.

(4) FISCAL YEAR 2009.—The seventh proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 575) is amended by striking ''or any other''.

(5) FISCAL YEAR 2008.—The seventh proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1904) is amended by striking ''or any other''.

(6) FISCAL YEAR 2006.—The seventh proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title I of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2296) is amended by striking ''or any other''.

(7) FISCAL YEAR 2005.—The seventh proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title I of division B of the Consolidated Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2860) is amended by striking ''or any other''.

(8) FISCAL YEAR 2004.—The seventh proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title I of division B of the Consolidated Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 53) is amended by striking ''or any other''.

SEC. 7. ELECTRONIC RECORDS.

(a) RECORDS RETENTION AND SUBMISSION.—Section 923(g) of title 18, United States Code, is amended—

(1) in paragraph (1)(A)—

(A) in the first sentence, by inserting before the period at the end the following: '', except that, notwithstanding any other provision of law, on and after the date that is 1 year after the date of enactment of the Federal Firearm Licensee Act, records prepared by a licensee under this chapter of the sale or other disposition of firearms, including each firearms transaction record, and the corresponding record of receipt of such firearms, shall be retained at the business premises readily accessible for inspection under this chapter until the business is discontinued''; and

(B) by striking the second sentence;

(2) in paragraph (5)(A), by inserting ''or electronically as may be'' after ''submit on a form''; and

(3) in paragraph (7), by inserting '', electronically,'' after ''orally''.

(b) RECORDS DATABASES.—Section 923(g) of title 18, United States Code, as amended by section 6, is amended by adding at the end the following:

''(9)(A) Not later than 3 years after the date of enactment of this paragraph, the National Tracing Center of the Bureau of Alcohol, Tobacco, Firearms, and Explosives shall establish and maintain electronic, searchable databases of all records regarding the importation, production, shipment, receipt, sale, or other disposition of firearms required to be submitted by licensees to the Attorney General under this chapter.

''(B) Each licensee under this chapter may provide the National Tracing Center with electronic access, consistent with the requirements of this paragraph, to all records within the possession of the licensee that are required to be kept under this chapter.

''(C) The National Tracing Center—

''(i) shall have remote access to query, search, or otherwise access the electronic databases described in subparagraph (A); and

''(ii) with the permission of a State, or political subdivision of a State, may query, search, or otherwise access the databases of the firearms registration system or pawnbroker records system of the State or political subdivision.

''(D) The National Tracing Center may query, search, or otherwise access the electronic databases described in subparagraph (A) only to obtain information related to any Federal, State, local, tribal, or foreign criminal investigation.

''(E) The electronic databases established under subparagraph (A)—

''(i) shall be electronically searchable by date of disposition, license number, and the information identified on each firearm or other firearm descriptor, including the manufacturer, importer, model, serial number, type, and caliber or gauge;

''(ii) shall not be electronically searchable by the personally identifiable information of any individual, without a warrant authorizing such a search; and

''(iii) shall include in search results the entire contents of the relevant records kept by the licensee.''.

(c) VIDEO RECORDINGS OF SALES AND TRANSFERS.—Section 923(g) of title 18, United States Code, as amended by subsection (b), is amended by adding to the end the following:

''(10) In accordance with regulations promulgated by the Attorney General, each licensed dealer operating a location at which firearms are sold to a person not licensed under this chapter shall—

''(A) maintain video surveillance of all areas within each premises where firearms in the business inventory of the licensee are sold or transferred;

''(B) retain records of the surveillance, including any sound recording obtained from the surveillance, for a period of not less than 90 days; and

''(C) post a sign in a conspicuous place and at each public entrance to the retail location, in block letters not less than 1 inch in height, stating that the premises are under video surveillance.''.

(d) INCREASED PENALTIES FOR LICENSEE VIOLATIONS RELATING TO ACQUISITION AND DISPOSITION RECORDS.—Section 924(a)(3) of title 18, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(2) by moving the matter following clause (ii) (as so redesignated) 2 ems to the right;

(3) in the matter following clause (ii) (as so redesignated), by striking ''one year'' and inserting ''5 years'';

(4) by inserting ''(A)'' after ''(3)''; and

(5) by adding at the end the following:

''(B) If the conduct described in clause (i) or (ii) of subparagraph (A) is in relation to an offense under subsection (a)(6) or (d) of section 922, the licensed dealer, licensed importer, licensed manufacturer, or licensed collector shall be fined under this title, imprisoned not more than 10 years, or both.''.

(e) ELIMINATION OF LIMITATION ON CENTRALIZING RECORDS.—Section 926(a) of title 18, United States Code, is amended, in the matter following paragraph (3)—

(1) in the first sentence, by striking ''records required to be maintained under this chapter or any portion of the contents of such records, be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or any political subdivision thereof, nor that''; and

(2) in the second sentence, by striking ''Secretary's'' and inserting ''Attorney General's''.

(f) ELECTRONIC RECORDKEEPING ADOPTION AND IMPLEMENTATION.—Section 926 of title 18, United States Code, as amended by section 5, is amended by adding at the end the following:

''(e) FACILITATION OF ELECTRONIC RECORDKEEPING.—The Attorney General—

''(1) shall facilitate and incentivize the conversion to, and adoption of, electronic recordkeeping solutions by licensees that enable electronic completion and submission to the Attorney General of all records required to be maintained under this chapter;

''(2) shall facilitate—

''(A) digital capture of paper records of licensed dealers; and

''(B) the integration and indexing of data onto a platform accessible by law enforcement authorities for purposes of investigating a violent crime or crime gun trace;

''(3) shall facilitate, with respect to the electronic databases established under section 923(g)(9)(A)—

''(A) remote access to electronic records of licensed dealers by law enforcement authorities for purposes of investigating a violent crime or crime gun trace; and

''(B) access by licensed dealers to only their own records; and

''(4) may not remotely access or search electronic records of licensed dealers without a warrant authorizing such a search.''.

SEC. 8. NOTIFICATION OF DEFAULT TRANSFERS.

Section 922(t)(1) of title 18, United States Code, is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) in the case of a transfer conducted pursuant to subparagraph (B)(ii) or clause (ii) or (iii) of subparagraph (C), the licensee notifies the Attorney General, not later than the close of business on the day on which the firearm is transferred, that the firearm has been transferred to the person.''.

SEC. 9. MULTIPLE FIREARM SALES RECORDS AND REPORTS.

(a) EXPANDING REPORTING REQUIREMENT TO CERTAIN LONG GUNS.—Section 923(g)(3)(A) of title 18, United States Code, is amended—

(1) in the first sentence, by striking ''pistols, or revolvers, or any combination of pistols and revolvers'' and inserting ''pistols, revolvers, semiautomatic rifles or shotguns, or rifles or shotguns capable of accepting a high capacity magazine, or any combination of such weapons''; and

(2) by inserting after the first sentence the following: ''In the preceding sentence, the term 'high capacity magazine' means a magazine capable of holding more than 10 rounds of ammunition, and includes a magazine that may be readily converted to hold more than 10 rounds of ammunition.''.

(b) REQUIREMENT TO RETAIN INSTANT CRIMINAL BACKGROUND CHECK RECORDS FOR 90 BUSINESS DAYS.—Section 922(t)(2)(C) of title 18, United States Code, is amended—

(1) by striking ''destroy'' and inserting ''retain for not less than 90 business days'';

(2) by striking ''(other than the identifying number and the date the number was assigned)''; and

(3) by inserting before the period at the end the following: ''solely for purposes related to discovering misuse or avoidance of the national instant criminal background check system or ensuring its proper operation''.

(c) ATTORNEY GENERAL REPORTS OF MULTIPLE SALES BY NON-LICENSEES.—Section 923(g)(3) of title 18, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B)(i) The Attorney General shall prepare a report of multiple dispositions of firearms to persons not licensed under this chapter, which shall include the names and identifying information of transferees appearing in the records retained under section 922(t)(2)(C) on 2 or more occasions in any period of 5 consecutive business days.

''(ii) The report described in clause (i) shall be prepared on a form substantially similar to the form created pursuant to subparagraph (A) and include the names and addresses of the licensees who requested the background checks under subsection (t).

''(iii) The Attorney General shall forward the report described in clause (i) to the office designated pursuant to subparagraph (A) and to the departments of State police or State law enforcement agencies of the State or local law enforcement agencies of the local jurisdictions in which the sales or other dispositions took place, not later than the close of business on the date of the most recent such sale or other disposition.''.

(d) RECORDS RETENTION TO INVESTIGATE CRIME GUNS.—Section 923(g)(3)(C) of title 18, United States Code, as redesignated by subsection (c)(1) of this section, is amended—

(1) in the first sentence—

(A) by inserting ''a firearm involved in a crime or'' after ''Except in the case of forms and contents thereof regarding''; and

(B) by striking '', and shall destroy each such form and any record of the contents thereof no more than 20 days from the date such form is received'' and inserting ''and shall retain each such form and any record of the contents of the form for not less than 180 days after the date on which the form is received''; and

(2) by striking the second sentence.

SEC. 10. SAFETY DEVICES AND WARNINGS TO PURCHASERS.

Section 922(z) of title 18, United States Code, is amended—

(1) by inserting ''AND WARNINGS TO PURCHASERS'' after ''SECURE GUN STORAGE OR SAFETY DEVICE'';

(2) by striking ''handgun'' each place it appears and inserting ''firearm''; and

(3) by adding at the end the following:

''(4) WARNINGS TO PURCHASERS.—

''(A) IN GENERAL.—A licensed dealer operating a physical retail location shall post conspicuously within the licensed premises all warnings required to be provided to firearms purchasers under applicable State and local law.

''(B) MATERIALS.—

''(i) DEVELOPMENT AND DISTRIBUTION BY ATTORNEY GENERAL.—The Attorney General shall—

''(I) develop materials regarding suicide prevention, securing firearms from loss, theft, or access by a minor or prohibited person, and straw purchasing; and

''(II) provide the materials developed under subclause (I) to each licensed dealer.

''(ii) DISSEMINATION BY DEALERS.—A licensed dealer shall disseminate the materials described in clause (i) upon transfer of a firearm to a person not licensed under this chapter.''.

SEC. 11. INSPECTIONS.

(a) MANDATED ANNUAL INSPECTIONS OF HIGH-RISK LICENSED DEALERS AND QUINQUENNIAL INSPECTIONS OF OTHER LICENSED DEALERS.—Section 923(g)(1)(B) of title 18, United States Code, is amended—

(1) in clause (ii), by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and adjusting the margins accordingly;

(2) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively, and adjusting the margins accordingly;

(3) by inserting ''(i)'' after ''(B)''; and

(4) by adding at the end the following:

''(ii)(I) The Attorney General—

''(aa) not less frequently than annually, shall inspect or examine the inventory, records, and business premises of each licensed dealer whom the Attorney General determines to be a high-risk dealer, based on considerations that include whether—

''(AA) during the preceding 5 years, the dealer reported a lost or stolen firearm;

''(BB) during the preceding 10 years, the dealer was issued a report of violation, received a warning letter, or was the subject of a warning conference; or

''(CC) during the preceding year, multiple firearms were determined to have been used in a crime under Federal, State, or local law within 3 years after sale by the dealer; and

''(bb) may appoint an attorney to ensure that high-risk dealers comply with all applicable firearm sales laws.

''(II) An attorney appointed under subclause (I)(bb) may, with respect to high-risk dealers, use in-store observation, monitor records, conduct random and repeated sales integrity tests, and design and offer instructional programs providing best practices sales training to all employees involved in firearm sales until the attorney certifies to the Attorney General that the high-risk dealer has complied with all applicable firearm sales laws for 3 consecutive years.

''(III) Not later than 180 days after the date on which an inspection or examination under subclause (I) reveals a violation of this section or any regulation prescribed under this chapter, and not later than 180 days after a security inspection conducted under paragraph (6)(B)(i) of this subsection, the Attorney General shall conduct an inspection or examination to determine whether the violation identified in the preceding inspection or examination has been cured.

''(IV) Not less frequently than once every 5 years, the Attorney General shall inspect or examine the inventory, records, and business premises of each licensed dealer that the Attorney General has not determined to be a high-risk dealer under subclause (I).''.

(b) ELIMINATION OF LIMIT ON INSPECTION OF LICENSEE RECORDS.—Section 923(g)(1)(B)(i)(II) of title 18, United States Code, as redesignated by subsection (a), is amended—

(1) by striking ''—'' and all that follows through ''(bb)''; and

(2) by striking ''with respect to records relating to a firearm involved in a criminal investigation that is traced to the licensee''.

(c) MANDATED SECURITY INSPECTION OF DEALERS REPORTING LOST OR STOLEN FIREARMS.—Section 923(g)(6) of title 18, United States Code, is amended—

(1) by inserting ''(A)'' after ''(6)''; and

(2) by adding at the end the following:

''(B)(i) If the Attorney General receives a report under subparagraph (A) from a licensed dealer, the Attorney General shall conduct an independent inspection of the security of the premises at which the theft occurred, which shall include an inspection of the measures taken to implement the security plan submitted by the licensed dealer under subsection (d)(1)(G)(ii).

''(ii) On completion of a security inspection under clause (i), the Attorney General shall provide the licensed dealer with—

''(I) a notice of any violation by the licensed dealer of any security requirements prescribed under section 926(d); and

''(II) recommendations for improving security of the premises involved.''.

(d) ELIMINATION OF LIMIT ON INSPECTION OF OTHER PREMISES.—Section 923(j) of title 18, United States Code, is amended by striking the sixth sentence.

SEC. 12. AUTHORITY WITH REGARDS TO LICENSE ISSUANCE AND RENEWAL.

(a) DENIAL AUTHORITY.—Section 923 of title 18, United States Code, is amended—

(1) in subsection (c)—

(A) by inserting ''(1)'' before ''Upon'';

(B) in the first sentence, by inserting '', subject to paragraph (2),'' after ''the Attorney General shall''; and

(C) by adding at the end the following:

''(2) The Attorney General shall deny an application submitted under subsection (a) or (b) if the Attorney General determines that—

''(A) issuing the license would pose a danger to public safety; or

''(B) the applicant—

''(i) is not likely to comply with the law; or

''(ii) is otherwise not suitable to be issued a license.''; and

(2) in subsection (d)(1)—

(A) in the matter preceding subparagraph (A), by striking ''shall'' and inserting ''or renewal thereof shall, subject to subsection (c)(2),'';

(B) in subparagraph (C), by striking ''not willfully violated'' and inserting ''no uncured violations''; and

(C) in subparagraph (F)—

(i) in clause (ii), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(iv) each employee employed in the business—

''(I) will be at least the minimum age at which individuals may possess a firearm in the locality in which the business will be conducted; and

''(II) is not prohibited from being transferred a firearm, or transporting, shipping, or receiving firearms or ammunition, in interstate or foreign commerce by subsection (d), (g), or (n) (as applicable) of section 922 or by State, local, or Tribal law; and''.

(b) AUTHORITY TO REVOKE OR SUSPEND LICENSES.—Section 923 of title 18, United States Code, is amended—

(1) in subsection (e)—

(A) in the first sentence, by inserting ''or suspend'' after ''revoke''; and

(B) in the third sentence, by striking ''Secretary's'' and inserting ''Attorney General's''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by inserting ''or suspended'' after ''revoked'' each place it appears; and

(ii) by inserting ''or suspension'' after ''revocation'' each place it appears;

(B) in paragraph (2)—

(i) by striking '', or revokes'' and inserting '', revokes, or suspends''; and

(ii) by striking ''or revocation'' and inserting '', revocation, or suspension''; and

(C) in paragraph (3)—

(i) by inserting ''or suspend'' after ''revoke'' each place it appears; and

(ii) by striking ''or revocation'' and inserting '', revocation, or suspension''.

(c) AUTHORITY TO PROMULGATE RULES.—Section 926(a) of title 18, United States Code, is amended, in the matter preceding paragraph (1), by striking ''only''.

(d) REPEAL OF RIDERS LIMITING USE OF FUNDS TO DENY LICENSES DUE TO LACK OF BUSINESS ACTIVITY.—

(1) FISCAL YEAR 2013.—The matter under the heading ''SALARIES AND EXPENSES'' under the

heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2013 (18 U.S.C. 923 note; Public Law 113–6; 127 Stat. 247) is amended by striking the sixth proviso.

(2) FISCAL YEAR 2012.—The matter under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112–55; 125 Stat. 609) is amended by striking the ninth proviso.

SEC. 13. INCREASED LICENSING FEES.

(a) FEES FOR LICENSED IMPORTERS, MANUFACTURERS, AND DEALERS IN FIREARMS AND IMPORTERS AND MANUFACTURERS OF AMMUNITION.—Section 923(a) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''$1,000'' and inserting ''$2,000'';

(B) in subparagraph (B), by striking ''$50'' and inserting ''$100''; and

(C) in subparagraph (C), by striking ''$10'' and inserting ''$20'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$1,000'' and inserting ''$2,000''; and

(B) in subparagraph (B), by striking ''$50'' and inserting ''$100''; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking ''$1,000'' and inserting ''$2,000''; and

(B) in subparagraph (B)—

(i) by striking ''$200'' and inserting ''$400''; and

(ii) by striking ''$90'' and inserting ''$180''.

(b) FEES FOR LICENSED COLLECTORS.—Section 923(b) of title 18, United States Code, is amended by striking ''$10'' and inserting ''$20''.

SEC. 14. ELIMINATION OF OBLIGATORY STAY OF EFFECTIVE DATE OF LICENSE REVOCATION.

Section 923(f)(2) of title 18, United States Code, is amended, in the second sentence, by striking ''shall upon the request of the holder of the license'' and inserting ''may, upon a showing by the holder of the license of good cause,''.

SEC. 15. ELIMINATION OF RELIEF FOR DEALERS INDICTED FOR A CRIME PUNISHABLE BY IMPRISONMENT FOR A TERM EXCEEDING ONE YEAR.

(a) IN GENERAL.—Section 925 of title 18, United States Code, is amended—

(1) by striking subsection (b); and

(2) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively.

(b) CONFORMING AMENDMENTS.—

(1) CHAPTER 44 OF TITLE 18, UNITED STATES CODE.—Chapter 44 of title 18, United States Code, is amended—

(A) in section 922—

(i) in subsection (d), in the second sentence—

(I) by striking ''licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of section 925 is not precluded from dealing in firearms or ammunition, or to a''; and

(II) by striking ''subsection (c) of section 925'' and inserting ''section 925(b)'';

(ii) in subsection (l), by striking ''925(d) of this chapter'' and inserting ''925(c)''; and

(iii) in subsection (r), by striking ''925(d)(3) of this chapter'' and inserting ''925(c)(3)''; and

(B) in section 925(f), by striking ''subsection (d)'' and inserting ''subsection (c)''.

(2) FOREIGN MILITARY SALES ACT.—Section 38(b)(1)(B)(i) of the Foreign Military Sales Act (22 U.S.C. 2778(b)(1)(B)(i)) is amended by striking ''925(e)'' and inserting ''925(d)''.

(3) NICS IMPROVEMENT AMENDMENTS ACT OF 2007.—Section 101(c)(2)(A)(iii) of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40911(c)(2)(A)(iii)) is amended by striking ''925(c)'' and inserting ''925(b)''.

(4) ATOMIC ENERGY ACT OF 1954.—Section 161A(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2201a(b)) is amended by striking ''925(d)'' and inserting ''925(c)''.

SEC. 16. ELIMINATION OF RELIEF WHILE FEDERAL DISABILITY RELIEF APPLICATION PENDING.

Section 925(b) of title 18, United States Code, as so redesignated by section 15(a) of this Act, is amended by striking the fourth sentence and inserting the following: ''This subsection shall not be construed to prohibit the Attorney General from, on a showing by a licensee of good cause, permitting the licensee to continue operations while an application for relief from disabilities is pending.''.

SEC. 17. PRESUMPTION OF KNOWLEDGE OF STATE LAW IN SALE OF LONG GUNS TO RESIDENTS OF ANOTHER STATE.

Section 922(b)(3) of title 18, United States Code, is amended by striking ''in the absence of evidence to the contrary,''.

SEC. 18. INCREASED PENALTIES FOR KNOWING TRANSFER OF FIREARM WITHOUT CONDUCTING A BACKGROUND CHECK.

Section 922(t)(5) of title 18, United States Code, is amended by inserting before the period at the end the following: ''in the case of the first violation and, in the case of a subsequent violation, shall immediately suspend or revoke any license issued to the licensee under section 923 and impose on the licensee a civil fine equal to $20,000''.

SEC. 19. UNLAWFUL ACTS UPON INCURRING FEDERAL DISABILITY OR NOTICE OF LICENSE SUSPENSION, REVOCATION, OR DENIED RENEWAL.

(a) RESTRICTIONS.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

''(aa) UNLAWFUL ACTS UPON INCURRING FEDERAL DISABILITY OR NOTICE OF LICENSE SUSPENSION, REVOCATION OR DENIED RENEWAL.—

''(1) IN GENERAL.—It shall be unlawful for a licensed importer, licensed manufacturer, licensed dealer, licensed collector, or licensed facilitator who incurs a disability imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, transportation, or possession of firearms or ammunition during the term of a license issued under this chapter or while an application to renew such a license is pending, or who has been notified by the Attorney General that a license issued to the licensee under this chapter has been suspended or revoked or that an application of the licensee to renew such a license has been denied, to—

''(A) transfer a business inventory firearm—

''(i) into the personal collection of the licensee; or

''(ii) to any person other than a licensee under this chapter or a Federal, State, or local law enforcement agency; or

''(B) receive a business inventory firearm.

''(2) WAIVER.—Upon a showing by a licensee of good cause, the Attorney General may issue a written waiver of paragraph (1) if the licensee authorizes the Attorney General to inspect the records and inventory of the licensee at any time to ensure that the licensee is in compliance with this chapter.''.

(b) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

''(9) Whoever knowingly violates section 922(aa) shall be fined under this title, imprisoned for not more than 1 year, or both.''.

(c) NOTICE REQUIREMENT.—Section 923(f)(1) of title 18, United States Code, is amended, in the first sentence, by inserting before the period at the end the following: ''and setting forth the provisions of Federal law and regulation that prohibit a person not licensed under this chapter from engaging in the business of dealing in firearms and the restrictions set forth in section 922(aa)''.

SEC. 20. REGULATION OF FACILITATORS OF FIREARM TRANSFERS.

(a) LICENSING.—Section 923(a) of title 18, United States Code, is amended by adding at the end the following:

''(4) If the applicant is a facilitator of firearm sales, purchases, or other transfers, a fee of $1,000 per year.''.

(b) COMPLETED FACILITATED SALES.—Section 923 of title 18, United States Code, as amended by section 5, is amended by adding at the end the following:

''(n) DUTIES OF FACILITATORS.—

''(1) IN GENERAL.—A licensed facilitator shall—

''(A) inform each prospective seller using the commercial marketplace of the licensed facilitator that any offer for firearm sales, purchases, or other transfers made using the commercial marketplace may be completed only with the assistance of a licensed importer, licensed manufacturer, or licensed dealer, who must take possession of the firearm directly from the transferor for the purpose of complying with section 922(t);

''(B) require each prospective firearm seller using the commercial marketplace of the licensed facilitator to complete each firearm sale, purchase, or other transfer as described in subparagraph (A); and

''(C) maintain records of any sale, purchase, or other transfer described in subparagraph (A), which shall include—

''(i) the date of the offer;

''(ii) the name of the offeror;

''(iii) the name and the licensee number of the licensee that will take possession of the firearm directly from the transferor; and

''(iv) the model, serial number, type, and caliber or gauge of the firearm involved.

''(2) ADVANCE IDENTIFICATION OF LICENSED DEALER.—A licensed facilitator may require a prospective seller, as a condition of using the commercial marketplace of the licensed facilitator, to, before offering a firearm for sale, identify a licensed dealer that will take possession of the firearm and complete the sale.

''(3) LICENSEE COMPLIANCE.—On taking possession of a firearm sold, purchased, or otherwise transferred in a commercial marketplace of a licensed facilitator, a licensee shall comply with all requirements of this chapter as if the licensee were transferring the firearm from the inventory of the licensee to the unlicensed transferee.''.

(c) LIABILITY.—Section 924(h) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' before ''Whoever''; and

(2) by adding at the end the following:

''(2) Whoever, having accepted an offer to transfer ownership of a firearm using a commercial marketplace of a licensed facilitator in order to complete a firearm transaction as described in subsection (n)(1), knowingly transfers the firearm to a person not licensed under this chapter without a licensed importer, licensed manufacturer, or licensed dealer first taking possession of the firearm for the purpose of complying with section 922(t)—

''(A) except as provided in subparagraph (B), shall be fined under this title, imprisoned for not more than 1 year, or both; or

''(B) if transfer of the firearm to, or receipt of the firearm by, the transferee violates subsection (d), (g), or (n) of section 922, or the firearm is used to commit a crime of violence (as defined in section (c)(3) of this section) or drug trafficking crime (as defined in subsection (c)(2) of this section), shall be

fined under this title, imprisoned not more than 10 years, or both.''.

(d) CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 922—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking ''or'' at the end;

(II) in subparagraph (B), by adding ''or'' at the end; and

(III) by adding at the end the following:

''(C) except a licensed facilitator, to engage in the business of hosting a commercial marketplace in which offers for firearm sales, purchases, or other transfers are allowed to be made;''; and

(ii) in paragraph (6)—

(I) by striking ''or licensed collector'' and inserting ''licensed collector, or licensed facilitator''; and

(II) by striking ''or collector'' and inserting ''collector, or facilitator''; and

(B) in subsection (m), by striking ''or licensed collector'' and inserting ''licensed collector, or licensed facilitator'';

(2) in section 923—

(A) in subsection (c)(1), as so designated by section 12 of this Act, in the first sentence, by inserting ''or facilitate firearm sales, purchases, or other transfers'' before ''during the period stated in the license'';

(B) in subsection (g)(1)(A)—

(i) in the first sentence, by striking ''and licensed dealer'' and inserting ''licensed dealer, and licensed facilitator''; and

(ii) in the last sentence, by inserting ''licensed facilitator,'' before ''or any licensed importer''; and

(C) in subsection (j), in the first sentence, by striking ''or licensed dealer'' and inserting ''licensed dealer, or licensed facilitator''; and

(3) in section 924(a)(3), as amended by section 7—

(A) in subparagraph (A), in the matter preceding clause (i), by striking ''or licensed collector'' and inserting ''licensed collector, or licensed facilitator''; and

(B) in subparagraph (B), by striking ''or licensed collector'' and inserting ''licensed collector, or licensed facilitator''.

SEC. 21. DEALER AND EMPLOYEE BACKGROUND CHECKS.

(a) REQUIREMENTS.—

(1) BACKGROUND CHECKS REQUIRED BEFORE ISSUANCE OR RENEWAL OF DEALERS LICENSE.—Section 923(c)(1) of title 18, United States Code, as so designated by section 12 of this Act, is amended by inserting after the first sentence the following: ''Notwithstanding the preceding sentence, the Attorney General may not issue or renew a license unless the Attorney General has contacted the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) to determine whether it would be unlawful for the applicant, or any employee of the applicant identified by the applicant on the application as trusted with the possession or receipt of any firearm, to be transferred or receive a firearm, and the system has notified the Attorney General that the information available to the system does not demonstrate that the transfer to or receipt of a firearm by the applicant or any such employee would violate subsection (d), (g), or (n) (as applicable) of section 922 or State, local, or Tribal law where the business premises of the applicant subject to the license is located.''.

(2) BACKGROUND CHECK REQUIRED BEFORE FIREARM POSSESSION BY DEALER EMPLOYEE.—Section 923(g) of title 18, United States Code, as amended by section 7 of this Act, is amended by adding at the end the following:

''(11) A licensed dealer may not allow an employee to possess a firearm at a premises from which the licensed dealer conducts business subject to license under this chapter, unless—

''(A) the employee is at least the minimum age required by State and local law to possess or receive a firearm;

''(B) the licensed dealer has contacted the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) to determine whether transfer of a firearm to, or receipt of a firearm by, the individual would be unlawful; and

''(C) the system has notified the licensee that the information available to the system does not demonstrate that the transfer of a firearm to, or receipt of a firearm by, the individual would violate subsection (d), (g), or (n) (as applicable) of section 922 or State, local, or Tribal law.''.

(b) AUTHORITY OF NICS SYSTEM TO RESPOND TO LICENSED DEALER REQUEST FOR CRIMINAL BACKGROUND CHECK OF EMPLOYEE OR APPLICANT FOR EMPLOYMENT.—Section 103(b)(2) of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901(b)(2)) is amended—

(1) in the heading, by striking ''VOLUNTARY'' and inserting ''COMPULSORY''; and

(2) in subparagraph (A), by striking ''voluntarily''.

(c) AUTHORITY OF NICS SYSTEM TO SEARCH NATIONAL DATA EXCHANGE.—Section 103(e)(1) of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901(e)(1)) is amended by adding at the end the following:

''(L) SEARCH OF NATIONAL DATA EXCHANGE DATABASE.—The system established under this section shall include a search of the database of the National Data Exchange when conducting a background check under this section.''.

SEC. 22. LIABILITY STANDARDS.

(a) LIABILITY IN LICENSING.—Section 923 of title 18, United States Code, is amended—

(1) in subsection (d)(1)(D), by striking ''willfully'' and inserting ''knowingly''; and

(2) in subsection (e), by striking ''willfully'' each place it appears and inserting ''knowingly''.

(b) LIABILITY IN PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1)(D), by striking ''willfully'' and inserting ''knowingly''; and

(2) in subsection (d)(1), by striking ''willful'' and inserting ''knowing''.

SEC. 23. CIVIL ENFORCEMENT.

(a) FINES FOR ENGAGING IN THE BUSINESS WITHOUT A LICENSE.—Section 924(n) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(n)''; and

(2) by adding at the end the following:

''(2) If the Attorney General finds that a person has engaged in conduct that constitutes a violation of section 922(a)(1)(A), the Attorney General shall—

''(A) transmit to the person a written notice specifying the violation, which shall include a copy of the provision of law violated; and

''(B) impose on the person a civil penalty in an amount that is not less than $2,500 and not more than $20,000.''.

(b) TIERED PENALTIES FOR REPEATED VIOLATIONS OF REGULATIONS BY LICENSED DEALERS.—Section 924 of title 18, United States Code, is amended by adding at the end the following:

''(q) PENALTIES RELATING TO VIOLATIONS OF REGULATIONS BY LICENSED DEALERS.—

''(1) IN GENERAL.—If the Attorney General finds a licensed dealer to be in violation of a regulation prescribed under section 926, the Attorney General shall—

''(A) if the violation is not a result of gross negligence by the licensed dealer—

''(i) in the case of the first such violation by the licensed dealer, if not preceded by a violation to which subparagraph (B) applies, transmit to the licensed dealer a written notice specifying the violation, which shall include a copy of the regulation violated;

''(ii) in the case of the second such violation by the licensed dealer, if not preceded by a violation to which subparagraph (B) applies, impose a civil penalty in an amount that is not less than $2,500 and not more than $20,000;

''(iii) in the case of the third such violation by the licensed dealer, if not preceded by a violation to which subparagraph (B) applies, suspend the license to deal in firearms issued to the licensed dealer under this chapter until the violation ceases;

''(iv) in the case of the fourth such violation by the licensed dealer, whether or not preceded by a violation to which subparagraph (B) applies, revoke the license; or

''(v) in the case of any such violation by the licensed dealer, if preceded by a violation to which subparagraph (B) applies, apply the penalty authorized under this subsection that is 1 level greater in severity than the level of severity of the penalty most recently applied to the licensed dealer under this subsection; or

''(B) if the violation is a result of gross negligence by the licensed dealer—

''(i) in the case of the first such violation by the licensed dealer, impose a civil penalty in an amount that is not less than $2,500 and not more than $20,000;

''(ii) in the case of the second such violation by the licensed dealer—

''(I) impose a civil penalty in an amount equal to $20,000; and

''(II) suspend the license to deal in firearms issued to the licensed dealer under this chapter until the violation ceases; or

''(iii) in the case of the third such violation by the licensed dealer, revoke the license to deal in firearms issued to the licensed dealer under this chapter.

''(2) SUSPENSION OF LICENSE.—In the case of any violation described in paragraph (1), if the Attorney General finds that the nature of the violation indicates that the continued operation of a firearms business by the licensed dealer presents an imminent risk to public safety, the Attorney General shall, notwithstanding paragraph (1), immediately suspend the license to deal in firearms issued to the licensed dealer under this chapter and secure the firearms inventory of the licensed dealer, until the violation ceases, unless the appropriate penalty under paragraph (1) is revocation of the license, in which case the Attorney General shall immediately revoke the license and secure the firearms inventory of the licensed dealer.''.

SEC. 24. REMOVAL OF BAR ON CIVIL PROCEEDINGS IF CRIMINAL PROCEEDINGS TERMINATED.

Section 923(f) of title 18, United States Code, is amended by striking paragraph (4).

SEC. 25. REPEAL OF CERTAIN LIMITATIONS.

(a) LIMITATIONS RELATED TO USE OF FIREARMS TRACE DATA.—

(1) FISCAL YEAR 2012.—The matter under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 923 note; Public Law 112–55; 125 Stat. 609) is amended by striking the sixth proviso.

(2) FISCAL YEAR 2010.—The sixth proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3128) is amended by striking ''beginning in

fiscal year 2010 and thereafter'' and inserting ''in fiscal year 2010''.

(3) FISCAL YEAR 2009.—The sixth proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 575) is amended by striking ''beginning in fiscal year 2009 and thereafter'' and inserting ''in fiscal year 2009''.

(4) FISCAL YEAR 2008.—The sixth proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1903) is amended by striking ''beginning in fiscal year 2008 and thereafter'' and inserting ''in fiscal year 2008''.

(5) FISCAL YEAR 2006.—The sixth proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title I of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2295) is amended by striking ''with respect to any fiscal year''.

(6) FISCAL YEAR 2005.—The sixth proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title I of division B of the Consolidated Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2859) is amended by striking ''with respect to any fiscal year''.

(7) FISCAL YEAR 2023.—Section 644 of division J of the Consolidated Appropriations Resolution, 2003 (5 U.S.C. 552 note; Public Law 108–7; 117 Stat. 473) is amended by striking ''or any other Act with respect to any fiscal year''.

(b) LIMITATIONS RELATING TO CONSOLIDATING AND CENTRALIZING RECORDS.—The first proviso under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 923 note; Public Law 112–55; 125 Stat. 609) is amended by striking ''or hereafter''.

(c) REQUIREMENT TO DESTROY INSTANT CRIMINAL BACKGROUND CHECK RECORDS WITHIN 24 HOURS.—Section 511 of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (34 U.S.C. 40901 note; Public Law 112–55; 125 Stat. 632) is amended—

(1) by striking ''—'' and all that follows through ''(1)''; and

(2) by striking the semicolon and all that follows and inserting a period.

SEC. 26. AUTHORITY TO HIRE ADDITIONAL INDUSTRY OPERATION INVESTIGATORS FOR BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES.

The Attorney General may hire 650 industry operation investigators for the Bureau of Alcohol, Tobacco, Firearms, and Explosives, to be distributed among the various field divisions to match the number and distribution of persons licensed under chapter 44 of title 18, United States Code, in addition to any personnel needed to carry out this Act and the amendments made by this Act and any industry operation investigators authorized by other law.

SEC. 27. REPORT ON IMPLEMENTATION OF THIS ACT.

Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to Congress and publish on the website of the Department of Justice a written report on the implementation of this Act and the amendments made by this Act, including any steps needed to complete the implementation, which shall identify any additional resources that are required to—

(1) conduct regular inspections under chapter 44 of title 18, United States Code; and

(2) ensure that this Act and the amendments made by this Act are enforced against noncompliant federally licensed firearms dealers in a timely manner.

SEC. 28. ANNUAL LICENSED DEALER INSPECTIONS REPORT AND ANALYSIS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Attorney General shall submit to Congress and publish on the website of the Department of Justice a report that contains the information described in subsection (b) with respect to—

(1) the preceding 2-year period, in the case of the first report; or

(2) the preceding year, in the case of each subsequent report.

(b) CONTENTS.—Each report under subsection (a) shall state, with respect to the applicable reporting period—

(1) the number of inspections or examinations conducted of Type 01, Type 02, and Type 07 Federal firearm licensees (dealers, pawnbrokers, and manufacturers, respectively) by each field division of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, including by the number of inspections or examinations of high-risk dealers and non-high-risk dealers (as those terms are used in clause (ii) of section 923(g)(1)(B) of title 18, United States Code, as added by section 11 of this Act);

(2) the number of security inspections under subparagraph (B) of section 923(g)(6) of title 18, United States Code, as added by section 11 of this Act, prompted by dealer reports of lost or stolen firearms under subparagraph (A) of such section 923(g)(6), as so designated by section 11 of this Act, and the number of follow-up security inspections conducted during the 6-month period following a security inspection revealing a violation;

(3) the average amount of time spent on—

(A) inspections or examinations of high-risk dealers (as described in paragraph (1));

(B) inspections or examinations of non-high-risk dealers (as described in paragraph (1));

(C) security inspections (as described in paragraph (2)); and

(D) follow-up security inspections (as described in paragraph (2)); and

(4) an analysis of the most frequently cited violations and corrective actions or penalties imposed in each inspection or examination described in paragraph (1) or security inspection described in paragraph (2), including—

(A) the number of licenses recommended to be suspended or revoked;

(B) the number of licensees sent notices of suspension or revocation;

(C) the number of hearings requested by licensees on receipt of a notice of suspension or revocation;

(D) the number of suspension or revocation hearings initiated during a prior 12-month period that remain ongoing during the 12-month period covered by the report; and

(E) the decision ultimately rendered in each such matter by the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

SEC. 29. DEADLINE FOR ISSUANCE OF FINAL REGULATIONS.

Not later than 2 years after the date of enactment of this Act, the Attorney General shall prescribe all regulations required to carry out this Act and the amendments made by this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 763—DESIGNATING JULY 2024 AS ''PLASTIC POLLUTION ACTION MONTH''

Mr. MERKLEY (for himself, Mr. WHITEHOUSE, Ms. DUCKWORTH, Mr. WELCH, Mr. VAN HOLLEN, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas plastic pollution represents a global threat that will require individual and collective action, both nationally and internationally, to address;

Whereas approximately 450,000,000 tons of plastic is produced each year, a number that is projected to triple by 2050;

Whereas, in the United States—

(1) the rate of plastic waste recycling decreased in 2021 to between 4 and 6 percent; and

(2) less than 3 percent of plastic waste is recycled into a similar quality product;

Whereas a study from the Organization for Economic Cooperation and Development found that, in 2022, the United States—

(1) mismanaged 4 percent of plastic waste;

(2) landfilled 73 percent of plastic waste;

(3) incinerated 19 percent of plastic waste; and

(4) recycled 4 percent of plastic waste;

Whereas single-use plastics account for not less than 40 percent of the plastic produced every year;

Whereas more than 12,000,000 tons of plastic waste enter the ocean every year from land-based sources alone;

Whereas, if no action is taken, the flow of plastics into the ocean is expected to triple by 2040;

Whereas, as of the date of adoption of this resolution, studies estimate that there are approximately 171,000,000,000,000 pieces of plastic in the oceans of the world;

Whereas, of those 171,000,000,000,000 pieces of plastic in the ocean, 1 percent floats, 5 percent washes up on beaches, and 94 percent sinks to the bottom;

Whereas nearly 1,300 marine species have consumed plastics;

Whereas plastics, and associated chemicals of plastics, are ingested by humans and are associated with well-established human health risks;

Whereas studies have found microplastic particles in human blood, lungs, colons, and placentas;

Whereas studies suggest that humans ingest more than 800 microplastics per day;

Whereas taking action to reduce plastic use, collect and clean up litter, and reuse and recycle more plastics will lead to less plastic pollution;

Whereas, every July, people challenge themselves to reduce their plastic footprint through ''Plastics Free July'';

Whereas, during the 40-year period preceding the date of adoption of this resolution, more than 17,000,000 volunteers have joined the International Coastal Cleanup to collect more than 350,000,000 pounds of plastic and debris while simultaneously recording their findings to inform research and upstream action;

Whereas switching to reusable items instead of single-use items can prevent waste, save water, and reduce litter; and

Whereas July 2024 is an appropriate month to designate as Plastic Pollution Action Month to recommit to taking action, individually and as a country, to reduce plastic pollution: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 2024 as ''Plastic Pollution Action Month'';

(2) recognizes the dangers to human health and the environment posed by plastic pollution; and

(3) encourages all individuals in the United States to protect, conserve, maintain, and rebuild public health and the environment by responsibly participating in activities to reduce plastic pollution in July 2024 and year-round.

SENATE RESOLUTION 764—EXPRESSING SUPPORT FOR THE DESIGNATION OF JULY 2024 AS ''NATIONAL SARCOMA AWARENESS MONTH''

Mr. JOHNSON (for himself and Mr. ROUNDS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 764

Whereas sarcoma is a rare cancer of the bones or connective tissues, such as nerves, muscles, joints, fat, and blood vessels, that can arise nearly anywhere in the body;

Whereas, in the United States—

(1) about 17,000 individuals are diagnosed with sarcoma each year;

(2) approximately 7,200 individuals die from sarcoma each year; and

(3) about 50,000 individuals struggle with sarcoma at any given time;

Whereas, each year, about 1 percent of cancers diagnosed in adults and around 15 percent of cancers diagnosed in children are sarcoma;

Whereas more than 70 types of sarcoma have been identified;

Whereas the potential causes of sarcoma are not well understood;

Whereas treatment for sarcoma can include surgery, radiation therapy, or chemotherapy;

Whereas sarcoma is often misdiagnosed and underreported; and

Whereas July 2024 would be an appropriate month to designate as National Sarcoma Awareness Month—

(1) to raise awareness about sarcoma; and

(2) to encourage more individuals in the United States to get properly diagnosed and treated: Now, therefore, be it

Resolved, That the Senate supports the designation of July 2024 as ''National Sarcoma Awareness Month''.

SENATE RESOLUTION 765—RELATING TO THE DEATH OF THE HONORABLE JAMES MOUNTAIN INHOFE, FORMER SENATOR FOR THE STATE OF OKLAHOMA

Mr. LANKFORD (for himself, Mr. MULLIN, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mrs. BRITT, Mr. BROWN, Mr. BUDD, Ms. BUTLER, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mr. FETTERMAN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LEE, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. REED, Mr. RICKETTS, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHMITT, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. VANCE, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 765

Whereas James M. Inhofe was born in Des Moines, Iowa, on November 17, 1934, to Perry Dyson Inhofe and Blanche Phoebe Mountain;

Whereas James M. Inhofe moved to Tulsa, Oklahoma, with his family in 1942, graduated from Central High School in 1953, and later graduated from the University of Tulsa;

Whereas James M. Inhofe served in the United States Army from 1957 to 1958, stationed at Fort Lee, Virginia;

Whereas James M. Inhofe became a licensed pilot in 1958;

Whereas James M. Inhofe married Kay Kirkpatrick on December 19, 1959;

Whereas, in 1966, James M. Inhofe was first elected to public office to serve on behalf of the people of Oklahoma;

Whereas James M. Inhofe served as a member of the Oklahoma House of Representatives from 1967 to 1969, during which he sat on banking, industrial development, insurance, and revenue and taxation committees and introduced and passed 18 bills in the fields of insurance, real estate, and finance;

Whereas James M. Inhofe served as a member of the Oklahoma Senate from 1969 to 1977, during which he served as the minority leader for the State Senate Republican Caucus from 1974 to 1977;

Whereas James M. Inhofe served as the 32nd Mayor of Tulsa, Oklahoma, from 1978 to 1984, during which he—

(1) led Tulsans to approve a bond issue that modernized the infrastructure of the city;

(2) led the construction of a series of low-water dams on the Arkansas River, including the Zink Dam constructed in 1982;

(3) led an effort to revamp the trash collection system; and

(4) created the 911 emergency call system for Tulsa;

Whereas James M. Inhofe served as a Member of the United States House of Representatives from 1987 to 1994;

Whereas James M. Inhofe served as a member of—

(1) the Committee on Government Operations of the House of Representatives from 1987 to 1991;

(2) the Committee on Public Works and Transportation of the House of Representatives from 1987 to 1994;

(3) the Select Committee on Narcotics Abuse and Control of the House of Representatives from 1987 to 1994;

(4) the Committee on Merchant Marine and Fisheries of the House of Representatives from 1989 to 1994; and

(5) the Committee on Armed Services of the House of Representatives from 1993 to 1994;

Whereas James M. Inhofe ended the secrecy of discharge petitions in the House of Representatives by introducing House Resolution 134, 103rd Congress, agreed to September 28, 1993, relating to amending the rules of the House of Representatives to cause the publication of Members signing a discharge motion, a reform that remains in place today;

Whereas James M. Inhofe was elected on November 8, 1994, in a special election and sworn in as a Senator on November 17, 1994, the date of his 60th birthday;

Whereas James M. Inhofe served as a Member of the United States Senate from 1994 to 2023, winning reelection in 1996, 2002, 2008, 2014, and 2020;

Whereas James M. Inhofe, serving as the Senator from Oklahoma on April 19, 1995, the date of the Oklahoma City Bombing, embodied the Oklahoma Standard in his subsequent efforts to support the recovery of Oklahoma City;

Whereas James M. Inhofe served as the Chairman of the Committee on Environment and Public Works of the Senate from 2003 to 2007 and 2015 to 2017;

Whereas James M. Inhofe served as Chairman of the Committee on Armed Services of the Senate from 2018 to 2021;

Whereas James M. Inhofe also served as a member of—

(1) the Committee on Armed Services of the Senate from 1995 to 2023, including as Ranking Member from 2013 to 2015 and 2021 to 2023;

(2) the Committee on Environment and Public Works of the Senate from 1995 to 2023, including as Ranking Member from 2007 to 2013;

(3) the Select Committee on Intelligence of the Senate from 1995 to 2003;

(4) the Committee on Indian Affairs from 1997 to 2005;

(5) the Committee on Foreign Relations of the Senate from 2009 to 2011, and 2013 to 2015;

(6) the Committee on Commerce, Science, and Transportation of the Senate from 2017 to 2019; and

(7) Committee on Small Business and Entrepreneurship of the Senate from 2017 to 2023;

Whereas James M. Inhofe served as the Co-Chair of the Congressional Coalition on Adoption from 2009 to 2014;

Whereas James M. Inhofe, who fought tirelessly for the aviation community throughout his life, was a private pilot with more than 11,000 flight hours;

Whereas some of the most notable congressional feats for aviation of James M. Inhofe include—

(1) enacting third-class medical reform;

(2) enhancing protections for general aviation pilots;

(3) supporting job opportunities and retirement security for commercial pilots;

(4) championing a strong aviation workforce for the 21st century; and

(5) protecting contract towers and advocating for needed investments in general aviation and commercial aviation airport infrastructure;

Whereas, in June 1991, James M. Inhofe recreated the historic flight around the world of Oklahoman Wiley Post by flying a twin–engine Cessna 414 from Washington, D.C., to Iceland, to Berlin, to Moscow, to several sites across the Union of Soviet Socialist Republics, and back to Alaska;

Whereas James M. Inhofe attended EAA AirVenture Oshkosh in Wisconsin for 43 years and was awarded the 2022 R.A. ''Bob'' Hoover Trophy by the Aircraft Owners and Pilots Association;

Whereas James M. Inhofe worked tirelessly throughout his career in the Senate to better the infrastructure of the United States and

Oklahoma by championing highway reauthorization bills and water resources infrastructure legislation that provided historic investments to build a 21st-century transportation network to support a 21st-century economy;

Whereas James M. Inhofe was the driving force behind major transportation infrastructure investments across the State of Oklahoma, including the rebuild of the I–40 Crosstown Project in Oklahoma City, the modernization of the Tulsa-West Tulsa Levees in Tulsa County, and boosting economic activity at inland ports along the McClellan-Kerr Arkansas River Navigation System in Eastern Oklahoma;

Whereas, throughout his congressional career, James M. Inhofe has proudly championed the men and women that serve in the Armed Forces, focused Federal investment to support military readiness, implemented the National Defense Strategy, and promoted opportunities for military spouses;

Whereas James M. Inhofe consistently fought to grow the 5 military bases located in Oklahoma, protecting each from the 1995 and 2005 base realignment and closure process, including—

(1) Altus Air Force Base;

(2) Fort Sill;

(3) McAlester Army Ammunition Plant;

(4) Tinker Air Force Base; and

(5) Vance Air Force Base;

Whereas James M. Inhofe fought to block efforts to privatize military commissaries to ensure members of the Armed Forces, veterans, and their families would be able to continue to enjoy their benefits;

Whereas James M. Inhofe has voted on and authored more than half of all the annual National Defense Authorization Acts enacted by Congress since 1961;

Whereas the National Defense Authorization Act for fiscal year 2023 was named the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 as a testament to his leadership and partnership on the Committee on Armed Services of the Senate, and his many decades of dedicated service to the people of Oklahoma, members of the Armed Forces, and the United States;

Whereas James M. Inhofe was a champion for veterans throughout his career, including—

(1) by enacting legislation allowing independent, third-party inspectors at hospitals of the Department of Veterans Affairs;

(2) by increasing accountability by giving directors of medical facilities of the Department of Veterans Affairs the ability to fire poorly performing employees; and

(3) in Oklahoma, by adding a first-of-its-kind, regional behavioral health center at the Jack C. Montgomery VA Center in Muskogee, and opening a brand-new inpatient facility in Tulsa;

Whereas James M. Inhofe championed the enactment of the 75th Anniversary of WWII Commemoration Act (Public Law 115–433), which established a commemorative program to honor veterans, educate the public about the history of World War II, highlight the service of the men and women who served the United States on the home front during the war, recognize the contributions of our allies, and remember the horrors of the Holocaust;

Whereas James M. Inhofe knew well the significant and strategic importance that Africa plays to the United States and the rest of the world, especially in the worldwide fight against terrorism;

Whereas James M. Inhofe conducted 172 visits to African countries as a Senator, more than any other Senator in history;

Whereas James M. Inhofe first visited Africa in 1998, when he visited Nigeria, Benin, and Ivory Coast, and his final visit was in 2022, when he visited Ethiopia, Kenya, and Rwanda;

Whereas James M. Inhofe, who long advocated for the development of a single military command whose focus would be solely on Africa, was vital in the effort to stand up United States Africa Command (AFRICOM), which has enabled the United States to enhance existing initiatives that help African nations;

Whereas James M. Inhofe worked tirelessly to advocate in the Senate on behalf of the Western Saharans and their right to self-determination;

Whereas James M. Inhofe worked on a bipartisan basis to enact major legislation, including—

(1) the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users Act of 2005 (Public Law 109–59), authorizing Federal surface transportation programs for highways, highway safety, and transit from 2005 to 2009;

(2) the Water Resources and Development Act of 2007 (Public Law 110–114), which included provisions continuing cleanup of the Tar Creek Superfund Site by directing the Environmental Protection Agency to include resident relocation in its upcoming remediation plan, and provided the legal authority required to include voluntary relocation in the plan;

(3) the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172), to end the reign of terror of Joseph Kony and the Lord's Resistance Army in eastern Congo and central Africa;

(4) the Pilot's Bill of Rights (Public Law 112–153), enacted in 2012, which protects general aviation pilots and made the aviation certification action process fairer;

(5) the Frank R. Lautenberg Chemical Safety for the 21st Century Act (Public Law 114–182), enacted in 2016, which was the first major reform to the Toxic Substances Control Act (Public Law 94–469) since the Toxic Substances Control Act was enacted in 1976; and

(6) the Fixing America's Surface Transportation Act, or the FAST ACT (Public Law 114–94), enacted in 2016, which reauthorized surface transportation programs from 2015 to 2020, accelerating construction of infrastructure across the United States, and made the largest single infrastructure investment in Oklahoma history;

Whereas, on November 16, 2018, James M. Inhofe became the longest serving Senator for the State of Oklahoma;

Whereas on January 3, 2023, James M. Inhofe retired from the Senate, having served in the Senate for more than 28 years and in public service for 52 years;

Whereas James M. Inhofe considered his staff a part of his family and lovingly referred to his former staff as ''has beens'';

Whereas 34 of his Senate staff loyally served more than a decade alongside him;

Whereas the family of James M. Inhofe recalls that while he was proud of his many policy accomplishments, he always felt his greatest achievement was his ''has beens'', who he knew were central to his effectiveness;

Whereas James M. Inhofe served with intelligence, dignity, and grace, and never wavered in his commitment to God, family, country, and Oklahoma;

Whereas, on November 10, 2013, James M. Inhofe was preceded in death by his son, Perry; and

Whereas, on July 9, 2024, at the age of 89, James M. Inhofe died, leaving behind his wife, Kay, his 3 loving children, Jimmy, Molly, and Katy, 12 grandchildren, and a legacy of steadfast love for and service to the people of Oklahoma: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) has heard with profound sorrow and deep regret the announcement of the death of the Honorable James M. Inhofe, former Senator for the State of Oklahoma; and

(B) respectfully requests that the Secretary of the Senate—

(i) communicate this resolution to the House of Representatives; and

(ii) transmit an enrolled copy of this resolution to the family of the Honorable James M. Inhofe; and

(2) when the Senate adjourns on the date of adoption of this resolution, the Senate stand adjourned as a further mark of respect to the memory of the Honorable James M. Inhofe.

SENATE RESOLUTION 766—RECOGNIZING SEPTEMBER 17, 2024, AS ''NATIONAL VOTER REGISTRATION DAY''

Ms. KLOBUCHAR (for herself and Mrs. FISCHER) submitted the following resolution; which was considered and agreed to:

S. RES. 766

Resolved, That the Senate—

(1) recognizes September 17, 2024, as ''National Voter Registration Day''; and

(2) encourages each voting-eligible citizen of the United States—

(A) to register to vote;

(B) to verify with the appropriate State or local election official that the name, address, and other personal information on record is current; and

(C) to go to the polls on election day and vote if the voting-eligible citizen would like to do so.

SENATE RESOLUTION 767—COMMEMORATING 175 YEARS OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND THE REPUBLIC OF GUATEMALA

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

S. RES. 767

Whereas January 31, 2024 marked the 175th anniversary of the establishment of diplomatic relations between the United States and the Republic of Guatemala;

Whereas Guatemala and the United States have shared strong bilateral relations on issues of mutual interest, with a partnership grounded in respect, shared democratic and anti-corruption values, the defense of human rights, and the pursuit of economic prosperity and shared security interests;

Whereas Ambassador Francisco Villagrán de León, who passed away on May 18, 2024, after 5 decades of professional service as a career diplomat, scholar, and political activist, dedicated a significant portion of his professional career to strengthening Guatemalan democracy and bilateral relations between the United States and Guatemala;

Whereas Guatemalans and Guatemalan Americans residing in the United States have enriched the United States' social, economic, and political development, which has allowed Guatemala's rich identity and heritage to become an integral part of the cultural tapestry of the United States;

Whereas the United States and Guatemala, which have historically enjoyed strong commercial and investment ties, have engaged in

free trade since July 1, 2006, through the Dominican Republic-Central America-United States Free Trade Agreement (commonly known as ''CAFTA–DR)'';

Whereas the United States, which is Guatemala's largest trading partner, accounts for nearly 35 percent of Guatemala's foreign trade;

Whereas the United States and Guatemala have been strong partners throughout multiple presidential administrations in both countries to address irregular migration in the Western Hemisphere, including through—

(1) safe third country agreements;

(2) the establishment of the Safe Mobility Initiative and the opening of the first Safe Mobility Office in Guatemala;

(3) being signatories to the Los Angeles Declaration on Migration and Protection in June 2022; and

(4) helping to implement the United States Strategy to Address the Root Causes of Migration in Central America;

Whereas Guatemala and the United States have partnered to combat corruption, uphold the rule of law, and build strong democratic institutions, including by supporting President Bernardo Arévalo's National Commission Against Corruption;

Whereas President Arévalo was democratically elected in 2023, and through concerted and sustained support by a wide swath of Guatemalan citizens, including indigenous persons, pro-democracy activists and the Guatemalan private sector, was inaugurated as president in 2024;

Whereas during his first 100 days in office, President Arévalo has demonstrated a commitment to further deepen Guatemala's bilateral partnership with the United States by—

(1) reaffirming Guatemala's commitment to maintain shared global policy priorities, including through support to mutual democratic partners of Taiwan, Ukraine, and Israel;

(2) demonstrating the political will to address the regional migration challenge by hosting the 2024 Third Ministerial on the Los Angeles Declaration on Migration and Protection;

(3) sustaining a serious dialogue with a wide range of indigenous communities on resolving historical inequities and grievances of the large and diverse indigenous communities of Guatemala; and

(4) following through on his commitment to address corruption across Guatemala's institutions by empowering Guatemala's National Commission Against Corruption;

Whereas journalist Jose Ramon Zamora, former prosecutor Virginia Laparra, and indigenous activist Sofia Tot Ac have faced unjust harassment for their advocacy against corruption and for indigenous rights in Guatemala;

Whereas Guatemala's principled support for Taiwan is resulting in economic intimidation by the People's Republic of China, which was most recently demonstrated by—

(1) the People's Republic of China's denial of entry of at least 7 shipping containers of macadamia nuts; and

(2) Guatemalan traders being told that Guatemalan macadamia nuts and coffee would be denied entry only days after the attendance of Guatemala's Minister of Foreign Affairs at the inauguration of Taiwanese President Lai Ching-te: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 175th anniversary of the establishment of official diplomatic relations between the United States and the Republic of Guatemala;

(2) celebrates the contributions that Guatemalans and Guatemalan-Americans have made in the United States;

(3) recognizes the significant contributions made by Ambassador Francisco Villagrán de León to strengthening bilateral relations between the United States and Guatemala and preserving Guatemalan democracy;

(4) reaffirms the long history of collaboration across multiple presidential administrations in Guatemala and the United States to collaborate to address mutual challenges in our national interests;

(5) urges the Government of Guatemala—

(A) to continue to work to find achievable solutions to bring inclusive economic growth, address ongoing security challenges, and build more accountable and transparent institutions;

(B) to follow through on its commitments to address the legitimate grievances of indigenous communities so these communities feel included and empowered, and to see tangible progress for the indigenous population in Guatemala; and

(C) to ensure fair judicial proceedings for all wrongfully targeted journalists and activists, including Jose Ramon Zamora, Virginia Laparra, and Sofia Tot Ac; and

(6) calls on the United States Government—

(A) to enhance its efforts to counter economic coercion of Guatemala from the People's Republic of China due to Guatemala's continued recognition of Taiwan, including through enhanced economic partnerships, private sector engagement, and foreign assistance;

(B) to strengthen foreign assistance aimed at helping the Government of Guatemala ensure democracy can deliver tangible improvements for all Guatemalans;

(C) to use all available tools at its disposal to support Guatemala's efforts to combat widespread corruption; and

(D) to ensure that migration management efforts are focused on safe, legal, and humane strategies.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2249. Mr. MERKLEY 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 2250. Mr. COONS (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2251. Mr. CORNYN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2252. Mr. CORNYN (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2253. Mr. MORAN (for himself, Mr. MURPHY, Mr. ROMNEY, and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2254. Mrs. BLACKBURN (for herself and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2255. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2256. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2257. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2258. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2259. 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 2260. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2261. Mr. REED (for himself, Mr. YOUNG, Mr. COONS, and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2262. Mr. WHITEHOUSE (for himself, Mr. CASSIDY, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2263. Mr. WHITEHOUSE (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 2264. Mr. WHITEHOUSE (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 2265. 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 2266. Mr. CORNYN (for himself, Mr. KELLY, Mrs. BLACKBURN, 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 2267. Mr. CORNYN (for himself, Mr. COONS, Mr. CASSIDY, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2268. 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 2269. 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 2270. 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 2271. 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 2272. 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 2273. Mr. KAINE (for himself, Mrs. FISCHER, and 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 2274. Mr. WARNER (for himself 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 2275. Ms. KLOBUCHAR (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2276. Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2277. 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 2278. 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 2279. 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 2280. 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 2281. 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 2282. Mrs. FISCHER (for herself and 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 2283. Mrs. FISCHER (for herself and Mr. PADILLA) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2284. 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 2285. 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 2286. Mr. GRASSLEY (for himself and Mr. OSSOFF) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2287. Mr. CARDIN (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 2288. Mr. CARDIN (for himself, Mr. VAN HOLLEN, and 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 2289. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2290. Mr. WYDEN (for himself and Ms. LUMMIS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2291. 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 2292. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2293. Mr. SCHUMER (for himself 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 2294. Mrs. BLACKBURN (for herself, Mr. BLUMENTHAL, Mr. MURPHY, and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2295. Mr. SCHUMER (for himself 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 2296. Mr. LUJAN (for himself 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 2297. Ms. HASSAN (for herself and Mr. LANKFORD) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2298. 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 2299. 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 2300. 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 2301. Mr. ROUNDS (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 2302. 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 2303. Mr. CORNYN (for himself and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2304. 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 2305. 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 2306. Mr. SULLIVAN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2307. 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 2308. 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 2309. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2310. Mrs. HYDE–SMITH (for herself and Ms. HASSAN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2311. Mr. GRASSLEY (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 2312. Mr. MANCHIN (for himself 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 2313. Mr. MANCHIN (for himself 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 2314. Mr. MANCHIN (for himself, Ms. MURKOWSKI, 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 2315. Mr. KAINE (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2316. Ms. KLOBUCHAR (for herself and Mr. YOUNG) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2317. Ms. KLOBUCHAR (for herself, Mr. BARRASSO, Ms. SMITH, 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 2318. 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 2319. 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 2320. Ms. HIRONO (for herself and Mr. CRUZ) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2321. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2322. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2323. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2324. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2325. Mr. KING (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 2326. Mrs. MURRAY (for herself and Mr. BUDD) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2327. Mr. BROWN (for himself and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2328. Mr. KELLY (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 2329. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2330. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2331. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2332. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2333. Mr. KENNEDY (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2334. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2335. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2336. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2337. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2338. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2339. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2340. 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 2341. 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 2342. 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 2343. 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 2344. 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 2345. Mr. BOOKER (for himself, Mr. SCHUMER, Mr. ROUNDS, 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 2346. Mr. WELCH (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 2347. Mr. WELCH (for himself, Ms. MURKOWSKI, Mr. TILLIS, Ms. KLOBUCHAR, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2348. Mr. WELCH (for himself, Mrs. CAPITO, Ms. MURKOWSKI, Ms. KLOBUCHAR, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2349. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2350. 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 2351. Mr. HICKENLOOPER (for himself, Ms. LUMMIS, 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 2352. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2353. 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 2354. 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 2355. 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 2356. 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 2357. 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 2358. Mr. HAGERTY (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2359. Mr. CRAPO (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 2360. Mr. CRAPO (for himself, Mr. TESTER, Mr. RISCH, Mr. DAINES, Mr. HAWLEY, Ms. MURKOWSKI, Mrs. CAPITO, Mr. CRAMER, Mr. BOOZMAN, Mrs. BLACKBURN, Ms. COLLINS, Mr. COTTON, Mr. SCOTT of Florida, Mr. MORAN, Mr. BLUMENTHAL, Mr. KING, Mr. MERKLEY, Mr. WELCH, Mr. BROWN, Mr. CARDIN, Mr. FETTERMAN, Ms. SMITH, Mr. VAN HOLLEN, Mrs. MURRAY, Ms. STABENOW, Mr. WHITEHOUSE, Ms. HIRONO, Mr. PADILLA, Ms. DUCKWORTH, Mr. CASEY, Mr. HICKENLOOPER, Mr. COONS, Ms. ROSEN, Mrs. GILLIBRAND, Mr. OSSOFF, Mr. WYDEN, Mr. BENNET, Mr. WARNOCK, Ms. WARREN, Ms. KLOBUCHAR, Mr. WARNER, Mr. PETERS, Ms. CORTEZ MASTO, Ms. BALDWIN, Mr. KELLY, Mr. LUJÁN, Mr. ROUNDS, Mr. CRUZ, Mr. BARRASSO, Mr. VANCE, Mr. RICKETTS, Mrs. SHAHEEN, Mrs. HYDE-SMITH, Mr. BOOKER, Mr. HOEVEN, Mr. RUBIO, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2361. Mr. CRAPO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2362. Mr. CRAMER (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2363. Mr. ROUNDS (for himself, Mr. MANCHIN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2364. Mr. ROUNDS (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2365. Mr. PETERS (for himself 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 2366. Mr. KELLY (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2367. Mr. KELLY (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 2368. Mr. OSSOFF (for himself, Mr. ROUNDS, 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 2369. Mr. OSSOFF (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 2370. Mr. OSSOFF submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2371. Mr. OSSOFF submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2372. Mr. OSSOFF (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2373. Mr. OSSOFF (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 2374. Mr. OSSOFF (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 2375. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2376. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2377. Ms. BALDWIN (for herself, Mrs. CAPITO, Ms. COLLINS, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2378. Ms. BALDWIN (for herself, Mr. BRAUN, Mr. BROWN, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2379. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2380. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2381. Ms. BALDWIN (for herself, Mr. VANCE, and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2382. Mr. DURBIN (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 2383. Mr. CASEY (for himself, Ms. COLLINS, Mr. CRAPO, Ms. ROSEN, Mr. SCOTT of Florida, and Mr. FETTERMAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2384. 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 2385. 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 2386. Ms. ERNST (for herself and Ms. ROSEN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2387. Ms. ERNST (for herself, Mr. MARSHALL, and Mr. BRAUN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2388. Ms. ERNST (for herself, Ms. WARREN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. FETTERMAN, and Ms. ROSEN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2389. Ms. ERNST (for herself, Mrs. GILLIBRAND, Mr. COTTON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2390. Mr. MARSHALL (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 2391. Mr. BRAUN (for himself, Ms. SINEMA, 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 2392. Mr. BRAUN (for himself, Mr. TESTER, Mr. RUBIO, and Mr. TUBERVILLE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2393. Mr. MARSHALL (for himself and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill S.

4638, supra; which was ordered to lie on the table.

SA 2394. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2395. Mr. MARSHALL (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 2396. Mr. ROUNDS (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2397. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2398. 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 2399. Mr. CORNYN proposed an amendment to the bill S. 150, to amend the Federal Trade Commission Act to prohibit product hopping, and for other purposes.

SA 2400. Ms. SINEMA (for herself and Mr. HAGERTY) 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.

SA 2401. Mr. WHITEHOUSE (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 2402. Mr. WHITEHOUSE (for himself, Mr. GRAHAM, Mr. BLUMENTHAL, Mr. RISCH, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2403. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2404. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2405. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2406. 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 2407. 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 2408. 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 2409. 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 2410. Mr. CORNYN (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 2411. 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 2412. 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 2413. 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 2414. Ms. MURKOWSKI (for herself, Mr. MORAN, Mr. CRAMER, Mr. SCOTT of Florida, Mr. BUDD, Mr. CORNYN, Ms. DUCKWORTH, Ms. ROSEN, Mr. OSSOFF, and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2415. 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 2416. Ms. MURKOWSKI (for herself and 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 2417. 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 2418. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2419. Ms. SMITH submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2420. Ms. SMITH submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2421. Mr. BENNET (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 2422. Ms. KLOBUCHAR (for herself and Mr. BRAUN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2423. Ms. KLOBUCHAR (for herself and Mr. CRAMER) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2424. 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 2425. Mr. SCHATZ (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2426. 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 2427. 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 2428. 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 2429. 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 2430. 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 2431. 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 2432. 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 2433. 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 2434. 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 2435. Mr. DURBIN (for himself, Mr. WYDEN, Mr. CARPER, and 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 2436. Mr. DURBIN (for himself, Mr. GRASSLEY, 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 2437. 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 2438. 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 2439. 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 2440. Mr. RUBIO (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 2441. 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 2442. 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 2443. Mr. RUBIO (for himself 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 2444. Mr. RUBIO (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 2445. 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 2446. Mr. BUDD (for himself, Mr. TILLIS, Mr. BROWN, Mr. RICKETTS, Mr. MARSHALL, Mr. SCOTT of Florida, 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 2447. 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 2448. Mr. RUBIO (for himself, Mr. CORNYN, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2449. 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 2450. Mr. RUBIO (for himself, Ms. KLOBUCHAR, and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2451. Mr. GRASSLEY (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 2452. 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 2453. 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 2454. 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 2455. 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 2456. Mrs. SHAHEEN (for herself and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2457. Mrs. SHAHEEN (for herself, Mr. RUBIO, Mr. VAN HOLLEN, and Mr. YOUNG) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2458. Mrs. SHAHEEN (for herself and Mr. BUDD) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2459. Mr. PETERS (for himself, Mr. LANKFORD, and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2460. Mr. PETERS (for himself, Mrs. BLACKBURN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2461. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2462. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2463. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2464. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2465. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2466. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2467. Mr. MERKLEY (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 2468. 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 2469. 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 2470. 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 2471. 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 2472. 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 2473. 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 2474. 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 2475. 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 2476. 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 2477. 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 2478. 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 2479. 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 2480. 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 2481. 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 2482. 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 2483. 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 2484. 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 2485. Mr. RUBIO (for himself and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2486. 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 2487. 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 2488. 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 2489. 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 2490. 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 2491. Mr. KAINE (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2492. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2493. Ms. ROSEN (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2494. Ms. ROSEN (for herself, Mrs. FISCHER, Mr. RICKETTS, and Mr. PADILLA) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2495. 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 2496. Mr. SCHATZ (for himself, Mr. CRUZ, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2497. Mr. COONS (for himself, Mr. GRAHAM, Mr. TILLIS, Mr. HEINRICH, Mr. KING, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. RICKETTS, Ms. HIRONO, 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 2498. Mr. MANCHIN (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2499. 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 2500. 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 2501. Mr. CARPER (for himself 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 2502. Mr. CARPER (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 2503. 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 2504. 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 2505. 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 2506. Mr. KELLY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2507. 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 2508. 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 2509. Mr. RUBIO (for himself, Mr. WARNER, Mr. HICKENLOOPER, Mr. CASSIDY, Mr. COONS, Mr. KING, Mr. TILLIS, and Mr. KELLY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2510. 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 2511. 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 2512. 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 2513. 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 2514. 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 2515. 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 2516. 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 2517. 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 2518. 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 2519. 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 2520. 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 2521. 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 2522. 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 2523. Mr. KELLY (for himself and 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 2524. Mr. WARNOCK (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 2525. Mr. WARNOCK (for himself, Mr. BUDD, Mr. TILLIS, Ms. LUMMIS, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2526. 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 2527. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2528. Mr. CORNYN (for himself, Mr. OSSOFF, Mr. GRASSLEY, Mr. COONS, Mr. CRUZ, Mr. PETERS, Mrs. FISCHER, 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 2529. Mr. CORNYN (for himself, Mr. TESTER, Mr. TILLIS, Ms. HASSAN, 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 2530. Mr. MERKLEY (for himself 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 2531. Mr. MERKLEY (for himself 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 2532. 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 2533. 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 2534. 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 2535. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2536. Mr. MURPHY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2537. 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 2538. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2539. 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 2540. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2541. 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 2542. 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 2543. 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 2544. Mr. MANCHIN (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2545. Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2546. Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2547. Mr. BENNET (for himself, Mr. HICKENLOOPER, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2548. Mr. KELLY (for himself, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. WARREN, Ms. DUCKWORTH, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2549. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2550. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2551. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2552. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2553. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2554. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2555. Mr. PADILLA (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2556. Mr. PADILLA (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2557. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2558. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2559. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2560. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2561. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2562. Mr. PADILLA (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 2563. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2564. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2565. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2566. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2567. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2568. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2569. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2570. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2571. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2572. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2573. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2574. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2575. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2576. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2577. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2578. Mr. CASSIDY (for himself and 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 2579. Mr. CASSIDY (for himself and 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 2580. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2581. Mrs. FISCHER (for herself, Mr. TESTER, Mr. RISCH, Mr. COTTON, Mr. RICKETTS, Mr. TUBERVILLE , Mr. ROUNDS, Mr. BARRASSO, Mr. GRASSLEY, Ms. MURKOWSKI, and Mr. MARSHALL) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2582. Mr. MULLIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2583. Mr. MULLIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2584. Mr. YOUNG (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2585. Mr. YOUNG (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2586. Mr. YOUNG (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2587. Mr. YOUNG (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 2588. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2589. Mr. YOUNG (for himself and 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 2590. Mr. YOUNG (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2591. Ms. SINEMA submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2592. Mr. COONS (for himself 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 2593. Mr. BENNET (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 2594. Ms. SINEMA submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2595. Ms. SINEMA (for herself and Mr. LANKFORD) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2596. Mr. WARNER (for himself, Mr. COTTON, and Mr. KELLY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2597. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2598. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2599. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2600. 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 2601. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2602. Mr. CORNYN (for himself, Mrs. SHAHEEN, Mr. COONS, 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 2603. Mrs. BRITT (for Mr. DAINES) submitted an amendment intended to be proposed by Mrs. Britt to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2604. Mrs. BRITT (for Mr. DAINES) submitted an amendment intended to be proposed by Mrs. Britt to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2605. Mrs. BRITT submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2606. Mr. CORNYN (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2607. 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 2608. 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 2609. Mr. ROUNDS (for himself 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 2610. Mr. ROUNDS (for himself 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 2611. 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 2612. 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 2613. 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 2614. Mr. HEINRICH (for himself 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 2615. Mr. HEINRICH (for himself 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 2616. Mr. HEINRICH (for himself, Mr. SCHUMER, Mr. YOUNG, Mr. BOOKER, 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 2617. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2618. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2619. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2620. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2621. Ms. HIRONO (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2622. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2623. Mr. FETTERMAN (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2624. Mr. FETTERMAN (for himself and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2625. Ms. STABENOW (for herself, Mr. BROWN, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2626. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2627. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2628. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2629. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2630. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2631. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2632. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2633. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2634. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2635. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2636. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2637. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2638. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2639. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2640. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2641. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2642. Mr. LEE submitted an amendment intended to be proposed by him to the bill S.

4638, supra; which was ordered to lie on the table.

SA 2643. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2644. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2645. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2646. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2647. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2648. 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 2649. 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 2650. Ms. HASSAN (for herself and Mr. THUNE) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2651. Ms. KLOBUCHAR (for herself and 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 2652. Mr. COONS (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2653. 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 2654. Mr. RISCH (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 2655. 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 2656. 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 2657. 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 2658. 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 2659. 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 2660. 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 2661. 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 2662. 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 2663. 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 2664. 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 2665. 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 2666. 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 2667. 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 2668. Mr. RISCH (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2669. Mr. RISCH (for himself and 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 2670. 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 2671. 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 2672. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2673. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2674. Mr. LEE (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2675. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2676. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2677. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2678. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2679. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2680. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2681. Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. BOOKER, Ms. BALDWIN, Ms. STABENOW, Mr. PADILLA, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2682. Ms. KLOBUCHAR (for herself, Mr. MORAN, Mr. COONS, Mr. ROUNDS, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. SHAHEEN, Ms. MURKOWSKI, and Mr. CASSIDY) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2683. 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 2684. 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 2685. 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 2686. 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 2687. Mr. BOOKER (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 2688. Mr. BOOKER (for himself, Mr. MORAN, 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 2689. 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 2690. Mr. MORAN (for himself and 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 2691. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2692. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2693. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2694. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2695. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2696. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2697. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2698. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2699. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2700. 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 2701. Mr. MORAN (for himself and 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 2702. 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 2703. 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 2704. Mr. ROUNDS (for himself, Ms. KLOBUCHAR, Mr. MORAN, Mr. COONS, 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 2705. 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 2706. 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 2707. 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 2708. 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 2709. 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 2710. 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 2711. 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 2712. 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 2713. 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 2714. 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 2715. 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 2716. Mr. ROUNDS (for himself and Ms. SMITH) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2717. Mr. ROUNDS (for himself and 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 2718. Mr. ROUNDS (for himself, Mr. SCHUMER, Mr. HEINRICH, and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2719. Mr. CORNYN (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 2720. Mr. KELLY (for himself, Mr. PADILLA, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2721. Mr. KELLY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2722. 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 2723. 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 2724. Mr. PETERS (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 2725. 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 2726. Mr. MERKLEY (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2727. Ms. MURKOWSKI (for herself, Mr. KAINE, Mr. WARNER, Mr. KENNEDY, Mr. VAN HOLLEN, Mr. CARDIN, and Mr. CASSIDY) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2728. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2729. 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 2730. 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 2731. 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 2732. 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 2733. 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 2734. 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 2735. 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 2736. 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 2737. 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 2738. 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 2739. 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 2740. 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 2741. 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 2742. Mr. CRUZ (for himself, Mr. CRAPO, Mr. LEE, Mr. RUBIO, Ms. LUMMIS, Mr. RISCH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2743. 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 2744. 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 2745. 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 2746. 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 2747. 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 2748. Mr. CRUZ (for himself, Mr. SCOTT of Florida, Mr. BARRASSO, 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 2749. 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 2750. 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 2751. Ms. CORTEZ MASTO (for herself, Mr. CRAPO, and Mr. RISCH) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2752. Ms. WARREN (for herself, Mr. LEE, Mr. BRAUN, 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 2753. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2754. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2755. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2756. Ms. WARREN (for herself, Mr. KING, Mr. HOEVEN, Mr. BLUMENTHAL, Mr. CASEY, and 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 2757. 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 2758. 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 2759. Ms. KLOBUCHAR (for herself, Mr. CRAMER, Mr. CARPER, and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2760. Mr. MANCHIN (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2761. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2762. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2763. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2764. 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 2765. 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 2766. 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 2767. 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 2768. 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 2769. Mr. HAGERTY (for himself and 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 2770. Mr. WHITEHOUSE (for himself, Mr. REED, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2771. 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 2772. 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 2773. Mr. BENNET (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2774. Mr. VAN HOLLEN (for himself, Mr. CARDIN, Mr. KAINE, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2775. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2776. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2777. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2778. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2779. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2780. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2781. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2782. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2783. Mr. BROWN (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 2784. Mr. BROWN (for himself and Mr. VANCE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2785. Mr. BROWN (for himself and Mr. VANCE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2786. Mr. BROWN (for himself and Mr. VANCE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2787. Mr. BROWN (for himself and Mr. VANCE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2788. Mr. MANCHIN (for himself, Mr. BARRASSO, Mr. RISCH, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2789. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2790. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2791. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2792. Mr. BROWN (for himself 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 2793. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2794. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2795. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2796. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2797. Mr. ROUNDS (for himself, Ms. KLOBUCHAR, Mr. MORAN, Mr. BLUMENTHAL, 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 2798. Mr. BARRASSO (for Mr. DAINES (for himself, Ms. LUMMIS, and Mr. BARRASSO)) submitted an amendment intended to be proposed by Mr. BARRASSO to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2799. 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 2800. Mr. LUJÁN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2801. Mr. LUJÁN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2802. Ms. BUTLER submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2803. Ms. BUTLER submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2804. Ms. BUTLER submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2805. Ms. BUTLER (for herself and Mrs. BRITT) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2806. Ms. BUTLER (for herself and Mr. PADILLA) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2807. Ms. BUTLER (for herself and Mr. PADILLA) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2808. 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 2809. 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 2810. 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 2811. 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 2812. Ms. CORTEZ MASTO (for herself and Mr. MULLIN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2813. 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 2814. 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 2815. 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 2816. Ms. CORTEZ MASTO (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2817. 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 2818. 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 2819. 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 2820. Mr. JOHNSON (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 2821. 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 2822. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2823. Mr. RICKETTS (for himself 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 2824. Mr. SCOTT of South Carolina (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2825. Mr. RICKETTS (for himself, Mr. RUBIO, Mr. BUDD, Mr. TILLIS, Mrs. FISCHER, 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 2826. Mr. RICKETTS (for himself, Mrs. SHAHEEN, 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 2827. 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 2828. 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 2829. Mr. CORNYN (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2830. Mr. LANKFORD (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 2831. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2832. Mr. LANKFORD (for himself and Mr. KELLY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2833. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2834. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2835. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2836. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2837. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2838. Mr. LANKFORD (for himself, Mr. CORNYN, Mr. WARNOCK, Mr. CRUZ, Ms. ROSEN, Mr. LEE, and Mr. OSSOFF) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2839. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2840. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2841. Mr. LANKFORD (for himself, Mr. BENNET, 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 2842. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2843. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2844. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2845. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2846. Mr. HICKENLOOPER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2847. Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2848. Mr. HICKENLOOPER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2849. Mr. HICKENLOOPER (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 2850. Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2851. Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2852. Mr. HICKENLOOPER (for himself, Mr. BENNET, and 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 2853. Mr. HICKENLOOPER (for himself, Mr. BENNET, Mr. RISCH, Mr. BROWN, Ms. LUMMIS, Mr. CRAPO, Mr. BARRASSO, Mr. VANCE, Ms. MURKOWSKI, Mr. PADILLA, Mr. RICKETTS, Mr. BRAUN, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. MARSHALL, Ms. SMITH, Ms. STABENOW, Mr. MORAN, Mr. ROUNDS, and 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 2854. Mr. MERKLEY (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 2855. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2856. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2857. Mr. SCHUMER (for himself 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 2858. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2859. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2860. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2861. Mr. BROWN (for himself 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 2862. Mr. SCOTT of South Carolina (for himself and 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 2863. Mr. YOUNG (for himself 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 2864. Ms. DUCKWORTH (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 2865. Mr. CARPER (for Mrs. CAPITO (for herself and Mr. CARPER)) submitted an amendment intended to be proposed by Mr. CARPER to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2866. Mr. BOOKER (for himself, Mr. PAUL, 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 2867. 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 2868. 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 2869. Mr. LUJÁN (for himself 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 2870. Ms. KLOBUCHAR (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 2871. Ms. KLOBUCHAR (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 2872. Ms. KLOBUCHAR (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 2873. Mr. LEE (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 2874. Mr. PETERS (for himself, Ms. COLLINS, and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2875. Ms. CANTWELL (for herself, Mr. CRUZ, and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2876. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2877. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2878. Mr. PETERS (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 2879. Mr. CARPER (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2880. Mr. MULLIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2881. 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 2882. Mr. BARRASSO (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2883. 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 2884. 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 2885. 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 2886. 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 2887. 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 2888. Mr. KELLY (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 2889. 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 2890. Mrs. SHAHEEN (for herself and Mr. ROUNDS) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2891. 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 2892. Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. PADILLA, Ms. SMITH, and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2893. Ms. WARREN (for herself, Ms. STABENOW, Mr. MARKEY, Mr. PADILLA, Mr. BLUMENTHAL, Mr. LUJÁN, Ms. DUCKWORTH, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2894. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2895. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2896. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2897. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2898. Mr. SCOTT of South Carolina (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2899. 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 2900. 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 2901. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2902. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2903. Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2904. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2905. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2906. 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 2907. Ms. SMITH (for herself and Mr. ROUNDS) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2908. 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 2909. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2910. Mr. REED (for himself and Ms. LUMMIS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2911. Ms. ERNST (for herself and Mr. FETTERMAN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2912. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2913. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2914. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2915. Mr. HEINRICH (for himself 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 2916. 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 2917. 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 2918. 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.

TEXT OF AMENDMENTS

SA 2249. Mr. MERKLEY 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 III, insert the following:

SEC. 3____. REPORT ON ALTERNATIVES TO USE OF 6PPD IN TIRES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Environment and Public Works of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report on—

(1) the alternatives to the use of 6PPD in the design and production of tires by the Department of Defense;

(2) how 6PPD and 6PPD-quinone created by tires may be reduced; and

(3) the steps the Secretary will take to mitigate 6PPD and 6PPD-quinone in the environment.

SA 2250. Mr. COONS (for himself and Mr. KENNEDY) 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. SMALL BUSINESS CONTRACTING TRANSPARENCY.

(a) REPORT ON SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—

(1) IN GENERAL.—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended by adding at the end the following:

''(9) REPORT.—Not later than 1 year after the date of enactment of the Small Business Contracting Transparency Act of 2024, and annually thereafter, the Administrator 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 on small business concerns owned and controlled by women, which shall include, for the fiscal year preceding the date of the report, the following:

''(A) The number of applications for certification as a small business concern owned and controlled by women that have sufficient information for the Administrator to make a certification determination, disaggregated by—

''(i) the number of applications certified;

''(ii) the number of applications denied; and

''(iii) the number of applications for which a determination has not been made.

''(B) The number of concerns certified as small business concerns owned and controlled by women by a national certifying entity approved by the Administrator.

''(C) The amount of fees, if any, charged by each national certifying entity for the certification described in subparagraph (B).

''(D) The total dollar amount and total percentage of prime contracts awarded to small business concerns owned and controlled by women pursuant to paragraph (2) or pursuant to a waiver granted under paragraph (3).

''(E) The total dollar amount and total percentage of prime contracts awarded to small business concerns owned and controlled by women pursuant to paragraph (7) or (8).

''(F) With respect to a contract incorrectly awarded pursuant to this subsection because it was awarded based on an industry in which small business concerns owned and controlled by women are not underrepresented—

''(i) the number of such contracts;

''(ii) the Federal agencies that issued such contracts; and

''(iii) any steps taken by the Administrator to train the personnel of each Federal agency described in clause (ii) on the use of the authority provided under this subsection.

''(G) With respect to an examination described in paragraph (5)(B)—

''(i) the number of examinations due because of recertification requirements and the actual number of examinations conducted; and

''(ii) the number of examinations conducted for any other reason.

''(H) The number of small business concerns owned and controlled by women that were found to be ineligible to be awarded a contract under this subsection as a result of an examination conducted pursuant to paragraph (5)(B) or failure to request an examination pursuant to section 127.400 of title 13, Code of Federal Regulations, or any successor regulation.

''(I) The number of small business concerns owned and controlled by women that were decertified.

''(J) The total number of small business concerns owned and controlled by women.

''(K) Any other information the Administrator determines necessary.''.

(2) TECHNICAL AMENDMENT.—Section 8(m)(2)(C) of the Small Business Act (15 U.S.C. 637(m)(2)(C)) is amended by striking

''paragraph (3)'' and inserting ''paragraph (4)''.

(b) REPORT ON SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.—Section 31 of the Small Business Act (15 U.S.C. 657a) is amended—

(1) by redesignating subsection (f) as subsection (g); and

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

''(f) REPORT.—Not later than 1 year after the date of enactment of the Small Business Contracting Transparency Act of 2024, and annually thereafter, the Administrator 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 on HUBZone small business concerns, which shall include, for the fiscal year preceding the date of the report, the following:

''(1) The number of applications for certification as a qualified HUBZone small business concern that have sufficient information for the Administrator to make a certification determination, disaggregated by—

''(A) the number of applications certified;

''(B) the number of applications denied; and

''(C) the number of applications for which a determination has not been made.

''(2) The total dollar amount and total percentage of prime contracts awarded to qualified HUBZone small business concerns pursuant to this section.

''(3) The total dollar amount and percent of sole source contracts awarded to qualified HUBZone small business concerns under subsection (c)(2)(A).

''(4) With respect to an examination described in subsection (d)(5)—

''(A) the number of examinations due because of recertification requirements and the actual number of examinations conducted; and

''(B) the number of examinations conducted for any other reason.

''(5) The number of HUBZone small business concerns that were found to be ineligible to be awarded a contract under this subsection as a result of an examination conducted pursuant to subsection (d)(5) or a verification conducted pursuant to subsection (d)(2).

''(6) The number of small business concerns that were decertified as qualified HUBZone small business concerns.

''(7) The number of qualified HUBZone small business concerns.

''(8) Any other information the Administrator determines necessary.''.

(c) REPORT ON SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36 of the Small Business Act (15 U.S.C. 657f) is amended by adding at the end the following:

''(j) REPORT.—Not later than 1 year after the date of enactment of the Small Business Contracting Transparency Act of 2024, and annually thereafter, the Administrator 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 on small business concerns owned and controlled by service-disabled veterans, which shall include, for the fiscal year preceding the date of the report, the following:

''(1) The total number of small business concerns certified as small business concerns owned and controlled by service-disabled veterans.

''(2) The total dollar amount and total percentage of prime contracts awarded to small business concerns owned and controlled by service-disabled veterans pursuant to this section.

''(3) The total dollar amount and percent of sole source contracts awarded to small business concerns owned and controlled by service-disabled veterans pursuant to subsection (c).

''(4) With respect to an examination described in subsection (h)(2)—

''(A) the number of examinations due because of recertification requirements and the actual number of such examinations conducted; and

''(B) the number of examinations conducted for any other reason.

''(5) The number of small business concerns owned and controlled by service-disabled veterans that were found to be ineligible to be awarded a contract under this subsection as a result of an examination conducted pursuant to subsection (h)(2).

''(6) The number of small business concerns decertified as small business concerns owned and controlled by service-disabled veterans.

''(7) The total number of small business concerns owned and controlled by service-disabled veterans.

''(8) Any other information the Administrator determines necessary.''.

(d) COMPLIANCE WITH CUTGO.—No additional amounts are authorized to be appropriated to carry out this section or the amendments made by this section.

SA 2251. Mr. CORNYN (for himself and Ms. KLOBUCHAR) 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. _____. NATIONAL CONSTRUCTION SAFETY TEAM ENHANCEMENT.

The National Construction Safety Team Act is amended—

(1) in section 2 (15 U.S.C. 7301)—

(A) in subsection (a)—

(i) in the first sentence, by striking ''buildings'' and inserting ''structure''; and

(ii) by inserting after the first sentence the following new sentence: ''In instances in which the failure of the building or structure is the proper subject for investigation by another Federal agency, the Director shall defer to the authority of such agency.'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''buildings'' and inserting ''the built environment''; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by inserting ''or structure'' after ''building'';

(II) in subparagraph (C), by striking ''building standards, codes, and practices'' and inserting ''engineering standards, practices, and building codes''; and

(III) in subparagraph (D), by striking ''buildings'' and inserting ''the built environment''; and

(C) in subsection (c)(1)—

(i) in subparagraph (G), by inserting ''or structure'' after ''building''; and

(ii) in subparagraph (J)—

(I) by inserting ''or structure'' after ''building''; and

(II) by inserting ''or the National Windstorm Impact Reduction Act of 2004'' after ''1977'';

(2) in section 4 (15 U.S.C. 7303)—

(A) by striking the term ''building'' each place it appears; and

(B) by inserting ''building or structure'' before ''failure'' each place it appears;

(3) in section 7 (15 U.S.C. 7306), by inserting ''or structure'' after ''building'';

(4) in section 8 (15 U.S.C. 7307)—

(A) in paragraph (1), by inserting ''or structure'' after ''building'';

(B) in paragraph (3), by striking ''standards, codes, and practices'' and inserting ''engineering standards, practices, and building codes''; and

(C) in paragraph (4), by inserting ''and structure'' after ''building'';

(5) in section 9(2) (15 U.S.C. 7308(2)), by striking ''building standards, codes, and practices'' each place it appears and inserting ''engineering standards, practices, and building codes''; and

(6) in section 14 (15 U.S.C. 7312), by striking ''building standards, codes, or practices'' and inserting ''engineering standards, practices, and building codes''.

SA 2252. Mr. CORNYN (for himself and Mr. PADILLA) 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____. QUANTUM INFORMATION SCIENCE TO ENHANCE THE RESILIENCE, SECURITY, AND EFFICIENCY OF THE ELECTRIC GRID.

(a) IN GENERAL.—Title IV of the National Quantum Initiative Act (15 U.S.C. 8851 et seq.) is amended by adding at the end the following:

''SEC. 405. QUANTUM INFORMATION SCIENCE TO ENHANCE THE RESILIENCE AND SECURITY OF THE ELECTRIC GRID.

''(a) IN GENERAL.—The Secretary of Energy (referred to in this section as the 'Secretary') shall conduct research, development, and demonstration activities focused on the use of quantum information science, engineering, and technology, including through quantum applications and quantum computing, to enhance the resilience, security, and efficiency of the electric grid in the United States.

''(b) RESEARCH AREAS.—In carrying out subsection (a), the Secretary shall conduct research in the following areas:

''(1) Fault detection and prediction.

''(2) Grid security and safety, including through post-quantum cryptography.

''(3) Integrated grid planning.

''(4) Grid optimization.

''(5) Enhanced modeling.

''(6) Energy storage.

''(7) Energy market optimization.

''(8) Any other area in which, in the determination of the Secretary, quantum information science, engineering, and technology can enhance the resilience, security, and efficiency of the electric grid in the United States.

''(c) COOPERATION.—To the extent practicable, the Secretary shall conduct research, development, and demonstration activities under subsection (a) in cooperation, including through partnerships, as the Secretary determines to be appropriate, with members of relevant industries, National Laboratories, institutions of higher education, and other relevant institutions, including research institutions, as determined by the Secretary.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the National

Quantum Initiative Act (Public Law 115–368; 132 Stat. 5092; 136 Stat. 1441) is amended by inserting after the item relating to section 404 the following:

''Sec. 405. Quantum information science to enhance the resilience and security of the electric grid.''.

SA 2253. Mr. MORAN (for himself, Mr. MURPHY, Mr. ROMNEY, and Ms. ROSEN) 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 V of division A, add the following:

SEC. 529C. DEPARTMENT OF DEFENSE PROCESS FOR SHARING MILITARY SERVICE DATA WITH STATES.

(a) SHORT TITLE.—This section may be cited as the ''Military and Education Data Integration Act''.

(b) DEFINITIONS.—In this section:

(1) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) STATE EDUCATIONAL AGENCY.—The term ''State educational agency'' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(c) DATA SHARING PROCESS.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Education, State educational agencies, local educational agencies, military leaders, and other experts in student data and privacy shall, not later than 18 months after the date of enactment of this Act, develop and implement a secure, data sharing process that enables State educational agencies to, on a not less than annual basis—

(A) access data elements described in paragraph (2) maintained by the Secretary of Defense related to each such State's high school graduates; and

(B) integrate data elements described in paragraph (2) maintained by the Secretary of Defense related to each such State's high school graduates into—

(i) such State's statewide longitudinal data system; or

(ii) an alternate data system operated by such State.

(2) DATA ELEMENTS.—The data elements described in this paragraph shall include information, updated not less than annually, regarding the following:

(A) The military service of officers and enlisted personnel, disaggregated by State of secondary school graduation (or most recent secondary school attendance before enlistment or accession), including the following:

(i) The highest level of education attained by the service member.

(ii) The name and location of the school that provided the education referenced in clause (i).

(iii) The name and location of the secondary school from which the service member graduated (if different than the information provided under clause (ii)) (or most recently attended if the service member did not graduate).

(iv) The service member's score on the Armed Forces Qualification Test.

(v) The date of accession into the Armed Forces by the service member.

(vi) The military service of the service member.

(vii) The current rank of the service member.

(viii) The area of expertise or military occupational specialty (MOS) of the service member.

(ix) The date of separation from the Armed Forces by the service member.

(x) Any other information deemed relevant by the Secretary of Defense.

(B) Information with respect to individuals who applied for military service (as officers or enlisted personnel, disaggregated by State of secondary school graduation (or most recent secondary school attendance before enlistment or accession)), including the following:

(i) The highest level of education attained by the individual.

(ii) The name and location of the school that provided the education referenced in clause (i).

(iii) The name and location of the secondary school from which the individual graduated (if different than the information provided under clause (ii)) (or most recently attended if the individual did not graduate).

(iv) The individual's score on the Armed Forces Qualification Test.

(3) PRIVACY.—The Secretary of Defense shall carry out the secure data sharing process required under paragraph (1) in a manner that protects individual privacy and data security, in accordance with applicable Federal, State, and local privacy laws. The data collected pursuant to this subsection shall be collected and maintained in an anonymous format.

SA 2254. Mrs. BLACKBURN (for herself and Mr. PETERS) 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. _____. REPORT ON DEPARTMENT OF JUSTICE ACTIVITIES RELATED TO COUNTERING CHINESE NATIONAL SECURITY THREATS.

(a) REQUIREMENT.—Not later than 90 days after the date of enactment of this Act, and each year thereafter for 7 years, the Attorney General shall submit to the Committees on the Judiciary of the Senate and of the House of Representatives, and make publicly available on the website of the Department of Justice, a report that includes each of the following:

(1) A description of the activities and operations of the Department of Justice related to countering Chinese national security threats and espionage in the United States, including—

(A) theft of United States intellectual property (including trade secrets) and research; and

(B) threats from non-traditional collectors, such as researchers in laboratories, at universities, and at defense industrial base facilities (as that term is defined in section 2208(u)(3) of title 10, United States Code).

(2) An accounting of the resources of the Department of Justice that are dedicated to programs aimed at combating national security threats posed by the Chinese Communist Party, and any supporting information as to the efficacy of each such program.

(3) A detailed description of the measures used to ensure the protection of civil rights, civil liberties, and privacy rights of United States persons in carrying out the activities, operations, and programs described in paragraphs (1) and (2).

(b) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) CONSULTATION.—In preparing the report under subsection (a), the Attorney General shall collaborate with the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and any other appropriate officials.

SA 2255. Mrs. BLACKBURN 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. STUDY OF NATIONAL SECURITY RISKS POSED BY CERTAIN ROUTERS AND MODEMS.

(a) DEFINITIONS.—In this section:

(1) COVERED COUNTRY.—The term ''covered country'' has the meaning given the term ''covered nation'' in section 4872(d) of title 10, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Communications and Information.

(b) STUDY.—The Secretary shall conduct a study of the national security risks posed by consumer routers, modems, and devices that combine a modem and router that are designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the influence of a covered country.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study conducted under subsection (b).

SA 2256. Mrs. BLACKBURN 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 II, insert the following:

SEC. _____. MEASURES TO ADVANCE QUANTUM INFORMATION SCIENCE WITHIN THE DEPARTMENT OF DEFENSE.

(a) STRATEGIC PLAN.—

(1) IN GENERAL.—The Secretary of Defense shall develop a strategic plan to guide the research, development, test and evaluation,

procurement, and implementation of quantum information science technologies within the Department of Defense, including the covered Armed Forces, over the period of five years following the date of the enactment of this Act.

(2) ELEMENTS.—The plan required under paragraph (1) shall include the following:

(A) Identification of—

(i) quantum information science technologies that have the potential to solve operational challenges faced by the Department of Defense; and

(ii) the technology readiness levels of those quantum information science technologies.

(B) Plans to transition technologies identified under subparagraph (A) from the research, development, and prototyping phases into operational use within the Department.

(C) Plans for allocating the resources of the Department to ensure such resources are focused on quantum information science technologies with the potential to solve operational challenges as identified under subparagraph (A).

(D) Plans for the continuous evaluation, development, and implementation of quantum information science technology solutions within the Department.

(E) Plans for the development, review, performance evaluation, and adoption of a fault-tolerant, utility-scale quantum computer and the transition of that capability to appropriate organizations and elements of the Department of Defense and such other departments and agencies of the Federal Government as the Secretary determines appropriate.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes—

(A) the strategic plan developed under paragraph (1); and

(B) an assessment of whether the budgets proposed for quantum information science-related activities of the Department of Defense and each of the covered Armed Forces appropriately balance the use of research, development, test, and evaluation funds designated as budget activity 1 (basic research), budget activity 2 (applied research), and budget activity 3 (advanced technology development) (as those budget activity classifications are set forth in volume 2B, chapter 5 of the Department of Defense Financial Management Regulation (DOD 7000.14–R)) to achieve the objectives of the strategic plan over near-, mid-, and long-term timeframes.

(b) QUANTUM COMPUTING CENTER OF EXCELLENCE.—

(1) IN GENERAL.—The Secretary of Defense shall establish a Quantum Computing Center of Excellence (referred to in this subsection as the ''Center'') at a research laboratory of a covered Armed Force with requisite experience in quantum computing, integrated photonics and photon qubits, superconducting and hybrid systems, and trapped ions.

(2) ACTIVITIES.—The Center shall carry out the following activities:

(A) Accelerate the transition of advanced quantum and quantum hybrid computing technology from the research and development phase into operational use.

(B) Facilitate quantum computing workforce development.

(C) Conduct outreach to enhance government, industry, and academia's understanding of—

(i) national security-related use cases for quantum computing and quantum hybrid technology; and

(ii) operational challenges faced by the Department of Defense that may be addressed using such technology.

(D) Conduct prototyping of quantum computing and quantum hybrid applications.

(E) Undertake efforts to advance the technology readiness levels of quantum computing technologies.

(F) Carry out such other activities relating to quantum computing as the Secretary determines appropriate.

(3) PARTNER ORGANIZATIONS.—For purposes of carrying out the activities of the Center under this subsection, the research laboratory selected under paragraph (1) may partner with one or more of the following:

(A) Other research laboratories of the covered Armed Forces.

(B) The Defense Innovation Unit.

(C) Federally funded research and development centers.

(D) University affiliated research centers.

(E) Private sector entities with expertise in quantum computing.

(F) Such other organizations as the Secretary of Defense determines appropriate.

(4) CONTRACT AUTHORITY.—Subject to availability of appropriations, Secretary of Defense may make grants and enter into contracts or other agreements, on a competitive basis, to support the activities of the Center.

(5) TERMINATION.—The Center shall terminate on the date that is 10 years after the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

(1) The term ''covered Armed Force'' means the Army, Navy, Air Force, Marine Corps, or Space Force.

(2) The term ''quantum computing'' means computing algorithms and applications that use quantum mechanics through quantum processing units, including—

(A) quantum-classical hybrid applications which are applications that use both quantum computing and classical computing hardware systems;

(B) annealing and gate systems; and

(C) all qubit modalities (including superconducting, trapped-ion, neutral atom, and photonics).

(3) The term ''quantum information science'' means the use of the laws of quantum physics for the storage, transmission, manipulation, computing, or measurement of information.

SA 2257. Mrs. BLACKBURN 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. PROHIBITION ON AWARDS AND CONTRACTS FOR ENTITIES DOING BUSINESS WITH CHINESE MILITARY COMPANIES.

No future-year award or contract of the Department of Defense shall be granted to any entity that does business with a Chinese military company (as defined in section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3965; 10 U.S.C. 113 note)) that operates indirectly or directly in the United States.

SA 2258. Mrs. BLACKBURN 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 X, insert the following:

SEC. ___. PROHIBITION AND STUDY RELATING TO MILITARY FABRIC LABELING.

(a) PROHIBITION.—The Secretary of Defense shall not finalize the draft detail specification MIL–DTL–32075B or otherwise revise, supplement, or bypass detail specification MIL–DTL–32075A, ''Label: For Clothing, Equipage, and Tentage, (General Use)''.

(b) STUDY AND REPORT.—

(1) STUDY.—The Secretary of Defense shall complete a study of the military fabric labeling industry that—

(A) examines the rationale for the draft detail specification MIL–DTL–32075B;

(B) analyzes the anticipated effects of the new fabric label category under that draft detail specification on—

(i) the safety of members of the Armed Forces; and

(ii) small business label manufacturers; and

(C) evaluates—

(i) how eliminating performance standards would expose members of the Armed Forces to safety hazards and impair recalls issued by the Department of Defense;

(ii) the impact of the draft detail specification on small business manufacturers of type VI labels, including through interviews with such manufacturers; and

(iii) the number and appropriateness of engineering change requests or other waivers that evade performance requirements for type VI labels.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate a report on the findings of the study.

SA 2259. 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:

In section 627(b)(2)(B), strike ''or international surrogacy'' and insert ''international surrogacy, or any treatment involving the use of preimplantation genetic testing or another form of genetic diagnosis to select an embryo based on its sex, physical features, potential intelligence quotient (IQ) level, or genetic profile''.

SA 2260. Mrs. MURRAY 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. DESIGNATION OF CERTAIN WILDERNESS AREAS AND WILD AND SCENIC RIVERS, WASHINGTON.

(a) DESIGNATION OF OLYMPIC NATIONAL FOREST WILDERNESS AREAS.—

(1) IN GENERAL.—In furtherance of the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the Olympic National Forest in the State of Washington comprising approximately 126,554 acres, as generally depicted on the map entitled ''Proposed Wild Olympics Wilderness and Wild and Scenic Rivers Act'' and dated April 8, 2019 (referred to in this subsection as the ''map''), is designated as wilderness and as components of the National Wilderness Preservation System:

(A) LOST CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 7,159 acres, as generally depicted on the map, which shall be known as the ''Lost Creek Wilderness''.

(B) RUGGED RIDGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 5,956 acres, as generally depicted on the map, which shall be known as the ''Rugged Ridge Wilderness''.

(C) ALCKEE CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 1,787 acres, as generally depicted on the map, which shall be known as the ''Alckee Creek Wilderness''.

(D) GATES OF THE ELWHA WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 5,669 acres, as generally depicted on the map, which shall be known as the ''Gates of the Elwha Wilderness''.

(E) BUCKHORN WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 21,965 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Buckhorn Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(F) GREEN MOUNTAIN WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 4,790 acres, as generally depicted on the map, which shall be known as the ''Green Mountain Wilderness''.

(G) THE BROTHERS WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 8,625 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''The Brothers Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(H) MOUNT SKOKOMISH WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 8,933 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Mount Skokomish Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(I) WONDER MOUNTAIN WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 26,517 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Wonder Mountain Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(J) MOONLIGHT DOME WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 9,117 acres, as generally depicted on the map, which shall be known as the ''Moonlight Dome Wilderness''.

(K) SOUTH QUINAULT RIDGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 10,887 acres, as generally depicted on the map, which shall be known as the ''South Quinault Ridge Wilderness''.

(L) COLONEL BOB WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 353 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Colonel Bob Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(M) SAMS RIVER WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 13,418 acres, as generally depicted on the map, which shall be known as the ''Sams River Wilderness''.

(N) CANOE CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 1,378 acres, as generally depicted on the map, which shall be known as the ''Canoe Creek Wilderness''.

(2) ADMINISTRATION.—

(A) MANAGEMENT.—Subject to valid existing rights, the land designated as wilderness by paragraph (1) shall be administered by the Secretary of Agriculture (referred to in this subsection as the ''Secretary''), in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that 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.

(B) MAP AND DESCRIPTION.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the land designated as wilderness by paragraph (1) with—

(I) the Committee on Natural Resources of the House of Representatives; and

(II) the Committee on Energy and Natural Resources of the Senate.

(ii) EFFECT.—Each map and legal description filed under clause (i) shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map and legal description.

(iii) PUBLIC AVAILABILITY.—Each map and legal description filed under clause (i) shall be filed and made available for public inspection in the appropriate office of the Forest Service.

(3) POTENTIAL WILDERNESS.—

(A) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land managed by the Forest Service, comprising approximately 5,346 acres as identified as ''Potential Wilderness'' on the map, is designated as potential wilderness.

(B) DESIGNATION AS WILDERNESS.—On the date on which the Secretary publishes in the Federal Register notice that any nonconforming uses in the potential wilderness designated by subparagraph (A) have terminated, the potential wilderness shall be—

(i) designated as wilderness and as a component of the National Wilderness Preservation System; and

(ii) incorporated into the adjacent wilderness area.

(4) ADJACENT MANAGEMENT.—

(A) NO PROTECTIVE PERIMETERS OR BUFFER ZONES.—The designations in this subsection shall not create a protective perimeter or buffer zone around any wilderness area.

(B) NONCONFORMING USES PERMITTED OUTSIDE OF BOUNDARIES OF WILDERNESS AREAS.—Any activity or use outside of the boundary of any wilderness area designated under this subsection shall be permitted even if the activity or use would be seen or heard within the boundary of the wilderness area.

(5) FIRE, INSECTS, AND DISEASES.—The Secretary may take such measures as are necessary to control fire, insects, and diseases, in the wilderness areas designated by this subsection, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and subject to such terms and conditions as the Secretary determines to be appropriate.

(b) WILD AND SCENIC RIVER DESIGNATIONS.—

(1) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(233) ELWHA RIVER, WASHINGTON.—The approximately 29.0-mile segment of the Elwha River and tributaries from the source to Cat Creek, to be administered by the Secretary of the Interior as a wild river.

''(234) DUNGENESS RIVER, WASHINGTON.—The segment of the Dungeness River from the headwaters to the State of Washington Department of Natural Resources land in T. 29 N., R. 4 W., sec. 12, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, including the following segments of the mainstem and major tributary the Gray Wolf River, in the following classes:

''(A) The approximately 5.8-mile segment of the Dungeness River from the headwaters to the 2870 Bridge, as a wild river.

''(B) The approximately 2.1-mile segment of the Dungeness River from the 2870 Bridge to Silver Creek, as a scenic river.

''(C) The approximately 2.7-mile segment of the Dungeness River from Silver Creek to Sleepy Hollow Creek, as a wild river.

''(D) The approximately 6.3-mile segment of the Dungeness River from Sleepy Hollow Creek to the Olympic National Forest boundary, as a scenic river.

''(E) The approximately 1.9-mile segment of the Dungeness River from the National Forest boundary to the State of Washington Department of Natural Resources land in T. 29 N., R. 4 W., sec. 12, to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture, as provided in section 10(e).

''(F) The approximately 16.1-mile segment of the Gray Wolf River from the headwaters to the 2870 Bridge, as a wild river.

''(G) The approximately 1.1-mile segment of the Gray Wolf River from the 2870 Bridge to the confluence with the Dungeness River, as a scenic river.

''(235) BIG QUILCENE RIVER, WASHINGTON.—The segment of the Big Quilcene River from the headwaters to the City of Port Townsend water intake facility, to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 4.4-mile segment from the headwaters to the Buckhorn Wilderness boundary, as a wild river.

''(B) The approximately 5.3-mile segment from the Buckhorn Wilderness boundary to the City of Port Townsend water intake facility, as a scenic river.

''(C) Section 7(a), with respect to the licensing of dams, water conduits, reservoirs, powerhouses, transmission lines, or other project works, shall apply to the approximately 5-mile segment from the City of Port Townsend water intake facility to the Olympic National Forest boundary.

''(236) DOSEWALLIPS RIVER, WASHINGTON.—The segment of the Dosewallips River from the headwaters to the private land in T. 26 N., R. 3 W., sec. 15, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 12.9-mile segment from the headwaters to Station Creek, as a wild river.

''(B) The approximately 6.8-mile segment from Station Creek to the private land in T. 26 N., R. 3 W., sec. 15, as a scenic river.

''(237) DUCKABUSH RIVER, WASHINGTON.—The segment of the Duckabush River from the headwaters to the private land in T. 25 N., R. 3 W., sec. 1, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 19.0-mile segment from the headwaters to the Brothers Wilderness boundary, as a wild river.

''(B) The approximately 1.9-mile segment from the Brothers Wilderness boundary to the private land in T. 25 N., R. 3 W., sec. 1, as a scenic river.

''(238) HAMMA HAMMA RIVER, WASHINGTON.—The segment of the Hamma Hamma River from the headwaters to the eastern edge of the NW¼ sec. 21, T. 24 N., R. 3 W., to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 3.1-mile segment from the headwaters to the Mt. Skokomish Wilderness boundary, as a wild river.

''(B) The approximately 5.8-mile segment from the Mt. Skokomish Wilderness boundary to Lena Creek, as a scenic river.

''(C) The approximately 6.8-mile segment from Lena Creek to the eastern edge of the NW¼ sec. 21, T. 24 N., R. 3 W., to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture, as provided in section 10(e).

''(239) SOUTH FORK SKOKOMISH RIVER, WASHINGTON.—The segment of the South Fork Skokomish River from the headwaters to the Olympic National Forest boundary to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 6.7-mile segment from the headwaters to Church Creek, as a wild river.

''(B) The approximately 8.3-mile segment from Church Creek to LeBar Creek, as a scenic river.

''(C) The approximately 4.0-mile segment from LeBar Creek to upper end of the gorge in the NW¼ sec. 22, T. 22 N., R. 5 W., as a recreational river.

''(D) The approximately 6.0-mile segment from the upper end of the gorge to the Olympic National Forest boundary, as a scenic river.

''(240) MIDDLE FORK SATSOP RIVER, WASHINGTON.—The approximately 7.9-mile segment of the Middle Fork Satsop River from the headwaters to the Olympic National Forest boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(241) WEST FORK SATSOP RIVER, WASHINGTON.—The approximately 8.2-mile segment of the West Fork Satsop River from the headwaters to the Olympic National Forest boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(242) WYNOOCHEE RIVER, WASHINGTON.—The segment of the Wynoochee River from the headwaters to the head of Wynoochee Reservoir to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 2.5-mile segment from the headwaters to the boundary of the Wonder Mountain Wilderness, as a wild river.

''(B) The approximately 7.4-mile segment from the boundary of the Wonder Mountain Wilderness to the head of Wynoochee Reservoir, as a recreational river.

''(243) EAST FORK HUMPTULIPS RIVER, WASHINGTON.—The segment of the East Fork Humptulips River from the headwaters to the Olympic National Forest boundary to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 7.4-mile segment from the headwaters to the Moonlight Dome Wilderness boundary, as a wild river.

''(B) The approximately 10.3-mile segment from the Moonlight Dome Wilderness boundary to the Olympic National Forest boundary, as a scenic river.

''(244) WEST FORK HUMPTULIPS RIVER, WASHINGTON.—The approximately 21.4-mile segment of the West Fork Humptulips River from the headwaters to the Olympic National Forest Boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(245) QUINAULT RIVER, WASHINGTON.—The segment of the Quinault River from the headwaters to private land in T. 24 N., R. 8 W., sec. 33, to be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 16.5-mile segment from the headwaters to Graves Creek, as a wild river.

''(B) The approximately 6.7-mile segment from Graves Creek to Cannings Creek, as a scenic river.

''(C) The approximately 1.0-mile segment from Cannings Creek to private land in T. 24 N., R. 8 W., sec. 33, as a recreational river.

''(246) QUEETS RIVER, WASHINGTON.—The segment of the Queets River from the headwaters to the Olympic National Park boundary to be administered by the Secretary of the Interior, except that portions of the river outside the boundaries of Olympic National Park shall be administered by the Secretary of Agriculture, including the following segments of the mainstem and certain tributaries in the following classes:

''(A) The approximately 28.6-mile segment of the Queets River from the headwaters to the confluence with Sams River, as a wild river.

''(B) The approximately 16.0-mile segment of the Queets River from the confluence with Sams River to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 15.7-mile segment of the Sams River from the headwaters to the confluence with the Queets River, as a scenic river.

''(D) The approximately 17.7-mile segment of Matheny Creek from the headwaters to the confluence with the Queets River, to be administered as a scenic river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture, as provided in section 10(e).

''(247) HOH RIVER, WASHINGTON.—The segment of the Hoh River and the major tributary South Fork Hoh from the headwaters to Olympic National Park boundary, to be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 20.7-mile segment of the Hoh River from the headwaters to Jackson Creek, as a wild river.

''(B) The approximately 6.0-mile segment of the Hoh River from Jackson Creek to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 13.8-mile segment of the South Fork Hoh River from the headwaters to the Olympic National Park boundary, as a wild river.

''(D) The approximately 4.6-mile segment of the South Fork Hoh River from the Olympic National Park boundary to the Washington State Department of Natural Resources boundary in T. 27 N., R. 10 W., sec. 29, to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture, as provided in section 10(e).

''(248) BOGACHIEL RIVER, WASHINGTON.—The approximately 25.6-mile segment of the Bogachiel River from the source to the Olympic National Park boundary, to be administered by the Secretary of the Interior, as a wild river.

''(249) SOUTH FORK CALAWAH RIVER, WASHINGTON.—The segment of the South Fork Calawah River and the major tributary Sitkum River from the headwaters to Hyas Creek to be administered by the Secretary of Agriculture, except those portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, including the following segments in the following classes:

''(A) The approximately 15.7-mile segment of the South Fork Calawah River from the headwaters to the Sitkum River, as a wild river.

''(B) The approximately 0.9-mile segment of the South Fork Calawah River from the Sitkum River to Hyas Creek, as a scenic river.

''(C) The approximately 1.6-mile segment of the Sitkum River from the headwaters to the Rugged Ridge Wilderness boundary, as a wild river.

''(D) The approximately 11.9-mile segment of the Sitkum River from the Rugged Ridge Wilderness boundary to the confluence with the South Fork Calawah, as a scenic river.

''(250) SOL DUC RIVER, WASHINGTON.—The segment of the Sol Duc River from the headwaters to the Olympic National Park boundary to be administered by the Secretary of the Interior, including the following segments of the mainstem and certain tributaries in the following classes:

''(A) The approximately 7.0-mile segment of the Sol Duc River from the headwaters to the end of Sol Duc Hot Springs Road, as a wild river.

''(B) The approximately 10.8-mile segment of the Sol Duc River from the end of Sol Duc Hot Springs Road to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 14.2-mile segment of the North Fork Sol Duc River from the headwaters to the Olympic Hot Springs Road bridge, as a wild river.

''(D) The approximately 0.2-mile segment of the North Fork Sol Duc River from the Olympic Hot Springs Road bridge to the confluence with the Sol Duc River, as a scenic river.

''(E) The approximately 8.0-mile segment of the South Fork Sol Duc River from the headwaters to the confluence with the Sol Duc River, as a scenic river.

''(251) LYRE RIVER, WASHINGTON.—The approximately 0.2-mile segment of the Lyre River from Lake Crescent to the Olympic National Park boundary, to be administered by the Secretary of the Interior as a scenic river.''.

(2) RESTORATION.—Consistent with the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) (including any regulations promulgated under that Act), the Secretary of the Interior or the Secretary of Agriculture, as applicable, may authorize, with respect to a river segment designated by the amendment made by paragraph (1), an activity or a project, the primary purpose of which is—

(A) river restoration;

(B) the recovery of a species listed as endangered or threatened under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(C) restoring ecological and hydrological function.

(3) UPDATES TO LAND AND RESOURCE MANAGEMENT PLANS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 3 years

after the date of enactment of this Act, the Secretary of Agriculture shall, with respect to the designations made under paragraph (1) on lands under the jurisdiction of the Secretary, incorporate such designations into updated management plans for units of the National Forest System in accordance with applicable laws (including regulations).

(B) EXCEPTION.—The date specified in subparagraph (A) shall be 5 years after the date of enactment of this Act if the Secretary of Agriculture—

(i) is unable to meet the requirement under that subparagraph by the date specified in such subparagraph; and

(ii) not later than 3 years after the date of enactment of this Act, includes in the Department of Agriculture annual budget submission to Congress a request for additional sums as may be necessary to meet the requirement of that subparagraph.

(C) COMPREHENSIVE MANAGEMENT PLAN REQUIREMENTS.—Updated management plans under subparagraph (A) or (B) satisfy the requirements under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(c) EXISTING RIGHTS AND WITHDRAWAL.—

(1) IN GENERAL.—In accordance with section 12(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1283(b)), nothing in this section or the amendment made by subsection (b)(1) affects or abrogates existing rights, privileges, or contracts held by private parties, nor does this section in any way modify or direct the management, acquisition, or disposition of land managed by the Washington Department of Natural Resources on behalf of the State of Washington.

(2) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by this section and the amendment made by subsection (b)(1) 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) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(d) TREATY RIGHTS.—Nothing in this section alters, modifies, diminishes, or extinguishes the reserved treaty rights of any Indian Tribe with hunting, fishing, gathering, and cultural or religious rights as protected by a treaty.

SA 2261. Mr. REED (for himself, Mr. YOUNG, Mr. COONS, and Mrs. HYDE-SMITH) 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 K of title V, add the following:

SEC. 599C. INTERAGENCY COUNCIL ON SERVICE.

(a) ESTABLISHMENT OF INTERAGENCY COUNCIL ON SERVICE.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established an Interagency Council on Service (in this section referred to as the ''Council'').

(B) FUNCTIONS.—The Council shall—

(i) advise the President with respect to promoting, strengthening, and expanding opportunities for military service, national service, and public service for all people of the United States; and

(ii) review, assess, and coordinate holistic recruitment strategies and initiatives of the executive branch to foster an increased sense of service and civic responsibility among all people of the United States and to explore ways of enhancing connectivity of interested applicants to national service programs and opportunities.

(2) COMPOSITION.—

(A) MEMBERSHIP.—The Council shall be composed of such officers and employees of the Federal Government as the President may designate, including not less than 1 such officer or employee the appointment of whom as such officer or employee was made by the President by and with the advice and consent of the Senate.

(B) CHAIR.—The President shall annually designate to serve as the Chair of the Council a member of the Council under subparagraph (A), the appointment of whom as an officer or employee of the Federal Government was made by the President by and with the advice and consent of the Senate.

(C) MEETINGS.—The Council shall meet on a quarterly basis or more frequently as the Chair of the Council may direct.

(3) RESPONSIBILITIES OF THE COUNCIL.—The Council shall—

(A) assist and advise the President in the establishment of strategies, goals, objectives, and priorities to promote service and civic responsibility among all people of the United States;

(B) develop and recommend to the President common recruitment strategies and outreach opportunities for increasing the participation, and propensity of people of the United States to participate, in military service, national service, and public service in order to address national security and domestic investment;

(C) serve as a forum for Federal officials responsible for military service, national service, and public service programs to, as feasible and practicable—

(i) coordinate and share best practices for service recruitment; and

(ii) develop common interagency, cross-service initiatives and pilots for service recruitment;

(D) lead a strategic, interagency coordinated effort on behalf of the Federal Government to develop joint awareness and recruitment, retention, and marketing initiatives involving military service, national service, and public service;

(E) consider approaches for assessing impacts of service on the needs of the United States and individuals participating in and benefitting from such service;

(F) consult, as the Council considers advisable, with representatives of non-Federal entities, including State, local, and Tribal governments, State and local educational agencies, State Service Commissions, institutions of higher education, nonprofit organizations, faith-based organizations, philanthropic organizations, and the private sector, in order to promote and develop initiatives to foster and reward military service, national service, and public service;

(G) not later than 2 years after the date of enactment of this Act, and quadrennially thereafter, prepare and submit to the President and Congress a Service Strategy, which shall set forth—

(i) a review of programs and initiatives of the Federal Government relating to the mandate of the Council;

(ii) a review of Federal Government online content relating to the mandate of the Council, including user experience with such content;

(iii) current and foreseeable trends for service to address the needs of the United States;

(iv) recommended service recruitment strategies and branding opportunities to address outreach and communication deficiencies identified by the Council; and

(v) to the extent practical, a joint service messaging strategy for military service, national service, and public service;

(H) identify any notable initiatives by State, local, and Tribal governments and by public and nongovernmental entities to increase awareness of and participation in national service programs; and

(I) perform such other functions as the President may direct.

(b) JOINT MARKET RESEARCH TO ADVANCE MILITARY AND NATIONAL SERVICE.—

(1) PROGRAM AUTHORIZED.—The Secretary of Defense, the Chief Executive Officer of the Corporation for National and Community Service, and the Director of the Peace Corps may carry out a joint market research, market studies, recruiting, and advertising program to complement the existing programs of the military departments, the national service programs administered by the Corporation, and the Peace Corps.

(2) INFORMATION SHARING PERMITTED.—Section 503 of title 10, United States Code, shall not be construed to prohibit sharing of information among, or joint marketing efforts of, the Department of Defense, the Corporation for National and Community Service, and the Peace Corps to carry out this subsection.

(c) TRANSITION OPPORTUNITIES FOR MILITARY SERVICEMEMBERS AND NATIONAL SERVICE PARTICIPANTS.—

(1) EMPLOYMENT ASSISTANCE.—Section 1143(c)(1) of title 10, United States Code, is amended by inserting ''the Corporation for National and Community Service,'' after ''State employment agencies,''.

(2) EMPLOYMENT ASSISTANCE, JOB TRAINING ASSISTANCE, AND OTHER TRANSITIONAL SERVICES: DEPARTMENT OF LABOR.—Section 1144 of title 10, United States Code, is amended—

(A) in subsection (b), by adding at the end the following:

''(11) Provide information on public service opportunities, training on public service job recruiting, and the advantages of careers with the Federal Government.''; and

(B) in subsection (f)(1)(D)—

(i) by redesignating clause (v) as clause (vi); and

(ii) by inserting after clause (iv) the following:

''(v) National and community service, taught in conjunction with the Chief Executive Officer of the Corporation for National and Community Service.''.

(3) AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.—Section 193A(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651d(b)) is amended—

(A) in paragraph (24), by striking ''and'' at the end;

(B) in paragraph (25), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(26) ensure that individuals completing a partial or full term of service in a program under subtitle C or E or part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) receive information about military and public service opportunities for which they may qualify or in which they may be interested.''.

(d) JOINT REPORT TO CONGRESS ON INITIATIVES TO INTEGRATE MILITARY AND NATIONAL SERVICE.—

(1) REPORTING REQUIREMENT.—Not later than 4 years after the date of enactment of this Act and quadrennially thereafter, the Chair of the Interagency Council on Service, in coordination with the Secretary of Defense, the Chief Executive Officer of the Corporation for National and Community Service, and the Director of the Peace Corps,

shall submit a joint report on cross-service marketing, research, and promotion to Congress, including recommendations for increasing joint advertising and recruitment initiatives for the Armed Forces, programs administered by the Corporation for National and Community Service, and the Peace Corps.

(2) CONTENTS OF REPORT.—Each report under paragraph (1) shall include the following:

(A) The number of Peace Corps volunteers and participants in national service programs administered by the Corporation for National and Community Service, who previously served as a member of the Armed Forces.

(B) The number of members of the Armed Forces who previously served in the Peace Corps or in a program administered by the Corporation for National and Community Service.

(C) An assessment of existing (as of the date of the report submission) joint recruitment and advertising initiatives undertaken by the Department of Defense, the Peace Corps, or the Corporation for National and Community Service.

(D) An assessment of the feasibility and cost of expanding such existing initiatives.

(E) An assessment of ways to improve the ability of the reporting agencies to recruit individuals from the other reporting agencies.

(F) A description of the information and data used to develop any initiative or campaign intended to advance military service or national service, including with respect to any activity carried out under subsection (b).

(3) CONSULTATION.—The Chair of the Interagency Council on Service, the Secretary of Defense, the Chief Executive Officer of the Corporation for National and Community Service, and the Director of the Peace Corps shall undertake studies of recruiting efforts that are necessary to carry out the provisions of this subsection. Such studies may be conducted using any funds appropriated to those entities under Federal law other than this Act.

(e) REPORTS TO CONGRESS ON LESSONS LEARNED REGARDING RETENTION AND RECRUITMENT.—The Chair of the Interagency Council on Service shall—

(1) conduct a study on—

(A) the effectiveness of past advertising campaigns for military service, national service, and public service; and

(B) the role of vaccine requirements on the retention and recruitment of individuals for military service, national service, and public service; and

(2) not later than 270 days after the date of enactment of this Act, submit a report on the findings of and lessons learned from the study under paragraph (1) to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

(f) DEFINITIONS.—In this section:

(1) INTERAGENCY COUNCIL ON SERVICE.—The term ''Interagency Council on Service'' means the Interagency Council on Service established by subsection (a)(1).

(2) MILITARY DEPARTMENT.—The term ''military department'' means each of the military departments listed in section 102 of title 5, United States Code.

(3) MILITARY SERVICE.—The term ''military service'' means active service (as defined in subsection (d)(3) of section 101 of title 10, United States Code) or active status (as defined in subsection (d)(4) of such section) in one of the Armed Forces (as defined in subsection (a)(4) of such section).

(4) NATIONAL SERVICE.—The term ''national service'' means participation, other than military service or public service, in a program that—

(A) is designed to enhance the common good and meet the needs of communities, the States, or the United States;

(B) is funded or facilitated by—

(i) an institution of higher education as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

(ii) the Federal Government or a State, Tribal, or local government; and

(C) is a program authorized in—

(i) the Peace Corps Act (22 U.S.C. 2501 et seq.);

(ii) section 171 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3226) relating to the YouthBuild Program;

(iii) the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.); or

(iv) the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

(5) PUBLIC SERVICE.—The term ''public service'' means civilian employment in the Federal Government or a State, Tribal, or local government.

(6) SERVICE.—The term ''service'' means a personal commitment of time, energy, and talent to a mission that contributes to the public good by protecting the Nation and the citizens of the United States, strengthening communities, States, or the United States, or promoting the general social welfare.

(7) STATE SERVICE COMMISSION.—The term ''State Service Commission'' means a State Commission on National and Community Service maintained by a State pursuant to section 178 of the National and Community Service Act of 1990 (42 U.S.C. 12638).

(g) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(h) GAO REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall report to Congress on the effectiveness of this section and the amendments made by this section.

SA 2262. Mr. WHITEHOUSE (for himself, Mr. CASSIDY, and Mr. KING) 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—Combatting Cross-Border Financial Crime

SEC. 1095. SHORT TITLE.

This subtitle may be cited as the ''Combating Cross-border Financial Crime Act of 2024''.

SEC. 1095A. ESTABLISHMENT OF CROSS-BORDER FINANCIAL CRIME CENTER.

The Tariff Act of 1930 (19 U.S.C. 1304 et seq.) is amended by inserting after section 631 (19 U.S.C. 1631) the following:

''SEC. 632. ESTABLISHMENT OF CROSS-BORDER FINANCIAL CRIME CENTER.

''(a) ESTABLISHMENT.—The Secretary of Homeland Security, acting through the Executive Associate Director of Homeland Security Investigations, shall—

''(1) establish the Cross-Border Financial Crime Center (in this section referred to as the 'Center'), which shall be located in the National Capital region (as defined in section 8702 of title 40, United States Code); and

''(2) appoint a Director to serve as the head of the Center (in this section referred to as the 'Director').

''(b) DUTIES.—

''(1) IN GENERAL.—The Center shall—

''(A) support, through the provision of analysts, equipment, and other resources, the investigation and seizure of assets and proceeds (as those terms are used in section 981 of title 18, United States Code) related to trade-based money laundering and other illicit cross-border financial activity or attempted illicit cross-border financial activity, to, from, or through the United States, including such activity conducted by actors determined by the Secretary of State, the Attorney General, the Secretary of the Treasury, and the Secretary of Homeland Security to be the highest priority threats, including—

''(i) transnational criminal organizations;

''(ii) kleptocrats and oligarchs with respect to whom the United States has imposed sanctions;

''(iii) professional money laundering organizations; and

''(iv) persons knowingly enabling criminal or corrupt activity, including designated non-financial businesses and professions;

''(B) coordinate with the Deputy Directors appointed under subsection (c) and the heads of other relevant Federal agencies to better ensure uniform training is provided to Federal, State, local, and Tribal law enforcement agencies in the United States and foreign law enforcement agencies to address the vulnerabilities outlined in the National Money Laundering Risk Assessment, published by the Department of the Treasury in February 2022, or any successor document;

''(C) coordinate with such agencies to develop metrics to assess whether the training described in subparagraph (B) improved enforcement of anti-money laundering laws;

''(D) leverage existing, lawfully obtained, government data sources to establish a means to receive, collect, track, analyze, and deconflict information regarding illicit cross-border financial activity from United States and foreign law enforcement agencies and other non-Federal sources;

''(E) coordinate with the Deputy Directors appointed under subsection (c) and relevant components of their agencies, including the Financial Crimes Enforcement Network, to disseminate information, on a rolling basis, regarding trends and techniques involved in illicit cross-border financial activity to other Federal agencies, private sector stakeholders, and foreign law enforcement partners, as appropriate;

''(F) coordinate with the offices of United States attorneys in order to develop expertise in, and assist with, the investigation and prosecution of crimes involving trade-based money laundering and other illicit cross-border financial activity; and

''(G) carry out such other duties as the Executive Associate Director may assign.

''(2) SUPPLEMENT NOT SUPPLANT.—The duties described in paragraph (1) shall supplement, not supplant, the work of existing Federal agencies, task forces, and working groups.

''(c) DEPUTY DIRECTORS.—The Attorney General, the Secretary of the Treasury (acting through the Director of the Financial Crimes Enforcement Network), and the Secretary of State shall each appoint a Deputy Director to assist the Director.

''(d) COORDINATION WITH OTHER AGENCIES.—

''(1) IN GENERAL.—In carrying out the duties described in subsection (b), the Director shall coordinate with the Federal entities specified in paragraph (2), and to the extent practicable, with the State, local, and Tribal entities specified in paragraph (3) to ensure at least part-time representation, in the

form of detailees, in the Center of at least one agent or analyst with expertise in countering cross-border illicit finance, including trade-based money laundering, from each such entity.

''(2) FEDERAL ENTITIES SPECIFIED.—The Federal entities specified in this paragraph are the following:

''(A) The Department of the Treasury and the following components of the Department:

''(i) The Financial Crimes Enforcement Network.

''(ii) The Office of Foreign Assets Control.

''(iii) The Office of the Comptroller of the Currency.

''(iv) The Office of Technical Assistance.

''(v) Internal Revenue Service Criminal Investigation.

''(vi) The Small Business/Self Employed Division of the Internal Revenue Service.

''(B) The Department of Justice and the following components of the Department:

''(i) The Criminal Division.

''(ii) The Drug Enforcement Administration.

''(iii) The Federal Bureau of Investigation.

''(iv) Task Force KleptoCapture.

''(C) The Department of State and the following components of the Department:

''(i) The Bureau of International Narcotics and Law Enforcement Affairs.

''(ii) The Bureau of Western Hemisphere Affairs.

''(iii) The Bureau of African Affairs.

''(iv) The Bureau of East Asian and Pacific Affairs.

''(v) The Bureau of European and Eurasian Affairs.

''(vi) The Bureau of Near Eastern Affairs.

''(vii) The Bureau of South and Central Asian Affairs.

''(viii) The Bureau of Economic and Business Affairs.

''(ix) The Bureau of Diplomatic Security.

''(D) The following components of the Department of Homeland Security:

''(i) U.S. Customs and Border Protection.

''(ii) The United States Secret Service.

''(iii) The National Intellectual Property Rights Coordination Center.

''(iv) The Trade Transparency Units program of U.S. Immigration and Customs Enforcement.

''(v) The Bulk Cash Smuggling Center of U.S. Immigration and Customs Enforcement.

''(vi) The Cyber Crimes Center of Homeland Security Investigations.

''(E) The National Security Agency.

''(F) The United States Postal Inspection Service.

''(G) The Department of Commerce.

''(H) The Department of Defense.

''(I) The Office of the United States Trade Representative.

''(J) The Board of Governors of the Federal Reserve System.

''(K) The Commodity Futures Trading Commission.

''(L) The Securities and Exchange Commission.

''(M) The Federal Trade Commission.

''(N) The Federal Deposit Insurance Corporation.

''(O) The National Credit Union Administration.

''(3) STATE, LOCAL, AND TRIBAL ENTITIES SPECIFIED.—The State, local, and Tribal entities specified in this paragraph are the following:

''(A) Any State bank supervisor (as that term is defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) that the Executive Associate Director considers appropriate.

''(B) Any State credit union supervisor (as that term is used in the Federal Credit Union Act (12 U.S.C. 1751 et seq.)) that the Executive Associate Director considers appropriate.

''(C) Any State, local, and Tribal law enforcement agency that the Executive Associate Director considers appropriate.

''(4) SUPPLEMENT NOT SUPPLANT.—The coordination described in paragraph (1) shall supplement, not supplant, the work of existing Federal agencies, task forces, and working groups.

''(e) PRIVATE SECTOR OUTREACH.—

''(1) IN GENERAL.—The Director, in coordination with the Deputy Directors appointed under subsection (c) by the Attorney General and the Secretary of the Treasury, shall work with the Federal entities specified in subsection (d)(2) to conduct outreach to private sector entities in the United States in order to exchange information, in real-time or as soon as practicable, with respect to tactics and trends being used to conduct illicit cross-border financial activity, including such activity that involves corruption, international commercial trade and counterfeit products, bulk cash smuggling, the illicit use of digital assets or digital currencies and the dark web, and financial institutions and designated nonfinancial businesses and professions.

''(2) TRAINING AND TECHNICAL ASSISTANCE.—In order to coordinate public and private sector efforts to combat the tactics and trends described in paragraph (1), the Director, in coordination with the Deputy Directors appointed under subsection (c) by the Attorney General and the Secretary of the Treasury, shall provide training and technical assistance, as appropriate, regarding best practices for—

''(A) identifying, reporting, and protecting against money laundering; and

''(B) maintaining sensitive financial information, which may include suspicious activity reports and currency transaction reports.

''(3) SUPPLEMENT NOT SUPPLANT.—The activities described in paragraphs (1) and (2) shall supplement, not supplant, the work of existing Federal agencies, task forces, and working groups.

''(f) INTERNATIONAL OUTREACH.—

''(1) IN GENERAL.—The Secretary of State, acting through the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, shall coordinate with the Director of the Center and the Deputy Directors of the Center appointed under subsection (c) by the Attorney General and the Secretary of the Treasury to facilitate capacity building and perform outreach to law enforcement agencies of countries that are partners of the United States and foreign private industry stakeholders by developing and providing specialized training and information-sharing opportunities regarding illicit cross-border financial activity, including such activity that involves corruption, international commercial trade and counterfeit products, bulk cash smuggling, the illicit use of digital assets or digital currencies and the dark web, and financial institutions and designated nonfinancial businesses and professions.

''(2) COORDINATION.—In carrying out paragraph (1) in a country, the Secretary of State, acting through the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, and in coordination with the Director of the Center and the Deputy Directors of the Center appointed under subsection (c) by the Attorney General and the Secretary of the Treasury, shall establish and maintain relationships with—

''(A) officials from law enforcement agencies, regulatory authorities, customs authorities, financial intelligence units, and ministries of finance in that country; and

''(B) private industry stakeholders in that country, including commercial and financial industry stakeholders most commonly impacted by illicit cross-border financial activity.

''(3) SUPPLEMENT NOT SUPPLANT.—The activities described in paragraph (1) shall supplement, not supplant, international training conducted by other Federal agencies.

''(4) INFORMATION SHARING.—To the extent practicable and consistent with other provisions of law, the Secretary of State, acting through the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, shall work with the Director and, as appropriate, the Deputy Directors appointed under subsection (c), to strengthen international cooperation and information-sharing agreements with law enforcement agencies of countries that are partners of the United States regarding combating illicit cross-border financial activity, including through the enhancement and expansion of Trade Transparency Units under section 633.

''(g) REPORT REQUIRED.—

''(1) IN GENERAL.—Not less frequently than annually, the Director shall submit to the appropriate congressional committees a report detailing the latest trends and techniques utilized to facilitate illicit cross-border financial activity.

''(2) ELEMENTS.—The report required by paragraph (1) shall include—

''(A) an assessment of the training provided to United States and foreign law enforcement agencies under subsection (b)(1)(B), based upon the metrics developed under subsection (b)(1)(C);

''(B) a summary of the activities conducted pursuant to subsections (d), (e), and (f);

''(C) the number and status of investigations supported by the Center, unless the disclosure of such information would reveal information protected by rule 6(e) of the Federal Rules of Criminal Procedure or a court order;

''(D) the amount of money and other assets of value in various forms that the United States Government seized as a result of such investigations; and

''(E) the countries with which the Center has established information-sharing agreements.

''(3) FORM.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include information that is classified or law enforcement sensitive in an annex.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Homeland Security to establish and maintain the Center—

''(A) $6,200,000 for fiscal year 2025; and

''(B) such sums as may be necessary for each of fiscal years 2026 through 2030.

''(2) PROHIBITION ON USE OF FUNDS.—None of the funds authorized to be appropriated pursuant to the authorization of appropriations under paragraph (1) may be obligated or expended to carry out civil immigration enforcement or removal activities.

''(i) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Caucus on International Narcotics Control, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Committee on the Judiciary, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Ways and Means, the Committee on Financial Services, the Committee on the Judiciary, and the Committee on Foreign Affairs of the House of Representatives.

''(2) TRADE-BASED MONEY LAUNDERING.—The term 'trade-based money laundering' means the process of disguising the proceeds of

crime by moving such proceeds through the use of trade transactions in an attempt to legitimize the illegal origin of such proceeds or to finance criminal activities.

''(3) UNITED STATES.—The term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands, and any federally recognized tribe (as defined in section 4(3)(B) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13)(B))).''.

SEC. 1095B. TRADE TRANSPARENCY UNITS PROGRAM.

The Tariff Act of 1930 (19 U.S.C. 1304 et seq.) is amended by inserting after section 632 the following:

''SEC. 633. TRADE TRANSPARENCY UNITS PROGRAM.

''(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Homeland Security, acting through the Executive Associate Director of Homeland Security Investigations, shall establish a program under which Trade Transparency Units are established with foreign countries.

''(b) PURPOSES.—The purposes of Trade Transparency Units established under subsection (a) are—

''(1) to combat transnational criminal organizations, kleptocrats and oligarchs with respect to whom the United States has imposed sanctions, professional money laundering organizations, and other criminal or corrupt actors or enablers of criminal or corrupt activity; and

''(2) to prevent such persons from exploiting the international trade and financial infrastructures to finance criminal acts, evade sanctions or export controls, or launder criminal or corrupt proceeds, by—

''(A) developing relationships with foreign law enforcement agencies and customs authorities; and

''(B) working through the Department of State to strengthen international cooperation and facilitate information-sharing agreements with foreign countries that provide for the exchange of import and export data with agencies of those countries, and as appropriate, other United States agencies, which can be used to investigate and prosecute international money laundering and illicit trade cases.

''(c) ESTABLISHMENT AND COMPOSITION OF UNITS.—

''(1) ESTABLISHMENT OF UNITS.—The Executive Associate Director, in consultation with the Secretary of State, may establish Trade Transparency Units in—

''(A) countries in which money laundering is prevalent;

''(B) countries in which corruption is prevalent;

''(C) countries that conduct a high volume of trade with the United States;

''(D) countries that have inconsistent trade figures or high incidences of illicit trade;

''(E) trade corridors in which one country has a currency restriction in place;

''(F) countries that have been identified as having substantial volumes of suspicious financial transactions, based on data obtained under subchapter II of chapter 53 of title 31, United States Code; or

''(G) countries for which the Executive Associate Director, in consultation with the Secretary of State, determines that a Trade Transparency Unit would support the purposes of the Trade Transparency Units program under this section.

''(2) REQUIREMENTS.—

''(A) IN GENERAL.—Before establishing a Trade Transparency Unit in a country after the date of the enactment of the Combating Cross-border Financial Crime Act of 2024, the Executive Associate Director shall—

''(i) ensure the United States and the government of the country have an active Customs Mutual Assistance Agreement in place;

''(ii) conduct a risk-based assessment to determine whether the country meets the criteria described in any of subparagraphs (A) through (F) of paragraph (1); and

''(iii) work with the United States embassy in the country to establish a trade data exchange agreement or memorandum of understanding with the government of the country that includes, to the greatest extent practicable, language to provide for the sharing of foreign import and export data with relevant United States agencies.

''(B) TRANSITION RULE.—The requirements under subparagraph (A) do not apply with respect to a Trade Transparency Unit established before the date of the enactment of the Combating Cross-border Financial Crime Act of 2024.

''(3) COMPOSITION.—A Trade Transparency Unit may be comprised of personnel from—

''(A) Homeland Security Investigations;

''(B) other Federal agencies, as appropriate; and

''(C) foreign law enforcement agencies, as appropriate and pursuant to a trade data exchange agreement or memorandum of understanding described in paragraph (2)(C).

''(d) OPERATION.—After a trade data exchange agreement or memorandum of understanding described in subsection (c)(2)(A)(iii) is signed with a country, the Executive Associate Director, in consultation with the Secretary of State, may assign Homeland Security Investigations criminal investigators to the country to provide training and technical assistance to the country in order to operationalize and maintain a Trade Transparency Unit in that country.

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Homeland Security $4,100,000 for each of fiscal years 2025 through 2030 to establish and maintain Trade Transparency Units.

''(2) PROHIBITION ON USE OF FUNDS.—None of the funds authorized to be appropriated pursuant to the authorization of appropriations under paragraph (1) may be obligated or expended to carry out civil immigration enforcement or removal activities.''.

SEC. 1095C. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF BARRIERS TO HARMONIZING DATA SYSTEMS OF CERTAIN LAW ENFORCEMENT AGENCIES.

(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 detailing the statutory, technical, and security barriers to harmonizing the data systems of relevant law enforcement agencies, including the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Secret Service, the Diplomatic Security Service, the Financial Crimes Enforcement Network, and U.S. Customs and Border Protection, to improve data access necessary to facilitate trade-based money laundering investigations.

(b) ASSESSMENT OF NEW TECHNOLOGIES.—The report required by subsection (a) shall include an assessment of the benefits and feasibility of integrating new technologies, including distributed ledger technology and quantum ledger technology, into the processes of U.S. Customs and Border Protection and the customs services of foreign jurisdictions with which the United States has trade agreements in effect in order to facilitate the immediate, secure, and complete transfer between jurisdictions of lists of goods and related invoices and bills of lading.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Caucus on International Narcotics Control, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Ways and Means, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives.

(2) TRADE-BASED MONEY LAUNDERING.—The term ''trade-based money laundering'' means the process of disguising the proceeds of crime by moving such proceeds through the use of trade transactions in an attempt to legitimize the illegal origin of such proceeds or to finance criminal activities.

SA 2263. Mr. WHITEHOUSE (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 end of title X, add the following:

Subtitle I—RISEE Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Reinvesting In Shoreline Economies and Ecosystems Act of 2024'' or the ''RISEE Act of 2024''.

SEC. 1097. NATIONAL OCEANS AND COASTAL SECURITY FUND; PARITY IN OFFSHORE WIND REVENUE SHARING.

(a) DEFINITIONS IN THE NATIONAL OCEANS AND COASTAL SECURITY ACT.—Section 902 of the National Oceans and Coastal Security Act (16 U.S.C. 7501) is amended—

(1) by striking paragraph (5) and inserting the following:

''(5) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).''; and

(2) by striking paragraph (7) and inserting the following:

''(7) TIDAL SHORELINE.—The term 'tidal shoreline' means the length of tidal shoreline or Great Lake shoreline based on the most recently available data from or accepted by the Office of Coast Survey of the National Oceanic and Atmospheric Administration.''.

(b) NATIONAL OCEANS AND COASTAL SECURITY FUND.—Section 904 of the National Oceans and Coastal Security Act (16 U.S.C. 7503) is amended—

(1) in subsection (a), by inserting ''and manage'' after ''establish'';

(2) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The Fund shall consist of such amounts as—

''(A) are deposited in the Fund under subparagraph (C)(ii)(II) of section 8(p)(2) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(2)); and

''(B) are appropriated or otherwise made available for the Fund.'';

(3) by striking subsection (d) and inserting the following:

''(d) EXPENDITURE.—

''(1) $34,000,000 OR LESS.—If $34,000,000 or less is deposited in, or appropriated or otherwise made available for, the Fund for a fiscal year, in that fiscal year—

''(A) not more than 5 percent of such amounts may be used by the Administrator and the Foundation for administrative expenses to carry out this title; and

''(B) any remaining amounts shall be used only for the award of grants under section 906(c).

''(2) MORE THAN $34,000,000.—If more than $34,000,000 is deposited in, or appropriated or otherwise made available for, the Fund for a fiscal year, in that fiscal year—

''(A) not more than 5 percent of such amounts may be used by the Administrator and the Foundation for administrative expenses to carry out this title;

''(B) not less than $34,000,000 shall be used for the award of grants under section 906(c); and

''(C) of any amounts exceeding $34,000,000—

''(i) not more than 75 percent may be used for the award of grants under section 906(b); and

''(ii) not more than 20 percent may be used for the award of grants under section 906(c).

''(3) DIVISION OF AMOUNTS FOR ADMINISTRATIVE EXPENSES.—The amounts referred to in paragraphs (1)(A) and (2)(A) shall be divided between the Administrator and the Foundation pursuant to an agreement reached and documented by both the Administrator and the Foundation.''; and

(4) in subsection (e)(2), by striking ''section 906(a)(1)'' and inserting ''section 906(a)''.

(c) ELIGIBLE USES OF AMOUNTS IN THE NATIONAL OCEANS AND COASTAL SECURITY FUND.—Section 905 of the National Oceans and Coastal Security Act (16 U.S.C. 7504) is amended to read as follows:

''SEC. 905. ELIGIBLE USES.

''(a) IN GENERAL.—Amounts in the Fund may be allocated by the Administrator under section 906(b) and the Foundation, in consultation with the Administrator, under section 906(c) to support programs and activities intended to improve understanding and use of ocean and coastal resources and coastal infrastructure.

''(b) PROGRAMS AND ACTIVITIES.—The programs and activities referred to in subsection (a) may include scientific research related to changing environmental conditions, ocean observing projects, efforts to enhance resiliency of infrastructure and communities (including project planning and design), habitat protection and restoration, monitoring and reducing damage to natural resources and marine life (including birds, marine mammals, and fish), and efforts to support sustainable seafood production carried out by States, local governments, Indian tribes, regional and interstate collaboratives (such as regional ocean partnerships), nongovernmental organizations, public-private partnerships, and academic institutions.

''(c) PROHIBITION ON USE OF FUNDS FOR LITIGATION OR OTHER PURPOSES.—No funds made available under this title may be used—

''(1) to fund litigation against the Federal Government; or

''(2) to fund the creation of national marine monuments, marine protected areas, or marine spatial plans.''.

(d) GRANTS UNDER THE NATIONAL OCEANS AND COASTAL SECURITY ACT.—Section 906 of the National Oceans and Coastal Security Act (16 U.S.C. 7505) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2);

(B) by striking ''(a) ADMINISTRATION OF GRANTS.—'' and all that follows through ''the following:'' and inserting the following:

''(a) ADMINISTRATION OF GRANTS.—Not later than 90 days after funds are deposited in the Fund and made available to the Administrator and the Foundation for administrative purposes, the Administrator and the Foundation shall establish the following:'';

(C) in subparagraph (A), by striking ''such subsections'' and inserting ''this section'';

(D) by striking subparagraph (B) and inserting the following:

''(B) Selection procedures and criteria for the awarding of grants under this section that require consultation with the Administrator and the Secretary of the Interior.'';

(E) in subparagraph (C), by striking clause (ii) and inserting the following:

''(ii) under subsection (c) to entities including States, local governments, Indian tribes, regional and interstate collaboratives (such as regional ocean partnerships), nongovernmental organizations, public-private partnerships, and academic institutions.'';

(F) in subparagraph (D), by striking ''Performance accountability and monitoring'' and inserting ''Performance, accountability, and monitoring'';

(G) by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and moving such paragraphs, as so redesignated, 2 ems to the left; and

(H) in paragraph (3), as so redesignated, by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(2) by striking subsection (b) and inserting the following:

''(b) GRANTS TO COASTAL STATES.—

''(1) IN GENERAL.—The Administrator shall award grants to coastal States as follows:

''(A) 70 percent of available amounts shall be allocated equally among coastal States.

''(B) 15 percent of available amounts shall be allocated on the basis of the ratio of tidal shoreline in a coastal State to the tidal shoreline of all coastal States.

''(C) 15 percent of available amounts shall be allocated on the basis of the ratio of population density of the coastal counties of a coastal State to the average population density of all coastal counties based on the most recent data available from the Bureau of the Census.

''(2) MAXIMUM ALLOCATION TO STATES.—Notwithstanding paragraph (1), not more than 5 percent of the total funds distributed under this subsection may be allocated to any single coastal State. Any amount exceeding that limitation shall be redistributed equally among the remaining coastal States.

''(3) OPTIONAL MATCHING FUNDS.—Each entity seeking to receive a grant under this subsection is encouraged, but not required, to demonstrate that funds of any amount are available from non-Federal sources to supplement the amount of the grant.''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''The Administrator and the Foundation'' and inserting ''The Foundation, in consultation with the Administrator,''; and

(B) by adding at the end the following:

''(3) EXCLUSION OF FUNDS FROM LIMITATION.—The amount of a grant awarded under this subsection shall not count toward the limitation under subsection (b)(2) on funding to coastal States through grants awarded under subsection (b).''.

(e) ANNUAL REPORT ON OPERATION OF THE NATIONAL OCEANS AND COASTAL SECURITY FUND.—Section 907(a) of the National Oceans and Coastal Security Act (16 U.S.C. 7506(a)) is amended by striking ''Subject to'' and all that follows through ''the Foundation'' and inserting the following: ''Not later than 60 days after the end of each fiscal year, the Administrator and the Foundation''.

(f) REPEAL OF AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 2017, 2018, AND 2019.—Section 908 of the National Oceans and Coastal Security Act (16 U.S.C. 7507) is repealed.

(g) PARITY IN OFFSHORE WIND REVENUE SHARING.—Section 8(p)(2) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(2)) is amended—

(1) in subparagraph (A), by striking ''(A) The Secretary'' and inserting the following:

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary'';

(2) in subparagraph (B), by striking ''(B) The Secretary'' and inserting the following:

''(B) DISPOSITION OF REVENUES FOR PROJECTS LOCATED WITHIN 3 NAUTICAL MILES SEAWARD OF STATE SUBMERGED LAND.—The Secretary''; and

(3) by adding at the end the following:

''(C) DISPOSITION OF REVENUES FOR OFFSHORE WIND PROJECTS IN CERTAIN AREAS.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) COVERED OFFSHORE WIND PROJECT.—The term 'covered offshore wind project' means a wind-powered electric generation project in a lease area on the outer Continental Shelf that is not wholly or partially located within an area subject to subparagraph (B).

''(II) ELIGIBLE STATE.—The term 'eligible State' means a State a point on the coastline of which is located within 75 miles of the geographic center of a lease tract lying wholly or partly within the area of the applicable covered offshore wind project.

''(ii) REQUIREMENT.—Of the operating fees, rentals, bonuses, royalties, and other payments that are paid to the Secretary under subparagraph (A) from covered offshore wind projects carried out under a lease entered into on or after January 1, 2022—

''(I) 50 percent shall be deposited in the Treasury and credited to miscellaneous receipts;

''(II) 12.5 percent shall be deposited in the National Oceans and Coastal Security Fund established under section 904(a) of the National Oceans and Coastal Security Act (16 U.S.C. 7503(a)); and

''(III) 37.5 percent shall be deposited in a special account in the Treasury, from which the Secretary shall disburse to each eligible State an amount (based on a formula established by the Secretary of the Interior by rulemaking not later than 180 days after the date of enactment of the Reinvesting In Shoreline Economies and Ecosystems Act of 2024) that is inversely proportional to the respective distances between—

''(aa) the point on the coastline of each eligible State that is closest to the geographic center of the applicable leased tract; and

''(bb) the geographic center of the leased tract.

''(iii) TIMING.—The amounts required to be deposited under subclause (III) of clause (ii) for the applicable fiscal year shall be made available in accordance with that item during the fiscal year immediately following the applicable fiscal year.

''(iv) AUTHORIZED USES.—

''(I) IN GENERAL.—Subject to subclause (II), each State shall use all amounts received under clause (ii)(III) in accordance with all applicable Federal and State laws, only for 1 or more of the following purposes:

''(aa) Projects and activities for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly affected by coastal wetland losses.

''(bb) Mitigation of damage to fish, wildlife, or natural resources, including through fisheries science and research.

''(cc) Implementation of a federally approved marine, coastal, or comprehensive conservation management plan.

''(dd) Mitigation of the impact of outer Continental Shelf activities through the funding of onshore infrastructure projects, on the condition that the projects are not primarily for entertainment purposes.

''(ee) Planning assistance and the administrative costs of complying with this section.

''(II) LIMITATION.—Of the amounts received by a State under clause (ii)(III), not more than 3 percent shall be used for the purposes described in subclause (I)(ee).

''(v) ADMINISTRATION.—Subject to clause (vi)(III), amounts made available under clause (ii) shall—

''(I) be made available, without further appropriation, in accordance with this paragraph;

''(II) remain available until expended; and

''(III) be in addition to any amount appropriated under any other Act.

''(vi) REPORTING REQUIREMENT FOR FISCAL YEAR 2023 AND THEREAFTER.—

''(I) IN GENERAL.—Beginning with fiscal year 2023, not later than 180 days after the end of each fiscal year, each eligible State that receives amounts under clause (ii)(III) for the applicable fiscal year shall submit to the Secretary a report that describes the use of the amounts by the eligible State during the period covered by the report.

''(II) PUBLIC AVAILABILITY.—On receipt of a report under subclause (I), the Secretary shall make the report available to the public on the website of the Department of the Interior.

''(III) LIMITATION.—If an eligible State that receives amounts under clause (ii)(III) for the applicable fiscal year fails to submit the report required under subclause (I) by the deadline specified in that subclause, any amounts that would otherwise be provided to the eligible State under clause (ii)(III) for the succeeding fiscal year shall be withheld for the succeeding fiscal year until the date on which the report is submitted.

''(IV) CONTENTS OF REPORT.—Each report required under subclause (I) shall include, for each project funded in whole or in part using amounts received under clause (ii)(III)—

''(aa) the name and description of the project;

''(bb) the amount received under clause (ii)(III) that is allocated to the project; and

''(cc) a description of how each project is consistent with the authorized uses under clause (iv)(I).

''(V) CLARIFICATION.—Nothing in this clause—

''(aa) requires or provides authority for the Secretary to delay, modify, or withhold payment under clause (ii)(III), other than for failure to submit a report as required under this clause;

''(bb) requires or provides authority for the Secretary to review or approve uses of funds reported under this clause;

''(cc) requires or provides authority for the Secretary to approve individual projects that receive funds reported under this clause;

''(dd) requires an eligible State to obtain the approval of, or review by, the Secretary prior to spending funds disbursed under clause (ii)(III);

''(ee) requires or provides authority for the Secretary to issue guidance relating to the contents of, or to determine the completeness of, the report required under this clause;

''(ff) requires an eligible State to obligate or expend funds by a certain date; or

''(gg) requires or provides authority for the Secretary to request an eligible State to return unobligated funds.''.

SEC. 1098. GULF OF MEXICO OUTER CONTINENTAL SHELF REVENUES.

(a) AUTHORIZED USES.—Section 105(d)(1)(D) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended by inserting '', on the condition that the projects are not primarily for entertainment purposes'' after ''infrastructure projects''.

(b) ADMINISTRATION.—Section 105(e) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended, in the matter preceding paragraph (1), by striking ''Amounts'' and inserting ''Subject to subsection (g)(3), amounts''.

(c) ELIMINATION OF LIMITATION ON AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—Section 105(f) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting ''and'' after the semicolon;

(B) in subparagraph (B), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (C); and

(2) in paragraph (2), by striking ''2055'' and inserting ''2022''.

(d) REPORTING REQUIREMENTS.—Section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended by adding at the end the following:

''(g) REPORTING REQUIREMENT FOR FISCAL YEAR 2023 AND THEREAFTER.—

''(1) IN GENERAL.—Beginning with fiscal year 2023, not later than 180 days after the end of each fiscal year, each Gulf producing State that receives amounts under subsection (a)(2)(A) for the applicable fiscal year shall submit to the Secretary a report that describes the use of the amounts by the Gulf producing State during the period covered by the report.

''(2) PUBLIC AVAILABILITY.—On receipt of a report under paragraph (1), the Secretary shall make the report available to the public on the website of the Department of the Interior.

''(3) LIMITATION.—If a Gulf producing State that receives amounts under subsection (a)(2)(A) for the applicable fiscal year fails to submit the report required under paragraph (1) by the deadline specified in that paragraph, any amounts that would otherwise be provided to the Gulf producing State under subsection (a)(2)(A) for the succeeding fiscal year shall be withheld for the succeeding fiscal year until the date on which the report is submitted.

''(4) CONTENTS OF REPORT.—Each report required under paragraph (1) shall include, for each project funded in whole or in part using amounts received under subsection (a)(2)(A)—

''(A) the name and description of the project;

''(B) the amount received under subsection (a)(2)(A) that is allocated to the project; and

''(C) a description of how each project is consistent with the authorized uses under subsection (d)(1).

''(5) CLARIFICATION.—Nothing in this clause—

''(A) requires or provides authority for the Secretary to delay, modify, or withhold payment under subsection (a)(2)(A), other than for failure to submit a report as required under this subsection;

''(B) requires or provides authority for the Secretary to review or approve uses of funds reported under this subsection;

''(C) requires or provides authority for the Secretary to approve individual projects that receive funds reported under this subsection;

''(D) requires a Gulf producing State to obtain the approval of, or review by, the Secretary prior to spending funds disbursed under subsection (a)(2)(A);

''(E) requires or provides authority for the Secretary to issue guidance relating to the contents of, or to determine the completeness of, the report required under this subsection;

''(F) requires a Gulf producing State to obligate or expend funds by a certain date; or

''(G) requires or provides authority for the Secretary to request a Gulf producing State to return unobligated funds.''.

SEC. 1099. ELIMINATION OF ADMINISTRATIVE FEE UNDER THE MINERAL LEASING ACT.

(a) IN GENERAL.—Section 35 of the Mineral Leasing Act (30 U.S.C. 191) is amended—

(1) in subsection (a), in the first sentence, by striking ''and, subject to the provisions of subsection (b),'';

(2) by striking subsection (b);

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(4) in paragraph (3)(B)(ii) of subsection (b) (as so redesignated), by striking ''subsection (d)'' and inserting ''subsection (c)''; and

(5) in paragraph (3)(A)(ii) of subsection (c) (as so redesignated), by striking ''subsection (c)(2)(B)'' and inserting ''subsection (b)(2)(B)''.

(b) CONFORMING AMENDMENTS.—

(1) Section 6(a) of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 355(a)) is amended—

(A) in the first sentence, by striking ''Subject to the provisions of section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)), all'' and inserting ''All''; and

(B) in the second sentence, by striking ''of the Act of February 25, 1920 (41 Stat. 450; 30 U.S.C. 191),'' and inserting ''of the Mineral Leasing Act (30 U.S.C. 191)''.

(2) Section 20(a) of the Geothermal Steam Act of 1970 (30 U.S.C. 1019(a)) is amended, in the second sentence of the matter preceding paragraph (1), by striking ''the provisions of subsection (b) of section 35 of the Mineral Leasing Act (30 U.S.C. 191(b)) and section 5(a)(2) of this Act'' and inserting ''section 5(a)(2)''.

(3) Section 205(f) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1735(f)) is amended—

(A) in the first sentence, by striking ''this Section'' and inserting ''this section''; and

(B) by striking the fourth, fifth, and sixth sentences.

SA 2264. Mr. WHITEHOUSE (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 appropriate place in title X, insert the following:

SEC. _____. COORDINATOR FOR COMBATING FOREIGN KLEPTOCRACY AND CORRUPTION.

Section 101 of the National Security Act of 1947 (50 U.S.C. 3021) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) assess the national security implications of foreign corruption and kleptocracy (including strategic corruption) and coordinate, without assuming operational authority, the United States Government efforts to counter foreign corruption and kleptocracy.'';

(2) by redesignating subsection (h) as subsection (i); and

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

''(h) COORDINATOR FOR COMBATING FOREIGN KLEPTOCRACY AND CORRUPTION.—

''(1) IN GENERAL.—The President shall designate an officer of the National Security Council to be responsible for—

''(A) the assessment of the national security implications of foreign corruption and kleptocracy (including strategic corruption); and

''(B) the coordination of the interagency process to counter foreign corruption and kleptocracy.

''(2) RESPONSIBILITIES.—In addition to the coordination and assessment described in paragraph (1), the officer designated pursuant to paragraph (1) shall be responsible for the following:

''(A) Coordinating and deconflicting anti-corruption and counter-kleptocracy initiatives across the Federal Government, including those at the Department of State, the Department of the Treasury, the Department of Justice, and the United States Agency for International Development.

''(B) Informing deliberations of the Council by highlighting the wide-ranging and destabilizing effects of corruption on a variety of issues, including drug trafficking, arms trafficking, sanctions evasion, cybercrime, voting rights and global democracy initiatives, and other matters of national security concern to the Council.

''(C) Updating, as appropriate, and coordinating the implementation of the United States strategy on countering corruption.

''(3) COORDINATION WITH COORDINATOR FOR COMBATING MALIGN FOREIGN INFLUENCE OPERATIONS AND CAMPAIGNS.—The officer designated under paragraph (1) of this subsection shall coordinate with the employee designated under subsection (g)(1).

''(4) LIAISON.—The officer designated under paragraph (1) shall serve as a liaison, for purposes of coordination described in such paragraph and paragraph (2)(A), with the following:

''(A) The Department of State.

''(B) The Department of the Treasury.

''(C) The Department of Justice.

''(D) The intelligence community.

''(E) The United States Agency for International Development.

''(F) Any other Federal agency that the President considers appropriate.

''(G) Good government transparency groups in civil society.

''(5) CONGRESSIONAL BRIEFING.—

''(A) IN GENERAL.—Not less frequently than once each year, the officer designated pursuant to paragraph (1), or the officer's designee, shall provide to the congressional committees specified in subparagraph (B) a briefing on the responsibilities and activities of the officer designated under this subsection.

''(B) COMMITTEES SPECIFIED.—The congressional committees specified in this subparagraph are the following:

''(i) The Committee on Foreign Relations and the Caucus on International Narcotics Control of the Senate.

''(ii) The Committee on Foreign Affairs of the House of Representatives.''.

SA 2265. 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 end of subtitle B of title X, add the following:

SEC. 1014. PILOT PROJECTS ALLOWING ADDITIONAL TECHNOLOGY PROVIDERS TO PARTICIPATE IN INSPECTING CARS, TRUCKS, AND CARGO CONTAINERS AT CERTAIN PORTS OF ENTRY.

(a) SHORT TITLES.—This section may be cited as the ''Contraband Awareness Technology Catches Harmful Fentanyl Act'' or the ''CATCH Fentanyl Act''.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' 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.

(2) ARTIFICIAL INTELLIGENCE; AI.—The terms ''artificial intelligence'' and ''AI'' have the meaning given the term ''artificial intelligence'' in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note).

(3) CBP INNOVATION TEAM.—The term ''CBP Innovation Team'' means the U.S. Customs and Border Protection Innovation Team within the Office of the Commissioner.

(4) NONINTRUSIVE INSPECTION TECHNOLOGY; NII TECHNOLOGY.—The terms ''nonintrusive inspection technology'' and ''NII technology'' means technical equipment and machines, such as X-ray or gamma-ray imaging equipment, that allow cargo inspections without the need to open the means of transport and unload the cargo.

(5) PILOT PROJECTS.—The term ''pilot projects'' means the projects required under section 3(a) for testing and assessing the use of technologies to improve the inspection process at land ports of entry.

(c) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security, acting through CBP Innovation Team, and in coordination with the Office of Field Operations and the Department of Homeland Security Science and Technology Directorate, shall begin the implementation of pilot projects for testing and assessing the use of technologies or technology enhancements to improve the process for inspecting, including by increasing efficiencies of such inspections, any conveyance or mode of transportation at land ports of entry along the borders of the United States. The technologies or technology enhancements tested and assessed under the pilot projects shall be for the purpose of assisting U.S. Customs and Border Protection personnel to detect contraband, illegal drugs, illegal weapons, human smuggling, and threats on inbound and outbound traffic, in conjunction with the use of imaging equipment, radiation portal monitors, and chemical detectors.

(2) REQUIREMENTS.—

(A) IN GENERAL.—In implementing the pilot projects at ports of entry, the CBP Innovation Team, in coordination with the Department of Homeland Security Science and Technology Directorate, shall test and collect data regarding not fewer than 5 types of nonintrusive inspection technology enhancements that can be deployed at land ports of entry. The CBP Innovation Team shall test technology enhancements from not fewer than 1 of the following categories:

(i) Artificial intelligence.

(ii) Machine learning.

(iii) High-performance computing.

(iv) Quantum information sciences, including quantum sensing.

(v) Other emerging technologies.

(B) IDENTIFICATION OF EFFECTIVE ENHANCEMENTS.—The pilot projects shall identify the most effective types of technology enhancements to improve the capabilities of nonintrusive inspection systems and other inspection systems used at land ports of entry based on—

(i) the technology enhancement's ability to assist U.S. Customs and Border Protection accurately detect contraband, illegal drugs, illegal weapons, human smuggling, or threats in inbound and outbound traffic;

(ii) the technology enhancement's ability to increase efficiencies of inspections to assist U.S. Customs and Border Protection address long wait times;

(iii) the technology enhancement's ability to improve capabilities of aging detection equipment and infrastructure at land ports of entry;

(iv) the technology enhancement's safety relative to As Low As Reasonably Achievable (ALARA) standard practices;

(v) the ability to integrate the new technology into the existing workflow and infrastructure;

(vi) the technology enhancement's ability to incorporate automatic threat recognition technology using standard formats and open architecture;

(vii) the mobility of technology enhancements; and

(viii) other performance measures identified by the CBP Innovation Team.

(C) PRIVATE SECTOR INVOLVEMENT.—The CBP Innovation Team may solicit input from representatives of the private sector regarding commercially viable technologies.

(D) COST EFFECTIVENESS REQUIREMENT.—In identifying the most effective types of technology enhancements under subparagraph (B), the pilot projects shall prioritize solutions that demonstrate the highest cost-effectiveness in achievement the objectives described in clauses (i) through (ix) of subparagraph (B). Cost effectiveness shall account for improved detection capabilities, increased inspection efficiencies, reduced wait times, and total cost of implementation (including infrastructure upgrades and maintenance expenses).

(3) NONINTRUSIVE INSPECTION SYSTEMS PROGRAM.—The CBP Innovation Team shall work with existing nonintrusive inspection systems programs within U.S. Customs and Border Protection when planning and developing the pilot projects required under paragraph (1).

(4) DATA PRIVACY PROTECTION.—In implementing the pilot projects and utilizing new technologies, the Secretary of Homeland Security shall safeguard the privacy and security of personal data collected during inspections through appropriate measures, including by—

(A) adhering to relevant privacy laws and regulations;

(B) implementing data anonymization techniques, if applicable; and

(C) conducting regular audits to assess compliance with data privacy standards.

(5) SCIENCE AND TECHNOLOGY DIRECTORATE.—The CBP Innovation Team shall work with the Department of Homeland Security Science and Technology Directorate to align existing nonintrusive inspection research and development efforts within the Science and Technology Directorate when planning and developing pilot projects required under paragraph (1).

(d) TERMINATION.—The pilot projects shall terminate on the date that is 5 years after the date of the enactment of this Act.

(e) REPORTS REQUIRED.—Not later than 3 years after the date of the enactment of this Act, and 180 days after the termination of the pilot projects pursuant to subsection (d), the Secretary of Homeland Security shall submit a report to the appropriate congressional committees that contains—

(1) an analysis of the effectiveness of technology enhancements tested based on the requirements described in subsection (c)(2);

(2) any recommendations from the testing and analysis concerning the ability to utilize such technologies at all land ports of entry;

(3) a plan to utilize new technologies that meet the performance goals of the pilot projects across all U.S. Customs and Border Protection land ports of entry at the border, including total costs and a breakdown of the costs of such plan, including any infrastructure improvements that may be required to accommodate recommended technology enhancements;

(4) a comprehensive list of existing technologies owned and utilized by U.S. Customs and Border protection for cargo and vehicle inspection, including—

(A) details on the implementation status of such technologies, such as whether the technologies have been fully installed and utilized, or whether there are challenges with the installation and utilization of the technology;

(B) an evaluation of the compatibility, interoperability, and scalability of existing cargo and vehicle inspection technologies within U.S. Customs and Border Protection's physical and information technology infrastructure; and

(C) identification of any obstacles to the effective deployment and integration of such technologies; and

(5) the analysis described in subsection (f).

(f) AREAS OF ANALYSIS.—The report required under subsection (e) shall include an analysis containing—

(1) quantitative measurements of performance based on the requirements described in subsection (c)(2) of each technology tested compared with the status quo to reveal a broad picture of the performance of technologies and technology enhancements, such as—

(A) the probability of detection, false alarm rate, and throughput; and

(B) an analysis determining whether such observed performance represents a significant increase, decrease, or no change compared with current systems;

(2) an assessment of the relative merits of each such technology;

(3) any descriptive trends and patterns observed; and

(4) performance measures for—

(A) the technology enhancement's ability to assist with the detection of contraband on inbound and outbound traffic through automated (primary) inspection by measuring and reporting the probability of detection and false alarm rate for each NII system under operational conditions;

(B) the throughput of cargo through each NII system with a technology enhancement, including a breakdown of the time needed for U.S. Customs and Border Protection—

(i) to complete the image review process and clear low-risk shipments; and

(ii) to complete additional inspections of high-risk items;

(C) changes in U.S. Customs and Border Protection officer time commitments and personnel needs to sustain high volume NII scanning operations when technology enhancements are utilized; and

(D) operational costs, including—

(i) estimated implementation costs for each NII system with technology enhancements; and

(ii) estimated cost savings due to improved efficiency due to technology enhancements, if applicable.

(g) PRIVACY AND CIVIL LIBERTIES REPORTS.—The Secretary of Homeland Security, in consultation with the CBP Innovation Team and other appropriate offices, shall—

(1) prior to the implementation of these technologies, provide—

(A) a report or reports to the appropriate congressional committees on the potential privacy, civil liberties, and civil rights impacts of technologies being tested under the pilot projects pursuant to this section, including an analysis of the impacts of the technology enhancements on individuals crossing the United States border; and

(B) recommendations for mitigation measures to address identified impacts; and

(2) not later than 180 days after the termination of the pilot projects pursuant to subsection (d), provide—

(A) findings on the impacts to privacy, civil rights, and civil liberties resulting from the pilot projects;

(B) recommendations for mitigating these impacts in implementation of approved technologies; and

(C) any additional recommendations based on the lessons learned from the pilot projects.

(h) PROHIBITION ON NEW APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out this section.

SA 2266. Mr. CORNYN (for himself, Mr. KELLY, Mrs. BLACKBURN, 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 title XV, add the following:

Subtitle E—SAFE Orbit Act

SEC. 1549. SHORT TITLE.

This subtitle may be cited as the ''Situational Awareness of Flying Elements in Orbit Act'' or the ''SAFE Orbit Act''.

SEC. 1550. SPACE SITUATIONAL AWARENESS AND SPACE TRAFFIC COORDINATION.

(a) IN GENERAL.—The Secretary of Commerce shall facilitate safe operations in space and encourage the development of commercial space capabilities by acquiring and disseminating unclassified data, analytics, information, and services on space activities.

(b) IMMUNITY.—The United States, any agencies and instrumentalities thereof, and any individuals, firms, corporations, and other persons acting for the United States, including nongovernmental entities, shall be immune from any suit in any court for any cause of action arising from the provision or receipt of space situational awareness services or information, whether or not provided in accordance with this section, or any related action or omission.

(c) ACQUISITION OF DATA.—The Assistant Secretary of Commerce for Space Commerce (established under section 50702(b) of title 51, United States Code, as amended by section 1551) is authorized to acquire—

(1) data, analytics, information, and services, including with respect to—

(A) location tracking data;

(B) positional and orbit determination information; and

(C) conjunction data messages; and

(2) such other data, analytics, information, and services as the Secretary of Commerce determines necessary to avoid collisions of space objects.

(d) DATABASE ON SATELLITE LOCATION AND BEHAVIOR.—The Assistant Secretary of Commerce for Space Commerce shall provide access for the public, at no charge, a fully updated, unclassified database of information concerning space objects and behavior that includes—

(1) the data and information acquired under subsection (c), except to the extent that such data or information is classified or a trade secret (as defined in section 1839 of title 18, United States Code); and

(2) the provision of basic space situational awareness services and space traffic coordination based on the data referred to in paragraph (1), including basic analytics, tracking calculations, and conjunction data messages.

(e) BASIC SPACE SITUATIONAL AWARENESS SERVICES.—The Assistant Secretary of Commerce for Space Commerce—

(1) shall provide to satellite operators, at no charge, basic space situational awareness services, including the data, analytics, information, and services described in subsection (c);

(2) in carrying out paragraph (1), may not compete with private sector space situational awareness products, to the maximum extent practicable; and

(3) not less frequently than every 3 years, shall review the basic space situational awareness services described in paragraph (1) to ensure that such services provided by the Federal Government do not compete with space situational awareness services offered by the private sector.

(f) REQUIREMENTS FOR DATA ACQUISITION AND DISSEMINATION.—In acquiring data, analytics, information, and services under subsection (c) and disseminating data, analytics, information, and services under subsections (d) and (e), the Assistant Secretary of Commerce for Space Commerce shall—

(1) leverage commercial capabilities to the maximum extent practicable;

(2) prioritize the acquisition of data, analytics, information, and services from commercial industry located in or licensed in the United States to supplement data collected by United States Government agencies, including the Department of Defense and the National Aeronautics and Space Administration;

(3) appropriately protect proprietary data, information, and systems of firms located in the United States, including by using appropriate infrastructure and cybersecurity measures, including measures set forth in the most recent version of the Cybersecurity Framework, or successor document, maintained by the National Institute of Standards and Technology;

(4) facilitate the development of standardization and consistency in data reporting, in collaboration with satellite owners and operators, commercial space situational awareness data and service providers, the academic community, nonprofit organizations, and the Director of the National Institute of Standards and Technology; and

(5) encourage foreign governments to participate in unclassified data sharing arrangements for space situational awareness and space traffic coordination.

(g) OTHER TRANSACTION AUTHORITY.—In carrying out the activities required by this section, the Secretary of Commerce shall enter into such contracts, leases, cooperative agreements, or other transactions as may be necessary.

(h) SPACE OBJECT DEFINED.—In this section, the term ''space object'' means any object launched into space, or created in space, robotically or by humans, including an object's component parts.

SEC. 1551. OFFICE OF SPACE COMMERCE.

(a) LOCATION OF OFFICE.—Subsection (a) of section 50702 of title 51, United States Code, is amended by inserting before the end period the following: '', which, not later than 5

years after the date of the enactment of the SAFE Orbit Act, shall organizationally reside within the Office of the Secretary of Commerce''.

(b) ADDITIONAL FUNCTIONS OF OFFICE.—Subsection (c) of such section is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(6) to perform space situational awareness and space traffic management duties pursuant to the SAFE Orbit Act.''.

(c) ASSISTANT SECRETARY OF COMMERCE FOR SPACE COMMERCE.—

(1) IN GENERAL.—Subsection (b) of such section is amended to read as follows:

''(b) ASSISTANT SECRETARY.—The Office shall be headed by the Assistant Secretary of Commerce for Space Commerce, who shall—

''(1) be appointed by the President, by and with the advice and consent of the Senate;

''(2) report directly to the Secretary of Commerce; and

''(3) have a rate of pay that is equal to the rate payable for level IV of the Executive Schedule under section 5315 of title 5.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 50702(d) of title 51, United States Code, is amended—

(i) in the subsection heading, by striking ''DIRECTOR'' and inserting ''ASSISTANT SECRETARY''; and

(ii) in the matter preceding paragraph (1), by striking ''Director'' and inserting ''Assistant Secretary''.

(B) Section 5315 of title 5, United States Code, is amended by striking ''Assistant Secretaries of Commerce (11)'' and inserting ''Assistant Secretaries of Commerce (12)''.

(3) REFERENCES.—On and after the date of the enactment of this Act, any reference in any law or regulation to the Director of the Office of Space Commerce shall be deemed to be a reference to the Assistant Secretary of Commerce for Space Commerce.

(d) TRANSITION REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce 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 sets forth transition and continuity of operations plans for the functional and administrative transfer of the Office of Space Commerce from the National Oceanic and Atmospheric Administration to the Office of the Secretary of Commerce.

SA 2267. Mr. CORNYN (for himself, Mr. COONS, Mr. CASSIDY, and Ms. CORTEZ MASTO) 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 XII, add the following:

SEC. 1266. CONDITIONAL TERMINATION OF THE UNITED STATES-PEOPLE'S REPUBLIC OF CHINA INCOME TAX CONVENTION.

(a) IN GENERAL.—The Secretary of the Treasury shall provide written notice to the People's Republic of China through diplomatic channels of the United States' intent to terminate the United States-The People's Republic of China Income Tax Convention, done at Beijing April 30, 1984 and entered into force January 1, 1987, as provided by Article 28 of the Convention, not later than 30 days after the President notifies the Secretary of the Treasury that the People's Liberation Army has initiated an armed attack against the Republic of China (commonly known as ''Taiwan'').

(b) CONGRESSIONAL NOTIFICATION.—The President shall submit written notification of a termination described in subsection (a) to—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Finance of the Senate.

SA 2268. 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—OHKAY OWINGEH RIO CHAMA WATER RIGHTS SETTLEMENT

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Ohkay Owingeh Rio Chama Water Rights Settlement Act of 2024''.

SEC. 5002. PURPOSES.

The purposes of this division are—

(1) to achieve a fair, equitable, and final settlement of all claims to water rights in the Rio Chama Stream System in the State for—

(A) Ohkay Owingeh; and

(B) the United States, acting as trustee for Ohkay Owingeh;

(2) to authorize, ratify, and confirm the Agreement entered into by Ohkay Owingeh, the State, and various other parties to the extent that the Agreement is consistent with this division;

(3) to authorize and direct the Secretary—

(A) to execute the Agreement; and

(B) to take any other actions necessary to carry out the Agreement in accordance with this division; and

(4) to authorize funds necessary for the implementation of the Agreement and this division.

SEC. 5003. DEFINITIONS.

In this division:

(1) ADJUDICATION.—The term ''Adjudication'' means the general stream adjudication of water rights in the Rio Chama Stream System entitled ''State of New Mexico ex rel. State Engineer v. Aragon'', Civil No. 69–CV–07941–KWR/KK, pending, as of the date of enactment of this Act, in the United States District Court for the District of New Mexico.

(2) AGREEMENT.—The term ''Agreement'' means—

(A) the document entitled ''Ohkay Owingeh Rio Chama Water Rights Settlement'' and dated July 5, 2023, and the exhibits attached thereto; and

(B) any amendment to the document referred to in subparagraph (A) (including an amendment to an exhibit thereto) that is executed to ensure that the Agreement is consistent with this division.

(3) BOSQUE.—The term ''bosque'' means a gallery forest located along the riparian floodplain of a stream, riverbank, or lake.

(4) CITY OF ESPAÑOLA.—The term ''City of Española'' means a municipal corporation of the State.

(5) ENFORCEABILITY DATE.—The term ''Enforceability Date'' means the date described in section 5008.

(6) OHKAY OWINGEH; PUEBLO.—The terms ''Ohkay Owingeh'' and ''Pueblo'' mean the body politic and federally recognized Indian nation.

(7) PARTIAL FINAL JUDGMENT AND DECREE.—The term ''Partial Final Judgment and Decree'' means a final or interlocutory partial final judgment and decree entered by the United States District Court for the District of New Mexico with respect to the water rights of Ohkay Owingeh in the Rio Chama Stream System—

(A) that is substantially in the form described in the Agreement, as amended to ensure consistency with this division; and

(B) from which no further appeal may be taken.

(8) PUEBLO GRANT.—The term ''Pueblo Grant'' means the land recognized and confirmed by the Federal patent issued to Ohkay Owingeh (then known as the ''Pueblo of San Juan'') under the Act of December 22, 1858 (11 Stat. 374, chapter V).

(9) PUEBLO LAND.—The term ''Pueblo Land'' means any real property that is—

(A) held by the United States in trust for Ohkay Owingeh within the Rio Chama Stream System;

(B) owned by the Pueblo within the Rio Chama Stream System before the Enforceability Date; or

(C) acquired by the Pueblo within the Rio Chama Stream System on or after the Enforceability Date if the real property is located—

(i) within the exterior boundaries of the Pueblo Grant; or

(ii) within the exterior boundaries of any territory set aside for the Pueblo by law, Executive order, or court decree.

(10) PUEBLO WATER RIGHTS.—The term ''Pueblo Water Rights'' means the water rights of Ohkay Owingeh in the Rio Chama Stream System—

(A) as identified in the Agreement and section 5005; and

(B) as confirmed in the Partial Final Judgment and Decree.

(11) RIO CHAMA STREAM SYSTEM.—The term ''Rio Chama Stream System'' means the Rio Chama surface water drainage basin within the State, as illustrated in Exhibit A to the Agreement.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(13) SIGNATORY ACEQUIA.—The term ''Signatory Acequia'' means an acequia that is a signatory to the Agreement.

(14) STATE.—The term ''State'' means the State of New Mexico.

(15) TRUST FUND.—The term ''Trust Fund'' means the Ohkay Owingeh Water Rights Settlement Trust Fund established under section 5006(a).

SEC. 5004. RATIFICATION OF AGREEMENT.

(a) RATIFICATION.—

(1) IN GENERAL.—Except as modified by this division, and to the extent that the Agreement does not conflict with this division, the Agreement is authorized, ratified, and confirmed.

(2) AMENDMENTS.—If an amendment to the Agreement, or to any exhibit to the Agreement requiring the signature of the Secretary, is executed in accordance with this division to make the Agreement consistent with this division, the amendment is authorized, ratified, and confirmed.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent the Agreement does not conflict with this division, the Secretary shall execute the Agreement, including all exhibits thereto or parts of the Agreement requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this division prohibits the Secretary, after execution of the Agreement, from approving any modification to the Agreement, including an exhibit to the Agreement, that is consistent with this division, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Agreement and this division, the Secretary shall comply with—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) all other applicable Federal environmental laws and regulations.

(2) COMPLIANCE AND COORDINATION.—

(A) IN GENERAL.—In implementing the Agreement and this division, the Pueblo shall prepare any necessary environmental documents consistent with—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation required under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(C) COORDINATION WITH ARMY CORPS OF ENGINEERS.—For any bosque restoration or improvement project carried out by the Pueblo with funds appropriated under this division, the Pueblo shall coordinate with the Corps of Engineers to ensure that work on the project shall not interfere with or adversely affect any authorized Federal project that is under the jurisdiction and authority of the Corps of Engineers.

(3) EFFECT OF EXECUTION.—The execution of the Agreement by the Secretary under this section shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance and coordination activities under this subsection shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of that compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary, with the exception that costs for review of bosque restoration or improvement projects by the Corps of Engineers described in paragraph (2)(C) shall be paid from funds deposited in the Trust Fund.

SEC. 5005. PUEBLO WATER RIGHTS.

(a) TRUST STATUS OF THE PUEBLO WATER RIGHTS.—The Pueblo Water Rights shall be held in trust by the United States on behalf of Ohkay Owingeh in accordance with the Agreement and this division.

(b) FORFEITURE AND ABANDONMENT.—

(1) IN GENERAL.—The Pueblo Water Rights shall not be subject to loss through non-use, forfeiture, abandonment, or other operation of law.

(2) STATE LAW-BASED WATER RIGHTS.—State-law based water rights acquired by Ohkay Owingeh, or by the United States on behalf of Ohkay Owingeh, after the date for inclusion in the Partial Final Judgment and Decree, shall not be subject to forfeiture, abandonment, or permanent alienation from the time they are acquired.

(c) USE.—Any use of the Pueblo Water Rights shall be subject to the terms and conditions of the Agreement and this division.

(d) AUTHORITY OF THE PUEBLO.—

(1) IN GENERAL.—Ohkay Owingeh may allocate, distribute, and lease the Pueblo Water Rights for use on Pueblo Land in accordance with the Agreement, this division, and applicable Federal law, including the Act of August 9, 1955 (25 U.S.C. 415 et seq.) (commonly known as the ''Long-Term Leasing Act'').

(2) USE OFF PUEBLO LAND.—

(A) IN GENERAL.—Ohkay Owingeh may allocate, distribute, and lease the Pueblo Water Rights for use off Pueblo Land in accordance with the Agreement, this division, and applicable Federal law, subject to the approval of the Secretary.

(B) MAXIMUM TERM OF LEASES.—The maximum term of any lease, including all renewals, under this paragraph shall not exceed 99 years.

(e) ADMINISTRATION.—

(1) NO ALIENATION.—The Pueblo shall not permanently alienate any portion of the Pueblo Water Rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this division for the allocation, distribution, leasing, or other arrangement entered into pursuant to this division shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Pueblo Water Rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Pueblo Water Rights.

SEC. 5006. SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund, to be known as the ''Ohkay Owingeh Water Rights Settlement Trust Fund'', 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 subsection (b), together with any investment earnings, including interest, earned on those amounts for the purpose of carrying out this division.

(b) DEPOSITS.—The Secretary shall deposit in the Trust Fund the amounts made available pursuant to section 5007(a).

(c) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of funds into the Trust Fund under subsection (b), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this subsection.

(2) INVESTMENT EARNINGS.—In addition to the amounts deposited into the Trust Fund under subsection (b), any investment earnings, including interest, earned on those amounts held in the Trust Fund are authorized to be used in accordance with subsections (e) and (g).

(d) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings (including interest) earned on those amounts, shall be made available to Ohkay Owingeh by the Secretary beginning on the Enforceability Date, subject to the requirements of this section, except for funds to be made available to Ohkay Owingeh pursuant to paragraph (2).

(2) USE OF FUNDS.—-Notwithstanding paragraph (1), not more than $100,000,000 of the amounts deposited in the Trust Fund, including any investment earnings, including interest, earned on those amounts, shall be available to Ohkay Owingeh for the following uses on the date on which the amounts are deposited in the Trust Fund:

(A) Diversions of surface water and groundwater to the Rio Chama bosque for immediate and essential restoration and maintenance of the bosque.

(B) Fulfillment of the contribution of the Pueblo under the Agreement for improvements to senior acequias on Pueblo Land supplying water to the Pueblo and non-Indians.

(C) Establishment and operation of the water rights management administrative department of the Pueblo.

(D) Acquisition of water rights.

(E) Development of water infrastructure plans, preparing environmental compliance documents, and water project engineering and construction.

(e) WITHDRAWALS.—

(1) WITHDRAWALS UNDER THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Pueblo may withdraw any portion of the amounts in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Pueblo in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under subparagraph (A) shall require that the Pueblo shall spend all amounts withdrawn from the Trust Fund, and any investment earnings (including interest) earned on those amounts through the investments under the Tribal management plan, in accordance with this division.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan under subparagraph (A) to ensure that amounts withdrawn by the Pueblo from the Trust Fund under that subparagraph are used in accordance with this division.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—Ohkay Owingeh may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw amounts under an expenditure plan under subparagraph (A), the Pueblo shall submit to the Secretary an expenditure plan for any portion of the Trust Fund the Pueblo elects to withdraw pursuant to that subparagraph, subject to the condition that the amounts shall be used for the purposes described in this division.

(C) INCLUSIONS.—An expenditure plan under subparagraph (A) shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by Ohkay Owingeh, in accordance with this subsection and subsection (g).

(D) APPROVAL.—The Secretary shall approve an expenditure plan submitted under subparagraph (A) if the Secretary determines that the plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this division.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this

paragraph are used in accordance with this division.

(f) EFFECT OF SECTION.—Nothing in this section gives Ohkay Owingeh the right to judicial review of a determination of the Secretary relating to whether to approve a Tribal management plan under paragraph (1) of subsection (e) or an expenditure plan under paragraph (2) of that subsection, except under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(g) USES.—The Trust Fund may only be used for the following purposes:

(1) Planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, operating, or repairing water production, treatment, or delivery infrastructure, including for domestic and municipal supply or wastewater infrastructure.

(2) Planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, operating, or repairing water production, treatment, or delivery infrastructure, acquisition of water, or on-farm improvements for irrigation, livestock, and support of agriculture.

(3) Planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, operating, monitoring or other measures for watershed and endangered species habitat protection, bosque restoration or improvement (including any required cost shares for and allowable contributions to a Federal project or program), land and water rights acquisition, water-related Pueblo community welfare and economic development, and costs relating to implementation of the Agreement.

(4) The management and administration of any water rights of the Pueblo.

(5) Ensuring environmental compliance in the development and construction of projects under this division.

(h) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Pueblo under paragraph (1) or (2) of subsection (e).

(i) EXPENDITURE REPORTS.—Ohkay Owingeh shall annually submit to the Secretary an expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan under paragraph (1) or (2) of subsection (e), as applicable.

(j) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of Ohkay Owingeh.

(k) TITLE TO INFRASTRUCTURE.—Title to, control over, and operation of any project constructed using funds from the Trust Fund shall remain in Ohkay Owingeh, except that title to projects that are improved with funds from the Trust Fund for the mutual benefit of the Pueblo and non-Indians, on property owned by non-Indians, shall remain with the underlying non-Indian owner.

(l) OPERATION, MAINTENANCE, AND REPLACEMENT.—All operation, maintenance, and replacement costs of any project constructed using funds from the Trust Fund shall be the responsibility of Ohkay Owingeh.

SEC. 5007. FUNDING.

(a) MANDATORY APPROPRIATIONS.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary for deposit in the Trust Fund $745,000,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amount appropriated under subsection (a) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs, as indicated by the Bureau of Reclamation Construction Cost Index–Composite Trend.

(2) CONSTRUCTION COSTS ADJUSTMENT.—The amount appropriated under subsection (a) shall be adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices, as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(3) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the applicable amount, as adjusted, has been appropriated.

(4) PERIOD OF INDEXING.—The period of indexing adjustment under this subsection for any increment of funding shall start on June 1, 2023, and end on the date on which the funds are deposited in the Trust Fund.

(c) STATE COST SHARE.—Pursuant to the Agreement, the State shall contribute—

(1) $98,500,000, as adjusted for inflation pursuant to the Agreement, for Signatory Acequias ditch improvements, projects, and other purposes described in the Agreement;

(2) $32,000,000, as adjusted for inflation pursuant to the Agreement, for the City of Española for water system improvement projects; and

(3) $500,000, to be deposited in an interest-bearing account, to mitigate impairment to non-Pueblo domestic and livestock groundwater rights as a result of new Pueblo water use.

SEC. 5008. ENFORCEABILITY DATE.

The Enforceability Date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) to the extent that the Agreement conflicts with this division, the Agreement has been amended to conform with this division;

(2) the Agreement, as amended, has been executed by all parties to the Agreement, including the United States;

(3) the United States District Court for the District of New Mexico has approved the Agreement and has entered a Partial Final Judgment and Decree;

(4) all the amounts appropriated under section 5007(a) have been appropriated and deposited in the Trust Fund;

(5) the State has—

(A) provided the funding under section 5007(c)(1) or entered into a funding agreement with the intended beneficiary for that funding;

(B) provided the funding under section 5007(c)(2) or entered into a funding agreement with the intended beneficiary for that funding;

(C) provided the funding under section 5007(c)(3) and deposited that amount into the appropriate funding account; and

(D) enacted legislation to amend State law to provide that the Pueblo Water Rights may be leased for a term not to exceed 99 years, including renewals; and

(6) the waivers and releases under section 5009 have been executed by Ohkay Owingeh and the Secretary.

SEC. 5009. WAIVERS AND RELEASES OF CLAIMS.

(a) WAIVERS AND RELEASES OF CLAIMS BY OHKAY OWINGEH AND UNITED STATES AS TRUSTEE FOR OHKAY OWINGEH.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Pueblo Water Rights and other benefits described in the Agreement and this division, Ohkay Owingeh and the United States, acting as trustee for Ohkay Owingeh, shall execute a waiver and release of all claims for—

(1) water rights within the Rio Chama Stream System that Ohkay Owingeh, or the United States acting as trustee for Ohkay Owingeh, asserted or could have asserted in any proceeding, including the Adjudication, on or before the Enforceability Date, except to the extent that such rights are recognized in the Agreement and this division; and

(2) damages, losses, or injuries to water rights or claims of interference with, diversion of, or taking of water rights (including claims for injury to land resulting from such damages, losses, injuries, interference, diversion, or taking of water rights) in the Rio Chama Stream System that accrued at any time up to and including the Enforceability Date.

(b) WAIVERS AND RELEASES OF CLAIMS BY OHKAY OWINGEH AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), Ohkay Owingeh shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States) for water rights within the Rio Chama Stream System first arising before the Enforceability Date relating to—

(1) water rights within the Rio Chama Stream System that the United States, acting as trustee for Ohkay Owingeh, asserted or could have asserted in any proceeding, including the Adjudication, except to the extent that such rights are recognized as part of the Pueblo Water Rights under this division;

(2) foregone benefits from non-Pueblo use of water, on and off Pueblo Land (including water from all sources and for all uses), within the Rio Chama Stream System;

(3) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the Rio Chama Stream System;

(4) failure to establish or provide a municipal, rural, or industrial water delivery system on Pueblo Land within the Rio Chama Stream System;

(5) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of irrigation projects on Pueblo Land or Federal land and facilities (including damages, losses, or injuries to fish habitat, wildlife, and wildlife habitat) within the Rio Chama Stream System;

(6) failure to provide for operation, maintenance, or deferred maintenance for any irrigation system or irrigation project within the Rio Chama Stream System;

(7) failure to provide a dam safety improvement to a dam on Pueblo Land within the Rio Chama Stream System;

(8) damage, loss, or injury to the bosque area of the Rio Chama due to the construction, operation, and maintenance of Abiquiu Dam and its associated infrastructure and resulting Rio Chama flow management;

(9) the litigation of claims relating to any water right of Ohkay Owingeh within the Rio Chama Stream System;

(10) the taking of the bosque property of the Pueblo within the Pueblo Grant on the Rio Chama and Rio Grande as asserted in Ohkay Owingeh v. United States, No. 22–1607L (Court of Federal Claims);

(11) failure of the United States to acknowledge and protect aboriginal rights to water in the Rio Chama Stream System;

(12) the failure of the United States to develop the irrigation water resources in the

Rio Chama Stream System on the Pueblo Grant, including failure to—

(A) construct and deliver water through the Highline Canal;

(B) make improvements to the Chamita Ditch; and

(C) repurchase arable land unlawfully obtained by non-Indians;

(13) the failure of the United States to prevent or remedy non-Indians' trespass on or seizure of arable Pueblo lands in the Rio Chama Stream System on the Pueblo Grant; and

(14) the negotiation, execution, or adoption of the Agreement (including exhibits) and this division.

(c) EFFECTIVE DATE.—The waivers and releases described in subsections (a) and (b) shall take effect on the Enforceability Date.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsections (a) and (b), the Pueblo and the United States, acting as trustee for Ohkay Owingeh, shall retain all claims relating to—

(1) the enforcement of, or claims accruing after the Enforceability Date relating to, water rights recognized under the Agreement, this division, or the Partial Final Judgment and Decree entered in the Adjudication;

(2) activities affecting the quality of water, including claims under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including claims for damages to natural resources;

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) the right to use and protect water rights acquired after the date of enactment of this Act;

(4) damage, loss, or injury to land or natural resources that is not due to loss of water or water rights, including hunting, fishing, gathering, or cultural rights;

(5) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this division or the Agreement; and

(6) loss of water or water rights in locations outside of the Rio Chama Stream System.

(e) EFFECT OF AGREEMENT AND DIVISION.—Nothing in the Agreement or this division—

(1) reduces or extends the sovereignty (including civil and criminal jurisdiction) of any government entity;

(2) affects the ability of the United States, as sovereign, to carry out any activity authorized by law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(D) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); and

(E) any regulations implementing the Acts described in subparagraphs (A) though (D);

(3) affects the ability of the United States to act as trustee for the Pueblo (consistent with this division), any other pueblo or Indian Tribe, or an allottee of any other pueblo or Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law relating to health, safety, or the environment;

(C) to conduct judicial review of any Federal agency action; or

(D) to interpret Pueblo law; or

(5) waives any claim of a member of Ohkay Owingeh in an individual capacity that does not derive from a right of the Pueblo.

(f) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the Enforceability Date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(3) LIMITATION.—Nothing in this section precludes the tolling of any period of limitation or any time-based equitable defense under any other applicable law.

(g) EXPIRATION.—

(1) IN GENERAL.—This division shall expire in any case in which the Secretary fails to publish a statement of findings under section 5008 by not later than—

(A) July 1, 2038; or

(B) such alternative later date as is agreed to by Ohkay Owingeh and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this division expires under paragraph (1)—

(A) the waivers and releases under subsections (a) and (b) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Agreement under section 5004 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this division shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this division, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this division shall be returned to the Federal Government, unless otherwise agreed to by Ohkay Owingeh and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this division that were expended or withdrawn, or any funds made available to carry out this division from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) Ohkay Owingeh; or

(bb) any user of the Pueblo Water Rights; or

(II) any other matter covered by subsection (b); or

(ii) in any future settlement of water rights of Ohkay Owingeh.

SEC. 5010. SATISFACTION OF CLAIMS.

The benefits provided under this division shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of Ohkay Owingeh against the United States that is waived and released by Ohkay Owingeh pursuant to section 5009(b).

SEC. 5011. MISCELLANEOUS PROVISIONS.

(a) NO WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Nothing in this division waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, pueblo, or community other than Ohkay Owingeh.

(c) EFFECT ON CURRENT LAW.—Nothing in this division affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(d) CONFLICT.—In the event of a conflict between the Agreement and this division, this division shall control.

(e) HOLD HARMLESS.—For any bosque restoration or improvement project carried out by the Pueblo with funds appropriated under this division, the Pueblo shall hold and save the United States free from damages due to the construction or operation and maintenance of the project.

SEC. 5012. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this division, including any obligation or activity under the Agreement, if adequate appropriations are not provided expressly by Congress to carry out the purposes of this division.

SA 2269. 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—ZUNI INDIAN TRIBE WATER RIGHTS SETTLEMENT ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Zuni Indian Tribe Water Rights Settlement Act of 2024''.

SEC. 5002. DEFINITIONS.

In this division:

(1) ENFORCEABILITY DATE.—The term ''Enforceability Date'' means the date described in section 5109.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of New Mexico.

(4) TRIBAL WATER RIGHTS.—

(A) IN GENERAL.—The term ''Tribal Water Rights'' means the water rights of the Tribe in the Zuni River Stream System (as defined in section 5102)—

(i) as identified in the Agreement and section 5104; and

(ii) as confirmed in the Partial Final Judgment and Decree (as defined in section 5102).

(B) EXCLUSIONS.—The term ''Tribal Water Rights'' does not include—

(i) any interest that the Tribe may have in an Allotment (as defined in section 5102) that is determined by the Secretary to be patented pursuant to section 1 of the Act of February 8, 1887 (commonly known as the ''Indian General Allotment Act'') (24 Stat. 388, chapter 119; 25 U.S.C. 331) (as in effect on the day before the date of enactment of the Indian Land Consolidation Act Amendments of 2000 (Public Law 106–462; 114 Stat. 1991)); or

(ii) any undivided interest that the Tribe may have in an Allotment (as so defined)

that is determined by the Secretary to be patented pursuant to an authority other than section 1 of the Act of February 8, 1887 (commonly known as the ''Indian General Allotment Act'') (24 Stat. 388, chapter 119; 25 U.S.C. 331) (as in effect on the day before the date of enactment of the Indian Land Consolidation Act Amendments of 2000 (Public Law 106–462; 114 Stat. 1991)).

(5) TRIBE.—The term ''Tribe'' means the Zuni Tribe of the Zuni Reservation, a federally recognized Indian Tribe.

TITLE LI—ZUNI INDIAN TRIBE WATER RIGHTS SETTLEMENT

SEC. 5101. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of all claims to water rights in the Zuni River Stream System in the State for—

(A) the Tribe; and

(B) the United States, acting as trustee for the Tribe;

(2) to authorize, ratify, and confirm the Agreement entered into by the Tribe, the State, and various other parties to the extent that the Agreement is consistent with this title;

(3) to authorize and direct the Secretary—

(A) to execute the Agreement; and

(B) to take any other actions necessary to carry out the Agreement in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Agreement and this title.

SEC. 5102. DEFINITIONS.

In this title:

(1) ADJUDICATION.—The term ''Adjudication'' means the general adjudication of water rights entitled ''United States v. A&R Production, et al.'', Civil No. 01–CV–00072, including the subproceeding Civil No. 07–CV–00681, pending as of the date of enactment of this Act in the United States District Court for the District of New Mexico.

(2) AGREEMENT.—The term ''Agreement'' means—

(A) the document entitled ''Settlement Agreement to Quantify and Protect the Water Rights of the Zuni Indian Tribe in the Zuni River Basin in New Mexico and to Protect the Zuni Salt Lake'' and dated May 1, 2023, and the attachments thereto; and

(B) any amendment to the document referred to in subparagraph (A) (including an amendment to an attachment thereto) that is executed to ensure that the Agreement is consistent with this title.

(3) ALLOTMENT.—The term ''Allotment'' means—

(A) any of the 9 parcels on Zuni Lands that are held in trust by the United States for individual Indians, or an Indian Tribe holding an undivided fractional beneficial interest, under the patents numbered 202394, 224251, 224252, 224667, 234753, 236955, 254124, 254125, and 254126; and

(B) any of the 6 parcels in the State off Zuni Lands that are held in trust by the United States for individual Indians, or an Indian Tribe holding an undivided fractional beneficial interest, under the patents numbered 211719, 246362, 246363, 246364, 246365, and 247321.

(4) ALLOTTEE.—The term ''Allottee'' means—

(A) an individual Indian holding a beneficial interest in an Allotment; or

(B) an Indian Tribe holding an undivided fractional beneficial interest in an Allotment.

(5) PARTIAL FINAL JUDGMENT AND DECREE.—The term ''Partial Final Judgment and Decree'' means a final or interlocutory partial final judgment and decree entered by the United States District Court for the District of New Mexico with respect to the water rights of the Tribe—

(A) that is substantially in the form described in the Agreement, as amended to ensure consistency with this title; and

(B) from which no further appeal may be taken.

(6) TRUST FUND.—The term ''Trust Fund'' means the Zuni Tribe Settlement Trust Fund established under section 5105(a).

(7) ZUNI LANDS.—The term ''Zuni Lands'' means land within the State that is held in trust by the United States for the Tribe, or owned by the Tribe, at the time of filing of a Motion for Entry of the Partial Final Judgment and Decree, including the land withdrawn from sale and set apart as a reservation or in trust for the use and occupancy of the Tribe by—

(A) Executive Order of March 16, 1877 (relating to Zuni Pueblo reserve), as amended by Executive Order of May 1, 1883 (relating to Zuni Reserve);

(B) Presidential Proclamation 1412, dated November 30, 1917;

(C) the Act of June 20, 1935 (49 Stat. 393, chapter 282);

(D) the Act of August 13, 1949 (63 Stat. 604, chapter 425); and

(E) the Warranty Deed recorded on July 16, 1997, in Book 6, Page 5885 of the Cibola County Records.

(8) ZUNI RIVER STREAM SYSTEM.—The term ''Zuni River Stream System'' means the Zuni River surface water drainage basin identified in the order of the United States District Court for the District of New Mexico in the Adjudication entitled ''Order on Special Master's Report re: Geographic Scope of Adjudication, Docket 200'' and dated May 21, 2003.

SEC. 5103. RATIFICATION OF AGREEMENT.

(a) RATIFICATION.—

(1) IN GENERAL.—Except as modified by this title, and to the extent that the Agreement does not conflict with this title, the Agreement is authorized, ratified, and confirmed.

(2) AMENDMENTS.—If an amendment to the Agreement, or to any attachment to the Agreement requiring the signature of the Secretary, is executed in accordance with this title to make the Agreement consistent with this title, the amendment is authorized, ratified, and confirmed.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent the Agreement does not conflict with this title, the Secretary shall execute the Agreement, including all attachments to or parts of the Agreement, requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this title prohibits the Secretary, after execution of the Agreement, from approving any modification to the Agreement, including an attachment to the Agreement, that is consistent with this title, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Agreement and this title, the Secretary shall comply with—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) all other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Agreement and this title, the Tribe shall prepare any necessary environmental documents, consistent with—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation required under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Agreement by the Secretary under this section shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities under this subsection shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 5104. TRIBAL WATER RIGHTS.

(a) TRUST STATUS OF THE TRIBAL WATER RIGHTS.—The Tribal Water Rights shall be held in trust by the United States on behalf of the Tribe, in accordance with the Agreement and this title.

(b) FORFEITURE AND ABANDONMENT.—

(1) IN GENERAL.—The Tribal Water Rights shall not be subject to loss through non-use, forfeiture, abandonment, or other operation of law.

(2) STATE-LAW BASED WATER RIGHTS.—State-law based water rights acquired by the Tribe, or by the United States on behalf of the Tribe, after the date for inclusion in the Partial Final Judgment and Decree shall not be subject to forfeiture, abandonment, or permanent alienation from the time those water rights are acquired.

(c) USE.—Any use of the Tribal Water Rights shall be subject to the terms and conditions of the Agreement and this title.

(d) ALLOTMENT RIGHTS NOT INCLUDED.—The Tribal Water Rights do not include any water rights for an Allotment.

(e) ALLOTTEES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any water right, or any claim or entitlement to water, of an Allottee.

(f) ACCOUNTING FOR ALLOTMENT USES.—Any use of water on an Allotment shall be accounted for out of the Tribal Water Rights recognized in the Agreement, including recognition of—

(1) any water use existing on an Allotment as of the date of enactment of this Act;

(2) reasonable domestic, stock, and irrigation water uses put into use on an Allotment; and

(3) any water right decreed to the United States in trust for an Allottee in the Adjudication for use on an Allotment.

(g) ALLOTTEE WATER RIGHTS.—The Tribe shall not object in the Adjudication to the quantification of reasonable domestic, stock, and irrigation water uses on an Allotment, and shall administer any water use on Zuni Lands in accordance with applicable Federal law, including recognition of—

(1) any water use existing on an Allotment as of the date of enactment of this Act;

(2) reasonable domestic, stock, and irrigation water uses on an Allotment; and

(3) any water right decreed to the United States in trust for an Allottee in the Adjudication.

(h) AUTHORITY OF THE TRIBE.—

(1) IN GENERAL.—The Tribe shall have the authority to allocate, distribute, and lease

the Tribal Water Rights for use on Zuni Lands in accordance with the Agreement, this title, and applicable Federal law, including the first section of the Act of August 9, 1955 (69 Stat. 539, chapter 615; 25 U.S.C. 415) (commonly known as the ''Long-Term Leasing Act'').

(2) USE OFF ZUNI LANDS.—

(A) IN GENERAL.—The Tribe may allocate, distribute, and lease the Tribal Water Rights for use off Zuni Lands in accordance with the Agreement, this title, and applicable Federal law, subject to the approval of the Secretary.

(B) MAXIMUM TERM.—The maximum term of any lease, including all renewals, under this paragraph shall not exceed 99 years.

(i) ADMINISTRATION.—

(1) NO ALIENATION.—The Tribe shall not permanently alienate any portion of the Tribal Water Rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this title for the allocation, distribution, leasing, or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal Water Rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal Water Rights.

SEC. 5105. SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund, to be known as the ''Zuni Tribe Settlement Trust Fund'', 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 amounts deposited in the Trust Fund under subsection (c), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this title.

(b) TRUST FUND ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Zuni Tribe Water Rights Settlement Trust Account.

(2) The Zuni Tribe Operation, Maintenance, & Replacement Trust Account.

(c) DEPOSITS.—The Secretary shall deposit in the Trust Fund the amounts made available under section 5106(a).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of funds into the Trust Fund under subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the amounts deposited under subsection (c), any investment earnings, including interest, earned on those amounts, held in the Trust Fund are authorized to be used in accordance with subsections (f) and (h).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, earned on those amounts, shall be made available to the Tribe by the Secretary beginning on the Enforceability Date, subject to the requirements of this section, except for funds to be made available to the Tribe pursuant to paragraph (2).

(2) USE OF FUNDS.—Notwithstanding paragraph (1), $50,000,000 of the amounts deposited in the Trust Fund, including any investment earnings, including interest, earned on those amounts, shall be available to the Tribe for the following uses on the date on which the amounts are deposited in the Trust Fund:

(A) Developing economic water development plans.

(B) Preparing environmental compliance documents.

(C) Preparing water project engineering designs.

(D) Establishing and operating a water resource department.

(E) Installing groundwater wells on Zuni Lands to meet immediate domestic, commercial, municipal, industrial, livestock, or supplemental irrigation water needs.

(F) Urgent repairs to irrigation infrastructure.

(G) Acquiring land and water rights or water supply.

(H) Developing water measurement and reporting water use plans.

(f) WITHDRAWALS.—

(1) WITHDRAWALS UNDER THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Tribe may withdraw any portion of the amounts in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund, and any investment earnings, including interest, earned on those amounts, through the investments under the Tribal management plan, in accordance with this title.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan under this paragraph and to ensure that amounts withdrawn by the Tribe from the Trust Fund under subparagraph (A) are used in accordance with this title.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Tribe may submit to the Secretary a request to withdraw amounts from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw amounts under an expenditure plan under subparagraph (A), the Tribe shall submit to the Secretary an expenditure plan for any portion of the Trust Fund the Tribe elects to withdraw pursuant to that subparagraph, subject to the condition that the amounts shall be used for the purposes described in this title.

(C) INCLUSIONS.—An expenditure plan submitted under subparagraph (A) shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe, in accordance with this subsection and subsection (h).

(D) APPROVAL.—The Secretary shall approve an expenditure plan submitted under subparagraph (A) if the Secretary determines that the expenditure plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this title.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary—

(i) to enforce an expenditure plan; and

(ii) to ensure that amounts withdrawn under this paragraph are used in accordance with this title.

(g) EFFECT OF SECTION.—Nothing in this section entitles the Tribe the right to judicial review of a determination of the Secretary relating to whether to approve the Tribal management plan under paragraph (1) of subsection (f) or an expenditure plan under paragraph (2) of that subsection, except under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(h) USES.—

(1) ZUNI TRIBE WATER RIGHTS SETTLEMENT TRUST ACCOUNT.—The Zuni Tribe Water Rights Settlement Trust Account established under subsection (b)(1) may only be used for the following purposes:

(A) Planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, operating, or repairing water production, treatment, or delivery infrastructure, including for domestic and municipal supply, or wastewater infrastructure.

(B) Planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, operating, or repairing water production, treatment, or delivery infrastructure, acquisition of water, or on-farm improvements for irrigation, livestock, and support of agriculture.

(C) Planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, operating, monitoring, or other measures for watershed and endangered species habitat protection and enhancement, land and water rights acquisition, water-related Tribal community welfare and economic development, and costs relating to the implementation of the Agreement.

(D) Ensuring environmental compliance in the development and construction of projects under this title.

(E) Tribal water rights management and administration.

(2) ZUNI TRIBE OPERATION, MAINTENANCE, & REPLACEMENT TRUST ACCOUNT.—The Zuni Tribe Operation, Maintenance, & Replacement Trust Account established under subsection (b)(2) may only be used to pay costs for operation, maintenance, and replacement of water infrastructure to serve Tribal domestic, commercial, municipal, industrial, irrigation, and livestock water uses from any water source.

(i) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under the Tribal management plan or an expenditure plan under paragraph (1) or (2) of subsection (f), respectively.

(j) EXPENDITURE REPORTS.—The Tribe shall annually submit to the Secretary an expenditure report describing amounts spent from, and accomplishment from the use of, withdrawals under the Tribal management plan or an expenditure plan under paragraph (1) or (2) of subsection (f), respectively.

(k) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(l) TITLE TO INFRASTRUCTURE.—Title to, control over, and operation of any project constructed using funds from the Trust Fund shall remain in the Tribe.

(m) OPERATION, MAINTENANCE, AND REPLACEMENT.—All operation, maintenance, and replacement costs of any project constructed using funds from the Trust Fund shall be the responsibility of the Tribe.

SEC. 5106. FUNDING.

(a) MANDATORY APPROPRIATIONS.—Out of any money in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary—

(1) for deposit in the Zuni Tribe Water Rights Settlement Trust Account established under section 5105(b)(1), $655,500,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury; and

(2) for deposit in the Zuni Tribe Operation, Maintenance, & Replacement Trust Account established under section 5105(b)(2), $29,500,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amount appropriated under subsection (a) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs, as indicated by the Bureau of Reclamation Construction Cost Index–Composite Trend.

(2) CONSTRUCTION COSTS ADJUSTMENT.—The amount appropriated under subsection (a) shall be adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices, as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(3) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the applicable amount, as adjusted, has been appropriated.

(4) PERIOD OF INDEXING.—The period of indexing adjustment under this subsection for any increment of funding shall start on January 1, 2022, and end on the date on which the funds are deposited in the Trust Fund.

(c) STATE COST-SHARE.—Pursuant to the Agreement, the State shall contribute—

(1) $750,000, for development and execution of monitoring plans pursuant to the Agreement; and

(2) $500,000, to be deposited in an interest-bearing account, to mitigate impairment to non-Indian domestic and livestock groundwater rights as a result of new Tribal water use.

SEC. 5107. WAIVERS AND RELEASES OF CLAIMS.

(a) WAIVERS AND RELEASES OF CLAIMS BY ZUNI TRIBE AND UNITED STATES AS TRUSTEE FOR ZUNI TRIBE.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal Water Rights and other benefits described in the Agreement and this title, the Tribe and the United States, acting as trustee for the Tribe, shall execute a waiver and release of all claims for—

(1) water rights within the Zuni River Stream System that the Tribe, or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including the Adjudication, on or before the Enforceability Date, except to the extent that such rights are recognized in the Agreement and this title; and

(2) damages, losses, or injuries to water rights or claims of interference with, diversion of, or taking of water rights (including claims for injury to land resulting from such damages, losses, injuries, interference, diversion, or taking of water rights) in the Zuni River Stream System against any party to the Agreement that accrued at any time up to and including the Enforceability Date.

(b) WAIVERS AND RELEASES OF CLAIMS BY ZUNI TRIBE AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Tribe shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States) for water rights within the Zuni River Stream System first arising before the Enforceability Date relating to—

(1) water rights within the Zuni River Stream System that the United States, acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including the Adjudication, except to the extent that such rights are recognized as part of the Tribal Water Rights under this title;

(2) foregone benefits from non-Indian use of water, on and off Zuni Lands (including water from all sources and for all uses), within the Zuni River Stream System;

(3) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the Zuni River Stream System;

(4) a failure to establish or provide a municipal, rural, or industrial water delivery system on Zuni Lands within the Zuni River Stream System;

(5) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of irrigation projects on Zuni Lands or Federal land (including damages, losses, or injuries to fish habitat, wildlife, and wildlife habitat) within the Zuni River Stream System;

(6) a failure to provide for operation, maintenance, or deferred maintenance for any irrigation system or irrigation project within the Zuni River Stream System;

(7) a failure to provide a dam safety improvement to a dam on Zuni Lands within the Zuni River Stream System;

(8) the litigation of claims relating to any water right of the Tribe within the Zuni River Stream System; and

(9) the negotiation, execution, or adoption of the Agreement and this title.

(c) EFFECTIVE DATE.—The waivers and releases described in subsections (a) and (b) shall take effect on the Enforceability Date.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsections (a) and (b), the Tribe and the United States, acting as trustee for the Tribe, shall retain all claims relating to—

(1) the enforcement of, or claims accruing after the Enforceability Date relating to, water rights recognized under the Agreement, this title, or the Partial Final Judgment and Decree entered into in the Adjudication;

(2) activities affecting the quality of water, including claims under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including claims for damages to natural resources;

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) the right to use and protect water rights acquired after the date of enactment of this Act;

(4) damage, loss, or injury to land or natural resources that is not due to loss of water or water rights, including hunting, fishing, gathering, or cultural rights;

(5) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this title or the Agreement; and

(6) loss of water or water rights in locations outside of the Zuni River Stream System.

(e) EFFECT OF AGREEMENT AND TITLE.—Nothing in the Agreement or this title—

(1) reduces or extends the sovereignty (including civil and criminal jurisdiction) of any government entity;

(2) affects the ability of the United States, as sovereign, to carry out any activity authorized by law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(D) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); and

(E) any regulations implementing the Acts described in subparagraphs (A) though (D);

(3) affects the ability of the United States to act as trustee for the Tribe (consistent with this title), any other Indian Tribe or Pueblo, or an allottee of any Indian Tribe or Pueblo;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law regarding health, safety, or the environment;

(C) to conduct judicial review of any Federal agency action; or

(D) to interpret Tribal law; or

(5) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe.

(f) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the Enforceability Date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(3) LIMITATION.—Nothing in this section precludes the tolling of any period of limitation or any time-based equitable defense under any other applicable law.

(g) EXPIRATION.—

(1) IN GENERAL.—This title shall expire in any case in which the Secretary fails to publish a statement of findings under section 5109 by not later than—

(A) July 1, 2030; or

(B) such alternative later date as is agreed to by the Tribe and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this title expires under paragraph (1)—

(A) the waivers and releases under subsections (a) and (b) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Agreement under section 5103 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this title shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title (together with any interest earned on those funds), and any water rights or contracts to use water, and title to any property acquired or constructed with Federal funds appropriated or

made available to carry out the activities authorized by this title shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this title that were expended or withdrawn, or any funds made available to carry out this title from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Tribe; or

(bb) any user of the Tribal Water Rights; or

(II) any other matter described in subsection (b); or

(ii) in any future settlement of water rights of the Tribe.

SEC. 5108. SATISFACTION OF CLAIMS.

The benefits provided under this title shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Tribe against the United States that is waived and released by the Tribe pursuant to section 5107(b).

SEC. 5109. ENFORCEABILITY DATE.

The Enforceability Date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) to the extent that the Agreement conflicts with this title, the Agreement has been amended to conform with this title;

(2) the Agreement, as amended, has been executed by all parties to the Agreement, including the United States;

(3) the United States District Court for the District of New Mexico has approved the Agreement and has entered a Partial Final Judgment and Decree;

(4) all of the amounts appropriated under subsections (a) and (b) of section 5106 have been appropriated and deposited in the Zuni Tribe Water Rights Settlement Trust Account established under section 5105(b)(1) or the Zuni Tribe Operation, Maintenance, & Replacement Trust Account established under section 5105(b)(2), as applicable;

(5) the State has—

(A) provided the funding under section 5106(c); and

(B) enacted legislation to amend State law to provide that the Tribal Water Rights may be leased for a term of not to exceed 99 years, including renewals; and

(6) the waivers and releases under section 5107 have been executed by the Tribe and the Secretary.

SEC. 5110. MISCELLANEOUS PROVISIONS.

(a) NO WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Nothing in this title waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, Pueblo, or community other than the Tribe.

(c) EFFECT ON CURRENT LAW.—Nothing in this title affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(d) CONFLICT.—In the event of a conflict between the Agreement and this title, this title shall control.

SEC. 5111. RELATION TO ALLOTTEES.

(a) NO EFFECT ON CLAIMS OF ALLOTTEES.—Nothing in this division or the Agreement affects the rights or claims of Allottees, or the United States, acting in its capacity as trustee for or on behalf of Allottees, for water rights or damages relating to land allotted by the United States to Allottees.

(b) RELATIONSHIP OF DECREE TO ALLOTTEES.—

(1) SEPARATE ADJUDICATION.—Regardless of whether an Allotment is patented pursuant to section 1 of the Act of February 8, 1887 (commonly known as the ''Indian General Allotment Act'') (24 Stat. 388, chapter 119; 25 U.S.C. 331) (as in effect on the day before the date of enactment of the Indian Land Consolidation Act Amendments of 2000 (Public Law 106–462; 114 Stat. 1991)), or section 4 of that Act (24 Stat. 389, chapter 119; 25 U.S.C. 334), as determined by the Secretary, when adjudicated—

(A) water rights for Allotments shall be separate from the Tribal Water Rights; and

(B) no water rights for Allotments shall be included in the Partial Final Judgment and Decree.

(2) ALLOTMENT WATER RIGHTS.—Allotment water rights adjudicated separately pursuant to paragraph (1) shall not be subject to the restrictions or conditions that apply to the use of the Tribal Water Rights, subject to the condition that if an Allotment governed by the Act of February 8, 1887 (commonly known as the ''Indian General Allotment Act'') (24 Stat. 388, chapter 119; 25 U.S.C. 331 et seq.), becomes Zuni Lands, the water rights associated with that Allotment shall be subject to the restrictions and conditions on the Tribal Water Rights set forth in this division and the Agreement.

(3) ALLOTTEE WATER RIGHTS TO BE ADJUDICATED.—Allottees, or the United States, acting in its capacity as trustee for Allottees, may make water rights claims, and such claims may be adjudicated in the Zuni River Stream System.

SEC. 5112. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title, including any obligation or activity under the Agreement, if adequate appropriations are not provided expressly by Congress to carry out the purposes of this title.

TITLE LII—ZUNI SALT LAKE AND SANCTUARY PROTECTION

SEC. 5201. DEFINITIONS.

In this title:

(1) CASUAL COLLECTING.—The term ''casual collecting'' has the meaning given the term in section 6301 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 470aaa).

(2) FEDERAL LAND.—The term ''Federal land'' means—

(A) any Federal land or interest in Federal land that is within the boundary of the Zuni Salt Lake and Sanctuary; and

(B) any land or interest in land located within the boundary of the Zuni Salt Lake and Sanctuary that is acquired by the Federal Government after the date of enactment of this Act.

(3) MAP.—The term ''Map'' means the map entitled ''Legislative Map for Zuni Tribe Water Settlement'' and dated June 17, 2024.

(4) ZUNI SALT LAKE AND SANCTUARY.—The term ''Zuni Salt Lake and Sanctuary'' means the approximately 217,037 acres located in the State comprised of a mixture of private, Tribal trust, State, and Bureau of Land Management-managed lands, as depicted on the Map, protected by New Mexico Office of the State Engineer Order No. 199 (July 5, 2023) due to the historical and cultural significance of those lands.

SEC. 5202. WITHDRAWAL OF CERTAIN FEDERAL LAND IN NEW MEXICO.

(a) WITHDRAWAL OF FEDERAL LAND.—Subject to valid existing rights and section 5204(a)(3), effective on the date of enactment of this Act, the Federal land described in section 5201(2)(A), comprising approximately 92,364 acres, is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(b) WITHDRAWAL OF LAND ACQUIRED.—Subject to valid existing rights and section 5204(a)(3), effective on the date on which the land described in section 5201(2)(B) is acquired by the Federal Government, that Federal land is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(c) RESERVATION.—The Federal land withdrawn under this section is reserved for—

(1) the protection of the Zuni Salt Lake and Sanctuary;

(2) the quality and quantity of water resources that supply the Zuni Salt Lake; and

(3) any cultural resources or values within or associated with the Zuni Salt Lake and Sanctuary.

SEC. 5203. MANAGEMENT OF FEDERAL LAND.

(a) IN GENERAL.—In addition to the requirements of section 5202, the Secretary, acting through the Director of the Bureau of Land Management, shall manage the Federal land withdrawn under that section in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), in consultation with the Tribe, to protect the Zuni Salt Lake and Sanctuary, the quality and quantity of water resources that supply the Zuni Salt Lake, and any cultural resources or values within or associated with the Zuni Salt Lake and Sanctuary.

(b) SPECIFIC RESTRICTIONS.—The following restrictions shall apply to the Federal land described in subsection (a):

(1) Except where needed for administrative or emergency purposes, motor vehicle use shall be limited to designated routes, which shall not impact the values of the Zuni Salt Lake and Sanctuary.

(2) No water wells or extension or expansion of any existing water wells may be authorized after the date of enactment of this Act, except that replacement water wells may be authorized in the event of failure of an existing water well.

(3) No increase in existing permitted grazing use may be authorized.

(4) No new rights-of-way or leases may be issued, except for geophysical, geologic, or hydrologic operations limited to research or monitoring to understand and protect the Zuni Salt Lake or for regional scientific study.

(5) No sale or free use of timber may be authorized.

(6) Casual collecting shall not be authorized.

SEC. 5204. TRANSFER OF LAND INTO TRUST.

(a) FEDERAL LAND TRANSFERS.—

(1) IN GENERAL.—On the Enforceability Date, and subject to valid existing rights and the requirements of this section, the Secretary shall take into trust for the benefit of the Tribe all right, title, and interest of the United States in and to the land described as ''Tribal Acquisition Area'' on the Map.

(2) TERMS AND CONDITIONS.—

(A) EXISTING AUTHORIZATIONS.—

(i) IN GENERAL.—Land taken into trust under this subsection 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) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—

(I) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, and rights-of-way described in clause (i); and

(II) disburse to the Tribe any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-way after the date on which the land is taken into trust 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 Tribe.

(B) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property (as defined by State law) belonging to the holder of a right, contract, lease, permit, or right-of-way on land taken into trust under this subsection shall—

(I) remain the property of the holder; and

(II) be removed from the land not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Tribe and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining beyond the 90-day period described in subclause (II) of that clause shall—

(I) become the property of the Tribe; and

(II) be subject to removal and disposition at the discretion of the Tribe.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable to the Tribe for costs incurred by the Tribe in removing and disposing of the property under clause (ii)(II).

(3) TERMINATION OF WITHDRAWAL OF FEDERAL LAND.—The withdrawal of Federal land pursuant to section 5202 shall terminate, as to the land described in paragraph (1), on the date on which the land is taken into trust under that paragraph.

(4) STATUS OF WATER RIGHTS ON TRANSFERRED LAND.—Any water rights associated with land taken into trust under paragraph (1)—

(A) shall be held in trust for the Tribe; but

(B) shall not be included in the Tribal Water Rights.

(b) FUTURE TRUST LAND.—On acquisition by the Tribe of any land depicted as ''Potential Future Acquisition Areas'' on the Map, the Secretary shall take legal title in and to that land into trust for the benefit of the Tribe, subject to the conditions that—

(1) the land shall be free from any liens, encumbrances, or other infirmities; and

(2) no evidence exists of any hazardous substances on, or other environmental liability with respect to, the land.

SEC. 5205. MAPS AND LEGAL DESCRIPTIONS.

(a) PREPARATION OF MAPS AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary shall—

(1) prepare maps depicting—

(A) the land withdrawn under section 5202; and

(B) the land taken into trust under section 5204; and

(2) publish in the Federal Register a notice containing the legal descriptions of land described in subparagraphs (A) and (B) of paragraph (1).

(b) LEGAL EFFECT.—Maps and legal descriptions prepared and published under subsection (a) shall have the same force and effect as if the maps and legal descriptions were included in this title, except that the Secretary may correct any clerical and typographical errors in such maps and legal descriptions.

(c) AVAILABILITY.—Copies of maps and legal descriptions prepared and published under subsection (a) shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

SA 2270. 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—RIO SAN JOSÉ AND RIO JEMEZ WATER SETTLEMENTS ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Rio San José and Rio Jemez Water Settlements Act of 2024''.

TITLE LI—PUEBLOS OF ACOMA AND LAGUNA WATER RIGHTS SETTLEMENT

SEC. 5101. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of all claims to water rights in the general stream adjudication of the Rio San José Stream System captioned ''State of New Mexico, ex rel. State Engineer v. Kerr-McGee, et al.'', No. D–1333–CV–1983–00190 and No. D–1333–CV1983–00220 (consolidated), pending in the Thirteenth Judicial District Court for the State of New Mexico, for—

(A) the Pueblo of Acoma;

(B) the Pueblo of Laguna; and

(C) the United States, acting as trustee for the Pueblos of Acoma and Laguna;

(2) to authorize, ratify, and confirm the agreement entered into by the Pueblos, the State, and various other parties to the Agreement, to the extent that the Agreement is consistent with this title;

(3) to authorize and direct the Secretary—

(A) to execute the Agreement; and

(B) to take any other actions necessary to carry out the Agreement in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Agreement and this title.

SEC. 5102. DEFINITIONS.

In this title:

(1) ACEQUIA.—The term ''Acequia'' means each of the Bluewater Toltec Irrigation District, La Acequia Madre del Ojo del Gallo, Moquino Water Users Association II, Murray Acres Irrigation Association, San Mateo Irrigation Association, Seboyeta Community Irrigation Association, Cubero Acequia Association, Cebolletita Acequia Association, and Community Ditch of San José de la Cienega.

(2) ADJUDICATION.—The term ''Adjudication'' means the general adjudication of water rights entitled ''State of New Mexico, ex rel. State Engineer v. Kerr-McGee, et al.'', No. D–1333–CV–1983–00190 and No. D–1333–CV1983–00220 (consolidated) pending, as of the date of enactment of this Act, in the Decree Court.

(3) AGREEMENT.—The term ''Agreement'' means—

(A) the document entitled ''Rio San José Stream System Water Rights Local Settlement Agreement Among the Pueblo of Acoma, the Pueblo of Laguna, the Navajo Nation, the State of New Mexico, the City of Grants, the Village of Milan, the Association of Community Ditches of the Rio San José and Nine Individual Acequias and Community Ditches'' and dated May 13, 2022, and the attachments thereto; and

(B) any amendment to the document referred to in subparagraph (A) (including an amendment to an attachment thereto) that is executed to ensure that the Agreement is consistent with this title.

(4) ALLOTMENT.—The term ''Allotment'' means a parcel of land that is—

(A) located within—

(i) the Rio Puerco Basin;

(ii) the Rio San José Stream System; or

(iii) the Rio Salado Basin; and

(B) held in trust by—

(i) the United States for the benefit of 1 or more individual Indians; or

(ii) an Indian Tribe holding an undivided fractional beneficial interest in a parcel of land described in subparagraph (A).

(5) ALLOTTEE.—The term ''Allottee'' means—

(A) an individual Indian holding a beneficial interest in an Allotment; or

(B) an Indian Tribe holding an undivided fractional beneficial interest in an Allotment.

(6) DECREE COURT.—The term ''Decree Court'' means the Thirteenth Judicial District Court of the State of New Mexico.

(7) ENFORCEABILITY DATE.—The term ''Enforceability Date'' means the date described in section 5107.

(8) PARTIAL FINAL JUDGMENT AND DECREE.—The term ''Partial Final Judgment and Decree'' means a final or interlocutory partial final judgment and decree entered by the Decree Court with respect to the water rights of the Pueblos—

(A) that is substantially in the form described in article 14.7.2 of the Agreement, as amended to ensure consistency with this title; and

(B) from which no further appeal may be taken.

(9) PUEBLO.—The term ''Pueblo'' means either of—

(A) the Pueblo of Acoma; or

(B) the Pueblo of Laguna.

(10) PUEBLO LAND.—

(A) IN GENERAL.—The term ''Pueblo Land'' means any real property—

(i) in the Rio San José Stream System that is held by the United States in trust for either Pueblo, or owned by either Pueblo, as of the Enforceability Date;

(ii) in the Rio Salado Basin that is held by the United States in trust for the Pueblo of Acoma, or owned by the Pueblo of Acoma, as of the Enforceability Date; or

(iii) in the Rio Puerco Basin that is held by the United States in trust for the Pueblo of Laguna, or owned by the Pueblo of Laguna, as of the Enforceability Date.

(B) INCLUSIONS.—The term ''Pueblo Land'' includes land placed in trust with the United States subsequent to the Enforceability Date for either Pueblo in the Rio San José Stream System, for the Pueblo of Acoma in the Rio Salado Basin, or for the Pueblo of Laguna in the Rio Puerco Basin.

(C) EXCLUSION.—The term ''Pueblo Land'' does not include an Allotment.

(11) PUEBLO TRUST FUND.—The term ''Pueblo Trust Fund'' means—

(A) the Pueblo of Acoma Settlement Trust Fund established under section 5105(a);

(B) the Pueblo of Laguna Settlement Trust Fund established under that section; and

(C) the Acomita Reservoir Works Trust Fund established under that section.

(12) PUEBLO WATER RIGHTS.—The term ''Pueblo Water Rights'' means—

(A) the respective water rights of the Pueblos in the Rio San José Stream System—

(i) as identified in the Agreement and section 5104; and

(ii) as confirmed in the Partial Final Judgment and Decree;

(B) the water rights of the Pueblo of Acoma in the Rio Salado Basin; and

(C) the water rights of the Pueblo of Laguna in the Rio Puerco Basin, as identified in the Agreement and section 5104.

(13) PUEBLOS.—The term ''Pueblos'' means—

(A) the Pueblo of Acoma; and

(B) the Pueblo of Laguna.

(14) RIO PUERCO BASIN.—The term ''Rio Puerco Basin'' means the area defined by the United States Geological Survey Hydrologic Unit Codes (HUC) 13020204 (Rio Puerco subbasin) and 13020205 (Arroyo Chico subbasin), including the hydrologically connected groundwater.

(15) RIO SAN JOSÉ STREAM SYSTEM.—The term ''Rio San José Stream System'' means the geographic extent of the area involved in the Adjudication pursuant to the description filed in the Decree Court on November 21, 1986.

(16) RIO SALADO BASIN.—The term ''Rio Salado Basin'' means the area defined by the United States Geological Survey Hydrologic Unit Code (HUC) 13020209 (Rio Salado subbasin), including the hydrologically connected groundwater.

(17) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(18) SIGNATORY ACEQUIA.—The term ''Signatory Acequia'' means an acequia that is a signatory to the Agreement.

(19) STATE.—The term ''State'' means the State of New Mexico and all officers, agents, departments, and political subdivisions of the State of New Mexico.

SEC. 5103. RATIFICATION OF AGREEMENT.

(a) RATIFICATION.—

(1) IN GENERAL.—Except as modified by this title and to the extent the Agreement does not conflict with this title, the Agreement is authorized, ratified, and confirmed.

(2) AMENDMENTS.—If an amendment to the Agreement or any attachment to the Agreement requiring the signature of the Secretary is executed in accordance with this title to make the Agreement consistent with this title, the amendment is authorized, ratified, and confirmed.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent the Agreement does not conflict with this title, the Secretary shall execute the Agreement, including all attachments to, or parts of, the Agreement requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this title prohibits the Secretary, after execution of the Agreement, from approving any modification to the Agreement, including an attachment to the Agreement, that is consistent with this title, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Agreement and this title, the Secretary shall comply with—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) all other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Agreement and this title, the Pueblos shall prepare any necessary environmental documents, consistent with—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation required under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Agreement by the Secretary under this section shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities under this subsection shall be paid from funds deposited in the Pueblo Trust Funds, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 5104. PUEBLO WATER RIGHTS.

(a) TRUST STATUS OF THE PUEBLO WATER RIGHTS.—The Pueblo Water Rights shall be held in trust by the United States on behalf of the Pueblos in accordance with the Agreement and this title.

(b) FORFEITURE AND ABANDONMENT.—

(1) IN GENERAL.—The Pueblo Water Rights shall not be subject to loss through non-use, forfeiture, abandonment, or other operation of law.

(2) STATE-LAW BASED WATER RIGHTS.—State-law based water rights acquired by a Pueblo, or by the United States on behalf of a Pueblo, after the date for inclusion in the Partial Final Judgment and Decree, shall not be subject to forfeiture, abandonment, or permanent alienation from the time they are acquired.

(c) USE.—Any use of the Pueblo Water Rights shall be subject to the terms and conditions of the Agreement and this title.

(d) ALLOTTEE RIGHTS NOT INCLUDED.—The Pueblo Water Rights shall not include any water uses or water rights claims on an Allotment.

(e) AUTHORITY OF THE PUEBLOS.—

(1) IN GENERAL.—The Pueblos shall have the authority to allocate, distribute, and lease the Pueblo Water Rights for use on Pueblo Land in accordance with the Agreement, this title, and applicable Federal law.

(2) USE OFF PUEBLO LAND.—The Pueblos may allocate, distribute, and lease the Pueblo Water Rights for use off Pueblo Land in accordance with the Agreement, this title, and applicable Federal law, subject to the approval of the Secretary.

(3) ALLOTTEE WATER RIGHTS.—The Pueblos shall not object in any general stream adjudication, including the Adjudication, or any other appropriate forum, to the quantification of reasonable domestic, stock, and irrigation water uses on an Allotment, and shall administer any water use in accordance with applicable Federal law, including recognition of—

(A) any water use existing on an Allotment as of the date of enactment of this Act;

(B) reasonable domestic, stock, and irrigation water uses on an Allotment; and

(C) any water right decreed to the United States in trust for an Allottee in a general stream adjudication, including the Adjudication, for an Allotment.

(f) ADMINISTRATION.—

(1) NO ALIENATION.—The Pueblos shall not permanently alienate any portion of the Pueblo Water Rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this title for the allocation, distribution, leasing, or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Pueblo Water Rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Pueblo Water Rights.

SEC. 5105. SETTLEMENT TRUST FUNDS.

(a) ESTABLISHMENT.—The Secretary shall establish 2 trust funds, to be known as the ''Pueblo of Acoma Settlement Trust Fund'' and the ''Pueblo of Laguna Settlement Trust Fund'', and a trust fund for the benefit of both Pueblos to be known as the ''Acomita Reservoir Works Trust Fund'', 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 Pueblo Trust Funds under subsection (c), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this title.

(b) ACCOUNTS.—

(1) PUEBLO OF ACOMA SETTLEMENT TRUST FUND.—The Secretary shall establish in the Pueblo of Acoma Settlement Trust Fund the following accounts:

(A) The Water Rights Settlement Account.

(B) The Water Infrastructure Operations and Maintenance Account.

(C) The Feasibility Studies Settlement Account.

(2) PUEBLO OF LAGUNA SETTLEMENT TRUST FUND.—The Secretary shall establish in the Pueblo of Laguna Settlement Trust Fund the following accounts:

(A) The Water Rights Settlement Account.

(B) The Water Infrastructure Operations and Maintenance Account.

(C) The Feasibility Studies Settlement Account.

(c) DEPOSITS.—The Secretary shall deposit in each Pueblo Trust Fund the amounts made available pursuant to section 5106(a).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of funds into the Pueblo Trust Funds under subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Pueblo Trust Funds in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this subsection.

(2) INVESTMENT EARNINGS.—In addition to the deposits made to each Pueblo Trust Fund under subsection (c), any investment earnings, including interest, earned on those amounts held in each Pueblo Trust Fund are authorized to be used in accordance with subsections (f) and (h).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, each Pueblo Trust Fund, including any investment earnings (including interest) earned on those amounts, shall be made available to the Pueblo or Pueblos by the Secretary beginning on the Enforceability Date, subject to the requirements of this section, except for those funds to be made available to the Pueblos pursuant to paragraph (2).

(2) USE OF FUNDS.—Notwithstanding paragraph (1)—

(A) amounts deposited in the Feasibility Studies Settlement Account of each Pueblo Trust Fund, including any investment earnings, including interest, earned on those

amounts shall be available to the Pueblo on the date on which the amounts are deposited for uses described in subsection (h)(3), and in accordance with the Agreement;

(B) amounts deposited in the Acomita Reservoir Works Trust Fund, including any investment earnings, including interest, earned on those amounts shall be available to the Pueblos on the date on which the amounts are deposited for uses described in subsection (h)(4), and in accordance with the Agreement; and

(C) up to $15,000,000 from the Water Rights Settlement Account for each Pueblo, including any investment earnings, including interest, earned on that amount shall be available on the date on which the amounts are deposited for installing, on Pueblo Lands, groundwater wells to meet immediate domestic, commercial, municipal and industrial water needs, and associated environmental, cultural, and historical compliance.

(f) WITHDRAWALS.—

(1) WITHDRAWALS UNDER THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—Each Pueblo may withdraw any portion of the amounts in its respective Settlement Trust Fund on approval by the Secretary of a Tribal management plan submitted by each Pueblo in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the appropriate Pueblo shall spend all amounts withdrawn from each Pueblo Trust Fund, and any investment earnings (including interest) earned on those amounts through the investments under the Tribal management plan, in accordance with this title.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan under this paragraph to ensure that amounts withdrawn by each Pueblo from the Pueblo Trust Funds under subparagraph (A) are used in accordance with this title.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—Each Pueblo may submit to the Secretary a request to withdraw funds from the Pueblo Trust Fund of the Pueblo pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw amounts under an expenditure plan under subparagraph (A), the appropriate Pueblo shall submit to the Secretary an expenditure plan for any portion of the Pueblo Trust Fund that the Pueblo elects to withdraw pursuant to that subparagraph, subject to the condition that the amounts shall be used for the purposes described in this title.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Pueblo Trust Fund will be used by the Pueblo, in accordance with this subsection and subsection (h).

(D) APPROVAL.—The Secretary shall approve an expenditure plan submitted under subparagraph (A) if the Secretary determines that the plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this title.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this title.

(3) WITHDRAWALS FROM ACOMITA RESERVOIR WORKS TRUST FUND.—

(A) IN GENERAL.—A Pueblo may submit to the Secretary a request to withdraw funds from the Acomita Reservoir Works Trust Fund pursuant to an approved joint expenditure plan.

(B) REQUIREMENTS.—

(i) IN GENERAL.—To be eligible to withdraw amounts under a joint expenditure plan under subparagraph (A), the Pueblos shall submit to the Secretary a joint expenditure plan for any portion of the Acomita Reservoir Works Trust Fund that the Pueblos elect to withdraw pursuant to this subparagraph, subject to the condition that the amounts shall be used for the purposes described in subsection (h)(4).

(ii) WRITTEN RESOLUTION.—Each request to withdraw amounts under a joint expenditure plan submitted under clause (i) shall be accompanied by a written resolution from the Tribal councils of both Pueblos approving the requested use and disbursement of funds.

(C) INCLUSIONS.—A joint expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Acomita Reservoir Works Trust Fund will be used by the Pueblo or Pueblos to whom the funds will be disbursed, in accordance with subsection (h)(4).

(D) APPROVAL.—The Secretary shall approve a joint expenditure plan submitted under subparagraph (A) if the Secretary determines that the plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this title.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce a joint expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this title.

(g) EFFECT OF SECTION.—Nothing in this section gives the Pueblos the right to judicial review of a determination of the Secretary relating to whether to approve a Tribal management plan under paragraph (1) of subsection (f) or an expenditure plan under paragraph (2) or (3) of that subsection, except under subchapter II of chapter 5, of title 5, United States Code, and chapter 7 of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(h) USES.—

(1) WATER RIGHTS SETTLEMENT ACCOUNT.—The Water Rights Settlement Account for each Pueblo may only be used for the following purposes:

(A) Acquiring water rights or water supply.

(B) Planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, operating, or repairing water production, treatment, or delivery infrastructure, including for domestic and municipal use, on-farm improvements, or wastewater infrastructure.

(C) Pueblo Water Rights management and administration.

(D) Watershed protection and enhancement, support of agriculture, water-related Pueblo community welfare and economic development, and costs relating to implementation of the Agreement.

(E) Environmental compliance in the development and construction of infrastructure under this title.

(2) WATER INFRASTRUCTURE OPERATIONS AND MAINTENANCE TRUST ACCOUNT.—The Water Infrastructure Operations and Maintenance Account for each Pueblo may only be used to pay costs for operation and maintenance of water infrastructure to serve Pueblo domestic, commercial, municipal, and industrial water uses from any water source.

(3) FEASIBILITY STUDIES SETTLEMENT ACCOUNT.—The Feasibility Studies Settlement Account for each Pueblo may only be used to pay costs for feasibility studies of water supply infrastructure to serve Pueblo domestic, commercial, municipal, and industrial water uses from any water source.

(4) ACOMITA RESERVOIR WORKS TRUST FUND.—The Acomita Reservoir Works Trust Fund may only be used for planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, maintaining, or repairing Acomita reservoir, its dam, inlet works, outlet works, and the North Acomita Ditch from the Acomita Reservoir outlet on the Pueblo of Acoma through its terminus on the Pueblo of Laguna.

(i) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Pueblo Trust Funds by a Pueblo under paragraph (1), (2), or (3) of subsection (f).

(j) EXPENDITURE REPORTS.—Each Pueblo shall annually submit to the Secretary an expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan under paragraph (1), (2), or (3) of subsection (f), as applicable.

(k) NO PER CAPITA DISTRIBUTIONS.—No portion of the Pueblo Trust Funds shall be distributed on a per capita basis to any member of a Pueblo.

(l) TITLE TO INFRASTRUCTURE.—Title to, control over, and operation of any project constructed using funds from the Pueblo Trust Funds shall remain in the appropriate Pueblo or Pueblos.

(m) OPERATION, MAINTENANCE, AND REPLACEMENT.—All operation, maintenance, and replacement costs of any project constructed using funds from the Pueblo Trust Funds shall be the responsibility of the appropriate Pueblo or Pueblos.

SEC. 5106. FUNDING.

(a) MANDATORY APPROPRIATIONS.—Out of any money in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary the following amounts for deposit in the following accounts:

(1) PUEBLO OF ACOMA SETTLEMENT TRUST FUND.—

(A) THE WATER RIGHTS SETTLEMENT ACCOUNT.—For deposit in the Water Rights Settlement Account of the Pueblo of Acoma Settlement Trust Fund established under section 5105(b)(1)(A) $296,000,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(B) THE WATER INFRASTRUCTURE OPERATIONS AND MAINTENANCE ACCOUNT.—For deposit in the Water Infrastructure Operations and Maintenance Account of the Pueblo of Acoma Settlement Trust Fund established under section 5105(b)(1)(B) $14,000,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(C) THE FEASIBILITY STUDIES SETTLEMENT ACCOUNT.—For deposit in the Feasibility Studies Settlement Account of the Pueblo of Acoma Settlement Trust Fund established under section 5105(b)(1)(C) $1,750,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) PUEBLO OF LAGUNA SETTLEMENT TRUST FUND.—

(A) THE WATER RIGHTS SETTLEMENT ACCOUNT.—For deposit in the Water Rights Settlement Account of the Pueblo of Laguna Settlement Trust Fund established under section 5105(b)(2)(A) $464,000,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(B) THE WATER INFRASTRUCTURE OPERATIONS AND MAINTENANCE ACCOUNT.—For deposit in the Water Infrastructure Operations and Maintenance Account of the Pueblo of Laguna Settlement Trust Fund established under section 5105(b)(2)(B) $26,000,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(C) THE FEASIBILITY STUDIES SETTLEMENT ACCOUNT.—For deposit in the Feasibility Studies Settlement Account of the Pueblo of Laguna Settlement Trust Fund established under section 5105(b)(2)(C) $3,250,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(3) ACOMITA RESERVOIR WORKS TRUST FUND.—For deposit in the Acomita Reservoir Works Trust Fund established under section 5105(a) $45,000,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(b) FLUCTUATIONS IN COSTS.—

(1) IN GENERAL.—The amounts appropriated under subsection (a) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs, as indicated by the Bureau of Reclamation Construction Cost Index–Composite Trend.

(2) CONSTRUCTION COSTS ADJUSTMENT.—The amounts appropriated under subsection (a) shall be adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices, as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(3) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the applicable amount, as adjusted, has been appropriated.

(4) PERIOD OF INDEXING.—The period of indexing and adjustment under this subsection for any increment of funding shall start on October 1, 2021, and shall end on the date on which funds are deposited in the applicable Pueblo Trust Fund.

(c) STATE COST SHARE.—Pursuant to the Agreement, the State shall contribute—

(1) $23,500,000, as adjusted for inflation pursuant to the Agreement, for the Joint Grants-Milan Project for Water Re-Use, Water Conservation and Augmentation of the Rio San José, the Village of Milan Projects Fund, and the City of Grants Projects Fund;

(2) $12,000,000, as adjusted for the inflation pursuant to the Agreement, for Signatory Acequias Projects and Offset Projects Fund for the Association of Community Ditches of the Rio San José; and

(3) $500,000, as adjusted for inflation pursuant to the Agreement, to mitigate impairment to non-Pueblo domestic and livestock groundwater rights as a result of new Pueblo water use.

SEC. 5107. ENFORCEABILITY DATE.

The Enforceability Date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) to the extent that the Agreement conflicts with this title, the Agreement has been amended to conform with this title;

(2) the Agreement, as amended, has been executed by all parties to the Agreement, including the United States;

(3) all of the amounts appropriated under section 5106(a) have been appropriated and deposited in the designated accounts of the Pueblo Trust Fund;

(4) the State has—

(A) provided the funding under section 5106(c)(3) into appropriate funding accounts;

(B) provided the funding under paragraphs (1) and (2) of section 5106(c) into appropriate funding accounts or entered into funding agreements with the intended beneficiaries for funding under those paragraphs of that section; and

(C) enacted legislation to amend State law to provide that a Pueblo Water Right may be leased for a term not to exceed 99 years, including renewals;

(5) the Decree Court has approved the Agreement and has entered a Partial Final Judgment and Decree; and

(6) the waivers and releases under section 5108 have been executed by the Pueblos and the Secretary.

SEC. 5108. WAIVERS AND RELEASES OF CLAIMS.

(a) WAIVERS AND RELEASES OF CLAIMS BY PUEBLOS AND THE UNITED STATES AS TRUSTEE FOR PUEBLOS.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Pueblo Water Rights and other benefits described in the Agreement and this title, the Pueblos and the United States, acting as trustee for the Pueblos, shall execute a waiver and release of all claims for—

(1) water rights within the Rio San José Stream System that the Pueblos, or the United States acting as trustee for the Pueblos, asserted or could have asserted in any proceeding, including the Adjudication, on or before the Enforceability Date, except to the extent that such rights are recognized in the Agreement and this title; and

(2) damages, losses, or injuries to water rights or claims of interference with, diversion of, or taking of water rights (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, or taking of water rights) in waters in the Rio San José Stream System against any party to the Agreement, including the members and parciantes of Signatory Acequias, that accrued at any time up to and including the Enforceability Date.

(b) WAIVERS AND RELEASES OF CLAIMS BY PUEBLOS AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Pueblos shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States) first arising before the Enforceability Date relating to—

(1) water rights within the Rio San José Stream System that the United States, acting as trustee for the Pueblos, asserted or could have asserted in any proceeding, including the Adjudication, except to the extent that such rights are recognized as part of the Pueblo Water Rights under this title;

(2) foregone benefits from non-Pueblo use of water, on and off Pueblo Land (including water from all sources and for all uses), within the Rio San José Stream System;

(3) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the Rio San José Stream System;

(4) a failure to provide for operation, maintenance, or deferred maintenance for any irrigation system or irrigation project within the Rio San José Stream System;

(5) a failure to establish or provide a municipal, rural, or industrial water delivery system on Pueblo Land within the Rio San José Stream System;

(6) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of irrigation projects on Pueblo Land (including damages, losses, or injuries to fish habitat, wildlife, and wildlife habitat) within the Rio San José Stream System;

(7) a failure to provide a dam safety improvement to a dam on Pueblo Land within the Rio San José Stream System;

(8) the litigation of claims relating to any water right of the Pueblos within the Rio San José Stream System; and

(9) the negotiation, execution, or adoption of the Agreement (including attachments) and this title.

(c) EFFECTIVE DATE.—The waivers and releases described in subsections (a) and (b) shall take effect on the Enforceability Date.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsections (a) and (b), the Pueblos and the United States, acting as trustee for the Pueblos, shall retain all claims relating to—

(1) the enforcement of, or claims accruing after the Enforceability Date relating to, water rights recognized under the Agreement, this title, or the Partial Final Judgment and Decree entered in the Adjudication;

(2) activities affecting the quality of water and the environment, including claims under—

(A) the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including claims for damages to natural resources;

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) the right to use and protect water rights acquired after the date of enactment of this Act;

(4) damage, loss, or injury to land or natural resources that is not due to loss of water or water rights, including hunting, fishing, gathering, or cultural rights;

(5) all claims for water rights, and claims for injury to water rights, in basins other than the Rio San José Stream System, subject to article 8.5 of the Agreement with respect to the claims of the Pueblo of Laguna for water rights in the Rio Puerco Basin and the claims of the Pueblo of Acoma for water rights in the Rio Salado Basin;

(6) all claims relating to the Jackpile-Paguate Uranium Mine in the State that are not due to loss of water or water rights; and

(7) all rights, remedies, privileges, immunities, powers, and claims not specifically waived and released pursuant to this title or the Agreement.

(e) EFFECT OF AGREEMENT AND TITLE.—Nothing in the Agreement or this title—

(1) reduces or extends the sovereignty (including civil and criminal jurisdiction) of any government entity, except as provided in section 5110;

(2) affects the ability of the United States, as a sovereign, to carry out any activity authorized by law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act'');

(D) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); and

(E) any regulations implementing the Acts described in subparagraphs (A) through (D);

(3) affects the ability of the United States to act as trustee for the Pueblos (consistent with this title), any other pueblo or Indian Tribe, or an Allottee of any Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law regarding health, safety, or the environment; or

(C) to conduct judicial review of any Federal agency action; or

(5) waives any claim of a member of a Pueblo in an individual capacity that does not derive from a right of the Pueblos.

(f) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the Enforceability Date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(3) LIMITATION.—Nothing in this section precludes the tolling of any period of limitation or any time-based equitable defense under any other applicable law.

(g) EXPIRATION.—

(1) IN GENERAL.—This title shall expire in any case in which the Secretary fails to publish a statement of findings under section 5107 by not later than—

(A) July 1, 2030; or

(B) such alternative later date as is agreed to by the Pueblos and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this title expires under paragraph (1)—

(A) the waivers and releases under subsections (a) and (b) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Agreement under section 5103 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this title shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this title, shall be returned to the Federal Government, unless otherwise agreed to by the Pueblos and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this title that were expended or withdrawn, or any funds made available to carry out this title from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Pueblos; or

(bb) any user of the Pueblo Water Rights; or

(II) any other matter covered by subsection (b); or

(ii) in any future settlement of water rights of the Pueblos.

SEC. 5109. SATISFACTION OF CLAIMS.

The benefits provided under this title shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Pueblos against the United States that are waived and released by the Pueblos pursuant to section 5108(b).

SEC. 5110. CONSENT OF UNITED STATES TO JURISDICTION FOR JUDICIAL REVIEW OF A PUEBLO WATER RIGHT PERMIT DECISION.

(a) CONSENT.—On the Enforceability Date, the consent of the United States is hereby given, with the consent of each Pueblo under article 11.5 of the Agreement, to jurisdiction in the District Court for the Thirteenth Judicial District of the State of New Mexico, and in the New Mexico Court of Appeals and the New Mexico Supreme Court on appeal therefrom in the same manner as provided under New Mexico law, over an action filed in such District Court by any party to a Pueblo Water Rights Permit administrative proceeding under article 11.4 of the Agreement for the limited and sole purpose of judicial review of a Pueblo Water Right Permit decision under article 11.5 of the Agreement.

(b) LIMITATION.—The consent of the United States under this title is limited to judicial review, based on the record developed through the administrative process of the Pueblo, under a standard of judicial review limited to determining whether the Pueblo decision on the application for Pueblo Water Right Permit—

(1) is supported by substantial evidence;

(2) is not arbitrary, capricious, or contrary to law;

(3) is not in accordance with this Agreement or the Partial Final Judgment and Decree; or

(4) shows that the Pueblo acted fraudulently or outside the scope of its authority.

(c) PUEBLO WATER CODE AND INTERPRETATION.—

(1) IN GENERAL.—Pueblo Water Code or Pueblo Water Law provisions that meet the requirements of article 11 of the Agreement shall be given full faith and credit in any proceeding described in this section.

(2) PROVISIONS OF THE PUEBLO WATER CODE.—To the extent that a State court conducting judicial review under this section must interpret provisions of Pueblo law that are not express provisions of the Pueblo Water Code, the State court shall certify the question of interpretation to the Pueblo court.

(3) NO CERTIFICATION.—Any issues of interpretation of standards in article 11.6 of the Agreement are not subject to certification.

(4) LIMITATION.—Nothing in this section limits the jurisdiction of the Decree Court to interpret and enforce the Agreement.

SEC. 5111. MISCELLANEOUS PROVISIONS.

(a) NO WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Nothing in this title waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Pueblos.

(c) ALLOTTEES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any water right, or any claim or entitlement to water, of an Allottee.

(d) EFFECT ON CURRENT LAW.—Nothing in this title affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) CONFLICT.—In the event of a conflict between the Agreement and this title, this title shall control.

SEC. 5112. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title, including any obligation or activity under the Agreement, if adequate appropriations are not provided expressly by Congress to carry out the purposes of this title.

TITLE LII—PUEBLOS OF JEMEZ AND ZIA WATER RIGHTS SETTLEMENT

SEC. 5201. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of all claims to water rights in the Jemez River Stream System in the State of New Mexico for—

(A) the Pueblo of Jemez;

(B) the Pueblo of Zia; and

(C) the United States, acting as trustee for the Pueblos of Jemez and Zia;

(2) to authorize, ratify, and confirm the Agreement entered into by the Pueblos, the State, and various other parties to the extent that the Agreement is consistent with this title;

(3) to authorize and direct the Secretary—

(A) to execute the Agreement; and

(B) to take any other actions necessary to carry out the Agreement in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Agreement and this title.

SEC. 5202. DEFINITIONS.

In this title:

(1) ADJUDICATION.—The term ''Adjudication'' means the adjudication of water rights pending before the United States District Court for the District of New Mexico: United States of America, on its own behalf, and on behalf of the Pueblos of Jemez, Santa Ana, and Zia, State of New Mexico, ex rel. State Engineer, Plaintiffs, and Pueblos of Jemez, Santa Ana, and Zia, Plaintiffs-in-Intervention v. Tom Abousleman, et al., Defendants, Civil No. 83–cv–01041 (KR).

(2) AGREEMENT.—The term ''Agreement'' means—

(A) the document entitled ''Pueblos of Jemez and Zia Water Rights Settlement Agreement'' and dated May 11, 2022, and the appendices and exhibits attached thereto; and

(B) any amendment to the document referred to in subparagraph (A) (including an amendment to an appendix or exhibit) that is executed to ensure that the Agreement is consistent with this title.

(3) ENFORCEABILITY DATE.—The term ''Enforceability Date'' means the date described in section 5207.

(4) JEMEZ RIVER STREAM SYSTEM.—The term ''Jemez River Stream System'' means the geographic extent of the area involved in the Adjudication.

(5) PARTIAL FINAL JUDGMENT AND DECREE.—The term ''Partial Final Judgment and Decree'' means a final or interlocutory partial final judgment and decree entered by the United States District Court for the District of New Mexico with respect to the water rights of the Pueblos—

(A) that is substantially in the form described in the Agreement, as amended to ensure consistency with this title; and

(B) from which no further appeal may be taken.

(6) PUEBLO.—The term ''Pueblo'' means either of—

(A) the Pueblo of Jemez; or

(B) the Pueblo of Zia.

(7) PUEBLO LAND.—The term ''Pueblo Land'' means any real property that is—

(A) held by the United States in trust for a Pueblo within the Jemez River Stream System;

(B) owned by a Pueblo within the Jemez River Stream System before the date on which a court approves the Agreement; or

(C) acquired by a Pueblo on or after the date on which a court approves the Agreement if the real property—

(i) is located within the exterior boundaries of the Pueblo, as recognized and confirmed by a patent issued under the Act of December 22, 1858 (11 Stat. 374, chapter V);

(ii) is located within the exterior boundaries of any territory set aside for a Pueblo by law, executive order, or court decree;

(iii) is owned by a Pueblo or held by the United States in trust for the benefit of a Pueblo outside the Jemez River Stream System that is located within the exterior boundaries of the Pueblo, as recognized and confirmed by a patent issued under the Act of December 22, 1858 (11 Stat. 374, chapter V); or

(iv) is located within the exterior boundaries of any real property located outside the Jemez River Stream System set aside for a Pueblo by law, executive order, or court decree if the land is within or contiguous to land held by the United States in trust for the Pueblo as of June 1, 2022.

(8) PUEBLO TRUST FUND.—The term ''Pueblo Trust Fund'' means—

(A) the Pueblo of Jemez Settlement Trust Fund established under section 5205(a); and

(B) the Pueblo of Zia Settlement Trust Fund established under that section.

(9) PUEBLO WATER RIGHTS.—The term ''Pueblo Water Rights'' means the respective water rights of the Pueblos—

(A) as identified in the Agreement and section 5204; and

(B) as confirmed in the Partial Final Judgment and Decree.

(10) PUEBLOS.—The term ''Pueblos'' means—

(A) the Pueblo of Jemez; and

(B) the Pueblo of Zia.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(12) STATE.—The term ''State'' means the State of New Mexico and all officers, agents, departments, and political subdivisions of the State of New Mexico.

SEC. 5203. RATIFICATION OF AGREEMENT.

(a) RATIFICATION.—

(1) IN GENERAL.—Except as modified by this title and to the extent that the Agreement does not conflict with this title, the Agreement is authorized, ratified, and confirmed.

(2) AMENDMENTS.—If an amendment to the Agreement, or to any appendix or exhibit attached to the Agreement requiring the signature of the Secretary, is executed in accordance with this title to make the Agreement consistent with this title, the amendment is authorized, ratified, and confirmed.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent the Agreement does not conflict with this title, the Secretary shall execute the Agreement, including all appendices or exhibits to, or parts of, the Agreement requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this title prohibits the Secretary, after execution of the Agreement, from approving any modification to the Agreement, including an appendix or exhibit to the Agreement, that is consistent with this title, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Agreement and this title, the Secretary shall comply with—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) all other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Agreement and this title, the Pueblos shall prepare any necessary environmental documents, consistent with—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation required under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Agreement by the Secretary under this section shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities under this subsection shall be paid from funds deposited in the Pueblo Trust Funds, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 5204. PUEBLO WATER RIGHTS.

(a) TRUST STATUS OF THE PUEBLO WATER RIGHTS.—The Pueblo Water Rights shall be held in trust by the United States on behalf of the Pueblos in accordance with the Agreement and this title.

(b) FORFEITURE AND ABANDONMENT.—

(1) IN GENERAL.—The Pueblo Water Rights shall not be subject to loss through non-use, forfeiture, abandonment, or other operation of law.

(2) STATE-LAW BASED WATER RIGHTS.—State-law based water rights acquired by a Pueblo, or by the United States on behalf of a Pueblo, after the date for inclusion in the Partial Final Judgment and Decree, shall not be subject to forfeiture, abandonment, or permanent alienation from the time they are acquired.

(c) USE.—Any use of the Pueblo Water Rights shall be subject to the terms and conditions of the Agreement and this title.

(d) AUTHORITY OF THE PUEBLOS.—

(1) IN GENERAL.—The Pueblos shall have the authority to allocate, distribute, and lease the Pueblo Water Rights for use on Pueblo Land in accordance with the Agreement, this title, and applicable Federal law.

(2) USE OFF PUEBLO LAND.—The Pueblos may allocate, distribute, and lease the Pueblo Water Rights for use off Pueblo Land in accordance with the Agreement, this title, and applicable Federal law, subject to the approval of the Secretary.

(e) ADMINISTRATION.—

(1) NO ALIENATION.—The Pueblos shall not permanently alienate any portion of the Pueblo Water Rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this title for the allocation, distribution, leasing, or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The non-use of all or any portion of the Pueblo Water Rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Pueblo Water Rights.

SEC. 5205. SETTLEMENT TRUST FUNDS.

(a) ESTABLISHMENT.—The Secretary shall establish 2 trust funds, to be known as the ''Pueblo of Jemez Settlement Trust Fund'' and the ''Pueblo of Zia Settlement Trust Fund'', 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 Pueblo Trust Funds under subsection (b), together with any investment earnings, including interest, earned on those amounts for the purpose of carrying out this title.

(b) DEPOSITS.—The Secretary shall deposit in each Pueblo Trust Fund the amounts made available pursuant to section 5206(a).

(c) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of funds into the Pueblo Trust Funds under subsection (b), the Secretary shall manage, invest, and distribute all amounts in the Pueblo Trust Funds in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this subsection.

(2) INVESTMENT EARNINGS.—In addition to the deposits made to each Pueblo Trust Fund under subsection (b), any investment earnings, including interest, earned on those amounts held in each Pueblo Trust Fund are authorized to be used in accordance with subsections (e) and (g).

(d) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, each Pueblo Trust Fund, including any investment earnings (including interest) earned on those amounts, shall be made available to each Pueblo by the Secretary beginning on the Enforceability Date, subject to the requirements of this section, except for funds to be made available to the Pueblos pursuant to paragraph (2).

(2) USE OF FUNDS.—Notwithstanding paragraph (1), $25,000,000 of the amounts deposited in each Pueblo Trust Fund, including any investment earnings (including interest) earned on that amount shall be available to the appropriate Pueblo for—

(A) developing economic water development plans;

(B) preparing environmental compliance documents;

(C) preparing water project engineering designs;

(D) establishing and operating a water resource department;

(E) installing supplemental irrigation groundwater wells; and

(F) developing water measurement and reporting water use plans.

(e) WITHDRAWALS.—

(1) WITHDRAWALS UNDER THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—Each Pueblo may withdraw any portion of the amounts in the Pueblo Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Pueblo in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the appropriate Pueblo shall spend all amounts withdrawn from each Pueblo Trust Fund, and any investment earnings (including interest) earned on those amounts through the investments under the Tribal

management plan, in accordance with this title.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan under this paragraph to ensure that amounts withdrawn by each Pueblo from the Pueblo Trust Fund of the Pueblo under subparagraph (A) are used in accordance with this title.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—Each Pueblo may submit to the Secretary a request to withdraw funds from the Pueblo Trust Fund of the Pueblo pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw amounts under an expenditure plan under subparagraph (A), each Pueblo shall submit to the Secretary an expenditure plan for any portion of the Pueblo Trust Fund that the Pueblo elects to withdraw pursuant to that subparagraph, subject to the condition that the amounts shall be used for the purposes described in this title.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Pueblo Trust Fund will be used by the Pueblo, in accordance with this subsection and subsection (g).

(D) APPROVAL.—The Secretary shall approve an expenditure plan submitted under subparagraph (A) if the Secretary determines that the plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this title.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this title.

(f) EFFECT OF SECTION.—Nothing in this section gives the Pueblos the right to judicial review of a determination of the Secretary relating to whether to approve a Tribal management plan under paragraph (1) of subsection (e) or an expenditure plan under paragraph (2) of that subsection except under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(g) USES.—Amounts from a Pueblo Trust Fund may only be used by the appropriate Pueblo for the following purposes:

(1) Planning, permitting, designing, engineering, constructing, reconstructing, replacing, rehabilitating, operating, or repairing water production, treatment, or delivery infrastructure, including for domestic and municipal use, on-farm improvements, or wastewater infrastructure.

(2) Watershed protection and enhancement, support of agriculture, water-related Pueblo community welfare and economic development, and costs related to implementation of the Agreement.

(3) Planning, permitting, designing, engineering, construction, reconstructing, replacing, rehabilitating, operating, or repairing water production of delivery infrastructure of the Augmentation Project, as set forth in the Agreement.

(4) Ensuring environmental compliance in the development and construction of projects under this title.

(5) The management and administration of the Pueblo Water Rights.

(h) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from a Pueblo Trust Fund by a Pueblo under paragraph (1) or (2) of subsection (e).

(i) EXPENDITURE REPORTS.—Each Pueblo shall annually submit to the Secretary an expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan under paragraph (1) or (2) of subsection (e), as applicable.

(j) NO PER CAPITA DISTRIBUTIONS.—No portion of a Pueblo Trust Fund shall be distributed on a per capita basis to any member of a Pueblo.

(k) TITLE TO INFRASTRUCTURE.—Title to, control over, and operation of any project constructed using funds from a Pueblo Trust Fund shall remain in the appropriate Pueblo.

(l) OPERATION, MAINTENANCE, AND REPLACEMENT.—All operation, maintenance, and replacement costs of any project constructed using funds from a Pueblo Trust Fund shall be the responsibility of the appropriate Pueblo.

SEC. 5206. FUNDING.

(a) MANDATORY APPROPRIATIONS.—Out of any money in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary the following amounts for deposit in the following accounts:

(1) PUEBLO OF JEMEZ SETTLEMENT TRUST FUND.—For deposit in the Pueblo of Jemez Settlement Trust Fund established under section 5205(a) $290,000,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) PUEBLO OF ZIA SETTLEMENT TRUST FUND.—For deposit in the Pueblo of Zia Settlement Trust Fund established under section 5205(a) $200,000,000, to remain available until expended, withdrawn, or reverted to the general fund of the Treasury.

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amount appropriated under subsection (a) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs, as indicated by the Bureau of Reclamation Construction Cost Index–Composite Trend.

(2) CONSTRUCTION COSTS ADJUSTMENT.—The amount appropriated under subsection (a) shall be adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices, as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(3) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the applicable amount, as adjusted, has been appropriated.

(4) PERIOD OF INDEXING.—The period of indexing adjustment under this subsection for any increment of funding shall start on October 1, 2021, and end on the date on which the funds are deposited in the applicable Pueblo Trust Fund.

(c) STATE COST SHARE.—The State shall contribute—

(1) $3,400,000, as adjusted for inflation pursuant to the Agreement, to the San Ysidro Community Ditch Association for capital and operating expenses of the mutual benefit Augmentation Project;

(2) $16,159,000, as adjusted for inflation pursuant to the Agreement, for Jemez River Basin Water Users Coalition acequia ditch improvements; and

(3) $500,000, as adjusted for inflation, to mitigate impairment to non-Pueblo domestic and livestock groundwater rights as a result of new Pueblo water use.

SEC. 5207. ENFORCEABILITY DATE.

The Enforceability Date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) to the extent that the Agreement conflicts with this title, the Agreement has been amended to conform with this title;

(2) the Agreement, as amended, has been executed by all parties to the Agreement, including the United States;

(3) the United States District Court for the District of New Mexico has approved the Agreement and has entered a Partial Final Judgment and Decree;

(4) all of the amounts appropriated under section 5206(a) have been appropriated and deposited in the designated accounts of the applicable Pueblo Trust Fund;

(5) the State has—

(A) provided the funding under section 5206(c)(2) into appropriate funding accounts;

(B) provided the funding under section 5206(c)(1) or entered into a funding agreement with the intended beneficiaries for that funding; and

(C) enacted legislation to amend State law to provide that a Pueblo Water Right may be leased for a term of not to exceed 99 years, including renewals; and

(6) the waivers and releases under section subsections (a) and (b) of section 5208 have been executed by the Pueblos and the Secretary.

SEC. 5208. WAIVERS AND RELEASES OF CLAIMS.

(a) WAIVERS AND RELEASES OF CLAIMS BY PUEBLOS AND UNITED STATES AS TRUSTEE FOR PUEBLOS.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Pueblo Water Rights and other benefits described in the Agreement and this title, the Pueblos and the United States, acting as trustee for the Pueblos, shall execute a waiver and release of all claims for—

(1) water rights within the Jemez River Stream System that the Pueblos, or the United States acting as trustee for the Pueblos, asserted or could have asserted in any proceeding, including the Adjudication, on or before the Enforceability Date, except to the extent that such a right is recognized in the Agreement and this title; and

(2) damages, losses, or injuries to water rights or claims of interference with, diversion of, or taking of water rights (including claims for injury to land resulting from such damages, losses, injuries, interference, diversion, or taking of water rights) in the Jemez River Stream System against any party to the Agreement, including the members and parciantes of signatory acequias, that accrued at any time up to and including the Enforceability Date.

(b) WAIVERS AND RELEASES OF CLAIMS BY PUEBLOS AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), each Pueblo shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States) for water rights within the Jemez River Stream System first arising before the Enforceability Date relating to—

(1) water rights within the Jemez River Stream System that the United States, acting as trustee for the Pueblos, asserted or could have asserted in any proceeding, including the Adjudication, except to the extent that such rights are recognized as part of the Pueblo Water Rights under this title;

(2) foregone benefits from non-Pueblo use of water, on and off Pueblo Land (including water from all sources and for all uses), within the Jemez River Stream System;

(3) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages,

losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the Jemez River Stream System;

(4) a failure to establish or provide a municipal, rural, or industrial water delivery system on Pueblo Land within the Jemez River Stream System;

(5) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of irrigation projects on Pueblo Land or Federal land (including damages, losses, or injuries to fish habitat, wildlife, and wildlife habitat) within the Jemez River Stream System;

(6) a failure to provide for operation, maintenance, or deferred maintenance for any irrigation system or irrigation project within the Jemez River Stream System;

(7) a failure to provide a dam safety improvement to a dam on Pueblo Land within the Jemez River Stream System;

(8) the litigation of claims relating to any water right of a Pueblo within the Jemez River Stream System; and

(9) the negotiation, execution, or adoption of the Agreement (including exhibits or appendices) and this title.

(c) EFFECTIVE DATE.—The waivers and releases described in subsections (a) and (b) shall take effect on the Enforceability Date.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsections (a) and (b), the Pueblos and the United States, acting as trustee for the Pueblos, shall retain all claims relating to—

(1) the enforcement of, or claims accruing after the Enforceability Date relating to, water rights recognized under the Agreement, this title, or the Partial Final Judgement and Decree entered into in the Adjudication;

(2) activities affecting the quality of water, including claims under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including claims for damages to natural resources;

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) the right to use and protect water rights acquired after the date of enactment of this Act;

(4) damage, loss, or injury to land or natural resources that is not due to loss of water or water rights, including hunting, fishing, gathering, or cultural rights;

(5) all rights, remedies, privileges, immunities, powers, and claims not specifically waived and released pursuant to this title or the Agreement; and

(6) loss of water or water rights in locations outside of the Jemez River Stream System.

(e) EFFECT OF AGREEMENT AND TITLE.—Nothing in the Agreement or this title—

(1) reduces or extends the sovereignty (including civil and criminal jurisdiction) of any government entity;

(2) affects the ability of the United States, as sovereign, to carry out any activity authorized by law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act'');

(D) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); and

(E) any regulations implementing the Acts described in subparagraphs (A) though (D);

(3) affects the ability of the United States to act as trustee for the Pueblos (consistent with this title), any other pueblo or Indian Tribe, or an allottee of any Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law regarding health, safety, or the environment;

(C) to conduct judicial review of any Federal agency action; or

(D) to interpret Pueblo law; or

(5) waives any claim of a member of a Pueblo in an individual capacity that does not derive from a right of the Pueblos.

(f) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the Enforceability Date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(3) LIMITATION.—Nothing in this section precludes the tolling of any period of limitation or any time-based equitable defense under any other applicable law.

(g) EXPIRATION.—

(1) IN GENERAL.—This title shall expire in any case in which the Secretary fails to publish a statement of findings under section 5207 by not later than—

(A) July 1, 2030; or

(B) such alternative later date as is agreed to by the Pueblos and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this title expires under paragraph (1)—

(A) the waivers and releases under subsections (a) and (b) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Agreement under section 5203 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this title shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this title shall be returned to the Federal Government, unless otherwise agreed to by the Pueblos and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this title that were expended or withdrawn, or any funds made available to carry out this title from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Pueblos; or

(bb) any user of the Pueblo Water Rights; or

(II) any other matter covered by subsection (b); or

(ii) in any future settlement of water rights of the Pueblos.

SEC. 5209. SATISFACTION OF CLAIMS.

The benefits provided under this title shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Pueblos against the United States that are waived and released by the Pueblos pursuant to section 5208(b).

SEC. 5210. MISCELLANEOUS PROVISIONS.

(a) NO WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Nothing in this title waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Pueblos.

(c) EFFECT ON CURRENT LAW.—Nothing in this title affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(d) CONFLICT.—In the event of a conflict between the Agreement and this title, this title shall control.

SEC. 5211. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title, including any obligation or activity under the Agreement, if adequate appropriations are not provided expressly by Congress to carry out the purposes of this title.

SA 2271. 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 appropriate place, insert the following:

Subtitle __—Caribbean Basin Security Initiative

SEC. __1. SHORT TITLE.

This subtitle may be cited as the ''Caribbean Basin Security Initiative Authorization Act''.

SEC. __2. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) BENEFICIARY COUNTRIES.—

(A) IN GENERAL.—The term ''beneficiary countries'' means—

(i) Antigua and Barbuda;

(ii) the Bahamas;

(iii) Barbados;

(iv) Dominica;

(v) the Dominican Republic;

(vi) Grenada;

(vii) Guyana;

(viii) Jamaica;

(ix) Saint Lucia;

(x) Saint Kitts and Nevis;
(xi) Saint Vincent and the Grenadines;
(xii) Suriname; and
(xiii) Trinidad and Tobago.

(B) UPDATES.—The President or the Secretary of State may add or remove one or more countries from the list under subparagraph (A) upon written notification to the appropriate congressional committees.

SEC. _3. AUTHORIZATION FOR THE CARIBBEAN BASIN SECURITY INITIATIVE.

(a) AUTHORIZATION FOR THE CARIBBEAN BASIN SECURITY INITIATIVE.—The Secretary of State and the Administrator of the United States Agency for International Development may carry out an initiative, to be known as the ''Caribbean Basin Security Initiative'', in beneficiary countries to achieve the purposes described in subsection (b).

(b) PURPOSES.—The purposes described in this subsection are the following:

(1) To promote citizen safety, security, and the rule of law in the Caribbean through increased strategic engagement with—

(A) the governments of beneficiary countries; and

(B) elements of local civil society, including the private sector, in such countries.

(2) To counter transnational criminal organizations and local gangs in beneficiary countries, including through—

(A) maritime and aerial security cooperation, including—

(i) assistance to strengthen capabilities of maritime and aerial interdiction operations in the Caribbean; and

(ii) the provision of support systems and equipment, training, and maintenance;

(B) cooperation on border and port security, including support to strengthen capacity for screening and intercepting narcotics, weapons, bulk cash, and other contraband at airports and seaports; and

(C) capacity building and the provision of equipment and support for operations targeting—

(i) the finances and illegal activities of such organizations and gangs; and

(ii) the recruitment by such organizations and gangs of at-risk youth.

(3) To advance law enforcement and justice sector capacity building and rule of law initiatives in beneficiary countries, including by—

(A) strengthening special prosecutorial offices and providing technical assistance—

(i) to combat—

(I) corruption;

(II) money laundering;

(III) human, firearms, and wildlife trafficking;

(IV) human smuggling;

(V) financial crimes; and

(VI) extortion; and

(ii) to conduct asset forfeitures and criminal analysis;

(B) supporting training for civilian police and appropriate security services in criminal investigations, best practices for citizen security, and the protection of human rights;

(C) supporting capacity building for law enforcement and military units, including professionalization, anti-corruption and human rights training, vetting, and community-based policing;

(D) supporting justice sector reform and strengthening of the rule of law, including—

(i) capacity building for prosecutors, judges, and other justice officials; and

(ii) support to increase the efficacy of criminal courts; and

(E) strengthening cybersecurity and cybercrime cooperation, including capacity building and support for cybersecurity systems.

(4) To promote crime prevention efforts in beneficiary countries, particularly among at-risk-youth and other vulnerable populations, including through—

(A) improving community and law enforcement cooperation to improve the effectiveness and professionalism of police and increase mutual trust;

(B) increasing economic opportunities for at-risk youth and vulnerable populations, including through workforce development training and remedial education programs for at-risk youth;

(C) improving juvenile justice sectors through regulatory reforms, separating youth from traditional prison systems, and improving support and services in juvenile detention centers; and

(D) the provision of assistance to populations vulnerable to being victims of extortion and crime by criminal networks.

(5) To strengthen the ability of the security sector in beneficiary countries to respond to and become more resilient in the face of natural disasters, including by—

(A) carrying out training exercises to ensure critical infrastructure and ports are able to come back online rapidly following natural disasters; and

(B) providing preparedness training to police and first responders.

(6) To prioritize efforts to combat corruption and include anti-corruption components in programs in beneficiary countries, including by—

(A) building the capacity of national justice systems and attorneys general to prosecute and try acts of corruption;

(B) increasing the capacity of national law enforcement services to carry out anti-corruption investigations; and

(C) encouraging cooperative agreements among the Department of State, other relevant Federal departments and agencies, and the attorneys general of relevant countries.

(7) To promote the rule of law in beneficiary countries and counter malign influence from authoritarian regimes, including China, Russia, Iran, Venezuela, Nicaragua, and Cuba, by—

(A) monitoring security assistance from such authoritarian regimes and taking steps necessary to ensure that such assistance does not undermine or jeopardize United States security assistance;

(B) evaluating and, as appropriate, restricting the involvement of the United States in investment and infrastructure projects financed by authoritarian regimes that might obstruct or otherwise impact United States security assistance to beneficiary countries;

(C) monitoring and restricting equipment and support from high-risk vendors of telecommunications infrastructure in beneficiary countries;

(D) countering disinformation by promoting transparency and accountability from beneficiary countries; and

(E) eliminating corruption linked to investment and infrastructure facilitated by authoritarian regimes through support for investment screening, competitive tendering and bidding processes, the implementation of investment law, and contractual transparency.

(8) To support the effective branding and messaging of United States security assistance and cooperation in beneficiary countries, including by developing and implementing a public diplomacy strategy for informing citizens of beneficiary countries about the benefits to their respective countries of United States security assistance and cooperation programs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State and the United States Agency for International Development $82,000,000 for each of fiscal years 2025 through 2029 to carry out the Caribbean Basin Security Initiative to achieve the purposes described in subsection (b).

SEC. _4. IMPLEMENTATION PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees an implementation plan that includes a timeline and stated objectives for actions to be taken in beneficiary countries with respect to the Caribbean Basin Security Initiative.

(b) ELEMENTS.—The implementation plan required by subsection (a) shall include the following elements:

(1) A multi-year strategy with a timeline, overview of objectives, and anticipated outcomes for the region and for each beneficiary country, with respect to each purpose described in [section ___3].

(2) Specific, measurable benchmarks to track the progress of the Caribbean Basin Security Initiative toward accomplishing the outcomes included under paragraph (1).

(3) A plan for the delineation of the roles to be carried out by the Department of State, the United States Agency for International Development, the Department of Justice, the Department of Defense, and any other Federal department or agency in carrying out the Caribbean Basin Security Initiative, to prevent overlap and unintended competition between activities and resources.

(4) A plan to coordinate and track all activities carried out under the Caribbean Basin Security Initiative among all relevant Federal departments and agencies, in accordance with the publication requirements described in section 4 of the Foreign Aid Transparency and Accountability Act of 2016 (22 U.S.C. 2394c).

(5) A description of the process for co-locating projects of the Caribbean Basin Security Initiative funded by the United States Agency for International Development and the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State to ensure that crime prevention funding and enforcement funding are used in the same localities as necessary.

(6) An assessment of steps taken, as of the date on which the plan is submitted, to increase regional coordination and collaboration between the law enforcement agencies of beneficiary countries and the Haitian National Police, and a framework with benchmarks for increasing such coordination and collaboration, in order to address the urgent security crisis in Haiti.

(c) ANNUAL PROGRESS UPDATE.—Not later than 1 year after the date on which the implementation plan required by subsection (a) is submitted, and annually thereafter, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a written description of results achieved through the Caribbean Basin Security Imitative, including with respect to—

(1) the implementation of the strategy and plans described in paragraphs (1), (3), and (4) of subsection (b);

(2) compliance with, and progress related to, meeting the benchmarks described in paragraph (2) of subsection (b); and

(3) funding statistics for the Caribbean Basin Security Initiative for the preceding year, disaggregated by country.

SEC. _5. PROGRAMS AND STRATEGY TO INCREASE NATURAL DISASTER RESPONSE AND RESILIENCE.

(a) PROGRAMS.—During the 5-year period beginning on the date of the enactment of

this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development and the President and Chief Executive Officer of the Inter-American Foundation, shall promote natural disaster response and resilience in beneficiary countries by carrying out programs for the following purposes:

(1) Encouraging coordination between beneficiary countries and relevant Federal departments and agencies to provide expertise and information sharing.

(2) Supporting the sharing of best practices on natural disaster resilience, including on constructing resilient infrastructure and rebuilding after natural disasters.

(3) Improving rapid-response mechanisms and cross-government organizational preparedness for natural disasters.

(b) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and in consultation with the President and Chief Economic Officer of the Inter-American Foundation and nongovernmental organizations in beneficiary countries and in the United States, shall submit to the appropriate congressional committees a strategy that incorporates specific, measurable benchmarks—

(1) to achieve the purposes described in subsection (a); and

(2) to inform citizens of beneficiary countries about the extent and benefits of United States assistance to such countries.

(c) ANNUAL PROGRESS UPDATE.—Not later than 1 year after the date on which the strategy required by subsection (b) is submitted, and annually thereafter, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a written description of the progress made as of the date of such submission in meeting the benchmarks included in the strategy.

SA 2272. 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 F of title XII, add the following:

SEC. 1291. LEADERSHIP WITHIN NATO.

(a) FINDINGS.—Congress makes the following findings:

(1) On July 21, 1949, the Senate provided its advice and consent to the ratification of the North Atlantic Treaty, and the United States deposited its instrument of ratification July 25, 1949.

(2) By custom and tradition since 1950, when the position of Supreme Allied Commander Europe has fallen vacant, the North Atlantic Council has invited the President of the United States to nominate a United States military officer to fill the post.

(3) In Neely v. Henkel, 180 U.S. 109 (1901), the Supreme Court affirmatively asserted the authority of Congress to enact such legislation as is appropriate to administer and regulate the implementation of treaties with foreign powers as entered into by the United States with the advice and consent of the Senate.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States remains the strongest military power within the North Atlantic Treaty Organization (NATO) alliance (in this Act referred to as the ''Alliance''); and

(2) United States leadership of Alliance military operations symbolizes the continuing commitment of the United States to the Alliance and to the defense of mutual security interests and the deterrence of shared threats.

(c) NOMINATIONS FOR SUPREME ALLIED COMMANDER EUROPE.—

(1) ACCEPTANCE OF INVITATION TO NOMINATE.—The President shall accept any invitation provided by the North Atlantic Council to nominate a United States military officer to assume the position of NATO's Supreme Allied Commander Europe.

(2) REQUIREMENT TO NOMINATE.—Upon receipt of any invitation from the North Atlantic Council to nominate a United States military officer to assume the position of NATO's Supreme Allied Commander Europe, or upon any vacancy or anticipated vacancy in the position of NATO's Supreme Allied Commander Europe, the President shall nominate for this position the commander of the combatant command the geographic area of responsibility of which includes Europe, or a general or flag officer of equivalent rank to that combatant commander.

(d) SEVERABILITY.—If any provision of this section or the application of such provision is held by a Federal court to be unconstitutional, the remainder of this section and the application of such provisions to any other person or circumstance shall not be affected thereby.

SA 2273. Mr. KAINE (for himself, Mrs. FISCHER, and 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 XXXI, insert the following:

SEC. 31____. APPROVAL OF THE AMENDMENT TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States and the United Kingdom share a special relationship;

(2) the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, done at Washington July 3, 1958 (in this section referred to as the ''Agreement'') provides one of the bases for such special relationship;

(3) the Agreement has served the national security interest of the United States for more than 65 years; and

(4) Congress expects to receive transmittal of proposed amendments to the Agreement.

(b) IN GENERAL.—Notwithstanding the provisions for congressional consideration of a proposed agreement for cooperation in subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), any amendments providing for the renewal of Article III of the Agreement (in this section referred to as the ''Amendment''), transmitted to Congress before January 3, 2025, may be brought into effect on or after the date of the enactment of this Act, if no joint resolution of disapproval with respect to the Amendment is enacted during 10-calendar-day period beginning on the date that the Amendment is transmitted to Congress, as if all the requirements in such section 123 for consideration of the Amendment had been satisfied, subject to subsection (c) of this section.

(c) APPLICABILITY OF ATOMIC ENERGY ACT OF 1954 AND OTHER PROVISIONS OF LAW.—Upon coming into effect, the Amendment shall be subject to the provisions of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and any other applicable United States law as if the Amendment had come into effect in accordance with the requirements of section 123 of the Atomic Energy Act of 1954.

(d) ADHERENCE IN THE EVENT OF TIMELY SUBMISSION.—If the Amendment is completed and transmitted to Congress before October 1, 2024, thereby allowing for adherence to the provisions for congressional consideration of the Amendment as outlined in subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), subsection (b) of this section shall not take effect.

SA 2274. Mr. WARNER (for himself 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 appropriate place, insert the following:

DIVISION ____—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2025

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2025''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2025 for the conduct of the intelligence and intelligence-related activities of the Federal Government.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the Federal Government are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2025 the sum of $656,573,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2025 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

SEC. 104. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2025.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

SEC. 301. IMPROVEMENTS RELATING TO CONFLICTS OF INTEREST IN THE INTELLIGENCE INNOVATION BOARD.

Section 7506(g) of the Intelligence Authorization Act for Fiscal Year 2024 (Public Law 118–31) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by inserting ''active and'' before ''potential'';

(B) in subparagraph (B), by striking ''the Inspector General of the Intelligence Community'' and inserting ''the designated agency ethics official'';

(C) by redesignating subparagraph (C) as subparagraph (D); and

(D) by inserting after subparagraph (B) the following:

''(C) Authority for the designated agency ethics official to grant a waiver for a conflict of interest, except that—

''(i) no waiver may be granted for an active conflict of interest identified with respect to the Chair of the Board;

''(ii) every waiver for a potential conflict of interest requires review and approval by the Director of National Intelligence; and

''(iii) for every waiver granted, the designated agency ethics official shall submit to the congressional intelligence committees notice of the waiver.''; and

(2) by adding at the end the following:

''(3) DEFINITION OF DESIGNATED AGENCY ETHICS OFFICIAL.—In this subsection, the term 'designated agency ethics official' means the designated agency ethics official (as defined in section 13101 of title 5, United States Code) in the Office of the Director of National Intelligence.''.

SEC. 302. NATIONAL THREAT IDENTIFICATION AND PRIORITIZATION ASSESSMENT AND NATIONAL COUNTERINTELLIGENCE STRATEGY.

Section 904(f)(3) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(f)(3)) is amended by striking ''National Counterintelligence Executive'' and inserting ''Director of the National Counterintelligence and Security Center''.

SEC. 303. OPEN SOURCE INTELLIGENCE DIVISION OF OFFICE OF INTELLIGENCE AND ANALYSIS PERSONNEL.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2025 for the Office of Intelligence and Analysis of the Department of Homeland Security may be obligated or expended by the Office to increase, above the staffing level in effect on the day before the date of the enactment of this Act, the number of personnel assigned to the Open Source Intelligence Division who work exclusively or predominantly on domestic terrorism issues.

SEC. 304. APPOINTMENT OF DIRECTOR OF THE OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE.

(a) IN GENERAL.—Section 215(c) of the Department of Energy Organization Act (42 U.S.C. 7144b(c)) is amended to read as follows:

''(c) DIRECTOR.—

''(1) APPOINTMENT.—The head of the Office shall be the Director of the Office of Intelligence and Counterintelligence, who shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the Office shall report directly to the Secretary.

''(2) TERM.—

''(A) IN GENERAL.—The Director shall serve for a term of 6 years.

''(B) REAPPOINTMENT.—The Director shall be eligible for reappointment for 1 or more terms.

''(3) QUALIFICATIONS.—The Director shall—

''(A) be an employee in the Senior Executive Service, the Senior Intelligence Service, the Senior National Intelligence Service, or any other Service that the Secretary, in coordination with the Director of National Intelligence, considers appropriate; and

''(B) have substantial expertise in matters relating to the intelligence community, including foreign intelligence and counterintelligence.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 21, 2025.

SEC. 305. IMPROVEMENTS TO ADVISORY BOARD OF NATIONAL RECONNAISSANCE OFFICE.

Section 106A(d) of the National Security Act of 1947 (50 U.S.C. 3041a(d)) is amended—

(1) in paragraph (3)(A)—

(A) in clause (i)—

(i) by striking ''five members appointed by the Director, in consultation with the Director of National Intelligence and the Secretary of Defense,'' and inserting ''up to 8 members appointed by the Director''; and

(ii) by inserting '', and who do not present any actual or potential conflict of interest'' before the period at the end;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

''(ii) MEMBERSHIP STRUCTURE.—The Director shall ensure that no more than 2 concurrently serving members of the Board qualify for membership on the Board based predominantly on a single qualification set forth under clause (i).'';

(2) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively;

(3) by inserting after paragraph (4) the following:

''(5) CHARTER.—The Director shall establish a charter for the Board that includes the following:

''(A) Mandatory processes for identifying potential conflicts of interest, including the submission of initial and periodic financial disclosures by Board members.

''(B) The vetting of potential conflicts of interest by the designated agency ethics official, except that no individual waiver may be granted for a conflict of interest identified with respect to the Chair of the Board.

''(C) The establishment of a process and associated protections for any whistleblower alleging a violation of applicable conflict of interest law, Federal contracting law, or other provision of law.''; and

(4) in paragraph (8), as redesignated by paragraph (2), by striking ''September 30, 2024'' and inserting ''August 31, 2027''.

SEC. 306. NATIONAL INTELLIGENCE UNIVERSITY ACCEPTANCE OF GRANTS.

(a) IN GENERAL.—Subtitle D of title X of the National Security Act of 1947 (50 U.S.C. 3227 et seq.) is amended by adding at the end the following:

"§ 1035. National Intelligence University acceptance of grants

''(a) AUTHORITY.—The Director of National Intelligence may authorize the President of the National Intelligence University to accept qualifying research grants.

''(b) QUALIFYING GRANTS.—A qualifying research grant under this section is a grant that is awarded on a competitive basis by an entity referred to in subsection (c) for a research project with a scientific, literary, or educational purpose.

''(c) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A qualifying research grant may be accepted under this section only from a Federal agency or from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

''(d) ADMINISTRATION OF GRANT FUNDS.—

''(1) ESTABLISHMENT OF ACCOUNT.—The Director shall establish an account for administering funds received as qualifying research grants under this section.

''(2) USE OF FUNDS.—The President of the University shall use the funds in the account established pursuant to paragraph (1) in accordance with applicable provisions of the regulations and the terms and conditions of the grants received.

''(e) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the National Intelligence University may be used to pay expenses incurred by the University in applying for, and otherwise pursuing, the award of qualifying research grants.

''(f) REGULATIONS.—The Director of National Intelligence shall prescribe regulations for the administration of this section.''.

(b) CLERICAL AMENDMENT.—The table of contents preceding section 2 of such Act is amended by inserting after the item relating to section 1034 the following new item:

''Sec. 1035. National Intelligence University acceptance of grants.''.

SEC. 307. PROTECTION OF CENTRAL INTELLIGENCE AGENCY FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by inserting after section 15 the following new section (and conforming the table of contents at the beginning of such Act accordingly):

"SEC. 15A. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

''(a) DEFINITIONS.—In this section:

''(1) BUDGET.—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.

''(2) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term 'congressional intelligence committees' means—

''(A) the Select Committee on Intelligence of the Senate;

''(B) the Permanent Select Committee on Intelligence of the House of Representatives;

''(C) the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

''(D) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

''(3) CONGRESSIONAL JUDICIARY COMMITTEES.—The term 'congressional judiciary committees' means—

''(A) the Committee on the Judiciary of the Senate; and

''(B) the Committee on the Judiciary of the House of Representatives.

''(4) CONGRESSIONAL TRANSPORTATION AND INFRASTRUCTURE COMMITTEES.—The term 'congressional transportation and infrastructure committees' means—

''(A) the Committee on Commerce, Science, and Transportation of the Senate; and

''(B) the Committee on Transportation and Infrastructure of the House of Representatives.

''(5) COVERED FACILITY OR ASSET.—The term 'covered facility or asset' means property owned, leased, or controlled by the Agency, property controlled and occupied by the Federal Highway Administration, located immediately adjacent to the headquarters compound of the Agency, and property owned, leased, or controlled by the Office of the Director of National Intelligence where the property—

''(A) is identified as high-risk and a potential target for unlawful unmanned aircraft activity by the Director, in coordination with the Secretary of Transportation, with respect to potentially impacted airspace, through a risk-based assessment for purposes of this section;

''(B) is located in the United States and beneath airspace that is prohibited or restricted by the Federal Aviation Administration;

''(C) is a property of which Congress has been notified is covered under this paragraph; and

''(D) directly relates to one or more functions authorized to be performed by the Agency, pursuant to the National Security Act of 1947 (50 U.S.C. 3001) or this Act.

''(6) ELECTRONIC COMMUNICATION.—The term 'electronic communication' has the meaning given such term in section 2510 of title 18, United States Code.

''(7) INTERCEPT.—The term 'intercept' has the meaning given such term in section 2510 of title 18, United States Code.

''(8) ORAL COMMUNICATION.—The term 'oral communication' has the meaning given such term in section 2510 of title 18, United States Code.

''(9) RADIO COMMUNICATION.—The term 'radio communication' has the meaning given that term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

''(10) RISK-BASED ASSESSMENT.—The term 'risk-based assessment' includes 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 national security at each covered facility or asset identified by the Director, an evaluation 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, 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 (c)(1).

''(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 system or technology that disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (c)(1).

''(C) Potential consequences of the effects of any actions taken under subsection (c)(1) 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 national security.

''(E) The setting and character of any covered facility or asset, including whether it is located in a populated area or near other structures, and any potential for interference with wireless communications or for injury or damage to persons or property.

''(F) Potential consequences to national security if threats posed by unmanned aircraft systems or unmanned aircraft are not mitigated or defeated.

''(11) UNITED STATES.—The term 'United States' has the meaning given that term in section 5 of title 18, United States Code.

''(12) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms 'unmanned aircraft' and 'unmanned aircraft system' have the meanings given those terms in section 44801 of title 49, United States Code.

''(13) WIRE COMMUNICATION.—The term 'wire communication' has the meaning given such term in section 2510 of title 18, United States Code.

''(b) AUTHORITY.—Notwithstanding section 46502 of title 49, United States Code, or sections 32, 1030, and 1367 and chapters 119 and 206 of title 18, United States Code, or section 705 of the Communications Act of 1934 (47 U.S.C. 605), the Director may take, and may authorize Agency personnel with assigned duties that include the security or protection of people, facilities, or assets within the United States to take—

''(1) such actions described in subsection (c)(1) that are necessary to mitigate a credible threat (as defined by the Director, in consultation with the Secretary of Transportation) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset; and

''(2) such actions described in subsection (c)(3).

''(c) ACTIONS.—

''(1) ACTIONS DESCRIBED.—The actions described in this paragraph are the following:

''(A) During the operation of the unmanned aircraft system, 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 by direct or indirect physical, electronic, radio, or electromagnetic means.

''(C) Disrupt control of the unmanned aircraft system or unmanned aircraft, without prior consent, 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 over 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 seize or otherwise disable, damage, or destroy the unmanned aircraft system or unmanned aircraft.

''(2) COORDINATION.—The Director shall develop the actions described in paragraph (1) in coordination with the Secretary of Transportation.

''(3) RESEARCH, TESTING, TRAINING, AND EVALUATION.—

''(A) IN GENERAL.—The Director shall conduct research, testing, 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 for any action described in paragraph (1).

''(B) PERSONNEL.—Personnel and contractors who do not have assigned duties that include the security or protection of people, facilities, or assets may engage in research, testing, training, and evaluation activities pursuant to subparagraph (A).

''(4) FAA COORDINATION.—The Director shall coordinate with the Administrator of the Federal Aviation Administration on any action described in paragraph (1) or (3) so the Administrator may ensure that unmanned aircraft system detection and mitigation systems do not adversely affect or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the National Airspace System.

''(d) FORFEITURE.—Any unmanned aircraft system or unmanned aircraft that is seized pursuant to subsection (b) as described in subsection (c)(1) is subject to forfeiture to the United States.

''(e) REGULATIONS AND GUIDANCE.—

''(1) ISSUANCE.—The Director and the Secretary of Transportation may each prescribe regulations, and shall each issue guidance, to carry out this section.

''(2) COORDINATION.—

''(A) REQUIREMENT.—The Director shall coordinate the development of guidance under paragraph (1) with the Secretary of Transportation.

''(B) AVIATION SAFETY.—The Director shall coordinate with the Secretary of Transportation and the Administrator of the Federal Aviation Administration before issuing any guidance, or otherwise implementing this section, so the Administrator may ensure that unmanned aircraft system detection and mitigation systems do not adversely affect or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the National Airspace System.

''(f) PRIVACY PROTECTION.—The regulations prescribed or guidance issued under subsection (e) shall ensure that—

''(1) the interception or acquisition of, or access to, or maintenance or use of, communications 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 applicable provisions of Federal law;

''(2) communications 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 (c);

''(3) records of such communications are maintained only for as long as necessary, and in no event for more than 180 days, unless the Director determines that maintenance of such records for a longer period is necessary for the investigation or prosecution of a violation of law, to fulfill a duty, responsibility, or function of the Agency, is required under Federal law, or for the purpose of any litigation; and

''(4) such communications are not disclosed outside the Agency unless the disclosure—

''(A) is necessary to investigate or prosecute a violation of law;

''(B) would support the Agency, the Department of Defense, a Federal law enforcement, intelligence, or security agency, a State, local, Tribal, or territorial law enforcement agency, or other relevant person or entity if such entity or person is engaged in a security or protection operation;

''(C) is necessary to support a department or agency listed in subparagraph (B) in investigating or prosecuting a violation of law;

''(D) would support the enforcement activities of a regulatory agency of the Federal Government in connection with a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action relating to, an action described in subsection (b);

''(E) is necessary to protect against dangerous or unauthorized activity by unmanned aircraft systems or unmanned aircraft;

''(F) is necessary to fulfill a duty, responsibility, or function of the Agency; or

''(G) is otherwise required by law.

''(g) BUDGET.—

''(1) IN GENERAL.—The Director shall submit to the congressional intelligence committees, as a part of the budget request of the Agency for each fiscal year after fiscal year 2025, a consolidated funding display that identifies the funding source for the actions described in subsection (c)(1) within the Agency.

''(2) FORM.—Each funding display submitted pursuant to paragraph (1) shall be in unclassified form, but may contain a classified annex.

''(h) SEMIANNUAL BRIEFINGS AND NOTIFICATIONS.—

''(1) BRIEFINGS.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2025 and semiannually thereafter, the Director shall provide the congressional intelligence committees, the congressional judiciary committees, and the congressional transportation and infrastructure committees a briefing on the activities carried out pursuant to this section during the period covered by the briefing.

''(2) REQUIREMENT.—Each briefing under paragraph (1) shall be conducted jointly with the Secretary of Transportation.

''(3) CONTENTS.—Each briefing under paragraph (1) shall include, for the period covered by the briefing, the following:

''(A) Policies, programs, and procedures to mitigate or eliminate the effects of the activities described in paragraph (1) to the National Airspace System and other critical national transportation infrastructure.

''(B) A description of instances in which actions described in subsection (c)(1) have been taken, including all such instances that may have resulted in harm, damage, or loss to a person or to private property.

''(C) A description of the guidance, policies, or procedures established to address privacy, civil rights, and civil liberties issues affected by the actions allowed under this section, as well as any changes or subsequent efforts that would significantly affect privacy, civil rights, or civil liberties.

''(D) A description of options considered and steps taken to mitigate any identified effects on 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 (c)(1).

''(E) A description of instances in which communications intercepted or acquired during the course of operations of an unmanned aircraft system or unmanned aircraft were maintained for more than 180 days or disclosed outside the Agency.

''(F) How the Director and the Secretary of Transportation have informed the public as to the possible use of authorities under this section.

''(G) How the Director and the Secretary of Transportation have engaged with Federal, State, local, territorial, or Tribal law enforcement agencies to implement and use such authorities.

''(H) An assessment of whether any gaps or insufficiencies remain in statutes, regulations, and policies that impede the ability of the Agency to counter the threat posed by the malicious use of unmanned aircraft systems and unmanned aircraft and any recommendations to remedy such gaps or insufficiencies.

''(4) FORM.—Each briefing under paragraph (1) shall be in unclassified form, but may be accompanied by an additional classified report.

''(5) NOTIFICATION.—

''(A) IN GENERAL.—Within 30 days of deploying any new technology to carry out the actions described in subsection (c)(1), the Director shall submit to the congressional intelligence committees a notification of the deployment of such technology.

''(B) CONTENTS.—Each notification submitted pursuant to subparagraph (A) shall include a description of options considered to mitigate any identified effects on 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 (c)(1).

''(i) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

''(1) to vest in the Director any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration; or

''(2) to vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Director.

''(j) TERMINATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the authority to carry out this section with respect to the actions specified in subparagraphs (B) through (F) of subsection (c)(1), shall terminate on the date that is 4 years after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2025.

''(2) EXTENSION.—The President may extend by 1 year the termination date specified in paragraph (1) if, before termination, the President certifies to Congress that such extension is in the national security interests of the United States.

''(k) SCOPE OF AUTHORITY.—Nothing in this section shall be construed to provide the Director or the Secretary of Transportation with additional authorities beyond those described in subsections (b) and (d).''.

SEC. 308. LIMITATION ON AVAILABILITY OF FUNDS FOR NEW CONTROLLED ACCESS PROGRAMS.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2025 for the National Intelligence Program may be obligated or expended for any controlled access program (as defined in section 501A(d) of the National Security Act of 1947 (50 U.S.C. 3091a(d))), or a compartment or subcompartment therein, that is established on or after the date of the enactment of this Act, until the head of the element of the intelligence community responsible for the establishment of such program, compartment, or subcompartment, submits the notification required by section 501A(b) of the National Security Act of 1947 (50 U.S.C. 3091a(b)).

SEC. 309. LIMITATION ON TRANSFERS FROM CONTROLLED ACCESS PROGRAMS.

Section 501A(b) of the National Security Act of 1947 (50 U.S.C. 3091a(b)) is amended—

(1) in the subsection heading, by striking ''LIMITATION ON ESTABLISHMENT'' and inserting ''LIMITATIONS'';

(2) by striking ''A head'' and inserting the following:

''(1) ESTABLISHMENT.—A head''; and

(3) by adding at the end the following:

''(2) TRANSFERS.—A head of an element of the intelligence community may not transfer a capability from a controlled access program, including from a compartment or subcompartment therein to a compartment or

subcompartment of another controlled access program, to a special access program (as defined in section 1152(g) of the National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 3348(g))), or to anything else outside the controlled access program, until the head submits to the appropriate congressional committees and congressional leadership notice of the intent of the head to make such transfer.''.

SEC. 310. EXPENDITURE OF FUNDS FOR CERTAIN INTELLIGENCE AND COUNTERINTELLIGENCE ACTIVITIES OF THE COAST GUARD.

The Commandant of the Coast Guard may use up to 1 percent of the amounts made available for the National Intelligence Program (as such term is defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) for each fiscal year for intelligence and counterintelligence activities of the Coast Guard relating to objects of a confidential, extraordinary, or emergency nature, which amounts may be accounted for solely on the certification of the Commandant and each such certification shall be considered to be a sufficient voucher for the amount contained in the certification.

SEC. 311. UNAUTHORIZED ACCESS TO INTELLIGENCE COMMUNITY PROPERTY.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 1115. UNAUTHORIZED ACCESS TO INTELLIGENCE COMMUNITY PROPERTY.

''(a) IN GENERAL.—It shall be unlawful, within the jurisdiction of the United States, without authorization to access any property that—

''(1) is under the jurisdiction of an element of the intelligence community; and

''(2) has been clearly marked as closed or restricted.

''(b) PENALTIES.—Any person who violates subsection (a) shall—

''(1) in the case of the first offense, be fined under title 18, United States Code, imprisoned for not more than 180 days, or both;

''(2) in the case of the second offense, be fined under such title, imprisoned for not more than 3 years, or both; and

''(3) in the case of the third or subsequent offense, be fined under such title, imprisoned for not more than 10 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents preceding section 2 of such Act is amended by adding at the end the following:

''Sec. 1115. Unauthorized access to intelligence community property.''.

SEC. 312. STRENGTHENING OF OFFICE OF INTELLIGENCE AND ANALYSIS.

(a) IN GENERAL.—Section 311 of title 31, United States Code, is amended to read as follows:

''§ 311. Office of Economic Intelligence and Security

''(a) DEFINITIONS.—In this section, the terms 'counterintelligence', 'foreign intelligence', and 'intelligence community' have the meanings given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(b) ESTABLISHMENT.—There is established within the Office of Terrorism and Financial Intelligence of the Department of the Treasury, the Office of Economic Intelligence and Security (in this section referred to as the 'Office'), which shall—

''(1) be responsible for the receipt, analysis, collation, and dissemination of foreign intelligence and foreign counterintelligence information relating to the operation and responsibilities of the Department of the Treasury and other Federal agencies executing economic statecraft tools that do not include any elements that are elements of the intelligence community;

''(2) provide intelligence support and economic analysis to Federal agencies implementing United States economic policy, including for purposes of global strategic competition; and

''(3) have such other related duties and authorities as may be assigned by the Secretary for purposes of the responsibilities described in paragraph (1), subject to the authority, direction, and control of the Secretary, in consultation with the Director of National Intelligence.

''(c) ASSISTANT SECRETARY FOR ECONOMIC INTELLIGENCE AND SECURITY.—The Office shall be headed by an Assistant Secretary, who shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Secretary shall report directly to the Undersecretary for Terrorism and Financial Crimes.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 311 and inserting the following:

''311. Office of Economic Intelligence and Security.''.

(c) CONFORMING AMENDMENT.—Section 3(4)(J) of the National Security Act of 1947 (50 U.S.C. 3003(4)(J)) is amended by striking ''Office of Intelligence and Analysis'' and inserting ''Office of Economic Intelligence and Security''.

(d) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to the Office of Intelligence and Analysis of the Department of the Treasury shall be deemed a reference to the Office of Economic Intelligence and Security of the Department of the Treasury.

SEC. 313. REPORT ON SENSITIVE COMMERCIALLY AVAILABLE INFORMATION.

(a) DEFINITIONS.—

(1) COMMERCIALLY AVAILABLE INFORMATION.—The term ''commercially available information'' means—

(A) any data or other information of the type customarily made available or obtainable and sold, leased, or licensed to members of the general public or to non-governmental entities for purposes other than governmental purposes; or

(B) data and information for exclusive government use knowingly and voluntarily provided by, procured from, or made accessible by corporate entities on their own initiative or at the request of a government entity.

(2) PERSONALLY IDENTIFIABLE INFORMATION.—The term ''personally identifiable information'' means information that, alone or when combined with other information regarding an individual, can be used to distinguish or trace the identity of such individual.

(3) SENSITIVE ACTIVITIES.—The term ''sensitive activities'' means activities that, over an extended period of time—

(A) establish a pattern of life;

(B) reveal personal affiliations, preferences, or identifiers;

(C) facilitate prediction of future acts;

(D) enable targeting activities;

(E) reveal the exercise of individual rights and freedoms, including the rights to freedom of speech and of the press, to free exercise of religion, to peaceably assemble, including membership or participation in organizations or associations, and to petition the government; or

(F) reveal any other activity the disclosure of which could cause substantial harm, embarrassment, inconvenience, or unfairness to the United States person who engaged in the activity.

(4) SENSITIVE COMMERCIALLY AVAILABLE INFORMATION.—The term ''sensitive commercially available information''—

(A) means commercially available information that is known or reasonably expected to contain—

(i) a substantial volume of personally identifiable information regarding United States persons; or

(ii) a greater than de minims volume of sensitive data;

(B) shall not include—

(i) newspapers or other periodicals;

(ii) weather reports;

(iii) books;

(iv) journal articles or other published works;

(v) public filings or records;

(vi) documents or databases similar to those described in clauses (i) through (v), whether accessed through a subscription or accessible free of cost; or

(vii) limited data samples made available to elements of the intelligence community for the purposes of allowing such elements to determine whether to purchase the full dataset and not accessed, retained, or used for any other purpose.

(5) SENSITIVE DATA.—The term ''sensitive data'' means data that—

(A)(i) captures personal attributes, conditions, or identifiers that are traceable to 1 or more specific United States persons, either through the dataset or by correlating the dataset with other available information; and

(ii) concerns the race or ethnicity, political opinions, religious beliefs, sexual orientation, gender identity, medical or genetic information, financial data, or any other data with respect to such specific United States person or United States persons the disclosure of which would have the potential to cause substantial harm, embarrassment, inconvenience, or unfairness to the United States person or United States persons described by the data; or

(B) captures the sensitive activities of 1 or more United States persons.

(6) 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;

(B) an unorganized association substantially composed of United States citizens or permanent resident aliens; or

(C) an entity organized under the laws of the United States or of any jurisdiction within the United States, with the exception of any such entity directed or controlled by a foreign government.

(b) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter, the head of each element of the intelligence community shall submit to the congressional intelligence committees a report on the access to, collection, processing, and use of sensitive commercially available information by the respective element.

(2) CONTENTS.—

(A) IN GENERAL.—For each dataset containing sensitive commercially available information accessed, collected, processed, or used by the element concerned for purposes other than research and development, a report required by paragraph (1) shall include the following:

(i) A description of the nature and volume of the sensitive commercially available information accessed or collected by the element.

(ii) A description of the mission or administrative need or function for which the sensitive commercially available information is accessed or collected, and of the nature, scope, reliability, and timeliness of the dataset required to fulfill such mission or administrative need or function.

(iii) A description of the purpose of the access, collection, or processing, and the intended use of the sensitive commercially available information.

(iv) An identification of the legal authority for the collection or access, and processing of the sensitive commercially available information.

(v) An identification of the source of the sensitive commercially available information and the persons from whom the sensitive commercially available information was accessed or collected.

(vi) A description of the mechanics of the access, collection, and processing of the sensitive commercially available information, including the Federal entities that participated in the procurement process.

(vii) A description of the method by which the element has limited the access to and collection and processing of the sensitive commercially available information to the maximum extent feasible consistent with the need to fulfill the mission or administrative need.

(viii) An assessment of whether the mission or administrative need can be fulfilled if reasonably available privacy-enhancing techniques, such as filtering or anonymizing, the application of traditional safeguards, including access limitations and retention limits, differential privacy techniques, or other information-masking techniques, such as restrictions or correlation, are implemented with respect to information concerning United States persons.

(ix) An assessment of the privacy and civil liberties risks associated with accessing, collecting, or processing the data and the methods by which the element mitigates such risks.

(x) An assessment of the applicability of section 552a of title 5, United States Code (commonly referred to as the ''Privacy Act of 1974''), if any.

(xi) To the extent feasible, an assessment of the original source of the data and the method through which the dataset was generated and aggregated, and whether any element of the intelligence community previously accessed or collected the same or similar sensitive commercially available information from the source.

(xii) An assessment of the quality and integrity of the data, including, as appropriate, whether the sensitive commercially available information reflects any underlying biases or inferences, and efforts to ensure that any intelligence products created with the data are consistent with the standards of the intelligence community for accuracy and objectivity.

(xiii) An assessment of the security, operational, and counterintelligence risks associated with the means of accessing or collecting the data, and recommendations for how the element could mitigate such risks.

(xiv) A description of the system in which the data is retained and processed and how the system is properly secured while allowing for effective implementation, management, and audit, as practicable, of relevant privacy and civil liberties protections.

(xv) An assessment of security risks posed by the system architecture of vendors providing sensitive commercially available information or access to such sensitive commercially available information, access restrictions for the data repository of each such vendor, and the vendor's access to query terms and, if any, relevant safeguards.

(xvi) A description of procedures to restrict access to the sensitive commercially available information.

(xvii) A description of procedures for conducting, approving, documenting, and auditing queries, searches, or correlations with respect to the sensitive commercially available information.

(xviii) A description of procedures for restricting dissemination of the sensitive commercially available information, including deletion of information of United States persons returned in response to a query or other search unless the information is assessed to be associated or potentially associated with the documented mission-related justification for the query or search.

(xix) A description of masking and other privacy-enhancing techniques used by the element to protect sensitive commercially available information.

(xx) A description of any retention and deletion policies.

(xxi) A determination of whether unevaluated data or information has been made available to other elements of the intelligence community or foreign partners and, if so, identification of those elements or partners.

(xxii) A description of any licensing agreements or contract restrictions with respect to the sensitive commercially available information.

(xxiii) A data management plan for the lifecycle of the data, from access or collection to disposition.

(xxiv) For any item required by clauses (i) through (xxiii) that cannot be completed due to exigent circumstances relating to collecting, accessing, processing, or using sensitive commercially available information, a description of such exigent circumstances.

(B) RESEARCH AND DEVELOPMENT DATA.—For each dataset containing sensitive commercially available information accessed, collected, processed, or used by the element concerned solely for research and development purposes, a report required by paragraph (1) may be limited to a description of the oversight by the element of such access, collection, process, and use.

(c) PUBLIC REPORT.—The Director of National Intelligence shall make available to the public, once every 2 years, a report on the policies and procedures of the intelligence community with respect to access to and collection, processing, and safeguarding of sensitive commercially available information.

SEC. 314. POLICY ON COLLECTION OF UNITED STATES LOCATION INFORMATION.

(a) DEFINITIONS.—In this section:

(1) UNITED STATES LOCATION INFORMATION.—The term ''United States location information'' means information derived or otherwise calculated from the transmission or reception of a radio signal that reveals the approximate or actual geographic location of a customer, subscriber, user, or device in the United States, or, if the customer, subscriber, or user is known to be a United States person, outside the United States.

(2) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Attorney General, shall issue a policy on the collection of United States location information by the intelligence community.

(c) CONTENT.—The policy required by subsection (a) shall address the filtering, segregation, use, dissemination, masking, and retention of United States location information.

(d) FORM; PUBLIC AVAILABILITY.—The policy required by subsection (a)—

(1) shall be issued in unclassified form and made available to the public; and

(2) may include a classified annex, which the Director of National Intelligence shall submit to the congressional intelligence committees.

SEC. 315. DISPLAY OF FLAGS, SEALS, AND EMBLEMS OTHER THAN THE UNITED STATES FLAG.

(a) DEFINITIONS.—In this section:

(1) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given such term in section 105 of title 5, United States Code.

(2) NATIONAL INTELLIGENCE PROGRAM.—The term ''National Intelligence Program'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(b) IN GENERAL.—Any flag, seal, or emblem that is not the United States flag and is flown, draped, projected, or otherwise displayed as a visual and symbolic representation at a property, office, or other official location of an element of the intelligence community—

(1) shall be smaller than the official United States flag; and

(2) if flown, may not be displayed higher than or above the United States flag.

(c) LIMITATION ON AVAILABILITY OF FUNDS FOR DISPLAYING AND FLYING FLAGS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2025 for the National Intelligence Program, may be obligated or expended to fly or display a flag over a facility of an element of the intelligence community other than the following:

(1) The United States flag.

(2) The POW/MIA flag.

(3) The Hostage and Wrongful Detainee flag, pursuant to section 904 of title 36, United States Code.

(4) The flag of a State, insular area, or the District of Columbia at a domestic location.

(5) The flag of an Indian Tribal Government.

(6) The official branded flag of an Executive agency.

(7) The flag of an element, flag officer, or general officer of the Armed Forces.

TITLE IV—COUNTERING FOREIGN THREATS

Subtitle A—People's Republic of China

SEC. 401. STRATEGY AND OUTREACH ON RISKS POSED BY PEOPLE'S REPUBLIC OF CHINA SMARTPORT TECHNOLOGY.

(a) STRATEGY AND OUTREACH REQUIRED.—The Director of the National Counterintelligence and Security Center shall develop a strategy and conduct outreach to United States industry, including shipping companies, port operators, and logistics firms, on the risks of smartport technology of the People's Republic of China and other related risks posed by entities of the People's Republic of China, including LOGINK, China Ocean Shipping Company, Limited (COSCO), China Communications Construction Company, Limited (CCCC), China Media Group (CMG), and Shanghai Zhenhua Heavy Industries Company Limited (ZPMC), to the national security of the United States, the security of United States supply chains, and commercial activity, including with respect to delays, interruption, and lockout of access to systems and technologies that enable the free flow of commerce.

(b) CONSISTENCY WITH STATUTES AND EXECUTIVE ORDERS.—The Director shall carry out subsection (a) in a manner that is consistent with the following:

(1) Part 6 of title 33, Code of Federal Regulations, as amended by Executive Order 14116 (89 Fed. Reg. 13971; relating to amending regulations relating to the safeguarding of vessels, harbors, ports, and waterfront facilities of the United States.

(2) Executive Order 14017 (86 Fed. Reg. 11849; relating to America's supply chains), or successor order.

(3) Section 825 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31).

(c) COORDINATION.—The Director shall carry out subsection (a) in coordination with the Commandant of the Coast Guard, the Director of the Federal Bureau of Investigation, the Commander of the Office of Naval Intelligence, and such other heads of Federal agencies as the Director considers appropriate.

SEC. 402. ASSESSMENT OF CURRENT STATUS OF BIOTECHNOLOGY OF PEOPLE'S REPUBLIC OF CHINA.

(a) ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall, in consultation with the Director of the National Counterproliferation and Biosecurity Center and such heads of elements of the intelligence community as the Director of National Intelligence considers appropriate, conduct an assessment of the current status of the biotechnology of the People's Republic of China, which shall include an assessment of how the People's Republic of China is supporting the biotechnology sector through both licit and illicit means, such as foreign direct investment, subsidies, talent recruitment, or other efforts.

(b) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Finance and the Committee on Foreign Relations of the Senate; and

(C) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives.

(2) IN GENERAL.—Not later than 30 days after the date on which the Direct of National Intelligence completes the assessment required by subsection (a), the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the assessment.

(3) FORM.—The report submitted pursuant to paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

SEC. 403. INTELLIGENCE SHARING WITH LAW ENFORCEMENT AGENCIES ON SYNTHETIC OPIOID PRECURSOR CHEMICALS ORIGINATING IN PEOPLE'S REPUBLIC OF CHINA.

(a) STRATEGY REQUIRED.—The Director of National Intelligence shall, in consultation with the head of the Office of National Security Intelligence of the Drug Enforcement Administration, the Under Secretary of Homeland Security for Intelligence and Analysis, and the heads of such other agencies as the Director considers appropriate, develop a strategy to ensure robust intelligence sharing relating to the illicit trafficking of synthetic opioid precursor chemicals from the People's Republic of China and other source countries.

(b) MECHANISM FOR COLLABORATION.—The Director shall develop a mechanism so that subject matter experts in elements of the Federal Government other than elements in the intelligence community, including those without security clearances, can share information with the intelligence community relating to illicit trafficking described in subsection (a).

SEC. 404. REPORT ON EFFORTS OF THE PEOPLE'S REPUBLIC OF CHINA TO EVADE UNITED STATES TRANSPARENCY AND NATIONAL SECURITY REGULATIONS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Finance and the Committee on Foreign Relations of the Senate; and

(3) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—The Director of National Intelligence shall submit to the appropriate committees of Congress a report on efforts of the People's Republic of China to evade the following:

(1) Identification under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note).

(2) Restrictions or limitations imposed by any of the following:

(A) Section 805 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31).

(B) Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 41 U.S.C. 3901 note prec.).

(C) The list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly known as the ''SDN list'').

(D) The Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations.

(E) Commercial or dual-use export controls under the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.) and the Export Administration Regulations.

(F) Executive Order 14105 (88 Fed. Reg. 54867; relating to addressing United States investments in certain national security technologies and products in countries of concern), or successor order.

(G) Import restrictions on products made with forced labor implemented by U.S. Customs and Border Protection pursuant to Public Law 117–78 (22 U.S.C. 6901 note).

(c) FORM.—The report submitted pursuant to subsection (b) shall be submitted in unclassified form.

SEC. 405. PLAN FOR RECRUITMENT OF MANDARIN SPEAKERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees a comprehensive plan to prioritize the recruitment and training of individuals who speak Mandarin Chinese for each element of the intelligence community.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Select Committee on Intelligence and the Committee on the Judiciary of the Senate; and

(2) the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

Subtitle B—The Russian Federation

SEC. 411. ASSESSMENT OF RUSSIAN FEDERATION SPONSORSHIP OF ACTS OF INTERNATIONAL TERRORISM.

(a) DEFINITIONS.—In this section—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Armed Services of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Armed Services of the House of Representatives.

(2) FOREIGN TERRORIST ORGANIZATION.—The term ''foreign terrorist organization'' means an organization that has been designated as a foreign terrorist organization by the Secretary of State, pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(3) SPECIALLY DESIGNATED GLOBAL TERRORIST ORGANIZATION.—The term ''specially designated global terrorist organization'' means an organization that has been designated as a specially designated global terrorist by the Secretary of State or the Secretary, pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(4) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means a country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism, for purposes of—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i));

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other provision of law.

(b) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall conduct and submit to the appropriate congressional committees an assessment on the extent to which the Russian Federation—

(1) provides support for acts of international terrorism; and

(2) cooperates with the antiterrorism efforts of the United States.

(c) ELEMENTS.—The assessment required by subsection (b) shall include the following:

(1) A list of all instances in which the Russian Federation, or an official of the Russian Federation, has failed to show support for or cooperate with the United States on international efforts to combat terrorism, such as apprehending, prosecuting, or extraditing suspected and known terrorists, including members of foreign terrorist organizations, and sharing intelligence to deter terrorist attacks.

(2) A list of all instances in which the Russian Federation, or an official of the Russian Federation, has provided financial, material, technical, or lethal support to foreign terrorist organizations, specially designated global terrorist organizations, state sponsors of terrorism, or for acts of international terrorism.

(3) A list of all instances in which the Russian Federation, or an official of the Russian Federation, has willfully aided or abetted—

(A) the international proliferation of nuclear explosive devices to persons;

(B) a person in acquiring unsafeguarded special nuclear material; or

(C) the efforts of a person to use, develop, produce, stockpile, or otherwise acquire chemical, biological, or radiological weapons.

(4) A determination of whether the activities of the Wagner Group constitute acts of international terrorism and whether such activities continue under any of the successor entities of the Wagner Group, including Afrika Corps.

(d) FORM.—The assessment required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(e) BRIEFINGS.—Not later than 30 days after submission of the assessment required by subsection (b), the Director of National Intelligence shall provide a classified briefing to the appropriate congressional committees on the methodology and findings of the assessment.

SEC. 412. ASSESSMENT OF LIKELY COURSE OF WAR IN UKRAINE.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in collaboration with the Director of the Defense Intelligence Agency and the Director of the Central Intelligence Agency, shall submit to the appropriate committees of Congress an assessment of the likely course of the war in Ukraine through December 31, 2025.

(c) ELEMENTS.—The assessment required by subsection (b) shall include an assessment of each of the following:

(1) The ability of the military of Ukraine to defend against Russian aggression if the United States does, or does not, continue to provide military and economic assistance to Ukraine during the period described in such subsection.

(2) The likely course of the war during such period if the United States does, or does not, continue to provide military and economic assistance to Ukraine.

(3) The ability and willingness of countries in Europe and outside of Europe to continue to provide military and economic assistance to Ukraine if the United States does, or does not, do so, including the ability of such countries to make up for any shortfall in United States assistance.

(4) The effects of a potential defeat of Ukraine by the Russian Federation on the potential for further aggression from the Russian Federation, the People's Republic of China, the Islamic Republic of Iran, and the Democratic People's Republic of Korea.

(d) FORM.—The assessment required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—International Terrorism

SEC. 421. INCLUSION OF HAMAS, HEZBOLLAH, AL-QAEDA, AND ISIS OFFICIALS AND MEMBERS AMONG ALIENS ENGAGED IN TERRORIST ACTIVITY.

Section 212(a)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) is amended, in the undesignated matter following subparagraph (IX), by striking ''or spokesman of the Palestine Liberation Organization'' and inserting ''spokesperson, or member of the Palestine Liberation Organization, Hamas, Hezbollah, Al-Qaeda, ISIS, or any successor or affiliate group, or who endorses or espouses terrorist activities conducted by any of the aforementioned groups,''.

SEC. 422. ASSESSMENT AND REPORT ON THE THREAT OF ISIS-KHORASAN TO THE UNITED STATES.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Director of the National Counterterrorism Center, in coordination with such elements of the intelligence community as the Director considers relevant, shall—

(1) conduct an assessment of the threats to the United States and United States citizens posed by ISIS-Khorasan; and

(2) submit to the appropriate committees of Congress a written report on the findings of the assessment.

(c) REPORT ELEMENTS.—The report required by subsection (b) shall include the following:

(1) A description of the historical evolution of ISIS-Khorasan, beginning with Al-Qaeda and the attacks on the United States on September 11, 2001.

(2) A description of the ideology and stated intentions of ISIS-Khorasan as related to the United States and the interests of the United States, including the homeland.

(3) A list of all terrorist attacks worldwide attributable to ISIS-Khorasan or for which ISIS-Khorasan claimed credit, beginning on January 1, 2015.

(4) A description of the involvement of ISIS-Khorasan in Afghanistan before, during, and after the withdrawal of United States military and civilian personnel and resources in August 2021.

(5) The recruiting and training strategy of ISIS-Khorasan following the withdrawal described in paragraph (4), including—

(A) the geographic regions in which ISIS-Khorasan is physically present;

(B) regions from which ISIS-Khorasan is recruiting; and

(C) its ambitions for individual actors worldwide and in the United States.

(6) A description of the relationship between ISIS-Khorasan and ISIS core, the Taliban, Al-Qaeda, and other terrorist groups, as appropriate.

(7) A description of the association of members of ISIS-Khorasan with individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba.

(8) A description of ISIS-Khorasan's development of, and relationships with, travel facilitation networks in Europe, Central Asia, Eurasia, and Latin America.

(9) An assessment of ISIS-Khorasan's understanding of the border and immigration policies and enforcement of the United States.

(10) An assessment of the known travel of members of ISIS-Khorasan within the Western Hemisphere and specifically across the southern border of the United States.

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 423. TERRORIST FINANCING PREVENTION.

(a) DEFINITIONS.—In this section:

(1) DIGITAL ASSET.—The term ''digital asset'' means any digital representation of value that is recorded on a cryptographically secured distributed ledger or any similar technology, or another implementation which was designed and built as part of a system to leverage or replace blockchain or distributed ledger technology or their derivatives.

(2) DIGITAL ASSET PROTOCOL.—The term ''digital asset protocol'' means any communication protocol, smart contract, or other software—

(A) deployed through the use of distributed ledger or similar technology; and

(B) that provides a mechanism for users to interact and agree to the terms of a trade for digital assets.

(3) FOREIGN DIGITAL ASSET TRANSACTION FACILITATOR.—The term ''foreign digital asset transaction facilitator'' means any foreign person or group of foreign persons that, as determined by the Secretary, controls, operates, or makes available a digital asset protocol or similar facility, or otherwise materially assists in the purchase, sale, exchange, custody, or other transaction involving an exchange or transfer of value using digital assets.

(4) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term under section 561.308 of title 31, Code of Federal Regulations.

(5) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(6) FOREIGN TERRORIST ORGANIZATION.—The term ''foreign terrorist organization'' means an organization that has been designated as a foreign terrorist organization by the Secretary of State, pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(7) GOOD.—The term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(9) SPECIALLY DESIGNATED GLOBAL TERRORIST ORGANIZATION.—The term ''specially designated global terrorist organization'' means an organization that has been designated as a specially designated global terrorist by the Secretary of State or the Secretary, pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(10) 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.

(b) SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS AND FOREIGN DIGITAL ASSET TRANSACTION FACILITATORS THAT ENGAGE IN CERTAIN TRANSACTIONS.—

(1) MANDATORY IDENTIFICATION.—Not later than 60 days after the date of enactment of this Act, and periodically thereafter, the Secretary shall identify and submit to the President a report identifying any foreign financial institution or foreign digital asset transaction facilitator that has knowingly—

(A) facilitated a significant financial transaction with—

(i) a Foreign Terrorist Organization;

(ii) a specially designated global terrorist organization; or

(iii) a person identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, a foreign terrorist organization or a specially designated global terrorist organization; or

(B) engaged in money laundering to carry out an activity described in subparagraph (A).

(2) IMPOSITION OF SANCTIONS.—

(A) FOREIGN FINANCIAL INSTITUTIONS.—The President shall prohibit, or impose strict

conditions on, the opening or maintaining of a correspondent account or a payable-through account in the United States by a foreign financial institution identified under paragraph (1).

(B) FOREIGN DIGITAL ASSET TRANSACTION FACILITATORS.—The President, pursuant to such regulations as the President may prescribe, shall prohibit any transactions between any person subject to the jurisdiction of the United States and a foreign digital asset transaction facilitator identified under paragraph (1).

(3) IMPLEMENTATION AND 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, 1704) to the extent necessary to carry out this Act.

(B) PENALTIES.—The penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this section to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(4) PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.—

(A) IN GENERAL.—If a finding under this subsection, or a prohibition, condition, or penalty imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)), the Secretary may submit to a court reviewing the finding or the imposition of the prohibition, condition, or penalty such classified information ex parte and in camera.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to confer or imply any right to judicial review of any finding under this subsection or any prohibition, condition, or penalty imposed as a result of any such finding.

(5) WAIVER FOR NATIONAL SECURITY.—The Secretary may waive the imposition of sanctions under this subsection with respect to a person if the Secretary—

(A) determines that such a waiver is in the national interests of the United States; and

(B) submits to Congress a notification of the waiver and the reasons for the waiver.

(6) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—This subsection shall not apply with respect to 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.

(7) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The authorities and requirements under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(c) SPECIAL MEASURES FOR MODERN THREATS.—Section 5318A of title 31, United States Code, is amended—

(1) in subsection (a)(2)(C), by striking ''subsection (b)(5)'' and inserting ''paragraphs (5) and (6) of subsection (b)''; and

(2) in subsection (b)—

(A) in paragraph (5), by striking ''for or on behalf of a foreign banking institution''; and

(B) by adding at the end the following:

''(6) PROHIBITIONS OR CONDITIONS ON CERTAIN TRANSMITTALS OF FUNDS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, 1 or more types of accounts within, or involving, a jurisdiction outside of the United States, or 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States to be of primary money laundering concern, the Secretary, in consultation with the Secretary of State, the Attorney General, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit, or impose conditions upon, certain transmittals of funds (as such term may be defined by the Secretary in a special measure issuance, by regulation, or as otherwise permitted by law), to or from any domestic financial institution or domestic financial agency if such transmittal of funds involves any such jurisdiction, institution, type of account, class of transaction, or type of account.''.

(d) FUNDING.—There is authorized to be appropriated to the Secretary such funds as are necessary to carry out the purposes of this section.

Subtitle D—Other Foreign Threats

SEC. 431. ASSESSMENT OF VISA-FREE TRAVEL TO AND WITHIN WESTERN HEMISPHERE BY NATIONALS OF COUNTRIES OF CONCERN.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations of the Senate; and

(C) the Committee on Foreign Affairs of the House of Representatives.

(2) COUNTRIES OF CONCERN.—The term ''countries of concern'' means—

(A) the Russian Federation;

(B) the People's Republic of China;

(C) the Islamic Republic of Iran;

(D) the Syrian Arab Republic;

(E) the Democratic People's Republic of Korea;

(F) the Bolivarian Republic of Venezuela; and

(G) the Republic of Cuba.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a written assessment of the impacts to national security caused by travel without a visa to and within countries in the Western Hemisphere by nationals of countries of concern.

(c) FORM.—The assessment required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 432. STUDY ON THREAT POSED BY FOREIGN INVESTMENT IN UNITED STATES AGRICULTURAL LAND.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Agriculture, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) DIRECTOR.—The term ''Director'' means the Director of National Intelligence.

(3) NONMARKET ECONOMY COUNTRY.—The term ''nonmarket economy country'' has the meaning given that term in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)).

(b) STUDY AND BRIEFING.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director, in coordination with the elements of the intelligence community the Director considers appropriate and with the Secretary of State, the Secretary of Agriculture, and the Secretary of the Treasury, shall—

(A) complete a study on the threat posed to the United States by foreign investment in agricultural land in the United States; and

(B) provide to the appropriate committees of Congress a briefing on the results of the study.

(2) DATA.—In conducting the study required by paragraph (1), the Director shall process and analyze relevant data collected by the Secretary of State, the Secretary of Agriculture, and the Secretary of the Treasury, including the information submitted to the Secretary of Agriculture under section 2 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501).

(3) ELEMENTS.—The study required by paragraph (1) shall include the following:

(A) Data and an analysis of agricultural land holdings, including current and previous uses of the land disaggregated by sector and industry, in each county in the United States held by a foreign person from—

(i) a country identified as a country that poses a risk to the national security of the United States in the most recent annual report on worldwide threats issued by the Director pursuant to section 108B of the National Security Act of 1947 (50 U.S.C. 3043b) (commonly known as the ''Annual Threat Assessment'');

(ii) a nonmarket economy country; or

(iii) any other country that the Director determines to be appropriate.

(B) An analysis of the proximity of the agricultural land holdings to critical infrastructure and military installations.

(C) An assessment of the threats posed to the national security of the United States by malign actors that use foreign investment in agricultural land in the United States.

(D) An assessment of warning indicators and methods by which to detect potential threats from the use by foreign adversaries of agricultural products for nefarious ends.

(E) An assessment of additional resources or authorities necessary to counter threats identified during the study.

SEC. 433. ASSESSMENT OF THREAT POSED BY CITIZENSHIP-BY-INVESTMENT PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Homeland Security, the Committee on Foreign Affairs, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives.

(2) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary for Intelligence and Analysis of the Department of the Treasury.

(3) CITIZENSHIP-BY-INVESTMENT PROGRAM.—The term ''citizenship-by-investment program'' means an immigration, investment, or other program of a foreign country that, in exchange for a covered contribution, authorizes the individual making the covered contribution to acquire citizenship in such country, including temporary or permanent residence that may serve as the basis for subsequent naturalization.

(4) COVERED CONTRIBUTION.—The term ''covered contribution'' means—

(A) an investment in, or a monetary donation or any other form of direct or indirect capital transfer to, including through the purchase or rental of real estate—

(i) the government of a foreign country; or

(ii) any person, business, or entity in such a foreign country; and

(B) a donation to, or endowment of, any activity contributing to the public good in such a foreign country.

(5) DIRECTOR.—The term ''Director'' means the Director of National Intelligence.

(b) ASSESSMENT OF THREAT POSED BY CITIZENSHIP-BY-INVESTMENT PROGRAMS.—

(1) ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Director and the Assistant Secretary, in coordination with the heads of the other elements of the intelligence community and the head of any appropriate Federal agency, shall complete an assessment of the threat posed to the United States by citizenship-by-investment programs.

(2) ELEMENTS.—The assessment required by paragraph (1) shall include the following:

(A) An identification of each citizenship-by-investment program, including an identification of the foreign country that operates each such program.

(B) With respect to each citizenship-by-investment program identified under subparagraph (A)—

(i) a description of the types of investments required under the program; and

(ii) an identification of the sectors to which an individual may make a covered contribution under the program.

(C) An assessment of the threats posed to the national security of the United States by malign actors that use citizenship-by-investment programs—

(i) to evade sanctions or taxes;

(ii) to facilitate or finance—

(I) crimes relating to national security, including terrorism, weapons trafficking or proliferation, cybercrime, drug trafficking, human trafficking, and espionage; or

(II) any other activity that furthers the interests of a foreign adversary or undermines the integrity of the immigration laws or security of the United States; or

(iii) to undermine the United States and its interests through any other means identified by the Director and the Assistant Secretary.

(D) An identification of the foreign countries the citizenship-by-investment programs of which pose the greatest threat to the national security of the United States.

(3) REPORT AND BRIEFING.—

(A) REPORT.—

(i) IN GENERAL.—Not later than 180 days after completing the assessment required by paragraph (1), the Director and the Assistant Secretary shall jointly submit to the appropriate committees of Congress a report on the findings of the Director and the Assistant Secretary with respect to the assessment.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A detailed description of the threats posed to the national security of the United States by citizenship-by-investment programs.

(II) Recommendations for additional resources or authorities necessary to counter such threats.

(III) A description of opportunities to counter such threats.

(iii) FORM.—The report required by clause (i) shall be submitted in unclassified form but may include a classified annex, as appropriate.

(B) BRIEFING.—Not later than 90 days after the date on which the report required by subparagraph (A) is submitted, the Director and Assistant Secretary shall provide the appropriate committees of Congress with a briefing on the report.

SEC. 434. MITIGATING THE USE OF UNITED STATES COMPONENTS AND TECHNOLOGY IN HOSTILE ACTIVITIES BY FOREIGN ADVERSARIES.

(a) FINDINGS.—Congress finds the following:

(1) Foreign defense material, including advanced military and intelligence capabilities, continues to rely heavily on products and services sourced from the United States.

(2) Iran drones operating against Ukraine were found to include several United States components.

(3) The components described in paragraph (2) came from 13 different United States companies and are integral to the operation of the drones.

(4) The Chinese spy balloon that flew across the United States in 2023 used a United States internet service provider to communicate.

(5) The connection allowed the balloon to send burst transmissions, or high-bandwidth collections of data over short periods.

(6) Foreign adversaries and affiliated foreign defense companies frequently acquire components and services, sourced from the United States, through violation of United States export control laws.

(b) SUPPLY CHAIN RISK MITIGATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in collaboration with such heads of elements of the intelligence community as the Director considers appropriate, develop and commence implementation of a strategy to work with United States companies to mitigate or disrupt the acquisition and use of United States components in the conduct of activities harmful to the national security of the United States.

(c) GOAL.—The goal of the strategy required by subsection (b) shall be to inform and provide intelligence support to government and private sector entities in preventing United States components and technologies from aiding or supporting hostile or harmful activities conducted by foreign adversaries of the United States.

(d) CONSULTATION.—In developing and implementing the strategy required by subsection (b), the Director of National Intelligence—

(1) shall consult with the Secretary of Commerce, the Secretary of Defense, and the Secretary of Homeland Security; and

(2) may consult with such other heads of Federal departments or agencies as the Director of National Intelligence considers appropriate.

(e) ANNUAL REPORTS.—Not later than 1 year after the date of the enactment of this Act and annually thereafter until the date that is 3 years after the date of the enactment of this Act, the Director shall submit to Congress an annual report on the status and effect of the implementation of the strategy required by subsection (b).

SEC. 435. OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE REVIEW OF VISITORS AND ASSIGNEES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate; and

(C) the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives.

(2) ASSIGNEE; VISITOR.—The terms ''assignee'' and ''visitor'' mean a foreign national from a country identified in the report submitted to Congress by the Director of National Intelligence in 2024 pursuant to section 108B of the National Security Act of 1947 (50 U.S.C. 3043b) (commonly referred to as the ''Annual Threat Assessment'') as ''engaging in competitive behavior that directly threatens U.S. national security'', who is not an employee of a National Laboratory, and has requested access to the premises, information, or technology of a National Laboratory.

(3) DIRECTOR.—The term ''Director'' means the Director of the Office of Intelligence and Counterintelligence of the Department of Energy (or their designee).

(4) FOREIGN NATIONAL.—The term ''foreign national'' has the meaning given the term ''alien'' in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(5) 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).

(6) NON-TRADITIONAL COLLECTOR.—The term ''non-traditional collector'' means an individual not employed by a foreign intelligence service, who is seeking access to sensitive information about a capability, research, or organizational dynamics of the United States to inform a foreign adversary or non-state actor.

(b) FINDINGS.—The Senate finds the following:

(1) The National Laboratories conduct critical, cutting-edge research across a range of scientific disciplines that provide the United States with a technological edge over other countries.

(2) The technologies developed in the National Laboratories contribute to the national security of the United States, including classified and sensitive military technology and dual-use commercial technology.

(3) International cooperation in the field of science is critical to the United States maintaining its leading technological edge.

(4) The research enterprise of the Department of Energy, including the National Laboratories, is increasingly targeted by adversarial nations to exploit military and dual-use technologies for military or economic gain.

(5) Approximately 40,000 citizens of foreign countries, including more than 8,000 citizens from China and Russia, were granted access to the premises, information, or technology of National Laboratories in fiscal year 2023.

(6) The Office of Intelligence and Counterintelligence of the Department of Energy is responsible for identifying and mitigating counterintelligence risks to the Department, including the National Laboratories.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that, before being granted access to the premises, information, or technology of a National Laboratory, citizens of foreign countries identified in the 2024 Annual Threat Assessment of the intelligence community as ''engaging in competitive behavior that directly threatens U.S. national security'' should be appropriately screened by the National Laboratory to which they seek access, and by the Office of Intelligence and Counterintelligence of the Department, to identify and mitigate risks associated with granting the requested access to sensitive military, or dual-use technologies.

(d) REVIEW OF SENSITIVE COUNTRY VISITOR AND ASSIGNEE ACCESS REQUESTS.—The Director shall promulgate a policy to assess the counterintelligence risk each visitor or assignee poses to the research or activities undertaken at a National Laboratory.

(e) ADVICE WITH RESPECT TO VISITORS OR ASSIGNEES.—

(1) IN GENERAL.—The Director shall provide advice to a National Laboratory on visitors

and assignees when 1 or more of the following conditions are present:

(A) The Director has reason to believe that a visitor or assignee is a non-traditional intelligence collector.

(B) The Director is in receipt of information indicating that a visitor or assignee constitutes a counterintelligence risk to a National Laboratory.

(2) ADVICE DESCRIBED.—Advice provided to a National Laboratory in accordance with paragraph (1) shall include—

(A) a description of the assessed risk;

(B) recommendations to mitigate the risk; and

(C) identification of research or technology that would be at risk if access is granted to the visitor or assignee concerned.

(f) REPORTS TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, and quarterly thereafter, the Director shall submit to the appropriate congressional committees a report, which shall include—

(1) the number of visitors or assignees permitted to access the premises, information, or technology of each National Laboratory;

(2) the number of instances in which the Director advised a National Laboratory in accordance with subsection (e); and

(3) the number of instances in which a National Laboratory admitted a visitor or assignee against the advice of the Director.

SEC. 436. PROHIBITION ON NATIONAL LABORATORIES ADMITTING CERTAIN FOREIGN NATIONALS.

(a) DEFINITIONS.—In this section:

(1) ASSIGNEE.—The term ''assignee'' means an individual who is seeking approval from, or has been approved by, a National Laboratory to access the premises, information, or technology of the National Laboratory for a period of more than 30 consecutive days.

(2) COVERED FOREIGN NATIONAL.—

(A) IN GENERAL.—The term ''covered foreign national'' means a foreign national of any of the following countries:

(i) The People's Republic of China.

(ii) The Russian Federation.

(iii) The Islamic Republic of Iran.

(iv) The Democratic People's Republic of Korea.

(v) The Republic of Cuba.

(B) EXCLUSION.—The term ''covered foreign national'' does not include an individual that is lawfully admitted for permanent residence (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))).

(3) FOREIGN NATIONAL.—The term ''foreign national'' has the meaning given the term ''alien'' in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(4) 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).

(5) SENIOR COUNTERINTELLIGENCE OFFICIAL.—The term ''senior counterintelligence official'' means—

(A) the Director of the Federal Bureau of Investigation;

(B) the Deputy Director of the Federal Bureau of Investigation;

(C) the Executive Assistant Director of the National Security Branch of the Federal Bureau of Investigation; or

(D) the Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation.

(6) VISITOR.—The term ''visitor'' means an individual who is seeking approval from, or has been approved by, a National Laboratory to access the premises, information, or technology of the National Laboratory for any period shorter than a period described in paragraph (1).

(b) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), beginning on the date of enactment of this Act, a National Laboratory—

(A) shall not admit as a visitor or assignee any covered foreign national; and

(B) shall prohibit access to any visitor or assignee that is a covered foreign national and has sought or obtained approval to access the premises, information, or technology of the National Laboratory as of that date.

(2) WAIVER.—Paragraph (1) shall not apply to a National Laboratory if the Secretary of Energy, in consultation with the Director of the Office of Intelligence and Counterintelligence of the Department of Energy and a senior counterintelligence official, certifies and issues a waiver to the National Laboratory requesting to admit a covered foreign national as a visitor or assignee, in writing, that the benefits to the United States of admittance or access by that covered foreign national outweigh the national security and economic risks to the United States.

(3) NOTIFICATION TO CONGRESS.—Not later than 30 days after the date that a waiver is issued pursuant to paragraph (2), the Secretary of Energy shall submit to the Select Committee on Intelligence of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Science, Space, and Technology of the House of Representatives a notification describing each waiver issued pursuant to paragraph (2), including—

(A) the country of origin of the covered foreign national who is the subject of the waiver;

(B) the date of the request by the covered foreign national for admission or access to a National Laboratory;

(C) the date on which the decision to issue the waiver was made; and

(D) the specific reasons for issuing the waiver.

SEC. 437. QUARTERLY REPORT ON CERTAIN FOREIGN NATIONALS ENCOUNTERED AT THE UNITED STATES BORDER.

(a) DEFINITIONS.—In this section:

(1) ENCOUNTERED.—The term ''encountered'', with respect to a special interest alien, means physically apprehended by U.S. Customs and Border Protection personnel.

(2) SPECIAL INTEREST ALIEN.—The term ''special interest alien'' means an alien (as defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)) who, based upon an analysis of travel patterns and other information available to the United States Government, potentially poses a threat to the national security of the United States and its interests due to a known or potential nexus to terrorism, espionage, organized crime, or other malign actors.

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter for the following 3 years, the Secretary of Homeland Security, in coordination with the Director of National Intelligence, shall publish, on a publicly accessible website of the Department of Homeland Security, a report identifying the aggregate number of special interest aliens who, during the applicable reporting period—

(1) have been encountered at or near an international border of the United States; and

(2)(A) have been released from custody;

(B) are under supervision;

(C) are being detained by the Department of Homeland Security; or

(D) have been removed from the United States.

SEC. 438. ASSESSMENT OF THE LESSONS LEARNED BY THE INTELLIGENCE COMMUNITY WITH RESPECT TO THE ISRAEL-HAMAS WAR.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with such other heads of elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a written assessment of the lessons learned from the Israel-Hamas war.

(c) ELEMENTS.—The assessment required by subsection (b) shall include the following:

(1) Lessons learned from the timing and scope of the October 7, 2023 attack by Hamas against Israel, including lessons related to United States intelligence cooperation with Israel and other regional partners.

(2) Lessons learned from advances in warfare, including the use by adversaries of a complex tunnel network.

(3) Lessons learned from attacks by adversaries against maritime shipping routes in the Red Sea.

(4) Lessons learned from the use by adversaries of rockets, missiles, and unmanned aerial systems, including attacks by Iran.

(5) Analysis of the impact of the Israel-Hamas war on the global security environment, including the war in Ukraine.

(d) FORM.—The assessment required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 439. CENTRAL INTELLIGENCE AGENCY INTELLIGENCE ASSESSMENT ON TREN DE ARAGUA.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency, in consultation with such other heads of elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress an intelligence assessment on the gang known as ''Tren de Aragua''.

(c) ELEMENTS.—The intelligence assessment required by subsection (b) shall include the following:

(1) A description of the key leaders, organizational structure, subgroups, presence in countries in the Western Hemisphere, and cross-border illicit drug smuggling routes of Tren de Aragua.

(2) A description of the practices used by Tren de Aragua to generate revenue.

(3) A description of the level at which Tren de Aragua receives support from the regime of Nicolás Maduro in Venezuela.

(4) A description of the manner in which Tren de Aragua is exploiting heightened migratory flows out of Venezuela and throughout the Western Hemisphere to expand its operations.

(5) A description of the degree to which Tren de Aragua cooperates or competes with other criminal organizations in the Western Hemisphere.

(6) An estimate of the annual revenue received by Tren de Aragua from the sale of illicit drugs, kidnapping, and human trafficking, disaggregated by activity.

(7) A determination on whether Tren De Aragua meets the definition of ''significant transnational criminal organization'' in section 3 of Executive Order 13581 (76 Fed. Reg. 44757; relating to blocking property of transnational criminal organizations), as amended by Executive Order 13863 (84 Fed. Reg. 10255; relating to taking additional steps to address the national emergency with respect to significant transnational criminal organizations).

(8) Any other information the Director of the Central Intelligence Agency considers relevant.

(d) FORM.—The intelligence assessment required by subsection (b) may be submitted in classified form.

SEC. 440. ASSESSMENT OF MADURO REGIME'S ECONOMIC AND SECURITY RELATIONSHIPS WITH STATE SPONSORS OF TERRORISM AND FOREIGN TERRORIST ORGANIZATIONS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a written assessment of the economic and security relationships of the regime of Nicolás Maduro of Venezuela with the countries and organizations described in subsection (c), including formal and informal support to and from such countries and organizations.

(c) COUNTRIES AND ORGANIZATIONS DESCRIBED.—The countries and organizations described in this subsection are the following:

(1) The following countries designated by the United States as state sponsors of terrorism:

(A) The Republic of Cuba.

(B) The Islamic Republic of Iran.

(2) The following organizations designated by the United States as foreign terrorist organizations:

(A) The National Liberation Army (ELN).

(B) The Revolutionary Armed Forces of Colombia–People's Army (FARC-EP).

(C) The Segunda Marquetalia.

(d) FORM.—The assessment required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 441. CONTINUED CONGRESSIONAL OVERSIGHT OF IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITIES.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

(b) UPDATE REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress an update to the report submitted under section 6705 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (22 U.S.C. 9412) to reflect current occurrences, circumstances, and expenditures.

(c) FORM.—The update submitted pursuant to subsection (b) shall be submitted in unclassified form, but may include a classified annex.

TITLE V—EMERGING TECHNOLOGIES

SEC. 501. STRATEGY TO COUNTER FOREIGN ADVERSARY EFFORTS TO UTILIZE BIOTECHNOLOGIES IN WAYS THAT THREATEN UNITED STATES NATIONAL SECURITY.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that as biotechnologies become increasingly important with regard to the national security interests of the United States, and with the addition of biotechnologies to the biosecurity mission of the National Counterproliferation and Biosecurity Center, the intelligence community must articulate and implement a whole-of-government strategy for addressing concerns relating to biotechnologies.

(c) STRATEGY FOR BIOTECHNOLOGIES CRITICAL TO NATIONAL SECURITY.—

(1) STRATEGY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall, acting through the Director of the National Counterproliferation and Biosecurity Center and in coordination with the heads of such other elements of the intelligence community as the Director of National Intelligence considers appropriate, develop and submit to the appropriate committees of Congress a whole-of-government strategy to address concerns relating to biotechnologies.

(2) ELEMENTS.—The strategy developed and submitted pursuant to paragraph (1) shall include the following:

(A) Identification and assessment of biotechnologies critical to the national security of the United States, including an assessment of which materials involve a dependency on foreign adversary nations.

(B) A determination of how best to counter foreign adversary efforts to utilize biotechnologies that threaten the national security of the United States, including technologies identified pursuant to paragraph (1).

(C) A plan to support United States efforts and capabilities to secure the United States supply chains of the technologies identified pursuant to paragraph (1), by coordinating—

(i) across the intelligence community;

(ii) the support provided by the intelligence community to other relevant Federal agencies and policymakers;

(iii) the engagement of the intelligence community with private sector entities; and

(iv) how the intelligence community can support securing United States supply chains for and use of biotechnologies.

(D) Proposals for such legislative or administrative action as the Directors consider necessary to support the strategy.

SEC. 502. IMPROVEMENTS TO THE ROLES, MISSIONS, AND OBJECTIVES OF THE NATIONAL COUNTERPROLIFERATION AND BIOSECURITY CENTER.

Section 119A of the National Security Act of 1947 (50 U.S.C. 3057) is amended—

(1) in subsection (a)(4), by striking ''biosecurity and'' and inserting ''counterproliferation, biosecurity, and''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''analyzing and'';

(ii) in subparagraph (C), by striking ''Establishing'' and inserting ''Coordinating the establishment of'';

(iii) in subparagraph (D), by striking ''Disseminating'' and inserting ''Overseeing the dissemination of'';

(iv) in subparagraph (E), by inserting ''and coordinating'' after ''Conducting''; and

(v) in subparagraph (G), by striking ''Conducting'' and inserting ''Coordinating and advancing''; and

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''and analysis'';

(ii) by redesignating subparagraphs (C) through (E) as subparagraphs (D) through (F), respectively;

(iii) by inserting after subparagraph (B) the following:

''(C) Overseeing and coordinating the analysis of intelligence on biosecurity and foreign biological threats in support of the intelligence needs of Federal departments and agencies responsible for public health, including by providing analytic priorities to elements of the intelligence community and by conducting and coordinating net assessments.'';

(iv) in subparagraph (D), as redesignated by clause (ii), by inserting ''on matters relating to biosecurity and foreign biological threats'' after ''public health'';

(v) in subparagraph (F), as redesignated by clause (ii), by inserting ''and authorities'' after ''capabilities''; and

(vi) by adding at the end the following:

''(G) Coordinating with relevant elements of the intelligence community and other Federal departments and agencies responsible for public health to engage with private sector entities on information relevant to biosecurity, biotechnology, and foreign biological threats.''.

SEC. 503. ENHANCING CAPABILITIES TO DETECT FOREIGN ADVERSARY THREATS RELATING TO BIOLOGICAL DATA.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall, in consultation with the heads of such Federal departments and agencies as the Director considers appropriate, take the following steps to standardize and enhance the capabilities of the intelligence community to detect foreign adversary threats relating to biological data:

(1) Prioritize the collection, analysis, and dissemination of information relating to foreign adversary use of biological data, particularly in ways that threaten or could threaten the national security of the United States.

(2) Issue policy guidance within the intelligence community—

(A) to standardize the handling and processing of biological data, including with respect to protecting the civil liberties and privacy of United States persons;

(B) to standardize and enhance intelligence engagements with foreign allies and partners with respect to biological data; and

(C) to standardize the creation of metadata relating to biological data.

(3) Ensure coordination with such Federal departments and agencies and entities in the

private sector as the Director considers appropriate to understand how foreign adversaries are accessing and using biological data stored within the United States.

SEC. 504. NATIONAL SECURITY PROCEDURES TO ADDRESS CERTAIN RISKS AND THREATS RELATING TO ARTIFICIAL INTELLIGENCE.

(a) FINDINGS.—Congress finds the following:

(1) Artificial intelligence systems demonstrate increased capabilities in the generation of synthetic media and computer programming code, as well as areas such as object recognition, natural language processing, and workflow orchestration.

(2) The growing capabilities of artificial intelligence systems in the areas described in paragraph (1), as well as the greater accessibility of large-scale artificial intelligence models and advanced computation capabilities to individuals, businesses, and governments, have dramatically increased the adoption of artificial intelligence products in the United States and globally.

(3) The advanced capabilities of the systems described in paragraph (1), and their accessibility to a wide-range of users, have increased the likelihood and effect of misuse or malfunction of these systems, such as to generate synthetic media for disinformation campaigns, develop or refine malware for computer network exploitation activity, enhance surveillance capabilities in ways that undermine the privacy of citizens of the United States, and increase the risk of exploitation or malfunction of information technology systems incorporating artificial intelligence systems in mission-critical fields such as health care, critical infrastructure, and transportation.

(b) PROCEDURES REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President shall develop and issue procedures to facilitate and promote mechanisms by which—

(1) vendors of advanced computation capabilities, vendors and commercial users of artificial intelligence systems, as well as independent researchers and other third parties, may effectively notify appropriate elements of the United States Government of—

(A) information security risks emanating from artificial intelligence systems, such as the use of an artificial intelligence system to develop or refine malicious software;

(B) information security risks such as indications of compromise or other threat information indicating a compromise to the confidentiality, integrity, or availability of an artificial intelligence system, or to the supply chain of an artificial intelligence system, including training or test data, frameworks, computing environments, or other components necessary for the training, management, or maintenance of an artificial intelligence system;

(C) biosecurity risks emanating from artificial intelligence systems, such as the use of an artificial intelligence system to design, develop, or acquire dual-use biological entities such as putatively toxic small molecules, proteins, or pathogenic organisms;

(D) suspected foreign malign influence (as defined by section 119C of the National Security Act of 1947 (50 U.S.C. 3059(f))) activity that appears to be facilitated by an artificial intelligence system; and

(E) any other unlawful activity facilitated by, or directed at, an artificial intelligence system;

(2) elements of the Federal Government may provide threat briefings to vendors of advanced computation capabilities and vendors of artificial intelligence systems, alerting them, as may be appropriate, to potential or confirmed foreign exploitation of their systems, as well as malign foreign plans and intentions.

(c) BRIEFING REQUIRED.—

(1) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Foreign Relations of the Senate; and

(C) the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives.

(2) IN GENERAL.—The President shall provide the appropriate committees of Congress a briefing on procedures developed and issued pursuant to subsection (b).

(3) ELEMENTS.—The briefing provided pursuant to paragraph (2) shall include the following:

(A) A clear specification of which Federal agencies are responsible for leading outreach to affected industry and the public with respect to the matters described in subparagraphs (A) through (E) of paragraph (1) of subsection (b) and paragraph (2) of such subsection.

(B) An outline of a plan for industry outreach and public education regarding risks posed by, and directed at, artificial intelligence systems.

(C) Use of research and development, stakeholder outreach, and risk management frameworks established pursuant to—

(i) provisions of law in effect on the day before the date of the enactment of this Act; or

(ii) Federal agency guidelines.

SEC. 505. ESTABLISHMENT OF ARTIFICIAL INTELLIGENCE SECURITY CENTER.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Director of the National Security Agency shall establish an Artificial Intelligence Security Center within the Cybersecurity Collaboration Center of the National Security Agency.

(b) FUNCTIONS.—The functions of the Artificial Intelligence Security Center shall be as follows:

(1) Making available a research test bed to private sector and academic researchers, on a subsidized basis, to engage in artificial intelligence security research, including through the secure provision of access in a secure environment to proprietary third-party models, with the consent of the vendors of the models.

(2) Developing guidance to prevent or mitigate counter-artificial intelligence techniques.

(3) Promoting secure artificial intelligence adoption practices for managers of national security systems (as defined in section 3552 of title 44, United States Code) and elements of the defense industrial base.

(4) Coordinating with the Artificial Intelligence Safety Institute of the National Institute of Standards and Technology.

(5) Such other functions as the Director considers appropriate.

(c) TEST BED REQUIREMENTS.—

(1) ACCESS AND TERMS OF USAGE.—

(A) RESEARCHER ACCESS.—The Director shall establish terms of usage governing researcher access to the test bed made available under subsection (b)(1), with limitations on researcher publication only to the extent necessary to protect classified information or proprietary information concerning third-party models provided through the consent of model vendors.

(B) AVAILABILITY TO FEDERAL AGENCIES.—The Director shall ensure that the test bed made available under subsection (b)(1) is also made available to other Federal agencies on a cost-recovery basis.

(2) USE OF CERTAIN INFRASTRUCTURE AND OTHER RESOURCES.—In carrying out subsection (b)(1), the Director shall leverage, to the greatest extent practicable, infrastructure and other resources provided under section 5.2 of the Executive Order dated October 30, 2023 (relating to safe, secure, and trustworthy development and use of artificial intelligence).

(d) ACCESS TO PROPRIETARY MODELS.—In carrying out this section, the Director shall establish such mechanisms as the Director considers appropriate, including potential contractual incentives, to ensure the provision of access to proprietary models by qualified independent third-party researchers if commercial model vendors have voluntarily provided models and associated resources for such testing.

(e) COUNTER-ARTIFICIAL INTELLIGENCE DEFINED.—In this section, the term ''counter-artificial intelligence'' means techniques or procedures to extract information about the behavior or characteristics of an artificial intelligence system, or to learn how to manipulate an artificial intelligence system, in order to subvert the confidentiality, integrity, or availability of an artificial intelligence system or adjacent system.

SEC. 506. SENSE OF CONGRESS ENCOURAGING INTELLIGENCE COMMUNITY TO INCREASE PRIVATE SECTOR CAPITAL PARTNERSHIPS AND PARTNERSHIP WITH OFFICE OF STRATEGIC CAPITAL OF DEPARTMENT OF DEFENSE TO SECURE ENDURING TECHNOLOGICAL ADVANTAGES.

It is the sense of Congress that—

(1) acquisition leaders in the intelligence community should further explore the strategic use of private capital partnerships to secure enduring technological advantages for the intelligence community, including through the identification, development, and transfer of promising technologies to full-scale programs capable of meeting intelligence community requirements; and

(2) the intelligence community should undertake regular consultation with Federal partners, such as the Office of Strategic Capital of the Office of the Secretary of Defense, on best practices and lessons learned from their experiences integrating these resources so as to accelerate attainment of national security objectives.

SEC. 507. INTELLIGENCE COMMUNITY TECHNOLOGY BRIDGE FUND.

(a) DEFINITIONS.—In this section:

(1) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and that is exempt from tax under section 501(a) of such Code.

(2) WORK PROGRAM.—The term ''work program'' means any agreement between In-Q-Tel and a third-party company, where such third-party company furnishes or is furnishing a product or service for use by any of In-Q-Tel's government customers to address those customers' technology needs or requirements.

(b) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the ''Intelligence Community Technology Bridge Fund'' (in this subsection referred to as the ''Fund'') to assist in the transitioning of products or services from the research and development phase to the contracting and production phase.

(c) CONTENTS OF FUND.—The Fund shall consist of amounts appropriated to the Fund, and amounts in the Fund shall remain available until expended.

(d) AVAILABILITY AND USE OF FUND.—

(1) IN GENERAL.—Subject to paragraph (3), amounts in the Fund shall be available to

the Director of National Intelligence to provide assistance to a business or nonprofit organization that is transitioning a product or service.

(2) TYPES OF ASSISTANCE.—Assistance provided under paragraph (1) may be distributed as funds in the form of a grant, a payment for a product or service, or a payment for equity.

(3) REQUIREMENTS FOR FUNDS.—Assistance may be provided under paragraph (1) to a business or nonprofit organization that is transitioning a product or service only if—

(A) the business or nonprofit organization—

(i) has participated or is participating in a work program; or

(ii) is engaged with an element of the intelligence community or Department of Defense for research and development; and

(B) the Director of National Intelligence or the head of an element of the intelligence community attests that the product or service will be utilized by an element of the intelligence community for a mission need, such as because it would be valuable in addressing a needed capability, fill or complement a technology gap, or increase the supplier base or price-competitiveness for the Federal Government.

(4) PRIORITY FOR SMALL BUSINESS CONCERNS AND NONTRADITIONAL DEFENSE CONTRACTORS.—In providing assistance under paragraph (1), the Director shall prioritize the provision of assistance to small business concerns (as defined under section 3(a) of the Small Business Act (15 U.S.C. 632(a))) and nontraditional defense contractors (as defined in section 3014 of title 10, United States Code).

(e) ADMINISTRATION OF FUND.—

(1) IN GENERAL.—The Fund shall be administered by the Director of National Intelligence.

(2) CONSULTATION.—In administering the Fund, the Director—

(A) shall consult with the heads of the elements of the intelligence community; and

(B) may consult with In-Q-Tel, the Defense Advanced Research Project Agency, the North Atlantic Treaty Organization Investment Fund, and the Defense Innovation Unit.

(f) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than September 30, 2025, and each fiscal year thereafter, the Director shall submit to the congressional intelligence committees a report on the Fund.

(2) CONTENTS.—Each report submitted pursuant to paragraph (1) shall include, for the period covered by the report, information about the following:

(A) How much was expended or obligated using amounts from the Fund.

(B) For what the amounts were expended or obligated.

(C) The effects of such expenditures and obligations.

(D) A summary of annual transition activities and outcomes of such activities for the intelligence community.

(3) FORM.—Each report submitted pursuant to paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there is authorized to be appropriated to the Fund $75,000,000 for fiscal year 2025 and for each fiscal year thereafter.

(2) LIMITATION.—The amount in the Fund shall not exceed $75,000,000 at any time.

SEC. 508. ENHANCEMENT OF AUTHORITY FOR INTELLIGENCE COMMUNITY PUBLIC-PRIVATE TALENT EXCHANGES.

(a) FOCUS AREAS.—Subsection (a) of section 5306 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(2) FOCUS AREAS.—The Director shall ensure that the policies, processes, and procedures developed pursuant to paragraph (1) include a focus on rotations described in such paragraph with private-sector organizations in the following fields:

''(A) Finance.

''(B) Acquisition.

''(C) Biotechnology.

''(D) Computing.

''(E) Artificial intelligence.

''(F) Business process innovation and entrepreneurship.

''(G) Cybersecurity.

''(H) Materials and manufacturing.

''(I) Any other technology or research field the Director determines relevant to meet evolving national security threats in technology sectors.''.

(b) DURATION OF TEMPORARY DETAILS.—Subsection (e) of section 5306 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334) is amended—

(1) in paragraph (1), by striking ''3 years'' and inserting ''5 years''; and

(2) in paragraph (2), by striking ''3 years'' and inserting ''5 years''.

(c) TREATMENT OF PRIVATE-SECTOR EMPLOYEES.—Subsection (g) of such section is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) shall not be considered to have a conflict of interest with an element of the intelligence community solely because of being detailed to an element of the intelligence community under this section.''.

(d) HIRING AUTHORITY.—Such section is amended—

(1) by redesignating subsection (j) as subsection (k); and

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

''(j) HIRING AUTHORITY.—

''(1) IN GENERAL.—The Director may hire, under section 213.3102(r) of title 5, Code of Federal Regulations, or successor regulations, an individual who is an employee of a private-sector organization who is detailed to an element of the intelligence community under this section.

''(2) NO PERSONNEL BILLET REQUIRED.—Hiring an individual under paragraph (1) shall not require a personnel billet.''.

(e) ANNUAL REPORTS.—Not later than 1 year after the date of the enactment of this Act and annually thereafter for 2 more years, the Director of National Intelligence shall submit to the congressional intelligence committees an annual report on—

(1) the implementation of the policies, processes, and procedures developed pursuant to subsection (a) of such section 5306 (50 U.S.C. 3334) and the administration of such section;

(2) how the heads of the elements of the intelligence community are using or plan to use the authorities provided under such section; and

(3) recommendations for legislative or administrative action to increase use of the authorities provided under such section.

SEC. 509. ENHANCING INTELLIGENCE COMMUNITY ABILITY TO ACQUIRE EMERGING TECHNOLOGY THAT FULFILLS INTELLIGENCE COMMUNITY NEEDS.

(a) DEFINITION OF WORK PROGRAM.—The term ''work program'' means any agreement between In-Q-Tel and a third-party company, where such third-party company furnishes or is furnishing a property, product, or service for use by any of In-Q-Tel's government customers to address those customers' technology needs or requirements.

(b) IN GENERAL.—In addition to the exceptions listed under section 3304(a) of title 41, United States Code, and under section 3204(a) of title 10, United States Code, for the use of competitive procedures, the Director of National Intelligence or the head of an element of the intelligence community may use procedures other than competitive procedures to acquire a property, product, or service if—

(1) the source of the property, product, or service is a company that completed a work program in which the company furnished the property, product, or service; and

(2) the Director of National Intelligence or the head of an element of the intelligence community certifies that such property, product, or service has been shown to meet an identified need of the intelligence community.

(c) JUSTIFICATION FOR USE OF PROCEDURES OTHER THAN COMPETITIVE PROCEDURES.—

(1) IN GENERAL.—A property, product, or service may not be acquired by the Director or the head of an element of the intelligence community under subsection (b) using procedures other than competitive procedures unless the acquiring officer for the acquisition justifies the use of such procedures in writing.

(2) CONTENTS.—A justification in writing described in paragraph (1) for an acquisition using procedures other than competitive procedures shall include the following:

(A) A description of the need of the element of the intelligence community that the property, product, or service satisfies.

(B) A certification that the anticipated costs will be fair and reasonable.

(C) A description of the market survey conducted or a statement of the reasons a market survey was not conducted.

(D) Such other matters as the Director or the head, as the case may be, determines appropriate.

SEC. 510. MANAGEMENT OF ARTIFICIAL INTELLIGENCE SECURITY RISKS.

(a) DEFINITIONS.—In this section:

(1) ARTIFICIAL INTELLIGENCE SAFETY INCIDENT.—The term ''artificial intelligence safety incident'' means an event that increases the risk that operation of an artificial intelligence system will—

(A) result in physical or psychological harm; or

(B) lead to a state in which human life, health, property, or the environment is endangered.

(2) ARTIFICIAL INTELLIGENCE SECURITY INCIDENT.—The term ''artificial intelligence security incident'' means an event that increases—

(A) the risk that operation of an artificial intelligence system occurs in a way that enables the extraction of information about the behavior or characteristics of an artificial intelligence system by a third party; or

(B) the ability of a third party to manipulate an artificial intelligence system to subvert the confidentiality, integrity, or availability of an artificial intelligence system or adjacent system.

(3) ARTIFICIAL INTELLIGENCE SECURITY VULNERABILITY.—The term ''artificial intelligence security vulnerability'' means a weakness in an artificial intelligence system that could be exploited by a third party to,

without authorization, subvert the confidentiality, integrity, or availability of an artificial intelligence system, including through techniques such as—

(A) data poisoning;

(B) evasion attacks;

(C) privacy-based attacks; and

(D) abuse attacks.

(4) COUNTER-ARTIFICIAL INTELLIGENCE.—The term ''counter-artificial intelligence'' means techniques or procedures to extract information about the behavior or characteristics of an artificial intelligence system, or to learn how to manipulate an artificial intelligence system, so as to subvert the confidentiality, integrity, or availability of an artificial intelligence system or adjacent system.

(b) VOLUNTARY TRACKING AND PROCESSING OF SECURITY AND SAFETY INCIDENTS AND RISKS ASSOCIATED WITH ARTIFICIAL INTELLIGENCE.—

(1) PROCESSES AND PROCEDURES FOR VULNERABILITY MANAGEMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall—

(A) initiate a process to update processes and procedures associated with the National Vulnerability Database of the Institute to ensure that the database and associated vulnerability management processes incorporate artificial intelligence security vulnerabilities to the greatest extent practicable; and

(B) identify any characteristics of artificial intelligence security vulnerabilities that make utilization of the National Vulnerability Database inappropriate for their management and develop processes and procedures for vulnerability management of those vulnerabilities.

(2) VOLUNTARY TRACKING OF ARTIFICIAL INTELLIGENCE SECURITY AND ARTIFICIAL INTELLIGENCE SAFETY INCIDENTS.—

(A) VOLUNTARY DATABASE REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of the Institute, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall—

(i) develop and establish a comprehensive database to publicly track artificial intelligence security and artificial intelligence safety incidents through voluntary input; and

(ii) in establishing the database under clause (i)—

(I) establish mechanisms by which private sector entities, public sector organizations, civil society groups, and academic researchers may voluntarily share information with the Institute on confirmed or suspected artificial intelligence security or artificial intelligence safety incidents, in a manner that preserves the confidentiality of any affected party;

(II) leverage, to the greatest extent possible, standardized disclosure and incident description formats;

(III) develop processes to associate reports pertaining to the same incident with a single incident identifier;

(IV) establish classification, information retrieval, and reporting mechanisms that sufficiently differentiate between artificial intelligence security incidents and artificial intelligence safety incidents; and

(V) create appropriate taxonomies to classify incidents based on relevant characteristics, impact, or other relevant criteria.

(B) IDENTIFICATION AND TREATMENT OF MATERIAL ARTIFICIAL INTELLIGENCE SECURITY OR ARTIFICIAL INTELLIGENCE SAFETY RISKS.—

(i) IN GENERAL.—Upon receipt of relevant information on an artificial intelligence security or artificial intelligence safety incident, the Director of the Institute shall determine whether the described incident presents a material artificial intelligence security or artificial intelligence safety risk sufficient for inclusion in the database developed and established under subparagraph (A).

(ii) PRIORITIES.—In evaluating a reported incident pursuant to subparagraph (A), the Director shall prioritize inclusion in the database cases in which a described incident—

(I) describes an artificial intelligence system used in critical infrastructure or safety-critical systems;

(II) would result in a high-severity or catastrophic impact to the people or economy of the United States; or

(III) includes an artificial intelligence system widely used in commercial or public sector contexts.

(C) REPORTS AND ANONYMITY.—The Director shall populate the database developed and established under subparagraph (A) with incidents based on public reports and information shared using the mechanism established pursuant to clause (ii)(I) of such subparagraph, ensuring that any incident description sufficiently anonymizes those affected, unless those who are affected have consented to their names being included in the database.

(c) UPDATING PROCESSES AND PROCEDURES RELATING TO COMMON VULNERABILITIES AND EXPOSURES PROGRAM AND EVALUATION OF CONSENSUS STANDARDS RELATING TO ARTIFICIAL INTELLIGENCE SECURITY VULNERABILITY REPORTING.—

(1) DEFINITIONS.—In this subsection:

(A) COMMON VULNERABILITIES AND EXPOSURES PROGRAM.—The term ''Common Vulnerabilities and Exposures Program'' means the reference guide and classification system for publicly known information security vulnerabilities sponsored by the Cybersecurity and Infrastructure Security Agency.

(B) DIRECTOR.—The term ''Director'' means the Director of the Cybersecurity and Infrastructure Security Agency.

(C) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on Commerce, Science, and Transportation of the Senate;

(iii) the Select Committee on Intelligence of the Senate;

(iv) the Committee on the Judiciary of the Senate;

(v) the Committee on Foreign Relations of the Senate;

(vi) the Committee on Oversight and Accountability of the House of Representatives;

(vii) the Committee on Energy and Commerce of the House of Representatives;

(viii) the Permanent Select Committee on Intelligence of the House of Representatives;

(ix) the Committee on the Judiciary of the House of Representatives; and

(x) the Committee on Foreign Affairs of the House of Representatives.

(2) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director shall—

(A) initiate a process to update processes and procedures associated with the Common Vulnerabilities and Exposures Program to ensure that the program and associated processes identify and enumerate artificial intelligence security vulnerabilities to the greatest extent practicable; and

(B) identify any characteristic of artificial intelligence security vulnerabilities that makes utilization of the Common Vulnerabilities and Exposures Program inappropriate for their management and develop processes and procedures for vulnerability identification and enumeration of those artificial intelligence security vulnerabilities.

(3) EVALUATION OF CONSENSUS STANDARDS.—

(A) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall initiate a multi-stakeholder process to evaluate whether existing voluntary consensus standards for vulnerability reporting effectively accommodate artificial intelligence security vulnerabilities.

(B) REPORT.—

(i) SUBMISSION.—Not later than 180 days after the date on which the evaluation under subparagraph (A) is carried out, the Director shall submit a report to the relevant congressional committees on the sufficiency of existing vulnerability reporting processes and standards to accommodate artificial intelligence security vulnerabilities.

(ii) POST-REPORT ACTION.—If the Director concludes in the report submitted under clause (i) that existing processes do not sufficiently accommodate reporting of artificial intelligence security vulnerabilities, the Director shall initiate a process, in consultation with the Director of the National Institute of Standards and Technology and the Director of the Office of Management and Budget, to update relevant vulnerability reporting processes, including the Department of Homeland Security Binding Operational Directive 20–01, or any subsequent directive.

(4) BEST PRACTICES.—Not later than 90 days after the date of enactment of this Act, the Director shall, in collaboration with the Director of the National Security Agency and the Director of the National Institute of Standards and Technology and leveraging efforts of the Information Communications Technology Supply Chain Risk Management Task Force to the greatest extent practicable, convene a multi-stakeholder process to encourage the development and adoption of best practices relating to addressing supply chain risks associated with training and maintaining artificial intelligence models, which shall ensure consideration of supply chain risks associated with—

(A) data collection, cleaning, and labeling, particularly the supply chain risks of reliance on remote workforce and foreign labor for such tasks;

(B) inadequate documentation of training data and test data storage, as well as limited provenance of training data;

(C) human feedback systems used to refine artificial intelligence systems, particularly the supply chain risks of reliance on remote workforce and foreign labor for such tasks;

(D) the use of large-scale, open-source datasets, particularly the supply chain risks to repositories that host such datasets for use by public and private sector developers in the United States; and

(E) the use of proprietary datasets containing sensitive or personally identifiable information.

SEC. 511. PROTECTION OF TECHNOLOGICAL MEASURES DESIGNED TO VERIFY AUTHENTICITY OR PROVENANCE OF MACHINE-MANIPULATED MEDIA.

(a) DEFINITIONS.—In this section:

(1) MACHINE-MANIPULATED MEDIA.—The term ''machine-manipulated media'' has the meaning given such term in section 5724 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116–92; 50 U.S.C. 3024 note).

(2) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(b) PROHIBITIONS.—

(1) PROHIBITION ON CONCEALING SUBVERSION.—No person shall knowingly and with

the intent or substantial likelihood of deceiving a third party, enable, facilitate, or conceal the subversion of a technological measure designed to verify the authenticity, modifications, or conveyance of machine-manipulated media, or characteristics of the provenance of the machine-manipulated media, by generating information about the authenticity of a piece of content that is knowingly false.

(2) PROHIBITION ON FRAUDULENT DISTRIBUTION.—No person shall knowingly and for financial benefit, enable, facilitate, or conceal the subversion of a technological measure described in paragraph (1) by distributing machine-manipulated media with knowingly false information about the authenticity of a piece of machine-manipulated media.

(3) PROHIBITION ON PRODUCTS AND SERVICES FOR CIRCUMVENTION.—No person shall deliberately manufacture or offer to the public a technology, product, service, device, component, or part thereof that—

(A) is primarily designed or produced and promoted for the purpose of circumventing, removing, or otherwise disabling a technological measure described in paragraph (1) with the intent or substantial likelihood of deceiving a third party about the authenticity of a piece of machine-manipulated media;

(B) has only limited commercially significant or expressive purpose or use other than to circumvent, remove, or otherwise disable a technological measure designed to verify the authenticity of machine-manipulated media and is promoted for such purposes; or

(C) is marketed by that person or another acting in concert with that person with that person's knowledge for use in circumventing, removing, or otherwise disabling a technological measure described in paragraph (1) with an intent to deceive a third party about the authenticity of a piece of machine-manipulated media.

(c) EXEMPTIONS.—

(1) IN GENERAL.—Nothing in subsection (b) shall inhibit the ability of any individual to access, read, or review a technological measure described in paragraph (1) of such subsection or to access, read, or review the provenance, modification, or conveyance information contained therein.

(2) EXEMPTION FOR NONPROFIT LIBRARIES, ARCHIVES, AND EDUCATIONAL INSTITUTIONS.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, subsection (b) shall not apply to a nonprofit library, archives, or educational institution which generates, distributes, or otherwise handles machine-manipulated media.

(B) COMMERCIAL ADVANTAGE, FINANCIAL GAIN, OR TORTIOUS CONDUCT.—The exception in subparagraph (A) shall not apply to a nonprofit library, archive, or educational institution that willfully for the purpose of commercial advantage, financial gain, or in furtherance of tortious conduct violates a provision of subsection (b), except that a nonprofit library, archive, or educational institution that willfully for the purpose of commercial advantage, financial gain, or in furtherance of tortious conduct violates a provision of subsection (b) shall—

(i) for the first offense, be subject to the civil remedies under subsection (d); and

(ii) for repeated or subsequent offenses, in addition to the civil remedies under subsection (d), forfeit the exemption provided under subparagraph (A).

(C) CIRCUMVENTING TECHNOLOGIES.—This paragraph may not be used as a defense to a claim under paragraph (3) of subsection (b), nor may this subsection permit a nonprofit library, archive, or educational institution to manufacture, offer to the public, provide, or otherwise traffic in any technology, product, service, component, or part thereof, that circumvents a technological measure described in paragraph (1) of such subsection.

(D) QUALIFICATIONS OF LIBRARIES AND ARCHIVES.—In order for a library or archive to qualify for the exemption under subparagraph (A), the collections of that library or archive shall be—

(i) open to the public; or

(ii) available not only to researchers affiliated with the library or archive or with the institution of which it is a part, but also to other persons doing research in a specialized field.

(3) REVERSE ENGINEERING.—

(A) DEFINITIONS.—In this paragraph:

(i) CIRCUMVENTION.—The term ''circumvention'' means to remove, deactivate, disable, or impair a technological measure designed to verify the authenticity of machine-manipulated media or characteristics of its provenance, modifications, or conveyance.

(ii) INTEROPERABILITY.—The term ''interoperability'' means the ability of—

(I) computer programs to exchange information; and

(II) such programs mutually to use the information which has been exchanged.

(B) IN GENERAL.—An authorized user of a technological measure described in subsection (b)(1) may circumvent such technological measure for the sole purpose of identifying and analyzing those elements of the technological measure that are necessary to achieve interoperability with that authorized user's own technological measures intended for similar purposes of verifying the authenticity of machine-manipulated media or characteristics of its provenance, modifications, or conveyance.

(C) LAW ENFORCEMENT, INTELLIGENCE, AND OTHER GOVERNMENT ACTIVITIES.—Subsection (b) does not prohibit any lawfully authorized investigative, protective, information security, or intelligence activity of an officer, agent, or employee of the United States, a State, or a political subdivision of a State, or a person acting pursuant to a contract with the United States, a State, or a political subdivision of a State.

(d) ENFORCEMENT BY ATTORNEY GENERAL.—

(1) CIVIL ACTIONS.—The Attorney General may bring a civil action in an appropriate United States district court against any person who violates subsection (b).

(2) POWERS OF THE COURT.—In an action brought under paragraph (1), the court—

(A) may grant temporary and permanent injunctions on such terms as it deems reasonable to prevent or restrain a violation, but in no event shall impose a prior restraint on free speech or the press protected under the First Amendment to the Constitution of the United States;

(B) at any time while an action is pending, may order the impounding, on such terms as it deems reasonable, of any device or product that is in the custody or control of the alleged violator and that the court has reasonable cause to believe was involved in a violation;

(C) may award damages under paragraph (3);

(D) in its discretion may allow the recovery of costs against any party other than the United States or an officer thereof; and

(E) may, as part of a final judgment or decree finding a violation, order the remedial modification or the destruction of any device or product involved in the violation that is in the custody or control of the violator or has been impounded under subparagraph (B).

(3) AWARD OF DAMAGES.—

(A) IN GENERAL.—Except as otherwise provided in this section, a person committing a violation of subsection (b) is liable for statutory damages as provided in subparagraph (C).

(B) STATUTORY DAMAGES.—

(i) ELECTION OF AMOUNT BASED ON NUMBER OF ACTS OF CIRCUMVENTION.—At any time before final judgment is entered, the Attorney General may elect to recover an award of statutory damages for each violation of subsection (b) in the sum of not less than $200 or more than $2,500 per act of circumvention, device, product, component, offer, or performance of service, as the court considers just.

(ii) ELECTION OF AMOUNT; TOTAL AMOUNT.—At any time before final judgment is entered, the Attorney General may elect to recover an award of statutory damages for each violation of subsection (b) in the sum of not less than $2,500 or more than $25,000.

(C) REPEATED VIOLATIONS.—In any case in which the Attorney General sustains the burden of proving, and the court finds, that a person has violated subsection (b) within 3 years after a final judgment was entered against the person for another such violation, the court may increase the award of damages up to triple the amount that would otherwise be awarded, as the court considers just.

(D) INNOCENT VIOLATIONS.—

(i) IN GENERAL.—The court in its discretion may reduce or remit the total award of damages in any case in which the violator sustains the burden of proving, and the court finds, that the violator was not aware and had no reason to believe that its acts constituted a violation.

(ii) NONPROFIT LIBRARY, ARCHIVE, EDUCATIONAL INSTITUTIONS, OR PUBLIC BROADCASTING ENTITIES.—In the case of a nonprofit library, archive, educational institution, or public broadcasting entity, the court shall remit damages in any case in which the library, archive, educational institution, or public broadcasting entity sustains the burden of proving, and the court finds, that the library, archive, educational institution, or public broadcasting entity was not aware and had no reason to believe that its acts constituted a violation.

SEC. 512. SENSE OF CONGRESS ON HOSTILE FOREIGN CYBER ACTORS.

It is the sense of Congress that foreign ransomware organizations, and foreign affiliates associated with them, constitute hostile foreign cyber actors, that covered nations abet and benefit from the activities of these actors, and that such actors should be treated as hostile foreign cyber actors by the United States. Such actors include the following:

(1) DarkSide.
(2) Conti.
(3) REvil.
(4) BlackCat, also known as ''ALPHV''.
(5) LockBit.
(6) Rhysida, also known as ''Vice Society''.
(7) Royal.
(8) Phobos, also known as ''Eight'' and also known as ''Joanta''.
(9) C10p.
(10) Hackers associated with the SamSam ransomware campaigns.
(11) Play.
(12) BianLian.
(13) Killnet.
(14) Akira.
(15) Ragnar Locker, also known as ''Dark Angels''.
(16) Blacksuit.
(17) INC.
(18) Black Basta.

SEC. 513. DESIGNATION OF STATE SPONSORS OF RANSOMWARE AND REPORTING REQUIREMENTS.

(a) DESIGNATION OF STATE SPONSORS OF RANSOMWARE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of

State, in consultation with the Director of National Intelligence, shall—

(A) designate as a state sponsor of ransomware any country the government of which the Secretary has determined has provided support for ransomware demand schemes (including by providing safe haven for individuals engaged in such schemes);

(B) submit to Congress a report listing the countries designated under subparagraph (A); and

(C) in making designations under subparagraph (A), take into consideration the report submitted to Congress under section 514(c)(1).

(2) SANCTIONS AND PENALTIES.—The President shall impose with respect to each state sponsor of ransomware designated under paragraph (1)(A) the sanctions and penalties imposed with respect to a state sponsor of terrorism.

(3) STATE SPONSOR OF TERRORISM DEFINED.—In this subsection, the term ''state sponsor of terrorism'' means a country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism, for purposes of—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i));

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other provision of law.

(b) REPORTING REQUIREMENTS.—

(1) SANCTIONS RELATING TO RANSOMWARE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit a report to Congress that describes, for each of the 5 fiscal years immediately preceding the date of such report, the number and geographic locations of individuals, groups, and entities subject to sanctions imposed by the Office of Foreign Assets Control who were subsequently determined to have been involved in a ransomware demand scheme.

(2) COUNTRY OF ORIGIN REPORT.—The Secretary of State, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall—

(A) submit a report, with a classified annex, to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives that identifies the country of origin of foreign-based ransomware attacks; and

(B) make the report described in subparagraph (A) (excluding the classified annex) available to the public.

(3) INVESTIGATIVE AUTHORITIES REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall issue a report that outlines the authorities available to the Federal Bureau of Investigation, the United States Secret Service, the Cybersecurity and Infrastructure Security Agency, Homeland Security Investigations, and the Office of Foreign Assets Control to respond to foreign-based ransomware attacks.

SEC. 514. DEEMING RANSOMWARE THREATS TO CRITICAL INFRASTRUCTURE A NATIONAL INTELLIGENCE PRIORITY.

(a) CRITICAL INFRASTRUCTURE DEFINED.—In this section, the term ''critical infrastructure'' has the meaning given such term in subsection (e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)).

(b) RANSOMWARE THREATS TO CRITICAL INFRASTRUCTURE AS NATIONAL INTELLIGENCE PRIORITY.—The Director of National Intelligence, pursuant to the provisions of the National Security Act of 1947 (50 U.S.C. 3001 et seq.), the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), section 1.3(b)(17) of Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities), as in effect on the day before the date of the enactment of this Act, and National Security Presidential Directive–26 (February 24, 2003; relating to intelligence priorities), as in effect on the day before the date of the enactment of this Act, shall deem ransomware threats to critical infrastructure a national intelligence priority component to the National Intelligence Priorities Framework.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in consultation with the Director of the Federal Bureau of Investigation, submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on the implications of the ransomware threat to United States national security.

(2) CONTENTS.—The report submitted under paragraph (1) shall address the following:

(A) Identification of individuals, groups, and entities who pose the most significant threat, including attribution to individual ransomware attacks whenever possible.

(B) Locations from which individuals, groups, and entities conduct ransomware attacks.

(C) The infrastructure, tactics, and techniques ransomware actors commonly use.

(D) Any relationships between the individuals, groups, and entities that conduct ransomware attacks and their governments or countries of origin that could impede the ability to counter ransomware threats.

(E) Intelligence gaps that have impeded, or currently are impeding, the ability to counter ransomware threats.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 515. ENHANCING PUBLIC-PRIVATE SHARING ON MANIPULATIVE ADVERSARY PRACTICES IN CRITICAL MINERAL PROJECTS.

(a) STRATEGY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall, in consultation with the heads of such Federal agencies as the Director considers appropriate, develop a strategy to improve the sharing between the Federal Government and private entities of information and intelligence to mitigate the threat that foreign adversary illicit activities and tactics pose to United States persons in foreign jurisdictions on projects relating to energy generation and storage, including with respect to critical minerals inputs.

(b) ELEMENTS.—The strategy required by subsection (a) shall cover—

(1) how best to assemble and transmit information to United States persons—

(A) to protect against foreign adversary illicit tactics and activities relating to critical mineral projects abroad, including foreign adversary efforts to undermine such United States projects abroad;

(B) to mitigate the risk that foreign adversary government involvement in the ownership and control of entities engaging in deceptive or illicit activities pose to the interests of the United States; and

(C) to inform on economic espionage and other threats from foreign adversaries to the rights of owners of intellectual property, including owners of patents, trademarks, copyrights, and trade secrets, and other sensitive information, with respect to such property; and

(2) how best to receive information from United States persons on threats to United States interests in the critical mineral space, including disinformation campaigns abroad or other suspicious malicious activity.

(c) IMPLEMENTATION PLAN REQUIRED.—Not later than 30 days after the date on which the Director completes developing the strategy pursuant to subsection (a), the Director shall submit to the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), or provide such committees a briefing on, a plan for implementing the strategy.

TITLE VI—CLASSIFICATION REFORM

SEC. 601. GOVERNANCE OF CLASSIFICATION AND DECLASSIFICATION SYSTEM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED UNCLASSIFIED INFORMATION.—The term ''controlled unclassified information'' means information described as ''Controlled Unclassified Information'' or ''CUI'' in Executive Order 13556 (75 Fed. Reg. 68675; relating to controlled unclassified information), or any successor order.

(2) EXECUTIVE AGENT.—The term ''Executive Agent'' means the Executive Agent for Classification and Declassification designated under subsection (b)(1)(A).

(3) EXECUTIVE COMMITTEE.—The term ''Executive Committee'' means the Executive Committee on Classification and Declassification Programs and Technology established under subsection (b)(1)(C).

(b) ESTABLISHMENT OF CLASSIFICATION AND DECLASSIFICATION GOVERNANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall—

(A) designate a Federal official as Executive Agent for Classification and Declassification to identify and promote technological solutions to support efficient and effective systems for classification and declassification to be implemented on an interoperable and federated basis across the Federal Government;

(B) designate a Federal official—

(i) to establish policies and guidance relating to classification and declassification and controlled unclassified information across the Federal Government;

(ii) to conduct oversight of the implementation of such policies and guidance; and

(iii) who may, at the discretion of the President, also serve as Executive Agent; and

(C) establish an Executive Committee on Classification and Declassification Programs and Technology to provide direction, advice, and guidance to the Executive Agent.

(2) EXECUTIVE COMMITTEE.—

(A) COMPOSITION.—The Executive Committee shall be composed of the following or their designees:

(i) The Director of National Intelligence.

(ii) The Under Secretary of Defense for Intelligence and Security.

(iii) The Secretary of Energy.

(iv) The Secretary of State.

(v) The Director of the Office of Management and Budget.

(vi) The Archivist of the United States.

(vii) The Federal official designated under subsection (b)(1)(B) if such official is not also the Executive Agent.

(viii) Such other members as the Executive Agent considers appropriate.

(B) CHAIRPERSON.—The Executive Agent shall be the chairperson of the Executive Committee.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,

the President shall submit to Congress a report on the administration of this section.

(2) CONTENTS.—The report submitted pursuant to paragraph (1) shall include the following:

(A) Funding, personnel, expertise, and resources required for the Executive Agent and a description of how such funding, personnel, expertise, and resources will be provided.

(B) Authorities needed by the Executive Agent, a description of how such authorities will be granted, and a description of any additional statutory authorities required.

(C) Funding, personnel, expertise, and resources required by the Federal official designated under subsection (b)(1)(B) and a description of how such funding, personnel, expertise, and resources will be provided.

(D) Authorities needed by the Federal official designated under subsection (b)(1)(B), a description of how such authorities will be provided, and a description of any additional statutory authorities required.

(E) Funding and resources required by the Public Interest Declassification Board.

(d) PUBLIC REPORTING.—

(1) IN GENERAL.—The report required by subsection (c) shall be made available to the public to the greatest extent possible consistent with the protection of sources and methods.

(2) PUBLICATION IN FEDERAL REGISTER.—The President shall publish in the Federal Register the roles and responsibilities of the Federal officials designated under subsection (b), the Executive Committee, and any subordinate individuals or entities.

SEC. 602. CLASSIFICATION AND DECLASSIFICATION OF INFORMATION.

(a) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by inserting after section 801 the following:

''SEC. 801A. CLASSIFICATION AND DECLASSIFICATION OF INFORMATION.

''(a) IN GENERAL.—The President may, in accordance with this section, protect from unauthorized disclosure any information owned by, produced by or for, or under the control of the executive branch of the Federal Government when there is a demonstrable need to do so to protect the national security of the United States.

''(b) ESTABLISHMENT OF STANDARDS, CATEGORIES, AND PROCEDURES FOR CLASSIFICATION AND DECLASSIFICATION.—

''(1) GOVERNMENTWIDE PROCEDURES.—

''(A) CLASSIFICATION.—The President shall, to the extent necessary, establish categories of information that may be classified and procedures for classifying information under subsection (a).

''(B) DECLASSIFICATION.—At the same time the President establishes categories and procedures under subparagraph (A), the President shall establish procedures for declassifying information that was previously classified.

''(C) MINIMUM REQUIREMENTS.—The procedures established pursuant to subparagraphs (A) and (B) shall—

''(i) be the exclusive means for classifying information on or after the effective date established by subsection (c), except with respect to information classified pursuant to the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

''(ii) ensure that no information is classified unless there is a demonstrable need to do so to protect the national security and there is a reasonable basis to believe that means other than classification will not provide sufficient protection;

''(iii) ensure that no information may remain classified indefinitely;

''(iv) ensure that no information shall be classified, continue to be maintained as classified, or fail to be declassified in order—

''(I) to conceal violations of law, inefficiency, or administrative error;

''(II) to prevent embarrassment to a person, organization, or agency;

''(III) to restrain competition; or

''(IV) to prevent or delay the release of information that does not require protection in the interest of the national security;

''(v) ensure that basic scientific research information not clearly related to the national security shall not be classified;

''(vi) ensure that information may not be reclassified after being declassified and released to the public under proper authority unless personally approved by the President based on a determination that such reclassification is required to prevent significant and demonstrable damage to the national security;

''(vii) establish standards and criteria for the classification of information;

''(viii) establish standards, criteria, and timelines for the declassification of information classified under this section;

''(ix) provide for the automatic declassification of classified records with permanent historical value not more than 50 years after the date of origin of such records, unless the head of each agency that classified information contained in such records makes a written determination to delay automatic declassification and such determination is reviewed not less frequently than every 10 years;

''(x) provide for the timely review of materials submitted for pre-publication;

''(xi) ensure that due regard is given for the public interest in disclosure of information;

''(xii) ensure that due regard is given for the interests of departments and agencies in sharing information at the lowest possible level of classification;

''(D) SUBMITTAL TO CONGRESS.—The President shall submit to Congress the categories and procedures established under subsection (b)(1)(A) and the procedures established under subsection (b)(1)(B) at least 60 days prior to their effective date.

''(2) AGENCY STANDARDS AND PROCEDURES.—

''(A) IN GENERAL.—The head of each agency shall establish a single set of consolidated standards and procedures to permit such agency to classify and declassify information created by such agency in accordance with the categories and procedures established by the President under this section and otherwise to carry out this section.

''(B) SUBMITTAL TO CONGRESS.—Each agency head shall submit to Congress the standards and procedures established by such agency head under subparagraph (A).

''(c) EFFECTIVE DATE.—

''(1) IN GENERAL.—Subsections (a) and (b) shall take effect on the date that is 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2025.

''(2) RELATION TO PRESIDENTIAL DIRECTIVES.—Presidential directives regarding classifying, safeguarding, and declassifying national security information, including Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), in effect on the day before the date of the enactment of this Act, as well as procedures issued pursuant to such Presidential directives, shall remain in effect until superseded by procedures issued pursuant to subsection (b).''.

(b) CONFORMING AMENDMENT.—Section 805(2) of such Act (50 U.S.C. 3164(2)) is amended by inserting ''section 801A,'' before ''Executive Order''.

(c) CLERICAL AMENDMENT.—The table of contents preceding section 2 of such Act is amended by inserting after the item relating to section 801 the following new item:

''Sec. 801A. Classification and declassification of information.''.

SEC. 603. MINIMUM STANDARDS FOR EXECUTIVE AGENCY INSIDER THREAT PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' means any Executive agency as defined in section 105 of title 5, United States Code, any military department as defined in section 102 of such title, and any other entity in the executive branch of the Federal Government that comes into the possession of classified information.

(2) CLASSIFIED INFORMATION.—The term ''classified information'' means information that has been determined to require protection from unauthorized disclosure pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or predecessor or successor order, to protect the national security of the United States.

(b) ESTABLISHMENT OF INSIDER THREAT PROGRAMS.—Each head of an agency with access to classified information shall establish an insider threat program to protect classified information from unauthorized disclosure.

(c) MINIMUM STANDARDS.—In carrying out an insider threat program established by the head of an agency pursuant to subsection (b), the head of the agency shall—

(1) designate a senior official of the agency who shall be responsible for management of the program;

(2) monitor user activity on all classified networks to detect activity indicative of insider threat behavior;

(3) build and maintain an insider threat analytic and response capability to review, assess, and respond to information obtained pursuant to paragraph (2); and

(4) provide insider threat awareness training to all cleared employees within 30 days of entry-on-duty or granting of access to classified information and annually thereafter.

(d) ANNUAL REPORTS.—Not less frequently than once each year, the Director of National Intelligence shall, serving as the Security Executive Agent under section 803 of the National Security Act of 1947 (50 U.S.C. 3162a), submit to Congress an annual report on the compliance of agencies with respect to the requirements of this section.

TITLE VII—SECURITY CLEARANCES AND INTELLIGENCE COMMUNITY WORKFORCE IMPROVEMENTS

SEC. 701. SECURITY CLEARANCES HELD BY CERTAIN FORMER EMPLOYEES OF INTELLIGENCE COMMUNITY.

(a) ISSUANCE OF GUIDELINES AND INSTRUCTIONS REQUIRED.—Section 803(c) of the National Security Act of 1947 (50 U.S.C. 3162a(c)) is amended—

(1) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) issue guidelines and instructions to the heads of Federal agencies to ensure that any individual who was appointed by the President to a position in an element of the intelligence community but is no longer employed by the Federal Government shall maintain a security clearance only in accordance with Executive Order 12968 (50 U.S.C. 3161 note; relating to access to classified information), or successor order.''.

(b) SUBMITTAL OF GUIDELINES AND INSTRUCTIONS TO CONGRESS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in the Director's capacity as the Security Executive Agent pursuant to subsection (a) of section 803 of the National

Security Act of 1947 (50 U.S.C. 3162a), submit to the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) the guidelines and instructions required by subsection (c)(5) of such Act, as added by subsection (a) of this section.

(c) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than once each year thereafter, the Director of National Intelligence shall, in the Director's capacity as the Security Executive Agent pursuant to section 803(a) of the National Security Act of 1947 (50 U.S.C. 3162a(a)), submit to the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) an annual report on the eligibility status of former senior employees of the intelligence community to access classified information.

(2) CONTENTS.—Each report submitted pursuant to paragraph (1) shall include, for the period covered by the report, the following:

(A) A list of individuals who were appointed by the President to a position in an element of the intelligence community who currently hold security clearances.

(B) The number of such former employees who still hold security clearances.

(C) For each former employee described in subparagraph (B)—

(i) the position in the intelligence community held by the former employee;

(ii) the years of service in such position; and

(iii) the individual's current employment position and employer.

(D) The Federal entity authorizing and adjudicating the former employees' need to know classified information.

SEC. 702. POLICY FOR AUTHORIZING INTELLIGENCE COMMUNITY PROGRAM OF CONTRACTOR-OWNED AND CONTRACTOR-OPERATED SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

(a) POLICY.—The Director of National Intelligence shall establish a standardized policy for the intelligence community that authorizes a program of contractor-owned and contractor-operated sensitive compartmented information facilities as a service to the national security and intelligence enterprises.

(b) REQUIREMENTS.—The policy established pursuant to subsection (a) shall—

(1) authorize the head of an element of the intelligence community to approve and accredit contractor-owned and contractor-operated sensitive compartmented information facilities; and

(2) designate an element of the intelligence community as a service of common concern (as defined in Intelligence Community Directive 122, or successor directive) to serve as an accrediting authority on behalf of other elements of the intelligence community for contractor-owned and contractor-operated sensitive compartmented information facilities.

(c) COST CONSIDERATIONS.—In establishing the policy required by subsection (a), the Director shall consider existing demonstrated models where a contractor acquires, outfits, and manages a facility pursuant to an agreement with the Federal Government such that no funding from the Federal Government is required to carry out the agreement.

(d) BRIEFING REQUIRED.—Not later than 1 year after the date on which the Director establishes the policy pursuant to subsection (a), the Director shall brief the congressional intelligence committees on—

(1) additional opportunities to leverage contractor-provided secure facility space; and

(2) recommendations to address barriers, including resources or authorities needed.

SEC. 703. ENABLING INTELLIGENCE COMMUNITY INTEGRATION.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by inserting after section 113B the following new section:

''SEC. 113C. ENABLING INTELLIGENCE COMMUNITY INTEGRATION.

''(a) PROVISION OF GOODS OR SERVICES.—Subject to and in accordance with any guidance and requirements developed by the Director of National Intelligence, the head of an element of the intelligence community may provide goods or services to another element of the intelligence community without reimbursement or transfer of funds for hoteling initiatives for intelligence community employees and affiliates defined in any such guidance and requirements issued by the Director of National Intelligence.

''(b) APPROVAL.—Prior to the provision of goods or services pursuant to subsection (a), the head of the element of the intelligence community providing such goods or services and the head of the element of the intelligence community receiving such goods or services shall approve such provision.''.

(b) CLERICAL AMENDMENT.—The table of contents of the National Security Act of 1947 is amended by inserting after the item relating to section 113B the following:

''Sec. 113C. Enabling intelligence community integration.''.

SEC. 704. APPOINTMENT OF SPOUSES OF CERTAIN FEDERAL EMPLOYEES.

(a) IN GENERAL.—Section 3330d of title 5, United States Code, is amended—

(1) in the section heading, by striking ''**military and Department of Defense civilian spouses**'' and inserting ''**military and Department of Defense, Department of State, and intelligence community spouses**'';

(2) in subsection (a)—

(A) by redesignating the second paragraph (4) (relating to a spouse of an employee of the Department of Defense) as paragraph (7);

(B) by striking paragraph (5);

(C) by redesignating paragraph (4) (relating to the spouse of a disabled or deceased member of the Armed Forces) as paragraph (6);

(D) by striking paragraph (3) and inserting the following:

''(3) The term 'covered spouse' means an individual who is married to an individual who—

''(A)(i) is an employee of the Department of State or an element of the intelligence community; or

''(ii) is a member of the Armed Forces who is assigned to an element of the intelligence community; and

''(B) is transferred in the interest of the Government from one official station within the applicable agency to another within the agency (that is outside of normal commuting distance) for permanent duty.

''(4) 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).

''(5) The term 'remote work' refers to a work flexibility arrangement under which an employee—

''(A) is not expected to physically report to the location from which the employee would otherwise work, considering the position of the employee; and

''(B) performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite—

''(i) other than the location from which the employee would otherwise work;

''(ii) that may be inside or outside the local commuting area of the location from which the employee would otherwise work; and

''(iii) that is typically the residence of the employee.''; and

(E) by adding at the end the following:

''(8) The term 'telework' has the meaning given the term in section 6501.''; and

(3) in subsection (b)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) in the first paragraph (3) (relating to a spouse of a member of the Armed Forces on active duty), by striking the period at the end and inserting a semicolon;

(C) by redesignating the second paragraph (3) (relating to a spouse of an employee of the Department of Defense) as paragraph (4);

(D) in paragraph (4), as so redesignated—

(i) by inserting '', including to a position in which the spouse will engage in remote work'' after ''Department of Defense''; and

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

(E) by adding at the end the following:

''(5) a covered spouse to a position in which the covered spouse will engage in remote work.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 33 of title 5, United States Code, is amended by striking the item relating to section 3330d and inserting the following:

''3330d. Appointment of military and Department of Defense, Department of State, and intelligence community civilian spouses.''.

SEC. 705. PLAN FOR STAFFING THE INTELLIGENCE COLLECTION POSITIONS OF THE CENTRAL INTELLIGENCE AGENCY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees a plan for ensuring that the Directorate of Operations of the Agency has staffed every civilian full-time equivalent position authorized for that Directorate under the Intelligence Authorization Act for Fiscal Year 2024 (division G of Public Law 118–31).

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) Specific benchmarks and timelines for accomplishing the goal described in such subsection by September 30, 2025.

(2) An assessment of the appropriate balance of staffing between the Directorate of Operations and the Directorate of Analysis consistent with the responsibilities of the Director of the Central Intelligence Agency under section 104A(d) of the National Security Act of 1947 (50 U.S.C. 3036(d)).

SEC. 706. INTELLIGENCE COMMUNITY WORKPLACE PROTECTIONS.

(a) EMPLOYMENT STATUS.—

(1) CONVERSION OF POSITIONS BY DIRECTOR OF NATIONAL INTELLIGENCE TO EXCEPTED SERVICE.—Section 102A(v) of the National Security Act of 1947 (50 U.S.C. 3024(v)) is amended—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(B) by inserting after paragraph (1) the following:

''(2) The Director shall promptly notify the congressional intelligence committees of any action taken pursuant to paragraph (1).''; and

(C) in paragraph (3), as redesignated by subparagraph (A), by striking ''occupying a position on the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012''.

(2) CONVERSION OF DEFENSE INTELLIGENCE POSITIONS TO EXCEPTED SERVICE.—Section

1601(a) of title 10, United States Code, is amended—

(A) by redesignating subsection (b) as subsection (d); and

(B) by inserting after subsection (a) the following:

''(b) CONGRESSIONAL NOTIFICATION.—The Secretary shall promptly notify the congressional defense committees and the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) of any action taken pursuant to subsection (a).

''(c) RETENTION OF ACCRUED RIGHTS UPON CONVERSION.—An incumbent whose position is selected to be converted, without regard to the wishes of the incumbent, to the excepted service under subsection (a) shall remain in the competitive service for the purposes of status and any accrued adverse action protections while the individual occupies that position or any other position to which the employee is moved involuntarily. Once such individual no longer occupies the converted position, the position may be treated as a regularly excepted service position.''.

(3) CONVERSION WITHIN THE EXCEPTED SERVICE.—An intelligence community incumbent employee whose position is selected to be converted from one excepted service schedule to another schedule within the excepted service without regard to the wishes of the incumbent shall remain in the current schedule for the purpose of status and any accrued adverse action protections while the individual occupies that position or any other position to which the employee is moved without regard to the wishes of the employee.

(b) CONGRESSIONAL NOTIFICATION OF GUIDELINES.—

(1) SUBMITTAL TO CONGRESS.—Not later than 30 days after the date of the enactment of this Act, each head of an element of the intelligence community shall submit to the congressional intelligence committees the guidelines and regulations of the element relating to employment status and protections relating to that status.

(2) NOTICE OF CHANGES.—In any case in which a guideline or regulation of an element of the intelligence community submitted pursuant to paragraph (1) is modified or replaced, the head of the element shall promptly notify the congressional intelligence committees of the change and submit the new or modified guideline or regulation.

(c) TERMINATION AUTHORITIES OF THE DIRECTOR OF THE CIA.—

(1) PROCESS AND NOTIFICATION.—Section 104A(e) of the National Security Act of 1947 (50 U.S.C. 3036(e)) is amended—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

''(2)(A) Subject to subparagraph (B), the Director shall not take an action under paragraph (1) to terminate the employment of an officer or employee, except in accordance with guidelines and regulations submitted to the congressional intelligence committees.

''(B) The Director may take an action under paragraph (1) without or in contravention of the guidelines and regulations specified in subparagraph (A) of this paragraph if the Director determines that complying with such guidelines and regulations poses a threat to the national security of the United States. If the Director makes such a determination, the Director shall provide prompt notification to the congressional intelligence committees that includes—

''(i) an explanation for the basis for the termination and the factual support for such determination; and

''(ii) an explanation for the determination that the process described in subparagraph (A) poses a threat to the national security of the United States.''.

(d) IMPROVEMENT OF CONGRESSIONAL NOTICE REQUIREMENT RELATING TO TERMINATION OF DEFENSE INTELLIGENCE EMPLOYEES.—Section 1609(c) of title 10, United States Code, is amended by adding at the end the following: ''Such notification shall include the following:

''(1) An explanation for the determination that the termination was in the interests of the United States.

''(2) An explanation for the determination that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security of the United States.''.

(e) CONGRESSIONAL NOTIFICATION OF OTHER SUSPENSION AND REMOVAL AUTHORITIES.—Section 7532 of title 5, United States Code, is amended by adding at the end the following:

''(d)(1) The head of an element of the intelligence community who takes an action under this section shall promptly notify the congressional intelligence committees of such action.

''(2) Each notification under paragraph (1) regarding an action shall include the following:

''(A) An explanation for the determination that the action is necessary or advisable in the interests of national security.

''(B) If the head of an element of the intelligence community determines, pursuant to subsection (a), that the interests of national security do not permit notification to the employee of the reasons for the action under that subsection, an explanation for such determination.

''(3) In this subsection, the terms 'congressional intelligence committees' and 'intelligence community' have the meanings given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).''.

(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to diminish the rights conferred by chapter 75 of title 5, United States Code, or other applicable agency adverse action or disciplinary procedures.

SEC. 707. SENSE OF CONGRESS ON GOVERNMENT PERSONNEL SUPPORT FOR FOREIGN TERRORIST ORGANIZATIONS.

It is the sense of Congress that for the purposes of adjudicating the eligibility of an individual for access to classified information, renewal of a prior determination of eligibility for such access, or continuous vetting of an individual for eligibility for such access, including on form SF–86 or any successor form, each of the following should be considered an action advocating for an act of terrorism:

(1) Espousing the actions of an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) Advocating for continued attacks by an organization described in paragraph (1).

(3) Soliciting funds for an organization described in paragraph (1).

TITLE VIII—WHISTLEBLOWERS

SEC. 801. IMPROVEMENTS REGARDING URGENT CONCERNS SUBMITTED TO INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.—Section 103H(k)(5) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)) is amended—

(1) in subparagraph (A)—

(A) by inserting ''(i)'' before ''An employee of'';

(B) by inserting ''in writing'' before ''to the Inspector General''; and

(C) by adding at the end the following:

''(ii) The Inspector General shall provide any support necessary to ensure that an employee can submit a complaint or information under this subparagraph in writing and, if such submission is not feasible, shall create a written record of the employee's verbal complaint or information and treat such written record as a written submission.'';

(2) by striking subparagraph (B) and inserting the following:

''(B)(i)(I) Not later than the end of the period specified in subclause (II), the Inspector General shall determine whether the written complaint or information submitted under subparagraph (A) appears credible. Upon making such a determination, the Inspector General shall transmit to the Director notice of that determination, together with the complaint or information.

''(II) The period specified in this subclause is the 14-calendar-day period beginning on the date on which an employee who has submitted an initial written complaint or information under subparagraph (A) confirms that the employee has submitted to the Inspector General the material the employee intends to submit to Congress under such subparagraph.

''(ii) The Inspector General may transmit a complaint or information submitted under subparagraph (A) directly to the congressional intelligence committees—

''(I) without transmittal to the Director if the Inspector General determines that transmittal to the Director could compromise the anonymity of the employee or result in the complaint or information being transmitted to a subject of the complaint or information; or

''(II) following transmittal to the Director if the Director does not transmit the complaint or information to the congressional intelligence committees within the time period specified in subparagraph (C).'';

(3) in subparagraph (D)—

(A) in clause (i), by striking ''or does not transmit the complaint or information to the Director in accurate form under subparagraph (B),'' and inserting ''does not transmit the complaint or information to the Director in accurate form under subparagraph (B)(i)(I), or makes a determination pursuant to subparagraph (B)(ii)(I) but does not transmit the complaint or information to the congressional intelligence committees within 21 calendar days of receipt,''; and

(B) by striking clause (ii) and inserting the following:

''(ii) An employee may contact the congressional intelligence committees directly as described in clause (i) only if—

''(I) the employee, before making such a contact—

''(aa) transmits to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact the congressional intelligence committees directly; and

''(bb) obtains and follows from the Director, through the Inspector General, direction on how to contact the congressional intelligence committees in accordance with appropriate security practices; or

''(II) the Inspector General—

''(aa) determines that—

''(AA) a transmittal under subclause (I) could compromise the anonymity of the employee or result in the complaint or information being transmitted to a subject of the complaint or information; or

''(BB) the Director has failed to provide adequate direction pursuant to item (bb) of subclause (I) within 7 calendar days of a transmittal under such subclause; and

''(bb) provides the employee direction on how to contact the congressional intelligence committees in accordance with appropriate security practices.''; and

(4) by adding at the end the following:

''(J) In this paragraph, the term 'employee', with respect to an employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community who may submit a complaint or information to the Inspector General under subparagraph (A), means—

''(i) a current employee at the time of such submission; or

''(ii) a former employee at the time of such submission, if such complaint or information arises from and relates to the period of employment as such an employee.''.

(b) INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended—

(1) in subparagraph (A)—

(A) by inserting (i) before ''An employee'';

(B) by inserting ''in writing'' before ''to the Inspector General''; and

(C) by adding at the end the following:

''(ii) The Inspector General shall provide any support necessary to ensure that an employee can submit a complaint or information under this subparagraph in writing and, if such submission is not feasible, shall create a written record of the employee's verbal complaint or information and treat such written record as a written submission.'';

(2) in subparagraph (B)—

(A) by striking clause (i) and inserting the following:

''(i)(I) Not later than the end of the period specified in subclause (II), the Inspector General shall determine whether the written complaint or information submitted under subparagraph (A) appears credible. Upon making such a determination, the Inspector General shall transmit to the Director notice of that determination, together with the complaint or information.

''(II) The period specified in this subclause is the 14-calendar-day period beginning on the date on which an employee who has submitted an initial written complaint or information under subparagraph (A) confirms that the employee has submitted to the Inspector General the material the employee intends to submit to Congress under such subparagraph.''; and

(B) by adding at the end the following:

''(iii) The Inspector General may transmit a complaint or information submitted under subparagraph (A) directly to the congressional intelligence committees—

''(I) without transmittal to the Director if the Inspector General determines that transmittal to the Director could compromise the anonymity of the employee or result in the complaint or information being transmitted to a subject of the complaint or information;

''(II) following transmittal to the Director if the Director does not transmit the complaint or information to the congressional intelligence committees within the time period specified in subparagraph (C) and has not made a determination regarding a conflict of interest pursuant to clause (ii); or

''(III) following transmittal to the Director and a determination by the Director that a conflict of interest exists pursuant to clause (ii) if the Inspector General determines that—

''(aa) transmittal to the Director of National Intelligence could compromise the anonymity of the employee or result in the complaint or information being transmitted to a subject of the complaint or information; or

''(bb) the Director of National Intelligence has not transmitted the complaint or information to the congressional intelligence committees within the time period specified in subparagraph (C).'';

(3) in subparagraph (D)—

(A) in clause (i), by striking ''or does not transmit the complaint or information to the Director in accurate form under subparagraph (B),'' and inserting ''does not transmit the complaint or information to the Director in accurate form under subparagraph (B)(i)(I), or makes a determination pursuant to subparagraph (B)(iii)(I) but does not transmit the complaint or information to the congressional intelligence committees within 21 calendar days of receipt,''; and

(B) by striking clause (ii) and inserting the following:

''(ii) An employee may contact the congressional intelligence committees directly as described in clause (i) only if—

''(I) the employee, before making such a contact—

''(aa) transmits to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact the congressional intelligence committees directly; and

''(bb) obtains and follows from the Director, through the Inspector General, direction on how to contact the congressional intelligence committees in accordance with appropriate security practices; or

''(II) the Inspector General—

''(aa) determines that—

''(AA) the transmittal under subclause (I) could compromise the anonymity of the employee or result in the complaint or information being transmitted to a subject of the complaint or information; or

''(BB) the Director has failed to provide adequate direction pursuant to item (bb) of subclause (I) within 7 calendar days of a transmittal under such subclause; and

''(bb) provides the employee direction on how to contact the congressional intelligence committees in accordance with appropriate security practices.''; and

(4) by adding at the end the following:

''(I) In this paragraph, the term 'employee', with respect to an employee of the Agency, or of a contractor to the Agency, who may submit a complaint or information to the Inspector General under subparagraph (A), means—

''(i) a current employee at the time of such submission; or

''(ii) a former employee at the time of such submission, if such complaint or information arises from and relates to the period of employment as such an employee.''.

(c) OTHER INSPECTORS GENERAL OF ELEMENTS OF THE INTELLIGENCE COMMUNITY.—Section 416 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2), as redesignated by paragraph (1), the following:

''(1) EMPLOYEE.—The term 'employee', with respect to an employee of an element of the Federal Government covered by subsection (b), or of a contractor to such an element, who may submit a complaint or information to an Inspector General under such subsection, means—

''(A) a current employee at the time of such submission; or

''(B) a former employee at the time of such submission, if such complaint or information arises from and relates to the period of employment as such an employee.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the paragraph heading, by inserting ''; SUPPORT FOR WRITTEN SUBMISSION''; after ''MADE'';

(ii) by inserting ''in writing'' after ''may report the complaint or information'' each place it appears; and

(iii) in subparagraph (B), by inserting ''in writing'' after ''such complaint or information''; and

(B) by adding at the end the following:

''(E) SUPPORT FOR WRITTEN SUBMISSION.—The Inspector General shall provide any support necessary to ensure that an employee can submit a complaint or information under this paragraph in writing and, if such submission is not feasible, shall create a written record of the employee's verbal complaint or information and treat such written record as a written submission.'';

(3) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) CREDIBILITY.—

''(A) DETERMINATION.—Not later than the end of the period specified in subparagraph (B), the Inspector General shall determine whether the written complaint or information submitted under subsection (b) appears credible. Upon making such a determination, the Inspector General shall transmit to the head of the establishment notice of that determination, together with the complaint or information.

''(B) PERIOD SPECIFIED.—The period specified in this subparagraph is the 14-calendar-day period beginning on the date on which an employee who has submitted an initial written complaint or information under subsection (b) confirms that the employee has submitted to the Inspector General the material the employee intends to submit to Congress under such subsection.''; and

(B) by adding at the end the following:

''(3) TRANSMITTAL DIRECTLY TO INTELLIGENCE COMMITTEES.—The Inspector General may transmit the complaint or information directly to the intelligence committees—

''(A) without transmittal to the head of the establishment if the Inspector General determines that transmittal to the head of the establishment could compromise the anonymity of the employee or result in the complaint or information being transmitted to a subject of the complaint or information;

''(B) following transmittal to the head of the establishment if the head of the establishment does not transmit the complaint or information to the intelligence committees within the time period specified in subsection (d) and has not made a determination regarding a conflict of interest pursuant to paragraph (2); or

''(C) following transmittal to the head of the establishment and a determination by the head of the establishment that a conflict of interest exists pursuant to paragraph (2) if the Inspector General determines that—

''(i) transmittal to the Director of National Intelligence or the Secretary of Defense could compromise the anonymity of the employee or result in the complaint or information being transmitted to a subject of the complaint or information; or

''(ii) the Director of National Intelligence or the Secretary of Defense has not transmitted the complaint or information to the intelligence committees within the time period specified in subsection (d).'';

(4) in subsection (e)(1), by striking ''or does not transmit the complaint or information to the head of the establishment in accurate form under subsection (c),'' and inserting ''does not transmit the complaint or information to the head of the establishment in accurate form under subsection (c)(1)(A), or makes a determination pursuant to subsection (c)(3)(A) but does not transmit the complaint or information to the intelligence committees within 21 calendar days of receipt,''; and

(5) in subsection (e), by striking paragraph (2) and inserting the following:

''(2) LIMITATION.—An employee may contact the intelligence committees directly as described in paragraph (1) only if—

''(A) the employee, before making such a contact—

''(i) transmits to the head of the establishment, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact the intelligence committees directly; and

''(ii) obtains and follows from the head of the establishment, through the Inspector General, direction on how to contact the intelligence committees in accordance with appropriate security practices; or

''(B) the Inspector General—

''(i) determines that the transmittal under subparagraph (A) could compromise the anonymity of the employee or result in the complaint or information being transmitted to a subject of the complaint or information; or

''(ii) determines that the head of the establishment has failed to provide adequate direction pursuant to clause (ii) of subparagraph (A) within 7 calendar days of a transmittal under such subparagraph; and

''(iii) provides the employee direction on how to contact the intelligence committees in accordance with appropriate security practices.''.

SEC. 802. PROHIBITION AGAINST DISCLOSURE OF WHISTLEBLOWER IDENTITY AS ACT OF REPRISAL.

(a) IN GENERAL.—Section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a)) is amended—

(1) in paragraph (3)—

(A) in subparagraph (I), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subparagraph (J) as subparagraph (K); and

(C) by inserting after subparagraph (I) the following:

''(J) an unauthorized whistleblower identity disclosure;''; and

(2) by adding at the end the following:

''(5) UNAUTHORIZED WHISTLEBLOWER IDENTITY DISCLOSURE.—The term 'unauthorized whistleblower identity disclosure' means, with respect to an employee or a contractor employee described in paragraph (3), a knowing and willful disclosure revealing the identity or other personally identifiable information of the employee or contractor employee so as to identify the employee or contractor employee as an employee or contractor employee who has made a lawful disclosure described in subsection (b) or (c), but does not include such a knowing and willful disclosure that meets any of the following criteria:

''(A) Such disclosure was made with the express consent of the employee or contractor employee.

''(B) Such disclosure was made during the course of reporting or remedying the subject of the lawful disclosure of the whistleblower through management, legal, or oversight processes, including such processes relating to human resources, equal opportunity, security, or an Inspector General.

''(C) An Inspector General with oversight responsibility for the relevant covered intelligence community element determines that such disclosure—

''(i) was unavoidable under section 103H of this Act (50 U.S.C. 3033), section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517), section 407 of title 5, United States Code, or section 420(b)(2)(B) of such title;

''(ii) was made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; or

''(iii) was required by statute or an order from a court of competent jurisdiction.''.

(b) PRIVATE RIGHT OF ACTION FOR UNLAWFUL DISCLOSURE OF WHISTLEBLOWER IDENTITY.—Subsection (f) of such section is amended to read as follows:

''(f) ENFORCEMENT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the President shall provide for the enforcement of this section.

''(2) HARMONIZATION WITH OTHER ENFORCEMENT.—To the fullest extent possible, the President shall provide for enforcement of this section in a manner that is consistent with the enforcement of section 2302(b)(8) of title 5, United States Code, especially with respect to policies and procedures used to adjudicate alleged violations of such section.

''(3) PRIVATE RIGHT OF ACTION FOR DISCLOSURES OF WHISTLEBLOWER IDENTITY IN VIOLATION OF PROHIBITION AGAINST REPRISALS.—Subject to paragraph (4), in a case in which an employee of an agency takes a personnel action described in subsection (a)(3)(J) against an employee of a covered intelligence community element as a reprisal in violation of subsection (b) or in a case in which an employee or contractor employee takes a personnel action described in subsection (a)(3)(J) against another contractor employee as a reprisal in violation of subsection (c), the employee or contractor employee against whom the personnel action was taken may, consistent with section 1221 of title 5, United States Code, bring a private action for all appropriate remedies, including injunctive relief and compensatory and punitive damages, in an amount not to exceed $250,000, against the agency of the employee or contracting agency of the contractor employee who took the personnel action, in a Federal district court of competent jurisdiction.

''(4) REQUIREMENTS.—

''(A) REVIEW BY INSPECTOR GENERAL AND BY EXTERNAL REVIEW PANEL.—Before the employee or contractor employee may bring a private action under paragraph (3), the employee or contractor employee shall exhaust administrative remedies by—

''(i) first, obtaining a disposition of their claim by requesting review by the appropriate inspector general; and

''(ii) second, if the review under clause (i) does not substantiate reprisal, by submitting to the Inspector General of the Intelligence Community a request for a review of the claim by an external review panel under section 1106.

''(B) PERIOD TO BRING ACTION.—The employee or contractor employee may bring a private right of action under paragraph (3) during the 180-day period beginning on the date on which the employee or contractor employee is notified of the final disposition of their claim under section 1106.''.

SEC. 803. PROTECTION FOR INDIVIDUALS MAKING AUTHORIZED DISCLOSURES TO INSPECTORS GENERAL OF ELEMENTS OF THE INTELLIGENCE COMMUNITY.

(a) INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.—Section 103H(g)(3) of the National Security Act of 1947 (50 U.S.C. 3033(g)(3)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by adding at the end the following new subparagraph:

''(B) An individual may disclose classified information to the Inspector General in accordance with the applicable security standards and procedures established under Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), section 102A or section 803, chapter 12 of the Atomic Energy Act of 1954 (42 U.S.C. 2161 et seq.), or any applicable provision of law. Such a disclosure of classified information that is made by an individual who at the time of the disclosure does not hold the appropriate clearance or authority to access such classified information, but that is otherwise made in accordance with such security standards and procedures, shall be treated as an authorized disclosure and does not violate—

''(i) any otherwise applicable nondisclosure agreement;

''(ii) any otherwise applicable regulation or order issued under the authority of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) or chapter 18 of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.); or

''(iii) section 798 of title 18, United States Code, or any other provision of law relating to the unauthorized disclosure of national security information.''; and

(3) in the paragraph enumerator, by striking ''(3) '' and inserting ''(3)(A)''.

(b) INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.—Section 17(e)(3) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(3)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by adding at the end the following new subparagraph:

''(B) An individual may disclose classified information to the Inspector General in accordance with the applicable security standards and procedures established under Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), section 102A or 803 of the National Security Act of 1947 (50 U.S.C. 3024; 3162a), or chapter 12 of the Atomic Energy Act of 1954 (42 U.S.C. 2161 et seq.). Such a disclosure of classified information that is made by an individual who at the time of the disclosure does not hold the appropriate clearance or authority to access such classified information, but that is otherwise made in accordance with such security standards and procedures, shall be treated as an authorized disclosure and does not violate—

''(i) any otherwise applicable nondisclosure agreement;

''(ii) any otherwise applicable regulation or order issued under the authority of Executive Order 13526 or chapter 18 of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.); or

''(iii) section 798 of title 18, United States Code, or any other provision of law relating to the unauthorized disclosure of national security information.''; and

(3) in the paragraph enumerator, by striking ''(3) '' and inserting ''(3)(A)''.

(c) OTHER INSPECTORS GENERAL OF ELEMENTS OF THE INTELLIGENCE COMMUNITY.—Section 416 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(i) PROTECTION FOR INDIVIDUALS MAKING AUTHORIZED DISCLOSURES.—An individual may disclose classified information to an Inspector General of an element of the intelligence community in accordance with the applicable security standards and procedures established under Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), section 102A or 803 of the National Security Act of 1947 (50 U.S.C. 3024; 3162a), or chapter 12 of the Atomic Energy Act of 1954 (42 U.S.C. 2161 et seq.). Such a disclosure of classified information that is made by an individual who at the time of the disclosure does not hold the appropriate clearance or authority to access such classified information, but that is otherwise made in accordance with such security standards and procedures, shall be treated as an authorized disclosure and does not violate—

''(1) any otherwise applicable nondisclosure agreement;

''(2) any otherwise applicable regulation or order issued under the authority of Executive Order 13526 or chapter 18 of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.); or

''(3) section 798 of title 18, or any other provision of law relating to the unauthorized disclosure of national security information.''.

SEC. 804. CLARIFICATION OF AUTHORITY OF CERTAIN INSPECTORS GENERAL TO RECEIVE PROTECTED DISCLOSURES.

Section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) is amended—

(1) in subsection (b)(1), by inserting ''or covered intelligence community element'' after ''the appropriate inspector general of the employing agency''; and

(2) in subsection (c)(1)(A), by inserting ''or covered intelligence community element'' after ''the appropriate inspector general of the employing or contracting agency''.

SEC. 805. WHISTLEBLOWER PROTECTIONS RELATING TO PSYCHIATRIC TESTING OR EXAMINATION.

(a) PROHIBITED PERSONNEL PRACTICES.—Section 1104(a)(3) of the National Security Act of 1947 (50 U.S.C. 3234(a)(3)) is amended—

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

(2) by redesignating subparagraph (J) as subparagraph (K); and

(3) by inserting after subparagraph (I) the following new subparagraph:

''(J) a decision to order psychiatric testing or examination; or''.

(b) APPLICATION.—The amendments made by this section shall apply with respect to matters arising under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) on or after the date of the enactment of this Act.

SEC. 806. ESTABLISHING PROCESS PARITY FOR ADVERSE SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) CONTRIBUTING FACTOR.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 807. ELIMINATION OF CAP ON COMPENSATORY DAMAGES FOR RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.

Section 3001(j)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)(B)) is amended, in the second sentence, by striking ''not to exceed $300,000''.

TITLE IX—ANOMALOUS HEALTH INCIDENTS

SEC. 901. ADDITIONAL DISCRETION FOR DIRECTOR OF CENTRAL INTELLIGENCE AGENCY IN PAYING COSTS OF TREATING QUALIFYING INJURIES AND MAKING PAYMENTS FOR QUALIFYING INJURIES TO THE BRAIN.

(a) ADDITIONAL AUTHORITY FOR COVERING COSTS FOR TREATING QUALIFYING INJURIES UNDER EXTRAORDINARY CIRCUMSTANCES.—Subsection (c) of section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b) is amended—

(1) by striking ''The Director may'' and inserting the following:

''(1) IN GENERAL.—The Director may''; and

(2) by adding at the end the following:

''(2) EXTRAORDINARY CIRCUMSTANCES.—Under such circumstances as the Director determines extraordinary, the Director may pay the costs of treating a qualifying injury of a covered employee, a covered individual, or a covered dependent or may reimburse a covered employee, a covered individual, or a covered dependent for such costs, that are not otherwise covered by a provision of Federal law, regardless of the date of the injury and the location of the employee, individual, or dependent when the injury occurred.''.

(b) ADDITIONAL AUTHORITY FOR MAKING PAYMENTS FOR QUALIFYING INJURIES TO THE BRAIN UNDER EXTRAORDINARY CIRCUMSTANCES.—Subsection (d)(2) of such section is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(2) by adding at the end the following:

''(B) EXTRAORDINARY CIRCUMSTANCES.—Under such circumstances as the Director determines extraordinary, the Director may provide payment to a covered employee, a covered individual, or a covered dependent for any qualifying injury to the brain, regardless of the date of the injury and the location of the employee, individual, or dependent when the injury occurred.''.

(c) CONGRESSIONAL NOTIFICATION.—Such section is amended by adding at the end the following new subsection:

''(e) CONGRESSIONAL NOTIFICATION.—Whenever the Director makes a payment or reimbursement made under subsection (c) or (d)(2), the Director shall, not later than 30 days after the date on which the payment or reimbursement is made, submit to the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) a notification of such payment or reimbursement.''.

SEC. 902. ADDITIONAL DISCRETION FOR SECRETARY OF STATE AND HEADS OF OTHER FEDERAL AGENCIES IN PAYING COSTS OF TREATING QUALIFYING INJURIES AND MAKING PAYMENTS FOR QUALIFYING INJURIES TO THE BRAIN.

(a) ADDITIONAL AUTHORITY FOR COVERING COSTS FOR TREATING QUALIFYING INJURIES UNDER EXTRAORDINARY CIRCUMSTANCES.—Subsection (b) of section 901 of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b) is amended to read as follows:

''(b) COSTS FOR TREATING QUALIFYING INJURIES.—

''(1) IN GENERAL.—The Secretary of State or the head of any other Federal agency may pay or reimburse the costs relating to diagnosing and treating—

''(A) a qualifying injury of a covered employee for such costs, that are not otherwise covered by chapter 81 of title 5, United States Code, or other provision of Federal law; or

''(B) a qualifying injury of a covered individual, or a covered dependent, for such costs that are not otherwise covered by Federal law.

''(2) EXTRAORDINARY CIRCUMSTANCES.—Under such circumstances as the Secretary of State or other agency head determines extraordinary, the Secretary or other agency head may pay the costs of treating a qualifying injury of a covered employee, a covered individual, or a covered dependent or may reimburse a covered employee, a covered individual, or a covered dependent for such costs, that are not otherwise covered by a provision of Federal law, regardless of the date on which the injury occurred.''.

(b) ADDITIONAL AUTHORITY FOR MAKING PAYMENTS FOR QUALIFYING INJURIES TO THE BRAIN UNDER EXTRAORDINARY CIRCUMSTANCES.—Subsection (i)(2) of such section is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(2) by adding at the end the following:

''(B) EXTRAORDINARY CIRCUMSTANCES.—Under such circumstances as the Secretary of State or other agency head with an employee determines extraordinary, the Secretary or other agency head may provide payment to a covered dependent, a dependent of a former employee, a covered employee, a former employee, and a covered individual for any qualifying injury to the brain, regardless of the date on which the injury occurred.''.

(c) CHANGES TO DEFINITIONS.—Subsection (e) of such section is amended—

(1) in paragraph (1)—

(A) in the matter before subparagraph (A), by striking ''a employee who, on or after January 1, 2016'' and inserting ''an employee who, on or after September 11, 2001''; and

(B) in subparagraph (A), by inserting '', or duty station in the United States'' before the semicolon;

(2) in paragraph (2)—

(A) by striking ''January 1, 2016'' and inserting ''September 11, 2001''; and

(B) by inserting '', or duty station in the United States,'' after ''pursuant to subsection (f)'';

(3) in paragraph (3)—

(A) in the matter before subparagraph (A), by striking ''January 1, 2016'' and inserting ''September 11, 2001''; and

(B) in subparagraph (A), by inserting '', or duty station in the United States'' before the semicolon; and

(4) in paragraph (4)—

(A) in subparagraph (A)(i), by inserting '', or duty station in the United States'' before the semicolon; and

(B) in subparagraph (B)(i), by inserting '', or duty station in the United States'' before the semicolon.

(d) CLARIFICATION RELATING TO AUTHORITIES OF DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.—Such section is further amended by adding at the end the following:

''(k) RELATION TO DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—The authorities and requirements of this section shall not apply to the Director of the Central Intelligence Agency.''.

SEC. 903. IMPROVED FUNDING FLEXIBILITY FOR PAYMENTS MADE BY DEPARTMENT OF STATE FOR QUALIFYING INJURIES TO THE BRAIN.

Section 901(i) of division J of the Further Consolidated Appropriations Act, 2020 (22

U.S.C. 2680b) is amended by striking paragraph (3) and inserting the following:

''(3) FUNDING.—

''(A) IN GENERAL.—Payment under paragraph (2) in a fiscal year may be made using any funds—

''(i) appropriated specifically for payments under such paragraph; or

''(ii) reprogrammed in accordance with an applicable provision of law.

''(B) BUDGET.—For each fiscal year, the Secretary of State shall include with the budget justification materials submitted to Congress in support of the budget of the President for that fiscal year pursuant to section 1105(a) of title 31, United States Code, an estimate of the funds required in that fiscal year to make payments under paragraph (2).''.

TITLE X—UNIDENTIFIED ANOMALOUS PHENOMENA

SEC. 1001. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF ALL-DOMAIN ANOMALY RESOLUTION OFFICE.

(a) DEFINITIONS.—In this section, the terms ''congressional defense committees'', ''congressional leadership'', and ''unidentified anomalous phenomena'' have the meanings given such terms in section 1683(n) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(n)).

(b) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review of the All-domain Anomaly Resolution Office (in this section referred to as the ''Office'').

(c) ELEMENTS.—The review conducted pursuant to subsection (b) shall include the following:

(1) A review of the implementation by the Office of the duties and requirements of the Office under section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), such as the process for operational unidentified anomalous phenomena reporting and coordination with the Department of Defense, the intelligence community, and other departments and agencies of the Federal Government and non-Government entities.

(2) A review of such other matters relating to the activities of the Office that pertain to unidentified anomalous phenomena as the Comptroller General considers appropriate.

(d) REPORT.—Following the review required by subsection (b), in a timeframe mutually agreed upon by the congressional intelligence committees, the congressional defense committees, congressional leadership, and the Comptroller General, the Comptroller General shall submit to such committees and congressional leadership a report on the findings of the Comptroller General with respect to the review conducted under subsection (b).

SEC. 1002. SUNSET OF REQUIREMENTS RELATING TO AUDITS OF UNIDENTIFIED ANOMALOUS PHENOMENA HISTORICAL RECORD REPORT.

Section 6001 of the Intelligence Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373 note) is amended—

(1) in subsection (b)(2), by inserting ''until April 1, 2025'' after ''quarterly basis''; and

(2) in subsection (c), by inserting ''until June 30, 2025'' after ''semiannually thereafter''.

SEC. 1003. FUNDING LIMITATIONS RELATING TO UNIDENTIFIED ANOMALOUS PHENOMENA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(3) UNIDENTIFIED ANOMALOUS PHENOMENA.—The term ''unidentified anomalous phenomena'' has the meaning given such term in section 1683(n) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(n)).

(b) LIMITATIONS.—None of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended in support of any activity involving unidentified anomalous phenomena protected under any form of special access or restricted access limitation unless the Director of National Intelligence has provided the details of the activity to the appropriate committees of Congress and congressional leadership, including for any activities described in a report released by the All-domain Anomaly Resolution Office in fiscal year 2024.

(c) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—Independent research and development funding relating to unidentified anomalous phenomena shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the appropriate congressional committees and leadership.

TITLE XI—AIR AMERICA

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Air America Act of 2024''.

SEC. 1102. FINDINGS.

Congress finds the following:

(1) Air America and its affiliated companies, in coordination with the Central Intelligence Agency, provided direct and indirect support to the United States Government from 1950 to 1976.

(2) The service and sacrifice of employees of Air America included—

(A) suffering a high rate of casualties in the course of service;

(B) saving thousands of lives in search and rescue missions for downed United States airmen and in allied refugee evacuations; and

(C) serving lengthy periods under challenging circumstances abroad.

SEC. 1103. DEFINITIONS.

In this title:

(1) AFFILIATED COMPANY.—The term ''affiliated company'', with respect to Air America, includes Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport.

(2) AIR AMERICA.—The term ''Air America'' means Air America, Incorporated.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(B) the Committee on Oversight and Accountability, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(4) CHILD; DEPENDENT; WIDOW; WIDOWER.—The terms ''child'', ''dependent'', ''widow'', and ''widower'' have the meanings given those terms in section 8341(a) of title 5, United States Code, except that such section shall be applied by substituting ''individual who performed qualifying service'' for ''employee or Member''.

(5) COVERED DECEDENT.—The term ''covered decedent'' means an individual who was killed in Southeast Asia while supporting operations of the Central Intelligence Agency during the period beginning on January 1, 1950, and ending on December 31, 1976, as a United States citizen employee of Air America or an affiliated company.

(6) DIRECTOR.—The term ''Director'' means the Director of the Central Intelligence Agency.

(7) QUALIFYING SERVICE.— The term ''qualifying service'' means service that—

(A) was performed by a United States citizen as an employee of Air America or an affiliated company during the period beginning on January 1, 1950, and ending on December 31, 1976; and

(B) is documented in—

(i) the corporate records of Air America or an affiliated company;

(ii) records possessed by the United States Government; or

(iii) the personal records of a former employee of Air America or an affiliated company that are verified by the United States Government.

(8) SURVIVOR.—The term ''survivor'' means—

(A) the widow or widower of—

(i) an individual who performed qualifying service; or

(ii) a covered decedent; or

(B) an individual who, at any time during or since the period of qualifying service, or on the date of death of a covered decedent, was a dependent or child of—

(i) the individual who performed such qualifying service; or

(ii) the covered decedent.

SEC. 1104. AWARD AUTHORIZED TO ELIGIBLE PERSONS.

(a) IN GENERAL.—Subject to the limitation in subsection (d), the Director shall provide an award payment of $40,000 under this section—

(1) to an individual who performed qualifying service for a period greater than or equal to 5 years or to a survivor of such individual; or

(2) to the survivor of a covered decedent.

(b) REQUIREMENTS.—

(1) IN GENERAL.—To be eligible for a payment under this subsection, an individual who performed qualifying service or survivor (as the case may be) must demonstrate to the satisfaction of the Director that the individual whose qualifying service upon which the payment is based meets the criteria of paragraph (1) or (2) of subsection (a).

(2) RELIANCE ON RECORDS.—In carrying out this subsection, in addition to any evidence provided by such an individual or survivor, the Director may rely on records possessed by the United States Government.

(c) ADDITIONAL PAYMENT.—If an individual, or in the case of a survivor, the individual whose qualifying service upon which the payment is based, can demonstrate to the Director that the qualifying service of the individual exceeded 5 years, the Director shall pay to such individual or survivor an additional $8,000 for each full year in excess of 5 years (and a proportionate amount for a partial year).

(d) SURVIVORS.—In the case of an award granted to a survivor under this section, the payment shall be made—

(1) to the surviving widow or widower; or

(2) if there is no surviving widow or widower, to the surviving dependents or children, in equal shares.

SEC. 1105. FUNDING LIMITATION.

(a) IN GENERAL.—The total amount of awards granted under this title may not exceed $60,000,000.

(b) REQUESTS FOR ADDITIONAL FUNDS.—If, at the determination of the Director, the amount of funds required to satisfy all valid applications for payment under this title exceeds the limitation set forth in subsection (a), the Director shall submit to Congress a request for sufficient funds to fulfill all remaining payments.

(c) AWARDS TO EMPLOYEES OF INTERMOUNTAIN AVIATION.—The Director may determine, on a case-by-case basis, to award amounts to individuals who performed service consistent with the definition of qualifying service as employees of Intermountain Aviation.

SEC. 1106. TIME LIMITATION.

(a) IN GENERAL.—To be eligible for an award payment under this title, a claimant must file a claim for such payment with the Director not later than 2 years after the effective date of the regulations prescribed by the Director in accordance with section 1107.

(b) DETERMINATION.—Not later than 90 days after receiving a claim for an award payment under this section, the Director shall determine the eligibility of the claimant for payment.

(c) PAYMENT.—

(1) IN GENERAL.—If the Director determines that the claimant is eligible for the award payment, the Director shall pay the award payment not later than 60 days after the date of such determination.

(2) LUMP-SUM PAYMENT.—The Director shall issue each payment as a one-time lump sum payment contingent upon the timely filing of the claimant under this section.

(3) NOTICE AND DELAYS.—The Director shall notify the appropriate congressional committees of any delays in making an award payment not later than 30 days after the date such payment is due.

SEC. 1107. APPLICATION PROCEDURES.

(a) IN GENERAL.—The Director shall prescribe procedures to carry out this title, which shall include processes under which—

(1) claimants may submit claims for payment under this title;

(2) the Director will award the amounts under section 1104; and

(3) claimants can obtain redress and appeal determinations under section 1106.

(b) OTHER MATTERS.—Such procedures—

(1) shall be—

(A) prescribed not later than 60 days after the date of the enactment of this Act; and

(B) published in the Code of Federal Regulations; and

(2) shall not be subject to chapter 5 of title 5, United States Code.

SEC. 1108. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to—

(1) entitle any person to Federal benefits, including retirement benefits under chapter 83 or 84 of title 5, United States Code, and disability or death benefits under chapter 81 of such title;

(2) change the legal status of the former Air America corporation or any affiliated company; or

(3) create any legal rights, benefits, or entitlements beyond the one-time award authorized by this title.

SEC. 1109. ATTORNEYS' AND AGENTS' FEES.

(a) IN GENERAL.—It shall be unlawful for more than 25 percent of an award paid pursuant to this title to be paid to, or received by, any agent or attorney for any service rendered to a person who receives an award under section 1104, in connection with the award under this title.

(b) VIOLATION.—Any agent or attorney who violates subsection (a) shall be fined under title 18, United States Code.

SEC. 1110. NO JUDICIAL REVIEW.

A determination by the Director pursuant to this title is final and conclusive and shall not be subject to judicial review.

SEC. 1111. REPORTS TO CONGRESS.

Until the date that all funds available for awards under this title are expended, the Director shall submit to the appropriate congressional committees a semiannual report describing the number of award payments made and denied during the 180 days preceding the submission of the report, including the rationales for any denials, and if, at the determination of the Director, the amount of funds provided to carry out this title is insufficient to satisfy any remaining or anticipated claims.

TITLE XII—OTHER MATTERS

SEC. 1201. ENHANCED AUTHORITIES FOR AMICUS CURIAE UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) EXPANSION OF APPOINTMENT AUTHORITY.—

(1) IN GENERAL.—Section 103(i)(2)(A) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(i)(2)(A)) is amended by striking clause (i) and inserting the following:

''(i) shall appoint one or more individuals who have been designated under paragraph (1), not less than one of whom possesses privacy and civil liberties expertise, unless the court finds that such a qualification is inappropriate, to serve as amicus curiae to assist the court in the consideration of any application or motion for an order or review that, in the opinion of the court—

''(I) presents a novel or significant interpretation of the law, unless the court issues a finding that such appointment is not appropriate;

''(II) presents exceptional concerns with respect to the activities of a United States person that are protected by the first amendment to the Constitution of the United States, unless the court issues a finding that such appointment is not appropriate;

''(III) targets a United States person and presents or involves a sensitive investigative matter, unless—

''(aa) the matter represents an immediate danger to human life; or

''(bb) the court issues a finding that such appointment is not appropriate;

''(IV) targets a United States person and presents a request for approval of programmatic surveillance or reauthorization of programmatic surveillance, unless the court issues a finding that such appointment is not appropriate; or

''(V) targets a United States person and otherwise presents novel or exceptional civil liberties issues, unless the court issues a finding that such appointment is not appropriate;''.

(2) DEFINITION OF SENSITIVE INVESTIGATIVE MATTER.—Subsection (i) of section 103 of such Act (50 U.S.C. 1803) is amended by adding at the end the following:

''(12) DEFINITION OF SENSITIVE INVESTIGATIVE MATTER.—In this subsection, the term 'sensitive investigative matter' means—

''(A) an investigative matter that targets a United States person who is—

''(i) a United States elected official;

''(ii) an appointee of—

''(I) the President; or

''(II) a State Governor;

''(iii) a United States political candidate;

''(iv) a United States political organization or an individual prominent in such an organization;

''(v) a United States news media organization or a member of a United States news media organization; or

''(vi) a United States religious organization or an individual prominent in such an organization; or

''(B) any other investigative matter involving a domestic entity or a known or presumed United States person that, in the judgment of the applicable court established under subsection (a) or (b), is as sensitive as an investigative matter described in subparagraph (A).''.

(b) AUTHORITY TO SEEK REVIEW.—Subsection (i) of such section (50 U.S.C. 1803), as amended by subsection (a) of this section, is further amended—

(1) in paragraph (4)—

(A) in the paragraph heading, by inserting ''; AUTHORITY'' after ''DUTIES'';

(B) by striking ''the amicus curiae shall'' and all that follows through ''provide'' and insert the following: ''the amicus curiae—

''(A) shall provide'';

(C) in subparagraph (A), as so designated—

(i) in clause (i), by inserting before the semicolon at the end the following: '', including legal arguments regarding any privacy or civil liberties interest of any United States person that would be significantly impacted by the application or motion''; and

(ii) in clause (iii), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(B) may seek leave to raise any novel or significant privacy or civil liberties issue relevant to the application or motion or other issue directly impacting the legality of the proposed electronic surveillance with the court, regardless of whether the court has requested assistance on that issue.'';

(2) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(3) by inserting after paragraph (6) the following:

''(7) AUTHORITY TO SEEK REVIEW OF DECISIONS.—

''(A) FISA COURT DECISIONS.—Following issuance of a final order under this Act by the Foreign Intelligence Surveillance Court in a matter in which an amicus curiae was appointed under paragraph (2), that amicus curiae may petition the Foreign Intelligence Surveillance Court to certify for review to the Foreign Intelligence Surveillance Court of Review a question of law pursuant to subsection (j). If the court denies such petition, the court shall provide for the record a written statement of the reasons for such denial. Upon certification of any question of law pursuant to this subparagraph, the Court of Review shall appoint the amicus curiae to assist the Court of Review in its consideration of the certified question, unless the Court of Review issues a finding that such appointment is not appropriate.

''(B) FISA COURT OF REVIEW DECISIONS.—An amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court of Review to certify for review to the Supreme Court of the United States any question of law pursuant to section 1254(2) of title 28, United States Code, in the matter in which that amicus curiae was appointed.

''(C) DECLASSIFICATION OF REFERRALS.—For purposes of section 602, if the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review denies a petition filed under subparagraph (A) or (B) of this paragraph, that petition and all of its content shall be considered a decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review described in section 602(a).''.

(c) ACCESS TO INFORMATION.—

(1) APPLICATION AND MATERIALS.—Subparagraph (A) of section 103(i)(6) of such Act (50 U.S.C. 1803(i)(6)) is amended to read as follows:

''(A) IN GENERAL.—

''(i) RIGHTS OF AMICUS.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2), the amicus curiae—

''(I) shall have access to, to the extent such information is available to the Government and the court established under subsection (a) or (b) determines it is necessary to fulfill the duties of the amicus curiae—

''(aa) the application, certification, petition, motion, and other information and supporting materials submitted to the Foreign Intelligence Surveillance Court in connection with the matter in which the amicus curiae has been appointed, including access to any relevant legal precedent (including any such precedent that is cited by the Government, including in such an application);

''(bb) a copy of each relevant decision made by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review in which the court decides a question of law, without regard to whether the decision is classified; and

''(cc) any other information or materials that the court determines are relevant to the duties of the amicus curiae; and

''(II) may make a submission to the court requesting access to any other particular materials or information (or category of materials or information) that the amicus curiae believes to be relevant to the duties of the amicus curiae.

''(ii) SUPPORTING DOCUMENTATION REGARDING ACCURACY.—The Foreign Intelligence Surveillance Court, upon the motion of an amicus curiae appointed under paragraph (2) or upon its own motion, may require the Government to make available the supporting documentation regarding the accuracy of any material submitted to the Foreign Intelligence Surveillance Court in connection with the matter in which the amicus curiae has been appointed if the court determines the information is relevant to the duties of the amicus curiae.''.

(2) CLARIFICATION OF ACCESS TO CERTAIN INFORMATION.—Such section is further amended by striking subparagraph (C) and inserting the following:

''(C) CLASSIFIED INFORMATION.—An amicus curiae appointed by the court shall have access, to the extent such information is available to the Government and the court determines such information is relevant to the duties of the amicus curiae in the matter in which the amicus curiae was appointed, to copies of each opinion, order, transcript, pleading, or other document of the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review, including, if the individual is eligible for access to classified information, any classified documents, information, and other materials or proceedings, but only to the extent consistent with the national security of the United States.''.

(3) CONSULTATION AMONG AMICI CURIAE.—Such section is further amended—

(A) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) CONSULTATION.—If the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review determines that it is relevant to the duties of an amicus curiae appointed by the court under paragraph (2), the amicus curiae may consult with one or more of the other individuals designated to serve as amicus curiae pursuant to paragraph (1) regarding any of the information relevant to any assigned proceeding.''.

(d) TERM LIMITS.—

(1) REQUIREMENT.—Paragraph (1) of section 103(i) of such Act (50 U.S.C. 1803(i)) is amended by adding at the end the following new sentence: ''An individual may serve as an amicus curiae for a 5-year term, and the presiding judges may, for good cause, jointly reappoint the individual to a single additional 5-year term.''.

(2) APPLICATION.—The amendment made by paragraph (1) shall apply with respect to the service of an amicus curiae appointed under section 103(i) of such Act (50 U.S.C. 1803(i)) that occurs on or after the date of the enactment of this Act, regardless of the date on which the amicus curiae is appointed.

SEC. 1202. LIMITATION ON DIRECTIVES UNDER FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 RELATING TO CERTAIN ELECTRONIC COMMUNICATION SERVICE PROVIDERS.

Section 702(i) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(i)) is amended by adding at the end the following:

''(7) LIMITATION RELATING TO CERTAIN ELECTRONIC COMMUNICATION SERVICE PROVIDERS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(I) the congressional intelligence committees;

''(II) the Committee on the Judiciary of the Senate; and

''(III) the Committee on the Judiciary of the House of Representatives.

''(ii) COVERED ELECTRONIC COMMUNICATION SERVICE PROVIDER.—The term 'covered electronic communication service provider' means—

''(I) a service provider described in section 701(b)(4)(E); or

''(II) a custodian of an entity as defined in section 701(b)(4)(F).

''(iii) COVERED OPINIONS.—The term 'covered opinions' means the opinions of the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review authorized for public release on August 23, 2023 (Opinion and Order, In re Petition to Set Aside or Modify Directive Issued to [REDACTED], No. [REDACTED], (FISA Ct. [REDACTED] 2022) (Contreras J.); Opinion, In re Petition to Set Aside or Modify Directive Issued to [REDACTED], No. [REDACTED], (FISA Ct. Rev. [REDACTED] 2023) (Sentelle, J.; Higginson, J.; Miller J.)).

''(B) LIMITATION.—A directive may not be issued under paragraph (1) to a covered electronic communication service provider unless the covered electronic communication service provider is a provider of the type of service at issue in the covered opinions.

''(C) REQUIREMENTS FOR DIRECTIVES TO COVERED ELECTRONIC COMMUNICATION SERVICE PROVIDERS.—

''(i) IN GENERAL.—Subject to clause (ii), any directive issued under paragraph (1) on or after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2025 to a covered electronic communication service provider that is not prohibited by subparagraph (B) of this paragraph shall include a summary description of the services at issue in the covered opinions.

''(ii) DUPLICATE SUMMARIES NOT REQUIRED.—A directive need not include a summary description of the services at issue in the covered opinions if such summary was included in a prior directive issued to the covered electronic communication service provider and the summary has not materially changed.

''(D) FOREIGN INTELLIGENCE SURVEILLANCE COURT NOTIFICATION AND REVIEW.—

''(i) NOTIFICATION.—

''(I) IN GENERAL.—Subject to subclause (II), each time the Attorney General and the Director of National Intelligence issue a directive under paragraph (1) to a covered electronic communication service provider that is not prohibited by subparagraph (B) and each time the Attorney General and the Director materially change a directive under paragraph (1) issued to a covered electronic communication service provider that is not prohibited by subparagraph (B), the Attorney General and the Director shall provide the directive to the Foreign Intelligence Surveillance Court on or before the date that is 7 days after the date on which the Attorney General and the Director issue the directive, along with a description of the covered electronic communication service provider to whom the directive is issued and the services at issue.

''(II) DUPLICATION NOT REQUIRED.—The Attorney General and the Director do not need to provide a directive or description to the Foreign Intelligence Surveillance Court under subclause (I) if a directive and description concerning the covered electronic communication service provider was previously provided to the Court and the directive or description has not materially changed.

''(ii) ADDITIONAL INFORMATION.—As soon as feasible and not later than the initiation of collection, the Attorney General and the Director shall, for each directive described in subparagraph (i), provide the Foreign Intelligence Surveillance Court a description of the type of equipment to be accessed, the nature of the access, and the form of assistance required pursuant to the directive.

''(iii) REVIEW.—

''(I) IN GENERAL.—The Foreign Intelligence Surveillance Act Court may review a directive received by the Court under clause (i) to determine whether the directive is consistent with subparagraph (B) and affirm, modify, or set aside the directive.

''(II) NOTICE OF INTENT TO REVIEW.—Not later than 10 days after the date on which the Court receives information under clause (ii) with respect to a directive, the Court shall provide notice to the Attorney General, the Director, and the covered electronic communication service provider, indicating whether the Court intends to undertake a review under subclause (I) of this clause.

''(III) COMPLETION OF REVIEWS.—In a case in which the Court provides notice under subclause (II) indicating that the Court intends to review a directive under subclause (I), the Court shall, not later than 30 days after the date on which the Court provides notice under subclause (II) with respect to the directive, complete the review.

''(E) CONGRESSIONAL OVERSIGHT.—

''(i) NOTIFICATION.—

''(I) IN GENERAL.—Subject to subclause (II), each time the Attorney General and the Director of National Intelligence issue a directive under paragraph (1) to a covered electronic communication service provider that is not prohibited by subparagraph (B) and each time the Attorney General and the Director materially change a directive under paragraph (1) issued to a covered electronic communication service provider that is not prohibited by subparagraph (B), the Attorney General and the Director shall submit to the appropriate committees of Congress the directive on or before the date that is 7 days after the date on which the Attorney General and the Director issue the directive, along with description of the covered electronic communication service provider to whom the directive is issued and the services at issue.

''(II) DUPLICATION NOT REQUIRED.—The Attorney General and the Director do not need to submit a directive or description to the appropriate committees of Congress under subclause (I) if a directive and description concerning the covered electronic communication service provider was previously submitted to the appropriate committees of

Congress and the directive or description has not materially changed.

''(ii) ADDITIONAL INFORMATION.—As soon as feasible and not later than the initiation of collection, the Attorney General and the Director shall, for each directive described in subparagraph (i), provide the appropriate committees of Congress a description of the type of equipment to be accessed, the nature of the access, and the form of assistance required pursuant to the directive.

''(iii) REPORTING.—

''(I) QUARTERLY REPORTS.—Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2025 and not less frequently than once each quarter thereafter, the Attorney General and the Director shall submit to the appropriate committees of Congress a report on the number of directives issued, during the period covered by the report, under paragraph (1) to a covered electronic communication service provider and the number of directives provided during the same period to the Foreign Intelligence Surveillance Court under subparagraph (D)(i).

''(II) FORM OF REPORTS.—Each report submitted pursuant to subclause (I) shall be submitted in unclassified form, but may include a classified annex.

''(III) SUBMITTAL OF COURT OPINIONS.—Not later than 45 days after the date on which the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review issues an opinion relating to a directive issued to a covered electronic communication service provider under paragraph (1), the Attorney General shall submit to the appropriate committees of Congress a copy of the opinion.''.

SEC. 1203. STRENGTHENING ELECTION CYBERSECURITY TO UPHOLD RESPECT FOR ELECTIONS THROUGH INDEPENDENT TESTING ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Strengthening Election Cybersecurity to Uphold Respect for Elections through Independent Testing Act of 2024'' or the ''SECURE IT Act of 2024''.

(b) REQUIRING PENETRATION TESTING AS PART OF THE TESTING AND CERTIFICATION OF VOTING SYSTEMS.—Section 231 of the Help America Vote Act of 2002 (52 U.S.C. 20971) is amended by adding at the end the following new subsection:

''(e) REQUIRED PENETRATION TESTING.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Commission shall provide for the conduct of penetration testing as part of the testing, certification, decertification, and recertification of voting system hardware and software by the Commission based on accredited laboratories under this section.

''(2) ACCREDITATION.—The Commission shall develop a program for the acceptance of the results of penetration testing on election systems. The penetration testing required by this subsection shall be required for Commission certification. The Commission shall vote on the selection of any entity identified. The requirements for such selection shall be based on consideration of an entity's competence to conduct penetration testing under this subsection. The Commission may consult with the National Institute of Standards and Technology or any other appropriate Federal agency on lab selection criteria and other aspects of this program.''.

(c) INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS.—

(1) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by adding at the end the following new part:

''PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PILOT PROGRAM FOR ELECTION SYSTEMS

''SEC. 297. INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PILOT PROGRAM FOR ELECTION SYSTEMS.

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—The Commission, in consultation with the Secretary, shall establish an Independent Security Testing and Coordinated Vulnerability Disclosure Pilot Program for Election Systems (VDP–E) (in this section referred to as the 'program') to test for and disclose cybersecurity vulnerabilities in election systems.

''(2) DURATION.—The program shall be conducted for a period of 5 years.

''(3) REQUIREMENTS.—In carrying out the program, the Commission, in consultation with the Secretary, shall—

''(A) establish a mechanism by which an election systems vendor may make their election system (including voting machines and source code) available to cybersecurity researchers participating in the program;

''(B) provide for the vetting of cybersecurity researchers prior to their participation in the program, including the conduct of background checks;

''(C) establish terms of participation that—

''(i) describe the scope of testing permitted under the program;

''(ii) require researchers to—

''(I) notify the vendor, the Commission, and the Secretary of any cybersecurity vulnerability they identify with respect to an election system; and

''(II) otherwise keep such vulnerability confidential for 180 days after such notification;

''(iii) require the good faith participation of all participants in the program;

''(iv) require an election system vendor, within 180 days after validating notification of a critical or high vulnerability (as defined by the National Institute of Standards and Technology) in an election system of the vendor, to—

''(I) send a patch or propound some other fix or mitigation for such vulnerability to the appropriate State and local election officials, in consultation with the researcher who discovered it; and

''(II) notify the Commission and the Secretary that such patch has been sent to such officials;

''(D) in the case where a patch or fix to address a vulnerability disclosed under subparagraph (C)(ii)(I) is intended to be applied to a system certified by the Commission, provide—

''(i) for the expedited review of such patch or fix within 90 days after receipt by the Commission; and

''(ii) if such review is not completed by the last day of such 90-day period, that such patch or fix shall be deemed to be certified by the Commission, subject to any subsequent review of such determination by the Commission; and

''(E) 180 days after the disclosure of a vulnerability under subparagraph (C)(ii)(I), notify the Director of the Cybersecurity and Infrastructure Security Agency of the vulnerability for inclusion in the database of Common Vulnerabilities and Exposures.

''(4) VOLUNTARY PARTICIPATION; SAFE HARBOR.—

''(A) VOLUNTARY PARTICIPATION.—Participation in the program shall be voluntary for election systems vendors and researchers.

''(B) SAFE HARBOR.—When conducting research under this program, such research and subsequent publication shall be—

''(i) authorized in accordance with section 1030 of title 18, United States Code (commonly known as the 'Computer Fraud and Abuse Act'), (and similar State laws), and the election system vendor will not initiate or support legal action against the researcher for accidental, good faith violations of the program; and

''(ii) exempt from the anti-circumvention rule of section 1201 of title 17, United States Code (commonly known as the 'Digital Millennium Copyright Act'), and the election system vendor will not bring a claim against a researcher for circumvention of technology controls.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to limit or otherwise affect any exception to the general prohibition against the circumvention of technological measures under subparagraph (A) of section 1201(a)(1) of title 17, United States Code, including with respect to any use that is excepted from that general prohibition by the Librarian of Congress under subparagraphs (B) through (D) of such section 1201(a)(1).

''(5) DEFINITIONS.—In this subsection:

''(A) CYBERSECURITY VULNERABILITY.—The term 'cybersecurity vulnerability' means, with respect to an election system, any security vulnerability that affects the election system.

''(B) ELECTION INFRASTRUCTURE.—The term 'election infrastructure' means—

''(i) storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office; and

''(ii) related information and communications technology, including—

''(I) voter registration databases;

''(II) election management systems;

''(III) voting machines;

''(IV) 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

''(V) other systems used to manage the election process and to report and display election results on behalf of an election agency.

''(C) ELECTION SYSTEM.—The term 'election system' means any information system that is part of an election infrastructure, including any related information and communications technology described in subparagraph (B)(ii).

''(D) ELECTION SYSTEM VENDOR.—The term 'election system vendor' means any person providing, supporting, or maintaining an election system on behalf of a State or local election official.

''(E) INFORMATION SYSTEM.—The term 'information system' has the meaning given the term in section 3502 of title 44, United States Code.

''(F) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(G) 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).''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS

''Sec. 297. Independent security testing and coordinated cybersecurity vulnerability disclosure program for election systems.''.

SEC. 1204. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD QUALIFICATIONS.

Section 1061(h)(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(h)(2)) is amended by striking ''and relevant experience'' and inserting ''or experience in positions requiring a security clearance, and relevant national security experience''.

SEC. 1205. PARITY IN PAY FOR STAFF OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD AND THE INTELLIGENCE COMMUNITY.

Section 1061(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(j)(1)) is amended by striking ''except that'' and all that follows through the period at the end and inserting ''except that no rate of pay fixed under this subsection may exceed the highest amount paid by any element of the intelligence community for a comparable position, based on salary information provided to the chairman of the Board by the Director of National Intelligence.''.

SEC. 1206. MODIFICATION AND REPEAL OF REPORTING REQUIREMENTS.

(a) BRIEFING ON IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITIES.—Section 6705(a)(1) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (22 U.S.C. 9412(a)(1)) is amended by striking '', and not less frequently than once each year thereafter provide a briefing to Congress,''.

(b) REPORTS AND BRIEFINGS ON NATIONAL SECURITY EFFECTS OF GLOBAL WATER INSECURITY AND EMERGING INFECTIOUS DISEASES AND PANDEMICS.—Section 6722(b) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3024 note; division E of Public Law 116–92) is amended by—

(1) striking paragraph (2); and

(2) redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(c) REPEAL OF REPORT ON REMOVAL OF SATELLITES AND RELATED ITEMS FROM THE UNITED STATES MUNITIONS LIST.—Section 1261(e) of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 2778 note; Public Law 112–239) is repealed.

(d) BRIEFING ON REVIEW OF INTELLIGENCE COMMUNITY ANALYTIC PRODUCTION.—Section 1019(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364(c)) is amended by striking ''December 1'' and inserting ''February 1''.

(e) REPEAL OF REPORT ON OVERSIGHT OF FOREIGN INFLUENCE IN ACADEMIA.—Section 5713 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3369b) is repealed.

(f) REPEAL OF BRIEFING ON IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITIES.—Section 6705 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (22 U.S.C. 9412) is amended—

(1) by striking subsection (b);

(2) by striking the enumerator and heading for subsection (a);

(3) by redesignating paragraphs (1) and (2) as subsections (a) and (b), respectively, and moving such subsections, as so redesignated, 2 ems to the left;

(4) in subsection (a), as so redesignated, by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and moving such paragraphs, as so redesignated, 2 ems to the left; and

(5) in paragraph (1), as so redesignated, by redesignating clauses (i) through (v) as subparagraphs (A) through (E), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left.

(g) REPEAL OF REPORT ON FOREIGN INVESTMENT RISKS.—Section 6716 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3370a) is repealed.

(h) REPEAL OF REPORT ON INTELLIGENCE COMMUNITY LOAN REPAYMENT PROGRAMS.—Section 6725(c) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334g(c)) is repealed.

(i) REPEAL OF REPORT ON DATA COLLECTION ON ATTRITION IN INTELLIGENCE COMMUNITY.—Section 306(c) of the Intelligence Authorization Act for Fiscal Year 2021 (50 U.S.C. 3334h(c)) is repealed.

SEC. 1207. TECHNICAL AMENDMENTS.

(a) REQUIREMENTS RELATING TO CONSTRUCTION OF FACILITIES TO BE USED PRIMARILY BY INTELLIGENCE COMMUNITY.—Section 602(a) of the Intelligence Authorization Act for Fiscal Year 1995 (50 U.S.C. 3304(a)) is amended—

(1) in paragraph (1), by striking ''$6,000,000'' and inserting ''$9,000,000''; and

(2) in paragraph (2)—

(A) by striking ''$2,000,000'' each place it appears and inserting ''$4,000,000''; and

(B) by striking ''$6,000,000'' and inserting ''$9,000,000''.

(b) COPYRIGHT PROTECTION FOR CIVILIAN FACULTY OF CERTAIN ACCREDITED INSTITUTIONS.—Section 105 of title 17, United States Code, is amended to read as follows:

''§ 105. Subject matter of copyright: United States Government works

''(a) IN GENERAL.—Copyright protection under this title is not available for any work of the United States Government, but the United States Government is not precluded from receiving and holding copyrights transferred to it by assignment, bequest, or otherwise.

''(b) COPYRIGHT PROTECTION OF CERTAIN WORKS.—Subject to subsection (c), the covered author of a covered work owns the copyright to that covered work.

''(c) USE BY FEDERAL GOVERNMENT.—

''(1) SECRETARY OF DEFENSE AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at a covered institution described in subparagraphs (A) through (K) of subsection (d)(2), the Secretary of Defense may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, worldwide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.

''(2) SECRETARY OF HOMELAND SECURITY AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at the covered institution described in subsection (d)(2)(L), the Secretary of Homeland Security may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, worldwide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.

''(3) DIRECTOR OF NATIONAL INTELLIGENCE AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at the covered institution described in subsection (d)(2)(M), the Director of National Intelligence may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, worldwide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.

''(4) SECRETARY OF TRANSPORTATION AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at the covered institution described in subsection (d)(2)(N), the Secretary of Transportation may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, worldwide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.

''(d) DEFINITIONS.—In this section:

''(1) COVERED AUTHOR.—The term 'covered author' means a civilian member of the faculty of a covered institution.

''(2) COVERED INSTITUTION.—The term 'covered institution' means the following:

''(A) National Defense University.

''(B) United States Military Academy.

''(C) Army War College.

''(D) United States Army Command and General Staff College.

''(E) United States Naval Academy.

''(F) Naval War College.

''(G) Naval Postgraduate School.

''(H) Marine Corps University.

''(I) United States Air Force Academy.

''(J) Air University.

''(K) Defense Language Institute.

''(L) United States Coast Guard Academy.

''(M) National Intelligence University.

''(N) United States Merchant Marine Academy.

''(3) COVERED WORK.—The term 'covered work' means a literary work produced by a covered author in the course of employment at a covered institution for publication by a scholarly press or journal.''.

SA 2275. Ms. KLOBUCHAR (for herself and Mrs. FISCHER) 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 X, add the following:

SEC. 1067. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON IMPLEMENTATION OF UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT AND IMPROVING ACCESS TO VOTER REGISTRATION INFORMATION AND ASSISTANCE FOR ABSENT UNIFORMED SERVICES VOTERS.

(a) SHORT TITLE.—This section may be cited as the ''Supporting Military Voters Act''.

(b) IN GENERAL.—The Comptroller General of the United States shall conduct—

(1) an analysis of the effectiveness of the Federal Government in carrying out its responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.) to promote access to voting for absent uniformed services voters; and

(2) a study on means for improving access to voter registration information and assistance for members of the Armed Forces and their family members.

(c) ELEMENTS.—

(1) ANALYSIS.—The analysis required by subsection (b)(1) shall include analysis of the following:

(A) Data and information pertaining to the transmission of ballots to absent unformed services voters.

(B) Data and information pertaining to the methods of transmission of voted ballots from absent uniformed services voters, including the efficacy and security of such methods.

(C) Data and information pertaining to the treatment by election officials of voted ballots transmitted by absent uniformed services voters, including—

(i) the rate at which such ballots are counted in elections;

(ii) the rate at which such ballots are rejected in elections; and

(iii) the reasons for such rejections.

(D) An analysis of the effectiveness of the assistance provided to absent uniformed services voters by Voting Assistance Officers of the Federal Voting Assistance Program of the Department of Defense.

(E) A review of the extent of coordination between Voting Assistance Officers and State and local election officials.

(F) Information regarding such other issues relating to the ability of absent uniformed services voters to register to vote, vote, and have their ballots counted in elections for Federal office.

(G) Data and information pertaining to—

(i) the awareness of members of the Armed Forces and their family members of the requirement under section 1566a of title 10, United States Code, that the Secretaries of the military departments provide voter registration information and assistance; and

(ii) whether members of the Armed Forces and their family members received such information and assistance at the times required by subsection (c) of that section.

(2) STUDY.—The study required by subsection (b)(2) shall include the following:

(A) An assessment of potential actions to be undertaken by the Secretary of each military department to increase access to voter registration information and assistance for members of the Armed Forces and their family members.

(B) An estimate of the costs and requirements to fully meet the needs of members of the Armed Forces for access to voter registration information and assistance.

(d) METHODS.—In conducting the analysis and study required by subsection (b), the Comptroller General shall, in cooperation and consultation with the Secretaries of the military departments—

(1) use existing information from available government and other public sources; and

(2) acquire, through the Comptroller General's own investigations, interviews, and analysis, such other information as the Comptroller General requires to conduct the analysis and study.

(e) REPORT REQUIRED.—Not later than September 30, 2026, the Comptroller General shall submit to the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives a report on the analysis and study required by subsection (b).

(f) DEFINITIONS.—In this section:

(1) ABSENT UNIFORMED SERVICES VOTER.—The term ''absent uniformed services voter'' has the meaning given that term in section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310).

(2) FAMILY MEMBER.—The term ''family member'', with respect to a member of the Armed Forces, means a spouse and other dependent (as defined in section 1072 of title 10, United States Code) of the member.

SA 2276. Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, and Mr. MERKLEY) 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___. EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) SECURE PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended, in subsections (a) and (b), by striking ''2023'' each place it appears and inserting ''2026''.

(2) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2023'' and inserting ''2026''.

(b) EXTENSION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) EXISTING ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking ''December 20, 2023'' each place it appears and inserting ''December 20, 2026''.

(2) EXTENSION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking ''2025'' and inserting ''2028''; and

(B) in subsection (b), by striking ''2026'' and inserting ''2029''.

(c) EXTENSION OF AUTHORITY TO EXPEND COUNTY FUNDS.—Section 305 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(1) in subsection (a), by striking ''2025'' and inserting ''2028''; and

(2) in subsection (b), by striking ''2026'' and inserting ''2029''.

(d) RESOURCE ADVISORY COMMITTEE PILOT PROGRAM EXTENSION.—Section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125) is amended by striking subsection (g) and inserting the following:

''(g) PILOT PROGRAM FOR RESOURCE ADVISORY COMMITTEE APPOINTMENTS BY REGIONAL FORESTERS.—

''(1) IN GENERAL.—The Secretary concerned shall establish and carry out a pilot program under which the Secretary concerned shall allow the regional forester with jurisdiction over a unit of Federal land to appoint members of the resource advisory committee for that unit, in accordance with the applicable requirements of this section.

''(2) RESPONSIBILITIES OF REGIONAL FORESTER.—Before appointing a member of a resource advisory committee under the pilot program under this subsection, a regional forester shall conduct the review and analysis that would otherwise be conducted for an appointment to a resource advisory committee if the pilot program was not in effect, including any review and analysis with respect to civil rights and budgetary requirements.

''(3) SAVINGS CLAUSE.—Nothing in this subsection relieves a regional forester or the Secretary concerned from an obligation to comply with any requirement relating to an appointment to a resource advisory committee, including any requirement with respect to civil rights or advertising a vacancy.

''(4) TERMINATION OF EFFECTIVENESS.—The authority provided under this subsection terminates on October 1, 2028.''.

SA 2277. 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:

At the end of subtitle F of title XII, insert the following:

SEC. 1291. SENSE OF CONGRESS WITH RESPECT TO DECLARATIONS OF WAR.

It is the sense of Congress that Article 5 of the North Atlantic Treaty, done at Washington, DC, April 4, 1949, does not supersede the constitutional requirement that Congress declare war before the United States engages in war.

SA 2278. 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:

At the end of subtitle C of title XII, add the following:

SEC. 1239. REPORT AND STRATEGY FOR UNITED STATES INVOLVEMENT IN UKRAINE.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President, in coordination with the Secretary of Defense and the Secretary of State, shall develop and submit to the appropriate committees of Congress a report that contains a strategy for United States involvement in Ukraine.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) define the United States national interests at stake with respect to the conflict between the Russian Federation and Ukraine;

(2) identify specific objectives the President believes must be achieved in Ukraine in order to protect the United States national interests defined in paragraph (1), and for each objective—

(A) an estimate of the amount of time required to achieve the objective, with an explanation;

(B) benchmarks to be used by the President to determine whether an objective has been met, is in the progress of being met, or cannot be met in the time estimated to be required in subparagraph (A); and

(C) estimates of the amount of resources, including United States personnel, materiel, and funding, required to achieve the objective; and

(3) list the expected contribution for security assistance made by European member countries of the North Atlantic Treaty Organization within the next fiscal year.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) BRIEFING.—Not later than 45 days after the date of the submission of the report required by subsection (a), the Secretary of Defense and the Secretary of State shall provide to the appropriate committees of Congress, and other Members of Congress that wish to participate, a briefing on the United States strategy with respect to Ukraine and plans for the implementation of such strategy.

(e) LIMITATION ON FUNDS.—None of the amounts authorized to be appropriated or otherwise made available by this Act, the National Defense Authorization Act for Fiscal Year 2024 (Public Law 188–31), or the Ukraine Security Supplemental Appropriations Act, 2024 (division B of Public Law 118–25) may be made available for Ukraine until the report required by subsection (a) is submitted to the appropriate committees Congress and the briefing required by subsection (d) is held.

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SA 2279. 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:

At the end of subtitle A of title XII, add the following:

SEC. 1216. FUNDING PROHIBITION.

Section 1811 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31) is amended by adding at the end the following:

''(c) ACADEMY OF MILITARY MEDICAL SCIENCES.—No Federal funds may be appropriated or otherwise made available to—

''(1) the Academy of Military Medical Sciences of the People's Liberation Army; or

''(2) any research institute controlled by, or affiliated with, such Academy, including the Beijing Institute of Microbiology and Epidemiology.''.

SA 2280. 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:

At the appropriate place, insert the following:

SEC. _____. EMPLOYEE PROHIBITIONS.

(a) DEFINITIONS.—In this section:

(1) COVERED INFORMATION.—The term ''covered information'' means information relating to—

(A) a phone call;

(B) any type of digital communication, including a post on a covered platform, an e-mail, a text, and a direct message;

(C) a photo;

(D) shopping and commerce history;

(E) location data, including a driving route and ride hailing information;

(F) an IP address;

(G) metadata;

(H) search history;

(I) the name, age, or demographic information of a user of a covered platform; and

(J) a calendar item.

(2) COVERED PLATFORM.—The term ''covered platform'' means—

(A) 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)); and

(B) any platform through which a media organization disseminates information, without regard to whether the organization disseminates that information—

(i) through broadcast or print;

(ii) online; or

(iii) through any other channel.

(3) EMPLOYEE.—

(A) IN GENERAL.—The term ''employee''—

(i) means an employee of an Executive agency; and

(ii) includes—

(I) an individual, other than an employee of an Executive agency, working under a contract with an Executive agency; and

(II) the President and the Vice President.

(B) RULE OF CONSTRUCTION.—With respect to an individual described in subparagraph (A)(ii)(I), solely for the purposes of this section, the Executive agency that has entered into the contract under which the employee is working shall be construed to be the Executive agency employing the employee.

(4) EXECUTIVE AGENCY.—The term ''Executive agency''—

(A) has the meaning given the term in section 105 of title 5, United States Code; and

(B) includes the Executive Office of the President.

(5) PROVIDER.—The term ''provider'' means a provider of a covered platform.

(b) PROHIBITIONS.—

(1) IN GENERAL.—An employee acting under official authority or influence may not—

(A) use any form of communication (without regard to whether the communication is visible to members of the public) to direct, coerce, compel, or encourage a provider to take, suggest or imply that a provider should take, or request that a provider take any action to censor speech that is protected by the Constitution of the United States, including by—

(i) removing that speech from the applicable covered platform;

(ii) suppressing that speech on the applicable covered platform;

(iii) removing or suspending a particular user (or a class of users) from the applicable covered platform or otherwise limiting the access of a particular user (or a class of users) to the covered platform;

(iv) labeling that speech as disinformation, misinformation, or false, or by making any similar characterization with respect to the speech; or

(v) otherwise blocking, banning, deleting, deprioritizing, demonetizing, deboosting, limiting the reach of, or restricting access to the speech;

(B) direct or encourage a provider to share with an Executive agency covered information containing data or information regarding a particular topic, or a user or group of users on the applicable covered platform, including any covered information shared or stored by users on the covered platform;

(C) work, directly or indirectly, with any private or public entity or person to take an action that is prohibited under subparagraph (A) or (B); or

(D) on behalf of the Executive agency employing the employee—

(i) enter into a partnership with a provider to monitor any content disseminated on the applicable covered platform; or

(ii) solicit, accept, or enter into a contract or other agreement (including a no-cost agreement) for free advertising or another promotion on a covered platform.

(2) EXCEPTION.—Notwithstanding subparagraph (B) of paragraph (1), the prohibition under that subparagraph shall not apply with respect to an action by an Executive agency or employee pursuant to a warrant that is issued by—

(A) a court of the United States of competent jurisdiction in accordance with the procedures described in rule 41 of the Federal Rules of Criminal Procedure; or

(B) a State court of competent jurisdiction.

(c) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—A person, the account, content, speech, or other information of which has been affected in violation of this section, including any State government, may bring a civil action in the United States District Court for the District of Columbia for reasonable attorneys' fees, injunctive relief, and actual damages against—

(A) the applicable Executive agency; and

(B) the employee of the applicable Executive agency who committed the violation.

(2) PRESUMPTION OF LIABILITY.—In a civil action brought under paragraph (1), there shall be a rebuttable presumption against the applicable Executive agency or employee if the person bringing the action demonstrates that the applicable employee communicated with a provider on a matter relating to—

(A) covered information with respect to that person; or

(B) a statement made by that person on the applicable covered platform.

(3) APPLICABILITY.—A person described in paragraph (1) may bring a civil action under this subsection with respect to any violation of this section committed before, on, or after the date of enactment of this Act.

SA 2281. 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:

At the end of subtitle H of title X, add the following:

SEC. 1095. PROHIBITION ON THE INDEFINITE DETENTION OF PERSONS BY THE UNITED STATES.

(a) LIMITATION ON DETENTION.—Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) No person shall be imprisoned or otherwise detained by the United States except consistent with the Constitution.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a person apprehended in the United States.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of

war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025.

''(3) This section shall not be construed to authorize the imprisonment or detention of any person who is apprehended in the United States.''.

(b) REPEAL OF AUTHORITY OF THE ARMED FORCES OF THE UNITED STATES TO DETAIN COVERED PERSONS PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.—Section 1021 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 801 note) is repealed.

SA 2282. Mrs. FISCHER (for herself and 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 of subtitle H of title X, add the following:

SEC. 1095. TREATMENT OF PAYMENTS FROM THE RAILROAD UNEMPLOYMENT INSURANCE ACCOUNT.

(a) AMENDMENTS.—Section 235 of the Continued Assistance to Rail Workers Act of 2020 (subchapter III of title II of division N of Public Law 116–260; 2 U.S.C. 906 note) is amended—

(1) in subsection (b)—

(A) by striking paragraphs (1) and (2); and

(B) by striking ''subsection (a)—'' and inserting ''subsection (a) shall take effect 7 days after the date of enactment of the Continued Assistance to Rail Workers Act of 2020.''; and

(2) by striking subsection (c).

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply as if enacted on the day before the date on which the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020, under the National Emergencies Act (50 U.S.C. 1601 et seq.) terminates.

SA 2283. Mrs. FISCHER (for herself and Mr. PADILLA) 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 X, insert the following:

SEC. ____. MODIFICATION OF RULES FOR APPROVAL OF COMMERCIAL DRIVER EDUCATION PROGRAMS FOR PURPOSES OF EDUCATIONAL ASSISTANCE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 3680A(e) of title 38, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) though (C), respectively;

(2) in the matter before subparagraph (A), as redesignated by paragraph (1), by inserting ''(1)'' before ''The Secretary'';

(3) in paragraph (1)(B), as redesignated by paragraph (1), by inserting ''except as provided in paragraph (2),'' before ''the course''; and

(4) by adding at the end the following new paragraph (2):

''(2)(A) Subject to this paragraph, a commercial driver education program is exempt from paragraph (1)(B) for a branch of an educational institution if the commercial driver education program offered at the branch by the educational institution—

''(i) is appropriately licensed; and

''(ii)(I) the branch is located in a State in which the same commercial driver education program is offered by the same educational institution at another branch of that educational institution in the same State that is approved for purposes of this chapter by a State approving agency or the Secretary when acting in the role of a State approving agency; or

''(II)(aa) the branch is located in a State in which the same commercial driver education program is not offered at another branch of the same educational institution in the same State; and

''(bb) the branch has been operating for a period of at least one year using the same curriculum as a commercial driver education program offered by the educational institution at another location that is approved for purposes of this chapter by a State approving agency or the Secretary when acting in the role of a State approving agency.

''(B)(i) In order for a commercial driver education program of an educational institution offered at a branch described in paragraph (1)(B) to be exempt under subparagraph (A) of this paragraph, the educational institution shall submit to the Secretary each year that paragraph (1)(B) would otherwise apply a report that demonstrates that the curriculum at the new branch is the same as the curriculum at the primary location.

''(ii) Reporting under clause (i) shall be submitted in accordance with such requirements as the Secretary shall establish in consultation with the State approving agencies.

''(C)(i) The Secretary may withhold an exemption under subparagraph (A) for any educational institution or branch of an educational institution as the Secretary considers appropriate.

''(ii) In making any determination under clause (i), the Secretary may consult with the Secretary of Transportation on the performance of a provider of a commercial driver program, including the status of the provider within the Training Provider Registry of the Federal Motor Carrier Safety Administration when appropriate.

''(D) 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 notification not later than 30 days after the Secretary grants an exemption under this paragraph. Such notification shall identify the educational institution and branch of such educational institution granted such exemption.''.

(b) IMPLEMENTATION.—

(1) ESTABLISHMENT OF REQUIREMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish requirements under section 3680A(e)(2)(B)(ii) of such title, as added by subsection (a).

(2) RULEMAKING.—In promulgating any rules to carry out paragraph (2) of section 3680A(e) of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs shall consult with State approving agencies.

(3) APPLICABILITY.—The amendments made by subsection (a) shall apply to commercial driver education programs on and after the day that is 365 days after the date on which the Secretary establishes the requirements under paragraph (1) of this subsection.

(c) COMPTROLLER GENERAL OF THE UNITED STATES STUDY.—Not later than 365 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study to—

(A) ascertain the effects of the amendments made by subsection (a); and

(B) the feasibility and advisability of similarly amending the rules for approval of programs of education for other vocational programs of education; and

(2) 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 findings of the Comptroller General with respect to such study.

SA 2284. 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 title X, add the following:

Subtitle I—Migrant Child Recovery Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Migrant Child Recovery Act''.

SEC. 1097. RETENTION AND DISCLOSURE OF INFORMATION RELATING TO UNACCOMPANIED ALIEN CHILDREN.

(a) RETENTION AND HANDLING OF INFORMATION.—

(1) IN GENERAL.—The Secretary of Health and Human Services and the Director of the Office of Refugee Resettlement shall manage and preserve information relating to unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))), including information about any sponsor applicants, in accordance with section 534 of title 28, United States Code, subject to any recommendation from the Archivist of the United States.

(2) APPOINTMENT.—The Secretary of Health and Human Services and the Director of the Office of Refugee Resettlement may appoint officials to manage and preserve information relating to unaccompanied alien children.

(b) DISCLOSURE OF INFORMATION.—The Secretary of Health and Human Services shall provide information relating to an unaccompanied alien child preserved pursuant to subsection (a), including electronic access to all databases housing such information, not later than 7 days after the date on which the Secretary receives a request for such information, if that request is accompanied by—

(1) a certification, which may be in an electronic format, that the individual submitting the request is an employee of a local, Tribal, State, or Federal law enforcement agency;

(2) a certification, which may be in an electronic format, that the information requested is relevant to a criminal investigation involving the unaccompanied alien child for a crime related to—

(A) physical abuse;

(B) sexual abuse;

(C) human trafficking;

(D) sex trafficking;

(E) peonage;

(F) forced labor;

(G) domestic servitude; or

(H) involuntary servitude; and

(3) a certification, which may be in an electronic format, that the information requested will not be used for the purpose of immigration enforcement or removal or deportation proceedings involving the unaccompanied alien child victim or a sponsor of the unaccompanied alien child victim.

(c) DISCLOSURE BY LAW ENFORCEMENT.—An employee of a law enforcement agency who receives information under subsection (b) may not disclose that information, except—

(1) to an attorney for the government for use in the performance of the official duties of that attorney, including providing discovery to a defendant;

(2) to an officer or employee of a law enforcement agency, as necessary to perform investigative or recordkeeping duties;

(3) to any other such government personnel determined to be necessary by an attorney for the government to assist the attorney in the performance of the official duties of the attorney in prosecuting a violation of local, Tribal, State, or Federal criminal law;

(4) to a defendant in a criminal case or the attorney for such a defendant, to the extent the information relates to a criminal charge pending against the defendant;

(5) to a provider of electronic communication services or remote computing services as necessary to facilitate a response to legal process issued in connection with a criminal investigation, prosecution, or post-conviction proceeding; or

(6) pursuant to a court order for disclosure upon a showing of good cause and subject to any protective order or other condition the court may impose.

(d) RULE OF CONSTRUCTION.—Nothing in subsection (c) shall preclude another local, Tribal, State, or Federal law enforcement agency from seeking continued preservation of the information through any other court process.

SEC. 1098. CLARIFICATION AND ENSURING RESOURCES TO CHILDREN RELEASED FROM THE OFFICE OF REFUGEE RESETTLEMENT CUSTODY.

Section 235(c)(3)(B) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(3)(B)) is amended, in the second section, by—

(1) striking ''physical or sexual abuse'' and inserting ''physical abuse''; and

(2) inserting ''a child who has been a victim of sexual abuse,'' after ''significantly harmed or threatened,''.

SEC. 1099. COMPTROLLER GENERAL 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 appropriate committees of Congress a report that—

(1) describes—

(A) the recordkeeping practices of the Office of Refugee Resettlement with respect to unaccompanied alien children;

(B) the processes of the Office of Refugee Resettlement for sharing information with law enforcement; and

(C) any shortcomings of the UC Portal, or any related or subsequent database used by the Office of Refugee Resettlement, or by a contractor or grantee of the Office of Refugee Resettlement, for the purposes of maintaining information on unaccompanied alien children; and

(2) provides recommendations and a timeline for improvements to the recordkeeping systems of the Office of Refugee Resettlement to mitigate safety risks to unaccompanied alien children.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term the ''appropriate committees of Congress'' means—

(1) the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(2) the Committee on the Judiciary and the Committee on Energy and Commerce of the House of Representatives.

SA 2285. 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. ESTABLISHMENT OF TASK FORCE TO RECOVER MISSING OR EXPLOITED UNACCOMPANIED ALIEN CHILDREN.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on the Judiciary and the Committee on Health, Education, Labor and Pensions of the Senate; and

(B) the Committee on the Judiciary and the Committee of Energy and Commerce of the House of Representatives.

(2) UNACCOMPANIED ALIEN CHILDREN.—The term ''unaccompanied alien children'' has the meaning given such term in section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

(b) TASK FORCE.—

(1) ESTABLISHMENT.—There is established within the Department of Justice, under the general authority of the Attorney General, a Recovery of unaccompanied alien children Task Force Program (referred to in this section as the ''RUAC Task Force Program''), which shall coordinate Federal law enforcement activities relating to the following:

(A) The recovery of missing or exploited unaccompanied alien children.

(B) The following crimes against unaccompanied alien children:

(i) Physical abuse.

(ii) Sexual abuse.

(iii) Kidnapping;

(iv) Human trafficking.

(v) Sex trafficking.

(vi) Peonage.

(vii) Forced labor.

(viii) Domestic servitude.

(ix) Involuntary servitude.

(2) MISSION.—

(A) IN GENERAL.—The primary purpose of the RUAC Task Force Program shall be to investigate and recover unaccompanied alien children, whose whereabouts are missing or unknown.

(B) RELATIONSHIP TO IMMIGRATION ENFORCEMENT.—The RUAC Task Force Program is not an immigration enforcement task force.

(3) DUTIES.—The duties of the RUAC Task Force Program shall include the following:

(A) Coordinating Federal law enforcement activities relating to the recovery of missing or exploited unaccompanied alien children.

(B) Establishing relationships with State, local, and Tribal law enforcement agencies and organizations and sharing information regarding missing or exploited unaccompanied alien children with such agencies and organizations.

(C) Assisting State and local law enforcement agencies with the investigation of crimes against unaccompanied alien children.

(D) Establishing a secure system for sharing information regarding unaccompanied alien children by leveraging existing systems at the Department of Homeland Security, the Department of Health and Human Services, the Department of Labor, and the Department of Justice.

(E) Tracking trends with respect to the trafficking of unaccompanied alien children and releasing public reports on such trends.

(F) Supporting the provision of training and technical assistance necessary to carry out paragraph (1).

(4) COMPOSITION.—

(A) FEDERAL STAFF.—The RUAC Task Force Program shall include detailed criminal investigators, analysts, and liaisons from other Federal agencies who have responsibilities related to the placement and rescue of unaccompanied alien children, including detailees from—

(i) the Criminal Division of the Department of Justice;

(ii) Homeland Security Investigations;

(iii) the Office of Refugee Resettlement; and

(iv) the Department of Labor.

(B) STATE AND LOCAL STAFF.—The RUAC Task Force Program may include detailees from State and local law enforcement agencies, who shall serve on the RUAC Task Force Program on a nonreimbursable basis.

(5) DIRECTOR.—

(A) APPOINTMENT.—The RUAC Task Force Program shall be headed by a Director, who shall be appointed by the Attorney General.

(B) QUALIFICATIONS.—An individual appointed under subparagraph (A) shall—

(i) have substantial experience as a Federal law enforcement officer; and

(ii) be in a Senior Executive Service position (as defined in section 3132 of title 5, United States Code).

(C) TERM.—The Director shall be appointed for a term of 2 years, renewable at the discretion of the Attorney General.

(6) DEPUTY DIRECTOR.—The Director of the RUAC Task Force Program shall be assisted by a Deputy Director, who shall be appointed by the Attorney General for a term of 2 years, renewable at the discretion of the Attorney General.

(7) COORDINATION.—The RUAC Task Force Program shall coordinate activities, as appropriate, with other Federal agencies and centers responsible for countering transnational organized crime, child exploitation, and human trafficking.

(8) AGREEMENTS.—The Director, or a designee, may enter into agreements with Federal, State, local, and Tribal agencies and private sector entities to facilitate carrying out the duties described in paragraph (3).

(9) MEETINGS.—

(A) INITIAL MEETING.—Not later than 60 days after the date of enactment of this Act, the RUAC Task Force Program shall hold an initial meeting.

(B) SUBSEQUENT MEETINGS.—After the initial meeting under subparagraph (A), the RUAC Task Force Program shall meet not less frequently than once every 30 days.

(10) REPORTS.—

(A) INITIAL REPORT.—Not later than 1 year after the date on which the RUAC Task Force Program is established under paragraph (1), the RUAC Task Force Program shall submit to the appropriate congressional committees an initial report on the composition, activities, and planned activities of the RUAC Task Force Program.

(B) PERIODIC UPDATES.—Not later than 180 days after the date on which the RUAC Task Force Program is established under paragraph (1), and every 180 days thereafter, the RUAC Task Force Program shall provide to the appropriate congressional committees updates on activities, planned activities, recovery of unaccompanied alien children, and prosecution efforts.

(c) SUNSET.—This section shall remain in effect until the end of the fiscal year that begins 10 years after the date of the enactment of this Act.

SA 2286. Mr. GRASSLEY (for himself and Mr. OSSOFF) 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. HOMICIDE OFFENSES.

(a) IN GENERAL.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

"§ 1123. No maximum time period between act or omission and death of victim

''(a) IN GENERAL.—A prosecution may be instituted for any homicide offense under this title without regard to the time that elapsed between—

''(1) the act or omission that caused the death of the victim; and

''(2) the death of the victim.

''(b) RELATION TO STATUTE OF LIMITATIONS.—Nothing in subsection (a) shall be construed to supersede the limitations period under section 3282(a), to the extent applicable.

''(c) MAXIMUM TIME PERIOD APPLICABLE IF DEATH PENALTY IMPOSED.—A sentence of death may not be imposed for a homicide offense under this title unless the Government proves beyond a reasonable doubt that not more than 1 year and 1 day elapsed between—

''(1) the act or omission that caused the death of the victim; and

''(2) the death of the victim.''.

(b) TABLE OF CONTENTS.—The table of sections for chapter 51 of title 18, United States Code, is amended by adding at the end the following:

''1123. No maximum time period between act or omission and death of victim.''.

(c) APPLICABILITY.—Section 1123(a) of title 18, United States Code, as added by subsection (a), shall apply with respect to an act or omission described in that section that occurs after the date of enactment of this Act.

(d) MAXIMUM PENALTY FOR FIRST-DEGREE MURDER BASED ON TIME PERIOD BETWEEN ACT OR OMISSION AND DEATH OF VICTIM.—Section 1111(b) of title 18, United States Code, is amended by inserting after ''imprisonment for life'' the following: '', unless the death of the victim occurred more than 1 year and 1 day after the act or omission that caused the death of the victim, in which case the punishment shall be imprisonment for any term of years or for life''.

SA 2287. Mr. CARDIN (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. GRANT OF FEDERAL CHARTER TO VETERANS ASSOCIATION OF REAL ESTATE PROFESSIONALS.

(a) GRANT OF CHARTER.—Part B of subtitle II of title 36, United States Code, is amended by inserting after chapter 2207 the following new chapter:

''CHAPTER 2299—VETERANS ASSOCIATION OF REAL ESTATE PROFESSIONALS

''§ 229901. Organization

''(a) FEDERAL CHARTER.—The Veterans Association of Real Estate Professionals (in this chapter referred to as the 'corporation'), a nonprofit organization that meets the requirements for a veterans service organization under section 501(c)(19) of the Internal Revenue Code of 1986 and is organized under the laws of the State of California, is a federally chartered corporation.

''(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by this chapter expires.

''§ 229902. Purposes

''The purposes of the corporation are those provided in its articles of incorporation and include the following:

''(1) To organize as a veterans service organization to maintain a continuing interest in the welfare of veterans by—

''(A) advocating for and increasing sustainable homeownership;

''(B) providing financial literacy education,

''(C) spreading awareness of housing loans guaranteed by the Secretary of Veterans Affairs; and

''(D) increasing economic opportunities for members of the Armed Forces and veterans.

''(2) To establish facilities for the assistance of all veterans, with programs regarding topics including the following:

''(A) financial literacy (including understanding credit);

''(B) workforce development;

''(C) small business incubation and mentorship;

''(D) education regarding housing, including homelessness prevention, rental counseling, foreclosure prevention, and affordable housing opportunities; and

''(E) suicide awareness and prevention.

''(3) To provide a forum for real estate and financial service professionals to share ideas, learn, and be empowered to better serve the real estate needs of members of the Armed Forces, veterans, their families, and others.

''(4) To collaborate with organizations in the real estate and financial services sector to support employment of, and economic and business development for, veterans.

''§ 229903. Membership

''Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the articles and bylaws of the corporation.

''§ 229904. Governing body

''(a) BOARD OF DIRECTORS.—The composition of the board of directors of the corporation, and the responsibilities of the board, are as provided in the articles of incorporation and bylaws of the corporation.

''(b) OFFICERS.—The positions of officers of the corporation, and the election of the officers, are as provided in such articles of incorporation and bylaws.

''§ 229905. Powers

''The corporation has only those powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated.

''§ 229906. Restrictions

''(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

''(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member of the corporation during the life of the charter granted by this chapter. This subsection shall not prevent the payment of reasonable compensation to an officer or employee of the corporation, or reimbursement for actual necessary expenses, in amounts approved by the board of directors of the corporation.

''(c) POLITICAL ACTIVITIES.—The corporation (or an officer of the corporation, in the course of acting in such capacity) may not contribute to, support, or participate in any political activity.

''(d) LOANS.—The corporation may not make a loan to a director, officer, employee, or member of the corporation.

''(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval, or the authority of the United States, for any of its activities.

''(f) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of California.

''§ 229907. Tax-exempt status required as condition of charter

''If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted by this chapter shall terminate.

''§ 229908. Records and inspection

''(a) RECORDS.—The corporation shall keep—

''(1) correct and complete records of account;

''(2) minutes of the proceedings of the members, board of directors, and committees of the corporation having any of the authority of the board of directors;

''(3) at the principal office of the corporation, a record of the names and addresses of members of the corporation entitled to vote on matters relating to the corporation; and

''(4) the State charter documents, bylaws, and articles of incorporation available to the public on an easily accessible website of the corporation.

''(b) INSPECTION.—A member entitled to vote on any matter relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

''§ 229909. Service of process

''The corporation shall comply with the law of service of process of the State in which it is incorporated and each State in which it operates.

''§ 229910. Liability for acts of officers and agents

''The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

''§ 229911. Annual report

''The corporation shall submit to Congress an annual report on the activities of the corporation during the preceding fiscal year.

The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

''§ 229912. State defined

''For purposes of this chapter, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or possession of the United States.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of title 36, United States Code, is amended by inserting after the item relating to chapter 2207 the following new item:

''2299. Veterans Association of Real Estate Professionals .....229901''.

SA 2288. Mr. CARDIN (for himself, Mr. VAN HOLLEN, and 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. MOVEMENT OR CONSOLIDATION OF JOINT SPECTRUM CENTER TO FORT MEADE, MARYLAND OR ANOTHER APPROPRIATE LOCATION.

(a) LEAVING CURRENT LOCATION.—By not later than September 30, 2027, the Secretary of Defense shall completely vacate the offices of the Joint Spectrum Center of the Department of Defense in Annapolis, Maryland.

(b) MOVEMENT OR CONSOLIDATION.—The Secretary of Defense shall take appropriate action to move, consolidate, or both, the offices of the Joint Spectrum Center to the headquarters building of the Defense Information Systems Agency at Fort Meade, Maryland, or another appropriate location chosen by the Secretary for national security purposes to ensure the physical and cybersecurity protection of personnel and missions of the Department of Defense.

(c) STATUS UPDATE.—Not later than January 31 and July 31 of each year until the Secretary has completed the requirements under subsections (a) and (b), the Commander of the Defense Information Systems Agency shall provide an in-person and written update on the status of the completion of those requirements to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of Maryland.

(d) TERMINATION OF EXISTING LEASE.—Upon vacating the offices of the Joint Spectrum Center in Annapolis, Maryland, pursuant to subsection (a), all right, title, and interest of the United States in and to the existing lease for the Joint Spectrum Center in such location shall be terminated.

(e) REPEAL OF OBSOLETE AUTHORITY.—Section 2887 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 569) is repealed.

SA 2289. Mr. WYDEN (for himself and Mr. MERKLEY) 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—Malheur County Grazing Management Program

SEC. 1096. DEFINITIONS.

In this subtitle:

(1) BUREAU.—The term ''Bureau'' means the Bureau of Land Management.

(2) COUNTY.—The term ''County'' means Malheur County, Oregon.

(3) FEDERAL LAND.—The term ''Federal land'' means land in the County managed by the Bureau.

(4) LONG-TERM ECOLOGICAL HEALTH.—The term ''long-term ecological health'', with respect to an ecosystem, means the ability of the ecological processes of the ecosystem to function in a manner that maintains the composition, structure, activity, and resilience of the ecosystem over time, including an ecologically appropriate diversity of plant and animal communities, habitats, connectivity, and conditions that are sustainable through successional processes.

(5) MALHEUR C.E.O. GROUP.—The term ''Malheur C.E.O. Group'' means the group established by section 1098(b).

(6) OPERATIONAL FLEXIBILITY.—The term ''operational flexibility'', with respect to grazing on the Federal land, means—

(A) a seasonal adjustment of livestock positioning for the purposes of that grazing pursuant to a flexible grazing use authorized under the program with respect to which written notice is provided; or

(B) an adjustment of water source placement with respect to which written notice is provided.

(7) PROGRAM.—The term ''program'' means the Malheur County Grazing Management Program authorized under section 1097(a).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) STATE.—The term ''State'' means the State of Oregon.

SEC. 1097. MALHEUR COUNTY GRAZING MANAGEMENT PROGRAM.

(a) IN GENERAL.—The Secretary may carry out a grazing management program on the Federal land, to be known as the ''Malheur County Grazing Management Program'', in accordance with applicable law (including regulations) and the memorandum entitled ''Bureau of Land Management Instruction Memorandum 2018–109'' (as in effect on September 30, 2021), to provide to authorized grazing permittees and lessees increased operational flexibility to improve the long-term ecological health of the Federal land.

(b) PERMIT OPERATIONAL FLEXIBILITY.—

(1) FLEXIBLE GRAZING USE ALTERNATIVE FOR A GRAZING PERMIT OR LEASE.—At the request of an authorized grazing permittee or lessee, for purposes of renewing a grazing permit or lease under the program, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary shall develop and analyze at least 1 alternative to provide operational flexibility in livestock grazing use to account for changing conditions.

(2) CONSULTATION.—The Secretary shall develop alternatives under paragraph (1) in consultation with—

(A) the applicable grazing permittee or lessee;

(B) affected Federal and State agencies;

(C) the Malheur C.E.O. Group;

(D) the Burns Paiute Tribe or the Fort McDermitt Paiute and Shoshone Tribes, as applicable;

(E) other landowners in the affected allotment; and

(F) interested members of the public.

(3) IMPLEMENTATION OF INTERIM OPERATIONAL FLEXIBILITIES.—If an applicable monitoring plan has been adopted under paragraph (4), in order to improve long-term ecological health, on the request of an authorized grazing permittee or lessee, the Secretary shall, using new and existing data, allow a variance to the terms and conditions of the existing applicable grazing permit or lease for the applicable year due to significant changes in weather, forage production, effects of fire or drought, or other temporary conditions—

(A) to adjust the season of use, the beginning date of the period of use, the ending date of the period of use, or both the beginning date and ending date, as applicable, under the grazing permit or lease, subject to the requirements that—

(i) unless otherwise specified in the appropriate allotment management plan or any other activity plan that is the functional equivalent to the appropriate allotment management plan under section 4120.2(a)(3) of title 43, Code of Federal Regulations (or a successor regulation), the applicable adjusted date of the season of use occurs—

(I) not earlier than 14 days before the beginning date specified in the applicable permit or lease; and

(II) not later than 14 days after the ending date specified in the applicable permit or lease; and

(ii) the authorized grazing permittee or lessee provides written notice of the adjustment to the Bureau not later than 2 business days before the date of adjustment;

(B) to adjust the dates for pasture rotation based on average vegetation stage and soil condition by not more than 14 days, subject to the requirement that the authorized grazing permittee or lessee shall provide to the Bureau written notice of the adjustment not later than 2 business days before the date of adjustment;

(C) to adjust the placement of water structures for livestock or wildlife by not more than 100 yards from an associated existing road, pipeline, or structure, subject to applicable laws and the requirement that the authorized grazing permittee or lessee shall provide to the Bureau written notice of the adjustment not later than 2 business days before the date of adjustment; and

(D) in a case in which the monitoring plan adopted under paragraph (4) indicates alterations in the operational flexibilities are necessary to achieve ecological health or avoid immediate ecological degradation of the allotment or allotment area, to adjust the operational flexibilities immediately, subject to the requirement that the authorized grazing permittee or lessee shall provide written notice of the adjustment to the Bureau and the individuals and entities described in subparagraphs (B) through (F) of paragraph (2).

(4) MONITORING PLANS.—

(A) MONITORING PLANS FOR PERMIT FLEXIBILITY.—

(i) IN GENERAL.—The Secretary shall adopt cooperative rangeland monitoring plans and rangeland health objectives to apply to actions taken under paragraph (1) and to monitor and evaluate the improvements or degradations to the long-term ecological health of the Federal land under the program, in consultation with grazing permittees or lessees and other individuals and entities described in paragraph (2), using existing or new scientifically supportable data.

(ii) REQUIREMENTS.—A monitoring plan adopted under clause (i) shall—

(I) identify situations in which providing operational flexibility in grazing permit or lease uses under the program is appropriate

to improve long-term ecological health of the Federal land;

(II) identify ways in which progress under the program would be measured toward long-term ecological health of the Federal land;

(III) include for projects monitored under the program—

(aa) a description of the condition standards for which the monitoring is tracking, including baseline conditions and desired outcome conditions;

(bb) a description of monitoring methods and protocols;

(cc) a schedule for collecting data;

(dd) an identification of the responsible party for data collection and storage;

(ee) an evaluation schedule;

(ff) a description of the anticipated use of the data;

(gg) provisions for adjusting any components of the monitoring plan; and

(hh) a description of the method to communicate the criteria for adjusting livestock grazing use; and

(IV) provide for annual reports on the effects of flexibility in grazing permit or lease uses under the program to allow the Secretary to make management adjustments to account for the information provided in the annual report.

(B) MONITORING PLANS FOR INTERIM OPERATIONAL FLEXIBILITY.—

(i) IN GENERAL.—The Secretary shall adopt cooperative rangeland utilization monitoring plans and rangeland health objectives to apply to actions taken under paragraph (3) and to monitor and evaluate the improvements or degradations to the long-term ecological health of the Federal land identified for flexible use under the program.

(ii) REQUIREMENTS.—A monitoring plan developed under clause (i) shall—

(I) evaluate the percent utilization of available forage;

(II) identify the appropriate percentage of utilization for the feed type, ecosystem, time of year, and type of animal using the allotment;

(III) include—

(aa) a description of the utilization standards for which the monitoring is tracking, including baseline conditions and desired outcome conditions;

(bb) a description of utilization evaluation protocol;

(cc) an evaluation schedule identifying periods during which utilization data will be collected;

(dd) provisions for adjusting any components of the monitoring plan, including acceptance of data from identified third parties; and

(ee) a description of the method to communicate the criteria for adjusting livestock grazing use based on the on-the-ground conditions after the period of use; and

(IV) provide for annual reports on the effects of flexibility in grazing permit or lease uses under the program to allow the Secretary to make management adjustments to account for the information provided in the annual report.

(5) TERMS AND CONDITIONS.—

(A) PREFERRED ALTERNATIVE.—If the Secretary determines that an alternative considered under the program that provides operational flexibility is the preferred alternative, the Secretary shall—

(i) incorporate the alternative, including applicable monitoring plans adopted under paragraph (4), into the terms and conditions of the applicable grazing permit or lease; and

(ii) specify how the monitoring information with respect to the preferred alternative should be used to inform management adjustments under the program.

(B) ADJUSTMENTS.—Before implementing any measure for purposes of operational flexibility with respect to a grazing use authorized under the terms and conditions of a permit or lease with respect to which an alternative has been incorporated under subparagraph (A), the grazing permittee or lessee shall notify the Secretary in writing of the proposed adjustment.

(C) ADDITIONAL REQUIREMENTS.—The Secretary may include any other requirements in a permit or lease with respect to which an alternative has been incorporated under subparagraph (A) that the Secretary determines to be necessary.

(c) REVIEW; TERMINATION.—

(1) REVIEW.—

(A) IN GENERAL.—Subject to subparagraph (B), not earlier than the date that is 8 years after the date of enactment of this Act, the Secretary shall conduct a review of the program to determine whether the objectives of the program are being met.

(B) NO EFFECT ON PROGRAM PERMITS AND LEASES.—The review of the program under subparagraph (A) shall not affect the existence, renewal, or termination of a grazing permit or lease entered into under the program.

(2) TERMINATION.—If, based on the review conducted under paragraph (1), the Secretary determines that the objectives of the program are not being met, the Secretary shall, on the date that is 10 years after the date of enactment of this Act—

(A) modify the program in a manner to ensure that the objectives of the program would be met; or

(B) terminate the program.

(d) NO EFFECT ON GRAZING PRIVILEGES.—Nothing in this subtitle—

(1) affects grazing privileges provided under the Act of June 28, 1934 (commonly known as the ''Taylor Grazing Act''; 43 U.S.C. 315 et seq.);

(2) requires the Secretary to consider modifying or terminating the classification of any existing grazing district on the Federal land in any subsequent plan or decision of the Secretary; or

(3) precludes the Secretary from modifying or terminating an existing permit or lease in accordance with applicable law (including regulations).

SEC. 1098. MALHEUR C.E.O. GROUP.

(a) DEFINITIONS.—In this section:

(1) CONSENSUS.—The term ''consensus'' means a unanimous agreement by the voting members of the Malheur C.E.O. Group present and constituting a quorum at a regularly scheduled business meeting of the Malheur C.E.O. Group.

(2) FEDERAL AGENCY.—

(A) IN GENERAL.—The term ''Federal agency'' means an agency or department of the Government of the United States.

(B) INCLUSIONS.—The term ''Federal agency'' includes—

(i) the Bureau of Reclamation;

(ii) the Bureau of Indian Affairs;

(iii) the Bureau;

(iv) the United States Fish and Wildlife Service; and

(v) the Natural Resources Conservation Service.

(3) QUORUM.—The term ''quorum'' means 1 more than ½ of the voting members of the Malheur C.E.O. Group.

(b) ESTABLISHMENT.—There is established the Malheur C.E.O. Group to assist in carrying out this section.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Malheur C.E.O. Group shall consist of 18 members, to be appointed in accordance with paragraph (2), including—

(A) 5 voting members who represent private interests, of whom—

(i) 3 members represent livestock grazing interests, of whom—

(I) 1 member resides in the northern ⅓ of the County;

(II) 1 member resides in the center ⅓ of the County; and

(III) 1 member resides in the southern ⅓ of the County;

(ii) 1 member is in the recreation or tourism industry; and

(iii) 1 member is from an applicable irrigation district;

(B) 2 voting members who represent the environmental community, 1 of whom is based in the County;

(C) 1 voting member who represents the hunting or fishing community;

(D) 2 voting members who are representatives of Indian Tribes, of whom—

(i) 1 member shall be a representative of the Burns Paiute Tribe; and

(ii) 1 member shall be a representative of the Fort McDermitt Paiute and Shoshone Tribes;

(E) 2 nonvoting members who are representatives of Federal agencies with authority and responsibility in the County and who shall provide technical assistance, 1 of whom shall represent the Bureau;

(F) 2 nonvoting members who are representatives of State agencies with authority and responsibility in the County and who shall provide technical assistance, of whom—

(i) 1 member shall be from the State Department of Fish and Wildlife; and

(ii) 1 member shall be from the State Parks Department; and

(G) 4 nonvoting members who are representatives of units of local government within the County and who shall provide technical assistance, 1 of whom shall be from the County weeds eradication department.

(2) APPOINTMENT; TERM; VACANCY.—

(A) APPOINTMENT.—

(i) GOVERNMENTAL AGENCIES.—A member of the Malheur C.E.O. Group representing a Federal agency or State or local agency shall be appointed by the head of the applicable agency.

(ii) PRIVATE INTERESTS.—A member of the Malheur C.E.O. Group representing private interests shall be appointed by the applicable represented groups.

(B) TERM.—A member of the Malheur C.E.O. Group shall serve for a term of 3 years.

(C) VACANCY.—A vacancy on the Malheur C.E.O. Group shall be filled in the manner described in subparagraph (A).

(d) PROJECTS.—

(1) IN GENERAL.—The Malheur C.E.O. Group shall propose eligible projects described in paragraph (2) on Federal land and water and non-Federal land and water in the County to be carried out by the Malheur C.E.O. Group or a third party, using funds provided by the Malheur C.E.O. Group, if a consensus of the Malheur C.E.O. Group approves the proposed eligible project.

(2) DESCRIPTION OF ELIGIBLE PROJECTS.—An eligible project referred to in paragraph (1) is a project—

(A) that complies with existing law (including regulations); and

(B) relating to—

(i) ecological restoration, including development, planning, and implementation;

(ii) range improvements for the purpose of providing more efficient and effective ecologically beneficial management of domestic livestock, fish, wildlife, or habitat;

(iii) invasive species management or eradication, including invasive weeds, vegetation, fish, or wildlife;

(iv) restoration of springs and related water infrastructure to enhance the availability of sustainable flows of freshwater for livestock, fish, or wildlife;

(v) conservation of cultural sites;

(vi) economic development or recreation management; or

(vii) research, monitoring, or analysis.

(3) REQUIREMENT.—

(A) IN GENERAL.—In the case of an eligible project proposed under paragraph (1) that is to be carried out on Federal land or requires the use of Federal funds, the project may not be carried out without the approval of the head of the applicable Federal agency.

(B) FAILURE TO APPROVE.—If an eligible project described in subparagraph (A) is not approved by the head of the applicable Federal agency, not later than 14 business after the date on which the proposal is submitted to the head of the applicable Federal agency, the head of the Federal agency shall provide to the Malheur C.E.O. Group in writing a description of the reasons for not approving the proposed eligible project.

(4) FAILURE TO APPROVE BY CONSENSUS.—If an eligible project proposed under paragraph (1) is not agreed to by consensus after 3 votes are conducted by the Malheur C.E.O. Group, the proposed eligible project may be agreed to by a quorum of the members of the Malheur C.E.O. Group, subject to the limitations that—

(A) the eligible project may not be carried out on Federal land; and

(B) no Federal funds may be used for an eligible project that is agreed to in accordance with this paragraph.

(5) ACCEPTANCE OF DONATIONS.—The Malheur C.E.O. Group may—

(A) accept and place into a trust fund any donations, grants, or other funds received by the Malheur C.E.O. Group; and

(B) use amounts placed into a trust fund under paragraph (1) to carry out eligible projects approved in accordance with this section, including eligible projects carried out on Federal land or water or using Federal funds, if the project is approved by the head of the applicable Federal agency.

(6) COST-SHARING REQUIREMENT.—

(A) IN GENERAL.—The Federal share of the total cost of an eligible project carried out using amounts made available under subsection (i) shall be not more than 75 percent.

(B) FORM OF NON-FEDERAL CONTRIBUTION.—The non-Federal contribution required under subparagraph (A) may be provided in the form of in-kind contributions.

(7) FUNDING RECOMMENDATIONS.—All funding recommendations developed by the Malheur C.E.O. Group shall be based on a consensus of the Malheur C.E.O. Group members.

(e) TECHNICAL ASSISTANCE.—Any Federal agency with authority and responsibility in the County shall, to the extent practicable, provide technical assistance to the Malheur C.E.O. Group on request of the Malheur C.E.O. Group.

(f) PUBLIC NOTICE AND PARTICIPATION.—The Malheur C.E.O. Group shall conduct all meetings subject to applicable open meeting and public participation laws.

(g) PRIORITIES.—For purposes of approving eligible projects proposed under subsection (d)(1), the Malheur C.E.O. Group shall give priority to voluntary habitat, range, and ecosystem restoration projects focused on improving the long-term ecological health of the Federal land and natural bodies of water.

(h) ADDITIONAL PROJECTS.—To the extent permitted by applicable law and subject to the availability of appropriations, Federal agencies may contribute to the implementation of projects recommended by the Malheur C.E.O. Group and approved by the Secretary.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this section $1,000,000 for each of fiscal years 2025 through 2035.

(2) MAINTENANCE AND DISTRIBUTION.—Amounts made available under paragraph (1) shall be maintained and distributed by the Secretary.

(3) ADMINISTRATIVE EXPENSES.—Not more than more than 5 percent of amounts made available under paragraph (1) for a fiscal year may be used for the administration of this subtitle.

(4) GRANTS.—Of the amounts made available under paragraph (1), not more than 10 percent may be made available for a fiscal year to provide grants to the Malheur C.E.O. Group.

(j) EFFECT.—

(1) EXISTING ACTIVITIES.—The activities of the Malheur C.E.O. Group shall supplement, and not replace, existing activities to manage the natural resources of the County.

(2) LEGAL RIGHTS, DUTIES, OR AUTHORITIES.—Nothing in this section affects any legal right, duty, or authority of any person or Federal agency, including any member of the Malheur C.E.O. Group.

SEC. 1099. LAND DESIGNATIONS.

(a) DEFINITION OF WILDERNESS AREA.—In this section, the term ''wilderness area'' means a wilderness area designated by subsection (b)(1).

(b) DESIGNATION OF WILDERNESS AREAS.—

(1) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the County comprising approximately 1,102,393 acres, as generally depicted on the referenced maps, is designated as wilderness and as components of the National Wilderness Preservation System:

(A) FIFTEENMILE CREEK WILDERNESS.—Certain Federal land, comprising approximately 61,647 acres, as generally depicted on the map entitled ''Proposed Wilderness Trout Creek–Oregon Canyon Group'' and dated December 12, 2023, which shall be known as the ''Fifteenmile Creek Wilderness''.

(B) OREGON CANYON MOUNTAINS WILDERNESS.—Certain Federal land, comprising approximately 53,559 acres, as generally depicted on the map entitled ''Proposed Wilderness Trout Creek–Oregon Canyon Group'' and dated December 12, 2023, which shall be known as the ''Oregon Canyon Mountains Wilderness''.

(C) TWELVEMILE CREEK WILDERNESS.—Certain Federal land, comprising approximately 38,099 acres, as generally depicted on the map entitled ''Proposed Wilderness Trout Creek–Oregon Canyon Group'' and dated December 12, 2023, which shall be known as the ''Twelvemile Creek Wilderness''.

(D) UPPER WEST LITTLE OWYHEE WILDERNESS.—Certain Federal land, comprising approximately 93,199 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Upper West Little Owyhee Wilderness''.

(E) LOOKOUT BUTTE WILDERNESS.—Certain Federal land, comprising approximately 66,242 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Lookout Butte Wilderness''.

(F) MARY GAUTREAUX OWYHEE RIVER CANYON WILDERNESS.—Certain Federal land, comprising approximately 211,679 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Mary Gautreaux Owyhee River Canyon Wilderness''.

(G) BLACK BUTTE WILDERNESS.—Certain Federal land, comprising approximately 12,058 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Black Butte Wilderness''.

(H) TWIN BUTTE WILDERNESS.—Certain Federal land, comprising approximately 18,150 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Twin Butte Wilderness''.

(I) OREGON BUTTE WILDERNESS.—Certain Federal land, comprising approximately 31,934 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Oregon Butte Wilderness''.

(J) MAHOGANY BUTTE WILDERNESS.—Certain Federal land, comprising approximately 8,953 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Mahogany Butte Wilderness''.

(K) DEER FLAT WILDERNESS.—Certain Federal land, comprising approximately 12,250 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Deer Flat Wilderness''.

(L) SACRAMENTO HILL WILDERNESS.—Certain Federal, comprising approximately 9,574 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Sacramento Hill Wilderness''.

(M) DEADMAN BUTTE WILDERNESS.—Certain Federal land, comprising approximately 7,152 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Deadman Butte Wilderness''.

(N) BIG GRASSEY WILDERNESS.—Certain Federal land, comprising approximately 44,238 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''Big Grassey Wilderness''.

(O) NORTH FORK OWYHEE WILDERNESS.—Certain Federal land, comprising approximately 5,276 acres, as generally depicted on the map entitled ''Proposed Wilderness Upper Owyhee'' and dated December 12, 2023, which shall be known as the ''North Fork Owyhee Wilderness''.

(P) MARY GAUTREAUX LOWER OWYHEE CANYON WILDERNESS.—Certain Federal land, comprising approximately 77,121 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Mary Gautreaux Lower Owyhee Canyon Wilderness''.

(Q) JORDAN CRATERS WILDERNESS.—Certain Federal land, comprising approximately 29,255 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Jordan Craters Wilderness''.

(R) OWYHEE BREAKS WILDERNESS.—Certain Federal land, comprising approximately 31,637 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Owyhee Breaks Wilderness''.

(S) DRY CREEK WILDERNESS.—Certain Federal land, comprising approximately 33,209 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Dry Creek Wilderness''.

(T) DRY CREEK BUTTES WILDERNESS.—Certain Federal land, comprising approximately 88,289 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Dry Creek Buttes Wilderness''.

(U) UPPER LESLIE GULCH WILDERNESS.—Certain Federal land, comprising approximately 2,997 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Upper Leslie Gulch Wilderness''.

(V) SLOCUM CREEK WILDERNESS.—Certain Federal land, comprising approximately 7,534 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Slocum Creek Wilderness''.

(W) HONEYCOMBS WILDERNESS.—Certain Federal land, comprising approximately 41,122 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Honeycombs Wilderness''.

(X) WILD HORSE BASIN WILDERNESS.—Certain Federal land, comprising approximately 18,402 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Wild Horse Basin Wilderness''.

(Y) QUARTZ MOUNTAIN WILDERNESS.—Certain Federal land, comprising approximately 32,943 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Quartz Mountain Wilderness''.

(Z) THE TONGUE WILDERNESS.—Certain Federal land, comprising approximately 5,909 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as ''The Tongue Wilderness''.

(AA) THREE FINGERS ROCK NORTH WILDERNESS.—Certain Federal land, comprising approximately 12,462 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Three Fingers Rock North Wilderness''.

(BB) BURNT MOUNTAIN WILDERNESS.—Certain Federal land, comprising approximately 8,115 acres, as generally depicted on the map entitled ''Proposed Wilderness Lower Owyhee'' and dated December 12, 2023, which shall be known as the ''Burnt Mountain Wilderness''.

(CC) CAMP CREEK WILDERNESS.—Certain Federal land, comprising approximately 72,597 acres, as generally depicted on the map entitled ''Proposed Wilderness Camp Creek Group'' and dated December 12, 2023, which shall be known as the ''Camp Creek Wilderness''.

(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 wilderness area.

(B) EFFECT.—Each map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(C) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau.

(3) MANAGEMENT.—

(A) IN GENERAL.—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(i) 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

(ii) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(B) GRAZING.—The Secretary shall allow the continuation of the grazing of livestock, in the wilderness areas, if established before the date of enactment of this Act, in accordance with—

(i) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(ii) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(C) ROADS ADJACENT TO WILDERNESS AREAS.—Nothing in this subtitle requires the closure of any adjacent road outside the boundary of a wilderness area.

(D) FISH AND WILDLIFE MANAGEMENT ACTIVITIES.—

(i) IN GENERAL.—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 that are necessary to maintain or restore fish and wildlife populations and habitats in the wilderness areas, if the management activities are—

(I) consistent with applicable wilderness management plans; and

(II) conducted in accordance with appropriate policies, such as the policies established in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405).

(ii) INCLUSIONS.—Management activities under clause (i) may include 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 while causing the minimum impact necessary to accomplish those tasks.

(E) EXISTING ACTIVITIES.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies, such as the policies established in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), the State may use aircraft (including helicopters) in the wilderness areas to survey capture, transplant, monitor, and provide water for wildlife populations, including bighorn sheep and feral stock, feral horses, and feral burros.

(c) MANAGEMENT OF LAND NOT DESIGNATED AS WILDERNESS.—

(1) RELEASE OF WILDERNESS STUDY AREAS.—

(A) FINDING.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Clarks Butte Wilderness Study Area, Saddle Butte Wilderness Study Area, and Bowden Hills Wilderness Study Area have been adequately studied for wilderness designation.

(B) RELEASE.—Except as provided in paragraph (2), the land described in subparagraph (A)—

(i) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(ii) shall be managed in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), including any applicable land use plan adopted under section 202 of that Act (43 U.S.C. 1712).

(2) MANAGEMENT OF CERTAIN LAND WITH WILDERNESS CHARACTERISTICS.—Any portion of the Federal land that was previously determined by the Secretary to be land with wilderness characteristics that is not designated as wilderness by subsection (b)(1) and is not designated on the Map as ''land with wilderness characteristics'' shall be managed by the Secretary in accordance with the applicable land use plans adopted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

SEC. 1099A. LAND CONVEYANCES TO BURNS PAIUTE TRIBE AND CASTLE ROCK CO-STEWARDSHIP AREA.

(a) JONESBORO RANCH, ROAD GULCH, AND BLACK CANYON LAND CONVEYANCES.—

(1) CONVEYANCE AND TAKING INTO TRUST.—

(A) TITLE.—As soon as practicable after the date of enactment of this Act, the Secretary shall accept title to the land described in paragraph (2), if conveyed or otherwise transferred to the United States by, or on behalf of, the Burns Paiute Tribe.

(B) TRUST.—Land to which title is accepted by the Secretary under subparagraph (A) shall—

(i) be held in trust by the United States for the benefit of the Burns Paiute Tribe; and

(ii) be part of the reservation of the Burns Paiute Tribe.

(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1)(A) is the following:

(A) JONESBORO RANCH.—The parcel commonly known as ''Jonesboro Ranch'', located approximately 6 miles east of Juntura, Oregon, consisting of 21,548 acres of Federal land, 6,686 acres of certain private land owned by the Burns Paiute Tribe and associated with the Jonesboro Ranch containing the pastures referred to as ''Saddle Horse'' and ''Trail Horse'', ''Indian Creek'', ''Sperry Creek'', ''Antelope Swales'', ''Horse Camp'', ''Dinner Creek'', ''Upper Hunter Creek'', and ''Tim's Peak'', generally depicted as ''Jonesboro Parcels (Transfer)'' on the map entitled ''Proposed Wilderness Camp Creek Group'' and dated December 12, 2023, and more particularly described as follows:

(i) T. 20 S., R. 38 E., secs. 25 and 36, Willamette Meridian.

(ii) T. 20 S., R. 39 E., secs. 25–36, Willamette Meridian.

(iii) T. 20 S., R. 40 E., secs. 30, 31, and 32, Willamette Meridian.

(iv) T. 21 S., R. 39 E., secs. 1–18, 20–29, and 32–36, Willamette Meridian.

(v) T. 21 S., R. 40 E., secs. 5–8, 17–19, 30, and 31, Willamette Meridian.

(vi) T. 22 S., R. 39 E., secs. 1–5, 8, and 9, Willamette Meridian.

(B) ROAD GULCH; BLACK CANYON.—The approximately 4,137 acres of State land containing the pastures referred to as ''Road Gulch'' and ''Black Canyon'' and more particularly described as follows:

(i) T. 20 S., R. 39 E., secs. 10, 11, 15, 14, 13, 21–28, and 36, Willamette Meridian.

(ii) T 20 S., R. 40 E., secs. 19, 30, 31, and 32, Willamette Meridian.

(3) APPLICABLE LAW.—Land taken into trust under paragraph (1)(B) shall be administered in accordance with the laws (including regulations) generally applicable to property held in trust by the United States for the benefit of an Indian Tribe.

(4) MAP OF TRUST LAND.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map depicting the land taken into trust under paragraph (1)(B).

(5) LAND EXCHANGE.—Not later than 3 years after the date of enactment of this Act, the Secretary shall seek to enter into an agreement with the State under which the Secretary would exchange Federal land for the portions of the area described in paragraph (2)(B) that are owned by the State.

(b) CASTLE ROCK LAND TO BE HELD IN TRUST AND CO-STEWARDSHIP AREA.—

(1) LAND TO BE HELD IN TRUST.—All right, title, and interest of the United States in and to the approximately 2,500 acres of land

in the Castle Rock Wilderness Study Area, as depicted as ''Lands to be Taken into Trust'' on the map entitled ''Land into Trust and Co-Stewardship Castle Rock Group'' and dated December 12, 2023, shall—

(A) be held in trust by the United States for the benefit of the Burns Paiute Tribe; and

(B) be part of the reservation of the Burns Paiute Tribe.

(2) CASTLE ROCK CO-STEWARDSHIP AREA.—

(A) MEMORANDUM OF UNDERSTANDING.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall seek to enter into a memorandum of understanding with the Burns Paiute Tribe to provide for the co-stewardship of the area depicted as ''Tribal Co-Stewardship Area'' on the map entitled ''Land into Trust and Co-Stewardship Castle Rock Group'' and dated December 12, 2023, to be known as the ''Castle Rock Co-Stewardship Area''.

(ii) REQUIREMENT.—The memorandum of understanding entered into under clause (i) shall ensure that the Castle Rock Co-Stewardship Area is managed in a manner that—

(I) ensures that Tribal interests are adequately considered;

(II) provides for maximum protection of cultural and archaeological resources; and

(III) provides for the protection of natural resources with cultural significance.

(B) MANAGEMENT AGREEMENTS.—In accordance with applicable law (including regulations), the Secretary may enter into 1 or more management agreements with the Burns Paiute Tribe to authorize the Burns Paiute Tribe to carry out management activities in the Castle Rock Co-Stewardship Area in accordance with the memorandum of understanding entered into under subparagraph (A)(i).

(C) GRAZING.—The grazing of livestock in the Castle Rock Co-Stewardship Area, if established before the date of enactment of this Act, shall be permitted to continue in accordance with applicable law (including regulations).

(D) WATER RIGHTS.—Nothing in this paragraph—

(i) affects any valid and existing water rights; or

(ii) provides the Burns Paiute Tribe with any new water right or claim.

(3) WITHDRAWAL.—Subject to valid existing rights, the land taken into trust under paragraph (1) and the land comprising the Castle Rock Co-Stewardship Area are 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 and mineral materials laws.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $2,000,000 for fiscal year 2025.

(d) EFFECT ON TRIBAL RIGHTS AND CERTAIN EXISTING USES.—Nothing in this section, including any designation or nondesignation of land transferred into trust to be held by the United States for the benefit of the Burns Paiute Tribe under this section—

(1) alters, modifies, enlarges, diminishes, or abrogates rights secured by a treaty, statute, Executive order, or other Federal law of any Indian Tribe, including off-reservation reserved rights; or

(2) affects—

(A) existing rights-of-way; or

(B) preexisting grazing uses and existing water rights or mining claims, except as specifically negotiated between any applicable Indian Tribe and the Secretary.

SA 2290. Mr. WYDEN (for himself and Ms. LUMMIS) 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_____]. EXPANSION OF DEFINITION OF FOREIGN ADVERSARY COUNTRY.

Section 2(c) of the Protecting Americans' Data from Foreign Adversaries Act of 2024 (15 U.S.C. 9901) is amended by striking paragraph (4) and inserting the following:

''(4) FOREIGN ADVERSARY COUNTRY.—

''(A) IN GENERAL.—The term 'foreign adversary country' means a country—

''(i) specified in section 4872(d)(2) of title 10, United States Code; or

''(ii) identified by the Secretary of Commerce under subparagraph (B).

''(B) COUNTRIES IDENTIFIED BY THE SECRETARY OF COMMERCE.—

''(i) IN GENERAL.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, and every 3 years thereafter, the Secretary of Commerce, in coordination with the head of any Federal agency the Secretary considers relevant, shall identify each country the sale, license, rent, trade, transfer, release, disclosure, or provision of access to which of sensitive data the Secretary determines is likely to harm the national security of the United States, taking into account—

''(I) the adequacy and enforcement of data protection, surveillance, and export control laws in the country in order to determine whether such laws, and the enforcement of such laws, are sufficient—

''(aa) to protect sensitive data from accidental loss, theft, and unauthorized or unlawful processing;

''(bb) to ensure that sensitive data is not exploited for intelligence purposes by foreign governments to the detriment of the national security of the United States; and

''(cc) to prevent the reexport of sensitive data to any country described in subparagraph (A);

''(II) the circumstances under which the government of the country can compel, coerce, or pay a person in or a national of that country to disclose sensitive data; and

''(III) whether the government of the country has conducted hostile foreign intelligence operations, including information operations, against the United States.

''(ii) PUBLICATION IN THE FEDERAL REGISTER.—The Secretary shall publish in the Federal Register a notice of any identification made pursuant to clause (i).

''(iii) GRACE PERIOD.—On and after the date that is 180 days after the publication of the notice required in clause (ii), the prohibitions described in subsection (a) shall apply to the country identified in the notice.''.

SA 2291. 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 title XII, add the following:

Subtitle G—Locally Led Development and Humanitarian Response

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Locally Led Development and Humanitarian Response Act''.

SEC. 1292. PURPOSE.

The purpose of this subtitle is to encourage USAID to pursue a model of locally led development and humanitarian response and expanded engagement and partnership with local entities.

SEC. 1293. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) locally led development and humanitarian response—

(A) is more equitable and inclusive;

(B) is linked to more efficient and sustainable development and humanitarian outcomes; and

(C) is vital to building long-term self-reliance;

(2) over multiple presidential administrations, USAID has sought to achieve greater development outcomes through stronger local partnerships, including through ''Country Ownership'', ''The Journey to Self-Reliance'', and ''Locally Led Development'';

(3) USAID should increase direct funding to local entities, including by increasing the amount of development and humanitarian assistance to such entities;

(4) USAID should ensure its programming enables local communities to exercise leadership over priorities, project design, implementation, and measuring and evaluating results of such programs;

(5) working with local partners often requires more time and resources than traditional partners, including extended availability of funds and additional staff resources; and

(6) increased flexibility is critical to enable USAID to respond to local priorities and leverage local capacities, including with respect to staffing, availability of funds, program design, and acquisition and assistance processes.

SEC. 1294. 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) NICRA.—The term ''NICRA'' means Negotiated Indirect Cost Rate.

(3) USAID.—The term ''USAID'' means the United States Agency for International Development.

SEC. 1295. WORKING WITH LOCAL PARTNERS.

The Administrator of USAID should, to the extent feasible and appropriate, localize the USAID partner base by—

(1) simplifying and increasing access to USAID resources for local partners in humanitarian and development sectors, including local partners who have relations, agency, or power structures in place that produced, or can produce, strong trust, accountability, and legitimacy in the communities or networks in which such partners work;

(2) diversifying award types to streamline performance requirements and working with the Office of Management and Budget to address threshold constraints, such as fixed

amount subaward thresholds, category management award targets, and other thresholds, policies, and contracting incentives that pose a barrier to effectively supporting local partners;

(3) streamlining monitoring and evaluation, periodic reporting, and other USAID reporting requirements;

(4) ensuring USAID staff are able and encouraged to conduct regular consultation with local partners in local languages of the host countries, making available solicitations for acquisitions and assistance and accepting submissions in local languages, video format, or verbal presentations, including by—

(A) investing in translation services;

(B) hosting workshop-based engagements; and

(C) advertising solicitations in local trade publications, local media including newspapers and radio, local community centers, and local online forums;

(5) allowing and promoting multi-year, flexible, tiered, and milestone-based funding for new programs and to bring successful programs to scale;

(6) strengthening the capacity of USAID staff and local partners to undertake risk management and mitigation;

(7) supporting consistent and unimpeded access to full cost recovery for local partners implementing activities funded by USAID;

(8) assessing current definitions of ''local partner'', ''local ownership'', and ''localization'' used by USAID for programming and reporting metrics, and updating such definitions, as necessary;

(9) undertaking outreach campaigns and engaging with local partners (formally and informally) to raise awareness about opportunities and the process for applying for and managing awards in compliance with applicable Federal regulations and USAID policies, and ensuring such engagement is accessible to all entities, including unregistered and informal organizations;

(10) strengthening oversight of capacity strengthening components of awards to ensure United States and international awardees are making good-faith efforts to strengthen local organizations' capacities, including independent and external evaluations to evaluate the mentorship process and regular feedback loops;

(11) expeditiously solving the shortage of contracting officers within USAID, including granting warrants to qualified staff and providing appropriate training;

(12) addressing performance evaluation criteria to create greater workforce incentives for USAID personnel to champion locally-led development;

(13) addressing internal delays and recipient organization issues that result in the required extension of provisional NICRAs, in accordance with section 200.414(g) of title 2, Code of Federal Regulations;

(14) conducting NICRA seminars in local languages and providing NICRA documentation in local languages; and

(15) ensuring that contracting officers and agreement officers communicate to awardees who do not submit for a NICRA that they are eligible for the de minimis indirect cost rate.

SEC. 1296. INSTITUTIONALIZATION OF LOCAL PARTNERSHIPS.

Not later than 180 days after the date of the enactment of this Act, the Administrator of USAID shall initiate policy actions, including rulemaking, if necessary, to institutionalize the actions taken pursuant to section 615, to the extent appropriate and feasible, within all relevant USAID internal rules and regulations, including—

(1) the Automated Directive System;

(2) the Acquisition and Assistance Strategy;

(3) the Local Capacity Strengthening Policy;

(4) the Localization of Humanitarian Assistance Strategy;

(5) the USAID Acquisition Regulation;

(6) the Local Systems Framework; and

(7) the Private Sector Engagement Policy.

SEC. 1297. AUTHORITY TO ACCEPT APPLICATIONS, PROPOSALS, AND CONTRACTING AGREEMENTS IN LOCAL LANGUAGES AND LOCAL LANGUAGE SUPPORT.

(a) IN GENERAL.—Notwithstanding any other provision of law, USAID is authorized to accept applications or proposals in languages other than English if—

(1) such acceptance eases the burden of a local entity working with USAID; and

(2) USAID staff are able to effectively evaluate such applications or proposals.

(b) LOCAL LANGUAGE SUPPORT.—

(1) IN GENERAL.—The Administrator of USAID shall conduct an assessment of options to enable USAID to utilize local languages to support local partners with award solicitations, proposals and applications, evaluations, management, and close out, including advising local partners on applicable United States regulations and USAID policies and local country rules and regulations common in such activities.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator of USAID shall submit a report to Congress containing the results of the assessment conducted pursuant to paragraph (1).

SEC. 1298. MODIFICATIONS RELATING TO THE CODE OF FEDERAL REGULATIONS AND OTHER REQUIREMENTS.

(a) INCREASE IN THE DE MINIMIS INDIRECT COST.—The Administrator of USAID is authorized—

(1) to increase the de minimis indirect cost rate provided for in section 200.414 of title 2, Code of Federal Regulations, or in any successor regulations, to 15 percent for local entities receiving USAID assistance awards;

(2) to establish a similar de minimis indirect cost rate of 15 percent for acquisitions awarded to local entities pursuant to title 48, Code of Federal Regulations; and

(3) to further increase such threshold if such action is recommended by regulations promulgated by the Office of Management and Budget.

(b) EXEMPTION FOR LOCAL ENTITIES.—The Administrator of USAID is authorized to exempt local entities, as needed, from the reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6106 note; Public Law 109–282) to allow for a 180-day delay in obtaining a unique entity identifier and registration in the System for Award Management if such exemption is not granted later than 30 days before the end of the award's period of performance.

(c) LOCAL COMPETITION AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of USAID, or a designee of the Administrator, may award contracts and other acquisition instruments in which competition is limited to local entities if such process would—

(A) result in cost savings;

(B) strengthen local capacity; or

(C) enable USAID to deliver a program or activities more sustainably or quickly than if competition were not so limited.

(2) LIMITATION.—The authority granted under paragraph (1) may not be used—

(A) to make acquisition awards in excess of $25,000,000; or

(B) with respect to more than 10 percent of the amounts appropriated to USAID in any fiscal year.

(d) USE OF NATIONAL OR INTERNATIONAL GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.—The Administrator of USAID, in consultation with the Administrator of the General Services Administration, the Secretary of Defense, and the Administrator of the National Aeronautics and Space Administration, may permit foreign entities to use national or international generally accepted accounting principles instead of United States Generally Accepted Accounting Principles (GAAP) for contracts or grants awarded under chapter 7 of title 2, Code of Federal Regulations, or chapter 7 of title 48, Code of Federal Regulations.

SEC. 1299. ANNUAL REPORT.

Not later than 180 days after the last day of each fiscal year, and annually thereafter, the Administrator of USAID shall submit to the appropriate congressional committees and publish on the USAID website a report on the progress made by USAID during the most recently completed fiscal year to advance locally-led development and humanitarian response, which shall include, with respect to the reporting period—

(1) the amount of funding expended directly or indirectly by local entities, including through all development and humanitarian assistance programs;

(2) an assessment of how USAID is enabling more local leadership of programs funded by USAID, including—

(A) recipients of direct funding;

(B) subrecipients and subcontractors to an international implementing partner;

(C) participants in a USAID-funded program; and

(D) members of a community affected by a USAID program;

(3) an assessment of progress made by USAID towards implementing—

(A) the Acquisitions and Assistance Strategy;

(B) the Local Capacity Strengthening Policy;

(C) the Policy on Locally Led Humanitarian Assistance; and

(D) any other relevant strategies and policies;

(4) an assessment of—

(A) how USAID is using the new authorities granted under sections 617 and 618; and

(B) the impact of such authorities on the ability of USAID to work with local partners; and

(5) an assessment of—

(A) the number of organizations with a NICRA known to USAID that are utilizing provisional NICRAs for longer than 4 years without a final NICRA; and

(B) the steps that USAID recommends be taken to reduce the extension of provisional NICRAs beyond 1 year.

SA 2292. Mr. MERKLEY 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 VIII, add the following:

SEC. 891. REPORT ON ABILITY OF DEPARTMENT OF DEFENSE TO IDENTIFY PROHIBITED SEAFOOD IMPORTS IN SUPPLY CHAIN FOR FOOD PROCUREMENT.

Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to the congressional defense committees a report assessing whether the Department has policies and procedures in place to

verify that the food the Department procures does not include seafood originating in the People's Republic of China the importation of which is prohibited under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307), including pursuant to a presumption under—

(1) section 3 of the Act entitled ''An Act to ensure that goods made with forced labor in the Xinjiang Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes'', approved December 23, 2021 (Public Law 117–78; 22 U.S.C. 6901 note) (commonly referred to as the ''Uyghur Forced Labor Prevention Act''); or

(2) section 302A of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241a).

SA 2293. Mr. SCHUMER (for himself 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 appropriate place in title II, insert the following:

SEC. ___. HIGH-PERFORMANCE COMPUTING AND ARTIFICIAL INTELLIGENCE CAPABILITIES.

(a) IN GENERAL.—The Secretary of Defense shall establish a high-performance computing program across the Department of Defense.

(b) CONSTRUCTION OF SUPERCOMPUTERS.—

(1) IN GENERAL.—In carrying out subsection (a), the Secretary shall construct supercomputers for development and deployment of military applications of high-performance computing and artificial intelligence that are located on-premises at Department of Defense installations.

(2) AVAILABILITY.—The Secretary shall make available all of the computing resources from the supercomputers constructed under paragraph (1) to all employees of the Department, with limited exceptions for specific elements of the Armed Forces at the discretion of the Secretary.

(3) HIGH-END APPLICATIONS.—The Secretary shall ensure that at least one of the supercomputers constructed pursuant to paragraph (1) is a capability class system for high-end applications requiring sustained use of a large number of processors.

(c) RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—In carrying out subsection (a), the Secretary shall perform research and development for—

(A) software applications in military science and engineering; and

(B) artificial intelligence applications relevant to such disciplines.

(2) FOCUS.—Research and development under paragraph (1) shall be focused on applications that do not have a readily available commercial solution that can be procured by the Department.

(d) HIGH-END ARTIFICIAL INTELLIGENCE SYSTEMS.—

(1) IN GENERAL.—In carrying out subsection (a), the Secretary shall develop high-end artificial intelligence systems that have general-purpose military or intelligence applications for language, image, audio, video, and other data modalities.

(2) TRAINING OF SYSTEMS.—The Secretary shall ensure that systems developed pursuant to paragraph (1) are trained using datasets curated by the Department using general, openly or commercially available sources of such data, or data owned by the Department, depending on the appropriate use case.

SA 2294. Mrs. BLACKBURN (for herself, Mr. BLUMENTHAL, Mr. MURPHY, and Ms. BALDWIN) 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. COAST GUARD SAFE-TO-REPORT POLICY.

(a) IN GENERAL.—The Commandant of the Coast Guard shall prescribe regulations to establish a safe-to-report policy that—

(1) applies to—

(A) all members of the Coast Guard (including members of the reserve component of the Coast Guard); and

(B) cadets at the United States Coast Guard Academy; and

(2) is consistent with the safe-to-report policy prescribed by the Secretary of Defense under section 539A of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1561 note).

(b) SAFE-TO-REPORT POLICY.—The safe-to-report policy established in accordance with the regulations prescribed under subsection (a) shall set forth a procedure for the handling of minor collateral misconduct involving any individual described in paragraph (1) or (2) of that subsection who is the alleged victim of sexual assault or sexual harassment.

(c) AGGRAVATING CIRCUMSTANCES.—The regulations under subsection (a) shall specify aggravating circumstances that increase the gravity of minor collateral misconduct or the impact of such misconduct on good order and discipline.

(d) TRACKING OF COLLATERAL MISCONDUCT INCIDENTS.—In conjunction with the issuance of regulations under subsection (a), the Commandant shall develop and implement a process to track incidents of minor collateral misconduct that are subject to the safe-to-report policy.

(e) DEFINITION OF MINOR COLLATERAL MISCONDUCT.—In this section, the term ''minor collateral misconduct'' means any minor misconduct that is potentially punishable under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that—

(1) is committed close in time to or during a sexual assault or instance of sexual harassment, and directly related to the incident that formed the basis of the allegation of sexual assault or sexual harassment;

(2) is discovered as a direct result of—

(A) the report of sexual assault or sexual harassment; or

(B) an investigation into a sexual assault or an instance of sexual harassment; and

(3) does not involve aggravating circumstances (as specified in the regulations prescribed under subsection (c)) that increase the gravity of the minor misconduct or the impact of such misconduct on good order and discipline.

SA 2295. Mr. SCHUMER (for himself 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 appropriate place in title XVI, insert the following:

SEC. ___. CONTENT PROVENANCE ROADMAP.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a roadmap for ensuring that content provenance information is included in all publicly available official digital media created by the Department of Defense.

(b) MILESTONES.—To the degree possible, the roadmap included in the report required by subsection (a) shall include milestones associated with specific dates.

(c) RECOMMENDATIONS.—The report submitted pursuant to subsection (a) shall include recommendations regarding what resources are needed by the Department to carry out the roadmap included in the report, disaggregated by fiscal year.

SA 2296. Mr. LUJÁN (for himself 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 appropriate place, insert the following:

SEC. ____. HERMIT'S PEAK/CALF CANYON CLAIMS EXTENSION.

Section 104 of the Hermit's Peak/Calf Canyon Fire Assistance Act (Public Law 117–180; 136 Stat. 2170) is amended—

(1) in subsection (a), by adding at the end the following:

''(5) TEMPORARY PERSONNEL.—

''(A) IN GENERAL.—The Administrator may appoint temporary personnel, after serving continuously for 3 years to positions in the Federal Emergency Management Agency in the same manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions.

''(B) CAREER-CONDITIONAL EMPLOYEE.—An individual appointed under subparagraph (A) shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure.'';

(2) in subsection (b), by striking ''Not later than 2 years after the date on which regulations are first promulgated under subsection (f)'' and inserting ''Not later than December 31, 2026''; and

(3) in subsection (d)(4)(C)—

(A) in clause (vii), by striking ''the date that is 3 years after the date on which the regulations under subsection (f) are first promulgated'' and inserting ''December 31, 2030'';

(B) by amending clause (viii) to read as follows:

''(viii) Notwithstanding any other provision of law, a premium for flood insurance that is required to be paid on or before December 31, 2026, if—

''(I) as a result of the Hermit's Peak/Calf Canyon Fire, a person that was not required

to purchase flood insurance before the Hermit's Peak/Calf Canyon Fire is required to purchase flood insurance; or

''(II) a person did not maintain flood insurance before the Hermit's Peak/Calf Canyon Fire but purchased flood insurance after the Hermit's Peak/Calf Canyon Fire due to fear of heightened flood risk.'';

(C) by redesgnating clause (x) as clause (xi); and

(D) by inserting after clause (ix) the following:

''(x) Notwithstanding paragraph (1)(B), costs incurred not later than December 31, 2030 of reasonable efforts, as determined by the Administrator, by the State of New Mexico to design, construct, and operate a center with the purpose of researching, developing and generating native seedlings to successfully regenerate forests destroyed by the Hermit's Peak/Calf Canyon Fire with native species.''.

SA 2297. Ms. HASSAN (for herself and Mr. LANKFORD) 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 B of title X, add the following:

SECTION 1014. ENHANCING SOUTHBOUND INSPECTIONS TO COMBAT CARTELS.

(a) SHORT TITLE.—This section may be cited as the ''Enhancing Southbound Inspections to Combat Cartels Act''.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on Homeland Security of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(2) SOUTHERN BORDER.—The term ''Southern Border'' means the international land border between the United States and Mexico.

(c) ADDITIONAL INSPECTION EQUIPMENT AND INFRASTRUCTURE.—

(1) IMAGING SYSTEMS.—The Commissioner of U.S. Customs and Border Protection is authorized—

(A) to purchase up to 50 additional non-intrusive imaging systems; and

(B) to procure additional associated supporting infrastructure.

(2) DEPLOYMENT.—The systems and infrastructure purchased or otherwise procured pursuant to paragraph (1) shall be deployed along the Southern Border for the primary purpose of inspecting any persons, conveyances, or modes of transportation traveling from the United States to Mexico.

(3) ALTERNATIVE EQUIPMENT.—The Commissioner of U.S. Customs and Border Protection is authorized to procure additional infrastructure or alternative inspection equipment that the Commissioner deems necessary for the purpose of inspecting any persons, conveyances, or modes of transportation traveling from the United States to Mexico.

(4) SUNSET.—Paragraphs (1) and (3) shall cease to have force and effect beginning on the date that is 5 years after the date of the enactment of this Act.

(d) ADDITIONAL HOMELAND SECURITY INVESTIGATIONS PERSONNEL FOR INVESTIGATIONS OF SOUTHBOUND SMUGGLING.—

(1) HSI SPECIAL AGENTS.—The Director of U.S. Immigration and Customs Enforcement shall hire, train, and assign—

(A) not fewer than 100 new Homeland Security Investigations special agents to primarily assist with investigations involving the smuggling of currency and firearms from the United States to Mexico; and

(B) not fewer than 100 new Homeland Security Investigations special agents to assist with investigations involving the smuggling of contraband, human trafficking and smuggling (including that of children), drug smuggling, and unauthorized entry into the United States from Mexico.

(2) SUPPORT STAFF.—The Director is authorized to hire, train, and assign such additional support staff as may be necessary to support the functions carried out by the special agents hired pursuant to paragraph (1).

(e) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees that—

(A) identifies the resources provided, including equipment, personnel, and infrastructure, and the annual budget to carry out outbound and inbound inspections, including, to the extent practicable, resources specifically used for inspections of any individuals and modes of transportation—

(i) from the United States to Mexico or to Canada; and

(ii) from Mexico or Canada into the United States.

(B) describes the operational cadence of all outbound and inbound inspections of individuals and conveyances traveling from the United States to Mexico or to Canada and from Mexico or Canada into the United States, described as a percentage of total encounters or as the total number of inspections conducted;

(C) describes any plans that would allow for the use of alternative inspection sites near a port of entry;

(D) includes an estimate of—

(i) the number of vehicles and conveyances that can be inspected with up to 50 additional non-intrusive imaging systems dedicated to southbound inspections;

(ii) the number of vehicles and conveyances that can be inspected with up to 50 additional non-intrusive imaging systems that may be additionally dedicated to inbound inspections along the southwest border; and

(iii) the number of additional investigations and seizures that will occur based on the additional equipment and inspections; and

(E) assesses the capability of inbound inspections by authorities of the Government of Mexico, in cooperation with United States law enforcement agencies, to detect and interdict the flow of illicit weapons and currency being smuggled—

(i) from the United States to Mexico; and

(ii) from Mexico into the United States.

(2) CLASSIFICATION.—The report submitted pursuant to paragraph (1), or any part of such report, may be classified or provided with other appropriate safeguards to prevent public dissemination.

(f) MINIMUM MANDATORY SOUTHBOUND INSPECTION REQUIREMENT.—

(1) REQUIREMENT.—Not later than March 30, 2027, the Secretary of Homeland Security shall ensure, to the extent practicable, that not fewer than 10 percent of all conveyances and other modes of transportation traveling from the United States to Mexico are inspected before leaving the United States.

(2) AUTHORIZED INSPECTION ACTIVITIES.—Inspections required pursuant to paragraph (1) may include nonintrusive imaging, physical inspections by officers or canine units, or other means authorized by the Secretary of Homeland Security.

(3) REPORT ON ADDITIONAL INSPECTIONS CAPABILITIES.—Not later than March 30, 2028, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees that—

(A) assesses the Department of Homeland Security's timeline and resource requirements for increasing inspection rates to between 15 and 20 percent of all conveyances and modes of transportation traveling from the United States to Mexico; and

(B) includes estimates for the numbers of additional investigations and seizures the Department expects if such inspection rates are so increased.

(g) CURRENCY AND FIREARMS SEIZURES QUARTERLY REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until the date that is 4 years after such date of enactment, the Commissioner of U.S. Customs and Border Protection shall submit a report to the appropriate congressional committees that describes the seizure of currency, firearms, and ammunition attempted to be trafficked out of the United States.

(2) CONTENTS.—Each report submitted pursuant to paragraph (1) shall include, for the most recent 90-day period for which such information is available—

(A) the total number of currency seizures that occurred from outbound inspections at United States ports of entry;

(B) the total dollar amount associated with the currency seizures referred to in subparagraph (A);

(C) the total number of firearms seized from outbound inspections at United States ports of entry;

(D) the total number of ammunition rounds seized from outbound inspections at United States ports of entry; and

(E) the total number of incidents of firearm seizures and ammunition seizures that occurred at United States ports of entry.

SA 2298. 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:

At the end of subtitle C of title XII, insert the following:

SEC. 1239. REPORT ON CONFLICT IN UKRAINE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the ongoing conflict in Ukraine that includes information on causalities, wounded, and materials or equipment losses for each country involved in the conflict .

SA 2299. 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:

At the end of subtitle D of title XII, add the following:

SEC. 1266. RULE OF CONSTRUCTION ON MAINTAINING ONE CHINA POLICY.

Nothing in this Act may be construed as a change to the one China policy, which is guided by the Taiwan Relations Act (22 U.S.C. 3301 et seq.), the three United States-People's Republic of China Joint Communiques, and the Six Assurances.

SA 2300. 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:

At the end of subtitle F of title XII, insert the following:

SEC. 1291. REPEAL OF 2001 AUTHORIZATION FOR USE OF MILITARY FORCE.

The Authorization for Use of Military Force (Public Law 107–40; 115 Stat. 224; 50 U.S.C. 1541 note) is repealed.

SA 2301. Mr. ROUNDS (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 appropriate place, insert the following:

SEC. [___]. POSTAL PROCESSING PROTECTION.

Section 404(d) of title 39, United States Code, is amended—

(1) in paragraph (1), by striking ''any post office'' and inserting ''any post office, or any acceptance, processing, shipping, delivery, distribution, or other facility that is owned or operated by the Postal Service that supports 1 or more post offices'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''a post office'' and inserting ''a post office, or an acceptance, processing, shipping, delivery, distribution, or other facility that is owned or operated by the Postal Service that supports 1 or more post offices''; and

(B) in subparagraph (A)(iii), by striking ''post offices'' and inserting ''post offices, or acceptance, processing, shipping, delivery, distribution, or other facilities that are owned or operated by the Postal Service that support 1 or more post offices,'';

(3) in paragraph (3), by striking ''a post office'' and inserting ''a post office, or an acceptance, processing, shipping, delivery, distribution, or other facility that is owned or operated by the Postal Service that supports 1 or more post offices,'';

(4) in paragraph (4), by striking ''a post office'' and inserting ''a post office, or an acceptance, processing, shipping, delivery, distribution, or other facility that is owned or operated by the Postal Service that supports 1 or more post offices,''; and

(5) in paragraph (5), by striking ''any post office'' and inserting ''any post office, or any acceptance, processing, shipping, delivery, distribution, or other facility that is owned or operated by the Postal Service that supports 1 or more post offices,''.

SA 2302. 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. 1095. PORT INFRASTRUCTURE DEVELOPMENT PROGRAM APPLICATION PROCESS.

Section 54301(a)(5)(A) of title 46, United States Code, is amended—

(1) by striking ''To be eligible'' and inserting the following:

''(i) IN GENERAL.—To be eligible''; and

(2) by adding at the end the following:

''(ii) ENSURING CYBERSECURITY.—If an applicant for a grant under this subsection is applying to use the grant to acquire digital infrastructure or a software component, such applicant shall certify the applicant has an approved security plan pursuant to section 70103(c) of title 46, United States Code, that addresses the cybersecurity risks of such digital infrastructure or software.''.

SA 2303. Mr. CORNYN (for himself and Ms. CORTEZ MASTO) 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. USE OF URBANIZED AREA FORMULA GRANTS FOR DETECTION AND MITIGATION OF CONTROLLED SUBSTANCES AND COUNTERFEIT SUBSTANCES AND PREVENTION OF HUMAN TRAFFICKING.

Section 5307(a)(1) of title 49, United States Code, is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) projects to improve public safety, including such projects for the detection and mitigation of controlled substances and counterfeit substances (as the terms 'controlled substance' and 'counterfeit substance' are defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)), and the prevention of human trafficking, in public transportation systems.''.

SA 2304. 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 XXVIII, insert the following:

SEC. 28____. AUTHORITY TO CARRY OUT FOREIGN-FUNDED CONSTRUCTION PROJECTS INCIDENT TO FOREIGN MILITARY SALES.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2818. Foreign military sales funded construction

''(a) IN GENERAL.—The Secretary concerned may carry out a military construction project not otherwise authorized by law that is funded in full by a country or countries participating in the foreign military sales program and is incident to the sale or lease of defense articles or defense services under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

''(b) NOTIFICATION REQUIRED.—When a decision is made to carry out a military construction project under this section for which the estimated cost exceeds $250,000,000, the Secretary concerned shall notify the appropriate committees of Congress of the scope of the proposed project.

''(c) DEFINITIONS.—In this section:

''(1) The terms 'defense article' and 'defense service' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

''(2) The term 'foreign military sales program' means the program authorized under chapter 2 of such Act (22 U.S.C. 2761 et seq.).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2817 the following new item:

''2818. Foreign military sales funded construction.''.

SA 2305. 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, insert the following:

SEC. ___. REPORT ON PENALTIES AVAILABLE FOR FEDERAL CIVILIAN EMPLOYEES CONVICTED OF CERTAIN FINANCIAL CRIMES.

(a) DEFINITIONS.—In this section:

(1) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given the term ''agency'' in section 551 of title 5, United States Code.

(2) FEDERAL CIVILIAN EMPLOYEE.—The term ''Federal civilian employee'' means an employee of a Federal agency who is not a member of the armed forces, as defined in section 2101 of title 5, United States Code.

(b) FINDINGS.—Congress finds the following:

(1) Federal civilian employees who are convicted of significant financial crimes against their employing agency are still eligible to receive their full retirement benefits under current law.

(2) Military.com reported in January 2024 that a Federal civilian employee of the

Army was accused of stealing $100 million from the Army, and, if convicted, the individual will still receive full retirement benefits.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should be allowed to withhold retirement pay for criminals who are convicted of financial crimes committed directly against the Department of Defense, just as servicemembers do not receive retirement pay if they receive a punitive discharge at court-martial.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary of Homeland Security, in coordination with the Secretary of Defense, shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate a report outlining penalties and legal recourse available for cases in which a Federal civilian employee is convicted of a significant financial crime against the Federal agency employing the individual.

(2) CONTENTS.—The report shall include—

(A) a description of current law surrounding such cases and any existing authorities that Federal agencies have for withholding retirement pay for such convicted Federal civilian employees; and

(B) recommendations to amend the current legal structure to allow Federal agencies to withhold retirement pay for Federal civilian employees convicted of financial crimes against their employing Federal agencies.

SA 2306. Mr. SULLIVAN (for himself and Ms. HIRONO) 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 VIII, add the following:

SEC. 865. REPEAL OF BONAFIDE OFFICE RULE FOR 8(a) CONTRACTS WITH THE DEPARTMENT OF DEFENSE.

Section 8(a)(11) of the Small Business Act (15 U.S.C. 637(a)(11)) is amended—

(1) by inserting ''(A)'' before ''To the maximum''; and

(2) by adding at the end the following:

''(B) Subparagraph (A) shall not apply with respect to a contract entered into under this subsection with the Department of Defense.''.

SA 2307. 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 I of title V, add the following:

SEC. 597B. ACCESS TO SECONDARY SCHOOLS FOR RECRUITING PURPOSES.

(a) IN GENERAL.—Section 503(c)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively;

(B) by striking ''Each local educational agency'' and inserting ''(i) Each local educational agency'';

(C) in subclause (I), as redesignated by subparagraph (A), by striking ''the same access to secondary school students as is provided generally to postsecondary educational institutions or to prospective employers of those students'' and inserting ''optimal access to secondary school students''; and

(D) by adding at the end the following new clause:

''(ii) In this subparagraph, the term 'optimal access' means access that—

''(I) is at least equal to that provided for postsecondary educational institution and potential employer recruitment;

''(II) allows military service recruiters to be located in a high traffic area of the school that promotes student engagement;

''(III) allows school representatives to facilitate virtual recruiter engagement;

''(IV) does not place any prohibition or restriction on a military service recruiter that does not also apply to a postsecondary educational institution or potential employer recruiter; and

''(V) is provided to military recruiters not fewer than 4 times per academic year.''; and

(2) in subparagraph (B), by striking ''subparagraph (A)(iii)'' and inserting ''subparagraph (A)(i)(III)''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report including—

(1) an assessment of access to secondary schools provided to service recruiters; and

(2) any recommendations of the Secretary to improve recruiter access to secondary schools.

SA 2308. 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. _____. CLAIMS RELATING TO URANIUM MINING; REAUTHORIZATION OF THE RADIATION EXPOSURE COMPENSATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Uranium Miners and Workers Act of 2024''.

(b) CLAIMS RELATING TO URANIUM MINING.—

(1) IN GENERAL.—Subparagraph (A) of section 5(a)(1) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended to read as follows:

''(A) that individual—

''(i) was employed in a uranium mine or uranium mill (including any individual who was employed in the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Arizona, Colorado, Idaho, New Mexico, North Dakota, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, or any other State for which the Attorney General makes a determination for inclusion of eligibility, at any time during the period beginning on January 1, 1942, and ending on December 31, 1978; and

''(ii)(I) was a miner exposed to 40 or more working level months of radiation or worked for at least 1 year during the period described under clause (i) and submits written medical documentation that the individual, after that exposure, developed lung cancer, a nonmalignant respiratory disease, renal cancer, or any other chronic renal disease, including nephritis and kidney tubal tissue injury; or

''(II) was a miller, ore transporter, or core driller who worked for at least 1 year during the period described under clause (i) and submits written medical documentation that the individual, after that exposure, developed lung cancer, a nonmalignant respiratory disease, renal cancer, or any other chronic renal disease, including nephritis and kidney tubal tissue injury;''.

(2) TRANSFER OF FUNDS.—For individuals who are eligible for payments described in subparagraph (A) of section 5(a)(1) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note), as amended by paragraph (1), the Secretary of the Treasury shall transfer, not later than 60 days after the date of enactment of this Act, $475,000,000 to the Radiation Exposure Compensation Trust Fund established under section 3 of the Radiation Exposure Compensation Act, out of unobligated amounts appropriated for purposes of coronavirus response under any of the following:

(A) The Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–123; 134 Stat. 146).

(B) The Families First Coronavirus Response Act (Public Law 116–127; 134 Stat. 178).

(C) The CARES Act (Public Law 116–136; 134 Stat. 281).

(D) The Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–139; 134 Stat. 620).

(E) Divisions M and N of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1182).

(F) The American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4).

(G) An amendment made by a provision of law described in any of subparagraphs (A) through (F).

(c) REAUTHORIZATION OF THE RADIATION EXPOSURE COMPENSATION ACT.—

(1) IN GENERAL.—Section 3(d) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by striking the first sentence and inserting ''The Fund shall terminate on the date that is 4 years after the date of enactment of the Uranium Miners and Workers Act of 2024.''.

(2) LIMITATION ON CLAIMS.—Section 8(a) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by striking ''not later than 2 years after the date of enactment of the RECA Extension Act of 2022'' and inserting ''not later than 4 years after the date of enactment of the Uranium Miners and Workers Act of 2024''.

SA 2309. Mrs. FISCHER 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 XXXI, insert the following:

SEC. 31_____. AUTHORIZATION TO WAIVE REGULATORY RESTRICTIONS INHIBITING STOCKPILE STEWARDSHIP.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The Secretary of Energy may exempt the National Nuclear Security

Administration from the applicability of any regulation of the Environmental Protection Agency associated with providing for the safe storage, processing, transportation, and disposal of hazardous waste (including radioactive waste) resulting from nuclear materials production, weapons production and surveillance programs, and naval nuclear propulsion programs of the National Nuclear Security Administration if the Administrator for Nuclear Security determines and reports to the Secretary that the implementation of the regulation could inhibit the capability of the Administration or would otherwise impact the authority of the Administration under section 91 of the Atomic Energy Act of 1954 (42 U.S.C. 2121).

(2) PROHIBITION ON DELEGATION.—The Secretary may not delegate the exemption authority under paragraph (1).

(b) DURATION, RENEWAL, AND LIMITATION.—

(1) DURATION.—Except as provided by paragraph (2), an exemption issued by the Secretary under subsection (a) shall be in effect for not more than 365 days from the date of issuance of the exemption.

(2) RENEWAL.—

(A) IN GENERAL.—Subject to subparagraph (B), upon the recommendation of the Administrator for Nuclear Security, the Secretary may renew an exemption issued under subsection (a) for an additional 365 days.

(B) LIMITATION.—The Secretary may renew an exemption for a specific regulation not more than twice.

(C) RESCISSION OF EXEMPTIONS.— An exemption issued by the Secretary under subsection (a) may be rescinded if the regulation of the Environmental Protection Agency for which such exemption was obtained is amended by the Administrator of the Environmental Protection Agency with the consultation and advice of the Secretary of Energy.

(c) RENEWAL REPORT.—Not later than 60 days after renewing under subsection (b)(2) an exemption issued under subsection (a), the Secretary of Energy, acting through the Administrator for Nuclear Security, shall submit to the congressional defense committees a report describing the following:

(1) The rationale for renewing the exemption.

(2) Steps the Secretary or the Administrator for Nuclear Security can or will take to reduce the necessity for such an exemption in the future, including working with appropriate Federal agencies to ensure that activities required to ensure the safety, security, and effectiveness of the nuclear weapons stockpile are not adversely affected through rulemaking processes.

(3) As applicable, any statutory relief necessary to ensure regulatory requirements do not adversely affect the capability of the National Nuclear Security Administration to ensure the safety, security, and effectiveness of the nuclear weapons stockpile without the need to return to explosive nuclear testing.

(d) MEMORANDUM OF AGREEMENT.—The Administrator of the Environmental Protection Agency and the Secretary of Energy shall enter into a memorandum of agreement to ensure fulsome cooperation and consideration of the impact of regulatory impacts on the unique missions of the National Nuclear Security Administration to avoid impacts to the military application of atomic energy while—

(1) achieving risk-informed, cost beneficial protection of public health and safety; and

(2) ensuring that the effect of any regulation will not be inimical to the common defense and security of the United States.

SA 2310. Mrs. HYDE-SMITH (for herself and Ms. HASSAN) 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. READMISSION REQUIREMENTS FOR SERVICEMEMBERS.

Subsection (a) of section 484C of the Higher Education Act of 1965 (20 U.S.C. 1091c(a)) is amended to read as follows:

''(a) DEFINITION OF SERVICE IN THE UNIFORMED SERVICES.—In this section, the term 'service in the uniformed services' means service (whether voluntary or involuntary) on active duty in the Armed Forces, including such service by a member of the National Guard or Reserve.''.

SA 2311. Mr. GRASSLEY (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. ___. SHARING OF INFORMATION WITH RESPECT TO SUSPECTED VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

Section 628A of the Tariff Act of 1930 (19 U.S.C. 1628a) is amended—

(1) in subsection (a)(1), by inserting '', packing materials, shipping containers,'' after ''its packaging'' each place it appears; and

(2) in subsection (b)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) any other party with an interest in the merchandise, as determined appropriate by the Commissioner.''.

SA 2312. Mr. MANCHIN (for himself 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 end of subtitle B of title XXXI, add the following:

SEC. 3123. CIVIL NUCLEAR EXPORT ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Civil Nuclear Export Act of 2024''.

(b) MODIFICATION OF PROHIBITION ON FINANCING IN THE EXPORT-IMPORT BANK OF THE UNITED STATES.—Section 2(b)(5) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(5)) is amended, in the first sentence, by inserting '', except any purchase that is otherwise permitted under an agreement made in accordance with section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) or any other applicable law of the United States,'' after ''(C) the purchase''.

(c) EXPANSION OF PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.—Section 2(l)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(l)(1)(B)) is amended—

(1) by redesignating clause (xi) as clause (xii); and

(2) by inserting after clause (x) the following:

''(xi) Civil nuclear facilities, material, and technologies, and related goods and services that support the development of an effective nuclear energy sector.''.

(d) MODIFICATION OF LENDING CAP.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) in paragraph (1), by striking ''applicable amount.'' and inserting ''applicable amount, unless the aggregate amount that is in excess of the applicable amount—

''(A) is attributed by the Bank to loans, guarantees, and insurance under the Program on China and Transformational Exports pursuant to section 2(l); and

''(B) does not exceed $50,000,000,000.'';

(2) in paragraph (3)—

(A) in the header, by striking ''2'' and inserting ''4''; and

(B) by striking ''2 percent'' each place it appears and inserting ''4 percent''; and

(3) by adding at the end the following:

''(5) AUTHORITY TO ATTRIBUTE LOANS, GUARANTEES, AND INSURANCE.—The Bank may attribute any loan, guarantee, or insurance issued under the Program on China and Transformational Exports pursuant to section 2(l) toward the aggregate amount that is in excess of the applicable amount described in paragraph (1) without regard to the date on which the Bank issued such loan, guarantee, or insurance.''.

(e) MODIFICATION OF MONITORING OF DEFAULT RATES.—Section 8(g) of the Export-Import Bank Act of 1945 (12 U.S.C. 635g(g)) is amended—

(1) in paragraph (3), by striking ''2 percent'' each place it appears and inserting ''4 percent'';

(2) in paragraph (4)(B), by striking ''2 percent'' and inserting ''4 percent'';

(3) in paragraph (5)—

(A) in the header, by striking ''2'' and inserting ''4''; and

(B) by striking ''2 percent'' and inserting ''4 percent'';

(4) in paragraph (6), by striking ''2 percent'' and inserting ''4 percent''; and

(5) by adding at the end the following:

''(7) EXCLUSION OF TRANSACTIONS RELATING TO THE PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.—For the purposes of this subsection, if financing provided under the Program on China and Transformational Exports pursuant to section 2(l) results in the default rate calculated under paragraph (1) equaling or exceeding 4 percent, the Bank may exclude such financing, subject to the approval of the Board of Directors.''.

SA 2313. Mr. MANCHIN (for himself 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 end of title X, add the following:

Subtitle I—International Nuclear Energy Act of 2024

SEC. 1099A. SHORT TITLE.

This subtitle may be cited as the ''International Nuclear Energy Act of 2024''.

SEC. 1099B. DEFINITIONS.

In this subtitle:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' means—

(A) a nuclear fission reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (or successor regulations)), with significant improvements compared to reactors operating on October 19, 2016, including improvements such as—

(i) additional inherent safety features;

(ii) lower waste yields;

(iii) improved fuel and material performance;

(iv) increased tolerance to loss of fuel cooling;

(v) enhanced reliability or improved resilience;

(vi) increased proliferation resistance;

(vii) increased thermal efficiency;

(viii) reduced consumption of cooling water and other environmental impacts;

(ix) the ability to integrate into electric applications and nonelectric applications;

(x) modular sizes to allow for deployment that corresponds with the demand for electricity or process heat; and

(xi) operational flexibility to respond to changes in demand for electricity or process heat and to complement integration with intermittent renewable energy or energy storage;

(B) a fusion reactor; and

(C) a radioisotope power system that utilizes heat from radioactive decay to generate energy.

(2) ALLY OR PARTNER NATION.—The term ''ally or partner nation'' means—

(A) the Government of any country that is a member of the Organisation for Economic Co-operation and Development;

(B) the Government of the Republic of India; and

(C) the Government of any country designated as an ally or partner nation by the Secretary of State for purposes of this subtitle.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committees on Foreign Relations and Energy and Natural Resources of the Senate; and

(B) the Committees on Foreign Affairs and Energy and Commerce of the House of Representatives.

(4) ASSISTANT.—The term ''Assistant'' means the Assistant to the President and Director for International Nuclear Energy Policy described in section 1099C(a)(1)(D).

(5) ASSOCIATED ENTITY.—The term ''associated entity'' means an entity that—

(A) is owned, controlled, or operated by—

(i) an ally or partner nation; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country described in paragraph (2), including a corporation that is incorporated in a country described in that paragraph.

(6) ASSOCIATED INDIVIDUAL.—The term ''associated individual'' means a foreign national who is a national of a country described in paragraph (2).

(7) CIVIL NUCLEAR.—The term ''civil nuclear'' means activities relating to—

(A) nuclear plant construction;

(B) nuclear fuel services;

(C) nuclear energy financing;

(D) nuclear plant operations;

(E) nuclear plant regulation;

(F) nuclear medicine;

(G) nuclear safety;

(H) community engagement in areas in reasonable proximity to nuclear sites;

(I) infrastructure support for nuclear energy;

(J) nuclear plant decommissioning;

(K) nuclear liability;

(L) safe storage and safe disposal of spent nuclear fuel;

(M) environmental safeguards;

(N) nuclear nonproliferation and security; and

(O) technology related to the matters described in subparagraphs (A) through (N).

(8) EMBARKING CIVIL NUCLEAR NATION.—

(A) IN GENERAL.—The term ''embarking civil nuclear nation'' means a country that—

(i) does not have a civil nuclear energy program;

(ii) is in the process of developing or expanding a civil nuclear energy program, including safeguards and a legal and regulatory framework, for—

(I) nuclear safety;

(II) nuclear security;

(III) radioactive waste management;

(IV) civil nuclear energy;

(V) environmental safeguards;

(VI) community engagement in areas in reasonable proximity to nuclear sites;

(VII) nuclear liability; or

(VIII) advanced nuclear reactor licensing;

(iii) is in the process of selecting, developing, constructing, or utilizing advanced light water reactors, advanced nuclear reactors, or advanced civil nuclear technologies; or

(iv) had an annual per capita gross domestic product of not more than $28,000 in 2020.

(B) EXCLUSIONS.—The term ''embarking civil nuclear nation'' does not include—

(i) the People's Republic of China;

(ii) the Russian Federation;

(iii) the Republic of Belarus;

(iv) the Islamic Republic of Iran;

(v) the Democratic People's Republic of Korea;

(vi) the Republic of Cuba;

(vii) the Bolivarian Republic of Venezuela;

(viii) the Syrian Arab Republic;

(ix) Burma; or

(x) any other country—

(I) the property or interests in property of the government of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(II) the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism for purposes of—

(aa) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(bb) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d));

(cc) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i)); or

(dd) any other relevant provision of law.

(9) NUCLEAR SAFETY.—The term ''nuclear safety'' means issues relating to the design, construction, operation, or decommissioning of nuclear facilities in a manner that ensures adequate protection of workers, the public, and the environment, including—

(A) the safe operation of nuclear reactors and other nuclear facilities;

(B) radiological protection of—

(i) members of the public;

(ii) workers; and

(iii) the environment;

(C) nuclear waste management;

(D) emergency preparedness;

(E) nuclear liability; and

(F) the safe transportation of nuclear materials.

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

(11) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(12) U.S. NUCLEAR ENERGY COMPANY.—The term ''U.S. nuclear energy company'' means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

SEC. 1099C. CIVIL NUCLEAR COORDINATION AND STRATEGY.

(a) WHITE HOUSE FOCAL POINT ON CIVIL NUCLEAR COORDINATION.—

(1) SENSE OF CONGRESS.—Given the critical importance of developing and implementing, with input from various agencies throughout the executive branch, a cohesive policy with respect to international efforts related to civil nuclear energy, it is the sense of Congress that—

(A) there should be a focal point within the White House, which may, if determined to be appropriate, report to the National Security Council, for coordination on issues relating to those efforts;

(B) to provide that focal point, the President should establish, within the Executive Office of the President, an office, to be known as the ''Office of the Assistant to the President and Director for International Nuclear Energy Policy'' (referred to in this subsection as the ''Office'');

(C) the Office should act as a coordinating office for—

(i) international civil nuclear cooperation; and

(ii) civil nuclear export strategy;

(D) the Office should be headed by an individual appointed as an Assistant to the President with the title of ''Director for International Nuclear Energy Policy''; and

(E) the Office should—

(i) coordinate civil nuclear export policies for the United States;

(ii) develop, in coordination with the officials described in paragraph (2), a cohesive Federal strategy for engagement with foreign governments (including ally or partner nations and the governments of embarking civil nuclear nations), associated entities, and associated individuals with respect to civil nuclear exports;

(iii) coordinate with the officials described in paragraph (2) to ensure that necessary framework agreements and trade controls relating to civil nuclear materials and technologies are in place for key markets; and

(iv) develop—

(I) a whole-of-government coordinating strategy for civil nuclear cooperation;

(II) a whole-of-government strategy for civil nuclear exports; and

(III) a whole-of-government approach to support appropriate foreign investment in civil nuclear energy projects supported by the United States in embarking civil nuclear nations.

(2) OFFICIALS DESCRIBED.—The officials referred to in paragraph (1)(E) are—

(A) the appropriate officials of—

(i) the Department of State;

(ii) the Department of Energy;

(iii) the Department of Commerce;

(iv) the Department of Transportation;

(v) the Nuclear Regulatory Commission;

(vi) the Department of Defense;

(vii) the National Security Council;

(viii) the National Economic Council;

(ix) the Office of the United States Trade Representative;

(x) the Office of Management and Budget;

(xi) the Office of the Director of National Intelligence;

(xii) the Export-Import Bank of the United States;

(xiii) the United States International Development Finance Corporation;

(xiv) the United States Agency for International Development;

(xv) the United States Trade and Development Agency;

(xvi) the Office of Science and Technology Policy; and

(xvii) any other Federal agency that the President determines to be appropriate; and

(B) appropriate officials representing foreign countries and governments, including—

(i) ally or partner nations;

(ii) embarking civil nuclear nations; and

(iii) any other country or government that the Assistant (if appointed) and the officials described in subparagraph (A) jointly determine to be appropriate.

(b) NUCLEAR EXPORTS WORKING GROUP.—

(1) ESTABLISHMENT.—There is established a working group, to be known as the ''Nuclear Exports Working Group'' (referred to in this subsection as the ''working group'').

(2) COMPOSITION.—The working group shall be composed of—

(A) senior-level Federal officials, selected internally by the applicable Federal agency or organization, from—

(i) the Department of State;

(ii) the Department of Commerce;

(iii) the Department of Energy;

(iv) the Department of the Treasury;

(v) the Export-Import Bank of the United States;

(vi) the United States International Development Finance Corporation;

(vii) the Nuclear Regulatory Commission;

(viii) the Office of the United States Trade Representative; and

(ix) the United States Trade and Development Agency; and

(B) other senior-level Federal officials, selected internally by the applicable Federal agency or organization, from any other Federal agency or organization that the Secretary determines to be appropriate.

(3) REPORTING.—The working group shall report to the appropriate White House official, which may be the Assistant (if appointed).

(4) DUTIES.—The working group shall coordinate, not less frequently than quarterly, with the Civil Nuclear Trade Advisory Committee of the Department of Commerce, the Nuclear Energy Advisory Committee of the Department of Energy, and other advisory or stakeholder groups, as necessary, to maintain an accurate and up-to-date knowledge of the standing of civil nuclear exports from the United States, including with respect to meeting the targets established as part of the 10-year civil nuclear trade strategy described in paragraph (5)(A).

(5) STRATEGY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the working group shall establish a 10-year civil nuclear trade strategy, including biennial targets for the export of civil nuclear technologies, including light water and non-light water reactors and associated equipment and technologies, civil nuclear materials, and nuclear fuel that align with meeting international energy demand while seeking to avoid or reduce emissions.

(B) COLLABORATION REQUIRED.—In establishing the strategy under subparagraph (A), the working group shall collaborate with—

(i) the Secretary;

(ii) the Secretary of Commerce;

(iii) the Secretary of State;

(iv) the Secretary of the Treasury;

(v) the Nuclear Regulatory Commission;

(vi) the President of the Export-Import Bank of the United States;

(vii) the Chief Executive Officer of the United States International Development Finance Corporation;

(viii) the United States Trade Representative; and

(ix) representatives of private industry.

SEC. 1099D. ENGAGEMENT WITH ALLY OR PARTNER NATIONS.

(a) IN GENERAL.—The President shall launch, in accordance with applicable nuclear technology export laws (including regulations), an international initiative to modernize the civil nuclear outreach to embarking civil nuclear nations.

(b) FINANCING.—In carrying out the initiative described in subsection (a), the President, acting through an appropriate Federal official, who may be the Assistant (if appointed) or the Chief Executive Officer of the International Development Finance Corporation, if determined to be appropriate, and in coordination with the officials described in section 1099C(a)(2), may, if the President determines to be appropriate, seek to establish cooperative financing relationships for the export of civil nuclear technology, components, materials, and infrastructure to embarking civil nuclear nations.

(c) ACTIVITIES.—In carrying out the initiative described in subsection (a), the President shall—

(1) assist nongovernmental organizations and appropriate offices, administrations, agencies, laboratories, and programs of the Department of Energy and other relevant Federal agencies and offices in providing education and training to foreign governments in nuclear safety, security, and safeguards—

(A) through engagement with the International Atomic Energy Agency; or

(B) independently, if the applicable entity determines that it would be more advantageous under the circumstances to provide the applicable education and training independently;

(2) assist the efforts of the International Atomic Energy Agency to expand the support provided by the International Atomic Energy Agency to embarking civil nuclear nations for nuclear safety, security, and safeguards;

(3) coordinate the work of the Chief Executive Officer of the United States International Development Finance Corporation and the Export-Import Bank of the United States to expand outreach to the private investment community to create public-private financing relationships to assist in the adoption of civil nuclear technologies by embarking civil nuclear nations, including through exports from the United States;

(4) seek to better coordinate, to the maximum extent practicable, the work carried out by each of—

(A) the Nuclear Regulatory Commission;

(B) the Department of Energy;

(C) the Department of Commerce;

(D) the Nuclear Energy Agency;

(E) the International Atomic Energy Agency; and

(F) the nuclear regulatory agencies and organizations of embarking civil nuclear nations and ally or partner nations; and

(5) coordinate the work of the Export-Import Bank of the United States to improve the efficient and effective exporting and importing of civil nuclear technologies and materials.

SEC. 1099E. COOPERATIVE FINANCING RELATIONSHIPS WITH ALLY OR PARTNER NATIONS AND EMBARKING CIVIL NUCLEAR NATIONS.

(a) IN GENERAL.—The President shall designate an appropriate White House official, who may be the Assistant (if appointed), and the Chief Executive Officer of the United States International Development Finance Corporation to coordinate with the officials described in section 1099C(a)(2) to develop, as the President determines to be appropriate, financing relationships with ally or partner nations to assist in the adoption of civil nuclear technologies exported from the United States or ally or partner nations to embarking civil nuclear nations.

(b) UNITED STATES COMPETITIVENESS CLAUSES.—

(1) DEFINITION OF UNITED STATES COMPETITIVENESS CLAUSE.—In this subsection, the term ''United States competitiveness clause'' means any United States competitiveness provision in any agreement entered into by the Department of Energy, including—

(A) a cooperative agreement;

(B) a cooperative research and development agreement; and

(C) a patent waiver.

(2) CONSIDERATION.—In carrying out subsection (a), the relevant officials described in that subsection shall consider the impact of United States competitiveness clauses on any financing relationships entered into or proposed to be entered into under that subsection.

(3) WAIVER.—The Secretary shall facilitate waivers of United States competitiveness clauses as necessary to facilitate financing relationships with ally or partner nations under subsection (a).

SEC. 1099F. COOPERATION WITH ALLY OR PARTNER NATIONS ON ADVANCED NUCLEAR REACTOR DEMONSTRATION AND COOPERATIVE RESEARCH FACILITIES FOR CIVIL NUCLEAR ENERGY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary and the Secretary of Commerce, shall conduct bilateral and multilateral meetings with not fewer than 5 ally or partner nations, with the aim of enhancing nuclear energy cooperation among those ally or partner nations and the United States, for the purpose of developing collaborative relationships with respect to research, development, licensing, and deployment of advanced nuclear reactor technologies for civil nuclear energy.

(b) REQUIREMENT.—The meetings described in subsection (a) shall include—

(1) a focus on cooperation to demonstrate and deploy advanced nuclear reactors, with an emphasis on U.S. nuclear energy companies, during the 10-year period beginning on the date of enactment of this Act to provide options for addressing energy security and climate change; and

(2) a focus on developing a memorandum of understanding or any other appropriate agreement between the United States and ally or partner nations with respect to—

(A) the demonstration and deployment of advanced nuclear reactors; and

(B) the development of cooperative research facilities.

(c) FINANCING ARRANGEMENTS.—In conducting the meetings described in subsection (a), the Secretary of State, in coordination with the Secretary and the Secretary of Commerce, shall seek to develop financing arrangements to share the costs of the demonstration and deployment of advanced nuclear reactors and the development of cooperative research facilities with the ally or partner nations participating in those meetings.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary, the Secretary of State, and the Secretary of Commerce shall jointly submit to Congress a report highlighting potential partners—

(1) for the establishment of cost-share arrangements described in subsection (c); or

(2) with which the United States may enter into agreements with respect to—

(A) the demonstration of advanced nuclear reactors; or

(B) cooperative research facilities.

SEC. 1099G. INTERNATIONAL CIVIL NUCLEAR ENERGY COOPERATION.

Section 959B of the Energy Policy Act of 2005 (42 U.S.C. 16279b) is amended—

(1) in the matter preceding paragraph (1), by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary'';

(2) in subsection (a) (as so designated)—

(A) in paragraph (1)—

(i) by striking ''financing,''; and

(ii) by striking ''and'' after the semicolon at the end;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''preparations for''; and

(ii) in subparagraph (C)(v), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(3) to support, in coordination with the Secretary of State, the safe, secure, and peaceful use of civil nuclear technology in countries developing nuclear energy programs, with a focus on countries that have increased civil nuclear cooperation with the Russian Federation or the People's Republic of China; and

''(4) to promote the fullest utilization of the reactors, fuel, equipment, services, and technology of U.S. nuclear energy companies (as defined in section 1099B of the International Nuclear Energy Act of 2024) in civil nuclear energy programs outside the United States through—

''(A) bilateral and multilateral arrangements developed and executed in coordination with the Secretary of State that contain commitments for the utilization of the reactors, fuel, equipment, services, and technology of U.S. nuclear energy companies (as defined in that section);

''(B) the designation of 1 or more U.S. nuclear energy companies (as defined in that section) to implement an arrangement under subparagraph (A) if the Secretary determines that the designation is necessary and appropriate to achieve the objectives of this section;

''(C) the waiver of any provision of law relating to competition with respect to any activity related to an arrangement under subparagraph (A) if the Secretary, in consultation with the Attorney General and the Secretary of Commerce, determines that a waiver is necessary and appropriate to achieve the objectives of this section; and

''(D) the issuance of loans, loan guarantees, other financial assistance, or assistance in the form of an equity interest to carry out activities related to an arrangement under subparagraph (A), to the extent appropriated funds are available.''; and

(3) by adding at the end the following:

''(b) REQUIREMENTS.—The program under subsection (a) shall be supported in consultation with the Secretary of State and implemented by the Secretary—

''(1) to facilitate, to the maximum extent practicable, workshops and expert-based exchanges to engage industry, stakeholders, and foreign governments with respect to international civil nuclear issues, such as—

''(A) training;

''(B) financing;

''(C) safety;

''(D) security;

''(E) safeguards;

''(F) liability;

''(G) advanced fuels;

''(H) operations; and

''(I) options for multinational cooperation with respect to the disposal of spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)); and

''(2) in coordination with—

''(A) the National Security Council;

''(B) the Secretary of State;

''(C) the Secretary of Commerce; and

''(D) the Nuclear Regulatory Commission.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out subsection (a)(3) $15,500,000 for each of fiscal years 2024 through 2028.''.

SEC. 1099H. INTERNATIONAL CIVIL NUCLEAR PROGRAM SUPPORT.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), shall launch an international initiative (referred to in this section as the ''initiative'') to provide financial assistance to, and facilitate the building of technical capacities by, in accordance with this section, embarking civil nuclear nations for activities relating to the development of civil nuclear energy programs.

(b) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—In carrying out the initiative, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may award grants of financial assistance to embarking civil nuclear nations in accordance with this subsection—

(A) for activities relating to the development of civil nuclear energy programs; and

(B) to facilitate the building of technical capacities for those activities.

(2) AMOUNT.—The amount of a grant of financial assistance under paragraph (1) shall be not more than $5,500,000.

(3) LIMITATIONS.—The Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may award—

(A) not more than 1 grant of financial assistance under paragraph (1) to any 1 embarking civil nuclear nation each fiscal year; and

(B) not more than a total of 5 grants of financial assistance under paragraph (1) to any 1 embarking civil nuclear nation.

(c) SENIOR ADVISORS.—

(1) IN GENERAL.—In carrying out the initiative, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may provide financial assistance to an embarking civil nuclear nation for the purpose of contracting with a U.S. nuclear energy company to hire 1 or more senior advisors to assist the embarking civil nuclear nation in establishing a civil nuclear program.

(2) REQUIREMENT.—A senior advisor described in paragraph (1) shall have relevant experience and qualifications to advise the embarking civil nuclear nation on, and facilitate on behalf of the embarking civil nuclear nation, 1 or more of the following activities:

(A) The development of financing relationships.

(B) The development of a standardized financing and project management framework for the construction of nuclear power plants.

(C) The development of a standardized licensing framework for—

(i) light water civil nuclear technologies; and

(ii) non-light water civil nuclear technologies and advanced nuclear reactors.

(D) The identification of qualified organizations and service providers.

(E) The identification of funds to support payment for services required to develop a civil nuclear program.

(F) Market analysis.

(G) The identification of the safety, security, safeguards, and nuclear governance required for a civil nuclear program.

(H) Risk allocation, risk management, and nuclear liability.

(I) Technical assessments of nuclear reactors and technologies.

(J) The identification of actions necessary to participate in a global nuclear liability regime based on the Convention on Supplementary Compensation for Nuclear Damage, with Annex, done at Vienna September 12, 1997 (TIAS 15–415).

(K) Stakeholder engagement.

(L) Management of spent nuclear fuel and nuclear waste.

(M) Any other major activities to support the establishment of a civil nuclear program, such as the establishment of export, financing, construction, training, operations, and education requirements.

(3) CLARIFICATION.—Financial assistance under this subsection may be provided to an embarking civil nuclear nation in addition to any financial assistance provided to that embarking civil nuclear nation under subsection (b).

(d) LIMITATION ON ASSISTANCE TO EMBARKING CIVIL NUCLEAR NATIONS.—Not later than 1 year after the date of enactment of this Act, the Offices of the Inspectors General for the Department of State and the Department of Energy shall coordinate—

(1) to establish and submit to the appropriate committees of Congress a joint strategic plan to conduct comprehensive oversight of activities authorized under this section to prevent fraud, waste, and abuse; and

(2) to engage in independent and effective oversight of activities authorized under this section through joint or individual audits, inspections, investigations, or evaluations.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State to carry out the initiative $50,000,000 for each of fiscal years 2024 through 2028.

SEC. 1099I. BIENNIAL CABINET-LEVEL INTERNATIONAL CONFERENCE ON NUCLEAR SAFETY, SECURITY, SAFEGUARDS, AND SUSTAINABILITY.

(a) IN GENERAL.—The President, in coordination with international partners, as determined by the President, and industry, shall hold a biennial conference on civil nuclear safety, security, safeguards, and sustainability (referred to in this section as a ''conference'').

(b) CONFERENCE FUNCTIONS.—It is the sense of Congress that each conference should—

(1) be a forum in which ally or partner nations may engage with each other for the purpose of reinforcing the commitment to—

(A) nuclear safety, security, safeguards, and sustainability;

(B) environmental safeguards; and

(C) local community engagement in areas in reasonable proximity to nuclear sites; and

(2) facilitate—

(A) the development of—

(i) joint commitments and goals to improve—

(I) nuclear safety, security, safeguards, and sustainability;

(II) environmental safeguards; and

(III) local community engagement in areas in reasonable proximity to nuclear sites;

(ii) stronger international institutions that support nuclear safety, security, safeguards, and sustainability;

(iii) cooperative financing relationships to promote competitive alternatives to Chinese and Russian financing;

(iv) a standardized financing and project management framework for the construction of civil nuclear power plants;

(v) a standardized licensing framework for civil nuclear technologies;

(vi) a strategy to change internal policies of multinational development banks, such as the World Bank, to support the financing of civil nuclear projects;

(vii) a document containing any lessons learned from countries that have partnered with the Russian Federation or the People's Republic of China with respect to civil nuclear power, including any detrimental outcomes resulting from that partnership; and

(viii) a global civil nuclear liability regime;

(B) cooperation for enhancing the overall aspects of civil nuclear power, such as—

(i) nuclear safety, security, safeguards, and sustainability;

(ii) nuclear laws (including regulations);

(iii) waste management;

(iv) quality management systems;

(v) technology transfer;

(vi) human resources development;

(vii) localization;

(viii) reactor operations;

(ix) nuclear liability; and

(x) decommissioning; and

(C) the development and determination of the mechanisms described in paragraphs (7) and (8) of section 1099J(a), if the President intends to establish an Advanced Reactor Coordination and Resource Center as described in that section.

(c) INPUT FROM INDUSTRY AND GOVERNMENT.—It is the sense of Congress that each conference should include a meeting that convenes nuclear industry leaders and leaders of government agencies with expertise relating to nuclear safety, security, safeguards, or sustainability to discuss best practices relating to—

(1) the safe and secure use, storage, and transport of nuclear and radiological materials;

(2) managing the evolving cyber threat to nuclear and radiological security; and

(3) the role that the nuclear industry should play in nuclear and radiological safety, security, and safeguards, including with respect to the safe and secure use, storage, and transport of nuclear and radiological materials, including spent nuclear fuel and nuclear waste.

SEC. 1099J. ADVANCED REACTOR COORDINATION AND RESOURCE CENTER.

(a) IN GENERAL.—The President shall consider the feasibility of leveraging existing activities or frameworks or, as necessary, establishing a center, to be known as the ''Advanced Reactor Coordination and Resource Center'' (referred to in this section as the ''Center''), for the purposes of—

(1) identifying qualified organizations and service providers—

(A) for embarking civil nuclear nations;

(B) to develop and assemble documents, contracts, and related items required to establish a civil nuclear program; and

(C) to develop a standardized model for the establishment of a civil nuclear program that can be used by the International Atomic Energy Agency;

(2) coordinating with countries participating in the Center and with the Nuclear Exports Working Group established under section 1099C(b)—

(A) to identify funds to support payment for services required to develop a civil nuclear program;

(B) to provide market analysis; and

(C) to create—

(i) project structure models;

(ii) models for electricity market analysis;

(iii) models for nonelectric applications market analysis; and

(iv) financial models;

(3) identifying and developing the safety, security, safeguards, and nuclear governance required for a civil nuclear program;

(4) supporting multinational regulatory standards to be developed by countries with civil nuclear programs and experience;

(5) developing and strengthening communications, engagement, and consensus-building;

(6) carrying out any other major activities to support export, financing, education, construction, training, and education requirements relating to the establishment of a civil nuclear program;

(7) developing mechanisms for how to fund and staff the Center; and

(8) determining mechanisms for the selection of the location or locations of the Center.

(b) OBJECTIVE.—The President shall carry out subsection (a) with the objective of establishing the Center if the President determines that it is feasible to do so.

SEC. 1099K. INVESTMENT BY ALLIES AND PARTNERS OF THE UNITED STATES.

(a) COMMERCIAL LICENSES.—Section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is amended, in the second sentence—

(1) by inserting ''for a production facility'' after ''No license''; and

(2) by striking ''any any'' and inserting ''any''.

(b) MEDICAL THERAPY AND RESEARCH DEVELOPMENT LICENSES.—Section 104 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(d)) is amended, in the second sentence, by inserting ''for a production facility'' after ''No license''.

SEC. 1099L. STRATEGIC INFRASTRUCTURE FUND WORKING GROUP.

(a) ESTABLISHMENT.—There is established a working group, to be known as the ''Strategic Infrastructure Fund Working Group'' (referred to in this section as the ''working group'') to provide input on the feasibility of establishing a program to support strategically important capital-intensive infrastructure projects.

(b) COMPOSITION.—The working group shall be—

(1) led by a White House official, who may be the Assistant (if appointed), who shall serve as the White House focal point with respect to matters relating to the working group; and

(2) composed of—

(A) senior-level Federal officials, selected by the head of the applicable Federal agency or organization, from—

(i) the Department of State;

(ii) the Department of the Treasury;

(iii) the Department of Commerce;

(iv) the Department of Energy;

(v) the Export-Import Bank of the United States;

(vi) the United States International Development Finance Corporation; and

(vii) the Nuclear Regulatory Commission;

(B) other senior-level Federal officials, selected by the head of the applicable Federal agency or organization, from any other Federal agency or organization that the Secretary determines to be appropriate; and

(C) any senior-level Federal official selected by the White House official described in paragraph (1) from any Federal agency or organization.

(c) REPORTING.—The working group shall report to the National Security Council.

(d) DUTIES.—The working group shall—

(1) provide direction and advice to the officials described in section 1099C(a)(2)(A) and appropriate Federal agencies, as determined by the working group, with respect to the establishment of a Strategic Infrastructure Fund (referred to in this subsection as the ''Fund'') to be used—

(A) to support those aspects of projects relating to—

(i) civil nuclear technologies; and

(ii) microprocessors; and

(B) for strategic investments identified by the working group; and

(2) address critical areas in determining the appropriate design for the Fund, including—

(A) transfer of assets to the Fund;

(B) transfer of assets from the Fund;

(C) how assets in the Fund should be invested; and

(D) governance and implementation of the Fund.

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the working group shall submit to the committees described in paragraph (2) a report on the findings of the working group that includes suggested legislative text for how to establish and structure a Strategic Infrastructure Fund.

(2) COMMITTEES DESCRIBED.—The committees referred to in paragraph (1) are—

(A) the Committee on Foreign Relations, the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Ways and Means of the House of Representatives.

(3) ADMINISTRATION OF THE FUND.—The report submitted under paragraph (1) shall include suggested legislative language requiring all expenditures from a Strategic Infrastructure Fund established in accordance with this section to be administered by the Secretary of State (or a designee of the Secretary of State).

SEC. 1099M. JOINT ASSESSMENT BETWEEN THE UNITED STATES AND INDIA ON NUCLEAR LIABILITY RULES.

(a) IN GENERAL.—The Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, shall establish and maintain within the U.S.-India Strategic Security Dialogue a joint consultative mechanism with the Government of the Republic of India that convenes on a recurring basis—

(1) to assess the implementation of the Agreement for Cooperation between the Government of the United States of America and the Government of India Concerning Peaceful Uses of Nuclear Energy, signed at Washington October 10, 2008 (TIAS 08–1206);

(2) to discuss opportunities for the Republic of India to align domestic nuclear liability rules with international norms; and

(3) to develop a strategy for the United States and the Republic of India to pursue bilateral and multilateral diplomatic engagements related to analyzing and implementing those opportunities.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, shall submit to the appropriate committees of Congress a report that describes the joint assessment developed pursuant to subsection (a)(1).

SA 2314. Mr. MANCHIN (for himself, Ms. MURKOWSKI, 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 end of title X, add the following:

Subtitle I—Department of Energy AI

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Department of Energy AI Act''.

SEC. 1097. FINDINGS.

Congress finds that—

(1) the Department has a leading role to play in making the most of the potential of artificial intelligence to advance the missions of the Department relating to national security, science, and energy (including critical materials);

(2) the 17 National Laboratories employ over 40,000 scientists, engineers, and researchers with decades of experience developing world-leading advanced computational algorithms, computer science research, experimentation, and applications in machine learning that underlie artificial intelligence;

(3) the NNSA manages the Stockpile Stewardship Program established under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521), which includes the Advanced Simulation and Computing program, that provides critical classified and unclassified computing capabilities to sustain the nuclear stockpile of the United States;

(4) for decades, the Department has led the world in the design, construction, and operation of the preeminent high-performance computing systems of the United States, which benefit the scientific and economic competitiveness of the United States across many sectors, including energy, critical materials, biotechnology, and national security;

(5) across the network of 34 user facilities of the Department, scientists generate tremendous volumes of high-quality open data across diverse research areas, while the NNSA has always generated the foremost datasets in the world on nuclear deterrence and strategic weapons;

(6) the unrivaled quantity and quality of open and classified scientific datasets of the Department is a unique asset to rapidly develop frontier AI models;

(7) the Department already develops cutting-edge AI models to execute the broad mission of the Department, including AI models of the Department that are used to forecast disease transmission for COVID–19, and address critical material issues and emerging nuclear security missions;

(8) the AI capabilities of the Department will underpin and jumpstart a dedicated, focused, and centralized AI program; and

(9) under section 4.1(b) of Executive Order 14110 (88 Fed. Reg. 75191 (November 1, 2023)) (relating to the safe, secure, and trustworthy development and use of artificial intelligence), the Secretary is tasked to lead development in testbeds, national security protections, and assessment of artificial intelligence applications.

SEC. 1098. DEFINITIONS.

In this subtitle:

(1) AI; ARTIFICIAL INTELLIGENCE.—The terms ''AI'' and ''artificial intelligence'' have the meaning given the term ''artificial intelligence'' in section 5002 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401).

(2) ALIGNMENT.—The term ''alignment'' means a field of AI safety research that aims to make AI systems behave in line with human intentions.

(3) DEPARTMENT.—The term ''Department'' means the Department of Energy, including the NNSA.

(4) FOUNDATION MODEL.—The term ''foundation model'' means an AI model that—

(A) is trained on broad data;

(B) generally uses self-supervision;

(C) contains at least tens of billions of parameters; and

(D) is applicable across a wide range of contexts; and

(E) exhibits, or could be easily modified to exhibit, high levels of performance at tasks that pose a serious risk to the security, national economic security, or national public health or safety of the United States.

(5) FRONTIER AI.—

(A) IN GENERAL.—The term ''frontier AI'' means the leading edge of AI research that remains unexplored and is considered to be the most challenging, including models—

(i) that exceed the capabilities currently present in the most advanced existing models; and

(ii) many of which perform a wide variety of tasks.

(B) INCLUSION.—The term ''frontier AI'' includes AI models with more than 1,000,000,000,000 parameters.

(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) NNSA.—The term ''NNSA'' means the National Nuclear Security Administration.

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

(9) TESTBED.—The term ''testbed'' means any platform, facility, or environment that enables the testing and evaluation of scientific theories and new technologies, including hardware, software, or field environments in which structured frameworks can be implemented to conduct tests to assess the performance, reliability, safety, and security of a wide range of items, including prototypes, systems, applications, AI models, instruments, computational tools, devices, and other technological innovations.

SEC. 1099. ARTIFICIAL INTELLIGENCE RESEARCH TO DEPLOYMENT.

(a) PROGRAM TO DEVELOP AND DEPLOY FRONTIERS IN ARTIFICIAL INTELLIGENCE FOR SCIENCE, SECURITY, AND TECHNOLOGY (FASST).—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a centralized AI program to carry out research on the development and deployment of advanced artificial intelligence capabilities for the missions of the Department (referred to in this subsection as the ''program''), consistent with the program established under section 5501 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 9461).

(2) PROGRAM COMPONENTS.—

(A) IN GENERAL.—The program shall advance and support diverse activities that include the following components:

(i) Aggregation, curation, and distribution of AI training datasets.

(ii) Development and deployment of next-generation computing platforms and infrastructure.

(iii) Development and deployment of safe and trustworthy AI models and systems.

(iv) Tuning and adaptation of AI models and systems for pressing scientific, energy, and national security applications.

(B) AGGREGATION, CURATION, AND DISTRIBUTION OF AI TRAINING DATASETS.—In carrying out the component of the program described in subparagraph (A)(i), the Secretary shall develop methods, platforms, protocols, and other tools required for efficient, safe, and effective aggregation, generation, curation, and distribution of AI training datasets, including—

(i) assembling, aggregating, and curating large-scale training data for advanced AI, including outputs from research programs of the Department and other open science data, with the goal of developing comprehensive scientific AI training databases and testing and validation data;

(ii) developing and executing appropriate data management plan for the ethical, responsible, and secure use of classified and unclassified scientific data;

(iii) identifying, curating, and safely distributing, as appropriate based on the application—

(I) scientific and experimental Departmental datasets; and

(II) sponsored research activities that are needed for the training of foundation and adapted downstream AI models; and

(iv) partnering with stakeholders to curate critical datasets that reside outside the Department but are determined to be critical to optimizing the capabilities of open-science AI foundation models, national security AI foundation models, and other AI technologies developed under the program.

(C) DEVELOPMENT AND DEPLOYMENT OF NEXT-GENERATION COMPUTING PLATFORMS AND INFRASTRUCTURE.—In carrying out the component of the program described in subparagraph (A)(ii), the Secretary shall—

(i) develop early-stage AI testbeds to test and evaluate new software, hardware, algorithms, and other AI-based technologies and applications;

(ii) develop and deploy new energy-efficient AI computing hardware and software infrastructure necessary for developing and deploying trustworthy frontier AI systems that leverage the high-performance computing capabilities of the Department and the National Laboratories;

(iii) facilitate the development and deployment of unclassified and classified high-performance computing systems and AI platforms through Department-owned infrastructure data and computing facilities;

(iv) procure high-performance computing and other resources necessary for developing, training, evaluating, and deploying AI foundation models and AI technologies; and

(v) use appropriate supplier screening tools available through the Department to ensure that procurements under clause (iv) are from trusted suppliers.

(D) DEVELOPMENT AND DEPLOYMENT OF SAFE AND TRUSTWORTHY AI MODELS AND SYSTEMS.—In carrying out the component of the program described in subparagraph (A)(iii), not later than 3 years after the date of enactment of this Act, the Secretary shall—

(i) develop innovative concepts and applied mathematics, computer science, engineering, and other science disciplines needed for frontier AI;

(ii) develop best-in-class AI foundation models and other AI technologies for open-science and national security applications;

(iii) research and deploy counter-adversarial artificial intelligence solutions to predict, prevent, mitigate, and respond to threats to critical infrastructure, energy security, and nuclear nonproliferation, and biological and chemical threats;

(iv) establish crosscutting research efforts on AI risks, reliability, safety, trustworthiness, and alignment, including the creation of unclassified and classified data platforms across the Department; and

(v) develop capabilities needed to ensure the safe and responsible implementation of AI in the private and public sectors that—

(I) may be readily applied across Federal agencies and private entities to ensure that open-science models are released responsibly, securely, and in the national interest; and

(II) ensure that classified national security models are secure, responsibly-managed, and safely implemented in the national interest.

(E) TUNING AND ADAPTATION OF AI MODELS AND SYSTEMS FOR PRESSING SCIENTIFIC AND

NATIONAL SECURITY APPLICATIONS.—In carrying out the component of the program described in subparagraph (A)(iv), the Secretary shall—

(i) use AI foundation models and other AI technologies to develop a multitude of tuned and adapted downstream models to solve pressing scientific, energy, and national security challenges;

(ii) carry out joint work, including public-private partnerships, and cooperative research projects with industry, including end user companies, hardware systems vendors, and AI software companies, to advance AI technologies relevant to the missions of the Department;

(iii) form partnerships with other Federal agencies, institutions of higher education, and international organizations aligned with the interests of the United States to advance frontier AI systems development and deployment; and

(iv) increase research experiences and workforce development, including training for undergraduate and graduate students in frontier AI for science, energy, and national security.

(3) STRATEGIC PLAN.—In carrying out the program, the Secretary shall develop a strategic plan with specific short-term and long-term goals and resource needs to advance applications in AI for science, energy, and national security to support the missions of the Department, consistent with—

(A) the 2023 National Laboratory workshop report entitled ''Advanced Research Directions on AI for Science, Energy, and Security''; and

(B) the 2024 National Laboratory workshop report entitled ''AI for Energy''.

(b) AI RESEARCH AND DEVELOPMENT CENTERS.—

(1) IN GENERAL.—As part of the program established under subsection (a), the Secretary shall select, on a competitive, merit-reviewed basis, National Laboratories to establish and operate not fewer than 8 multidisciplinary AI Research and Development Centers (referred to in this subsection as ''Centers'')—

(A) to accelerate the safe and trustworthy deployment of AI for science, energy, and national security missions;

(B) to demonstrate the use of AI in addressing key challenge problems of national interest in science, energy, and national security; and

(C) to maintain the competitive advantage of the United States in AI.

(2) FOCUS.—Each Center shall bring together diverse teams from National Laboratories, academia, and industry to collaboratively and concurrently deploy hardware, software, numerical methods, data, algorithms, and applications for AI and ensure that the frontier AI research of the Department is well-suited for key Department missions, including by using existing and emerging computing systems to the maximum extent practicable.

(3) ADMINISTRATION.—

(A) NATIONAL LABORATORY.—Each Center shall be established as part of a National Laboratory.

(B) APPLICATION.—To be eligible for selection to establish and operate a Center under paragraph (1), a National Laboratory shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(C) DIRECTOR.—Each Center shall be headed by a Director, who shall be the Chief Executive Officer of the Center and an employee of the National Laboratory described in subparagraph (A), and responsible for—

(i) successful execution of the goals of the Center; and

(ii) coordinating with other Centers.

(D) TECHNICAL ROADMAP.—In support of the strategic plan developed under subsection (a)(3), each Center shall—

(i) set a research and innovation goal central to advancing the science, energy, and national security mission of the Department; and

(ii) establish a technical roadmap to meet that goal in not more than 7 years.

(E) COORDINATION.—The Secretary shall coordinate, minimize duplication, and resolve conflicts between the Centers.

(4) FUNDING.—Of the amounts made available under subsection (h), each Center shall receive not less than $30,000,000 per year for a duration of not less than 5 years but not more than 7 years, which yearly amount may be renewed for an additional 5-year period.

(c) AI RISK EVALUATION AND MITIGATION PROGRAM.—

(1) AI RISK PROGRAM.—As part of the program established under subsection (a), and consistent with the missions of the Department, the Secretary, in consultation with the Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, the Director of the National Security Agency, and the Secretary of Commerce, shall carry out a comprehensive program to evaluate and mitigate safety and security risks associated with artificial intelligence systems (referred to in this subsection as the ''AI risk program'').

(2) RISK TAXONOMY.—

(A) IN GENERAL.—Under the AI risk program, the Secretary shall develop a taxonomy of safety and security risks associated with artificial intelligence systems relevant to the missions of the Department, including, at a minimum, the risks described in subparagraph (B).

(B) RISKS DESCRIBED.—The risks referred to in subparagraph (A) are the abilities of artificial intelligence—

(i) to generate information at a given classification level;

(ii) to assist in generation of nuclear weapons information;

(iii) to assist in generation of chemical, biological, radiological, nuclear, nonproliferation, critical infrastructure, and energy security threats or hazards;

(iv) to assist in generation of malware and other cyber and adversarial threats that pose a significant national security risk, such as threatening the stability of critical national infrastructure;

(v) to undermine public trust in the use of artificial intelligence technologies or in national security;

(vi) to deceive a human operator or computer system, or otherwise act in opposition to the goals of a human operator or automated systems; and

(vii) to act autonomously with little or no human intervention in ways that conflict with human intentions.

(d) SHARED RESOURCES FOR AI.—

(1) IN GENERAL.—As part of the program established under subsection (a), the Secretary shall identify, support, and sustain shared resources and enabling tools that have the potential to accelerate the pace of scientific discovery and technological innovation with respect to the missions of the Department relating to science, energy, and national security.

(2) CONSULTATION.—In carrying out paragraph (1), the Secretary shall consult with relevant experts in industry, academia, and the National Laboratories.

(3) FOCUS.—Shared resources and enabling tools referred to in paragraph (1) shall include the following:

(A) Scientific data and knowledge bases for training AI systems.

(B) Benchmarks and competitions for evaluating advances in AI systems.

(C) Platform technologies that lower the cost of generating training data or enable the generation of novel training data.

(D) High-performance computing, including hybrid computing systems that integrate AI and high-performance computing.

(E) The combination of AI and scientific automation, such as cloud labs and self-driving labs.

(F) Tools that enable AI to solve inverse design problems.

(G) Testbeds for accelerating progress at the intersection of AI and cyberphysical systems.

(e) ADMINISTRATION.—

(1) RESEARCH SECURITY.—The activities authorized under this section shall be applied in a manner consistent with subtitle D of title VI of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19231 et seq.).

(2) CYBERSECURITY.—The Secretary shall ensure the integration of robust cybersecurity measures into all AI research-to-deployment efforts authorized under this section to protect the integrity and confidentiality of collected and analyzed data.

(3) PARTNERSHIPS WITH PRIVATE ENTITIES.—

(A) IN GENERAL.—The Secretary shall seek to establish partnerships with private companies and nonprofit organizations in carrying out this Act, including with respect to the research, development, and deployment of each of the 4 program components described in subsection (a)(2)(A).

(B) REQUIREMENT.—In carrying out subparagraph (A), the Secretary shall protect any information submitted to or shared by the Department consistent with applicable laws (including regulations).

(f) STEM EDUCATION AND WORKFORCE DEVELOPMENT.—

(1) IN GENERAL.—Of the amounts made available under subsection (h), not less than 10 percent shall be used to foster the education and training of the next-generation AI workforce.

(2) AI TALENT.—As part of the program established under subsection (a), the Secretary shall develop the required workforce, and hire and train not fewer than 500 new researchers to meet the rising demand for AI talent—

(A) with a particular emphasis on expanding the number of individuals from underrepresented groups pursuing and attaining skills relevant to AI; and

(B) including by—

(i) providing training, grants, and research opportunities;

(ii) carrying out public awareness campaigns about AI career paths; and

(iii) establishing new degree and certificate programs in AI-related disciplines at universities and community colleges.

(g) ANNUAL REPORT.—The Secretary shall submit to Congress an annual report describing—

(1) the progress, findings, and expenditures under each program established under this section; and

(2) any legislative recommendations for promoting and improving each of those programs.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,400,000,000 each year for the 5-year period following the date of enactment of this Act.

SEC. 1099A. FEDERAL PERMITTING.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to improve Federal permitting processes for energy-related projects, including critical materials projects, using artificial intelligence.

(b) PROGRAM COMPONENTS.—In carrying out the program established under subsection (a), the Secretary shall carry out activities, including activities that—

(1) analyze data and provide tools from past environmental and other permitting reviews, including by—

(A) extracting data from applications for comparison with data relied on in environmental reviews to assess the adequacy and relevance of applications;

(B) extracting information from past site-specific analyses in the area of a current project;

(C) summarizing key mitigation actions that have been successfully applied in past similar projects; and

(D) using AI for deeper reviews of past determinations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to inform more flexible and effective categorical exclusions; and

(2) build tools to improve future reviews, including—

(A) tools for project proponents that accelerate preparation of environmental documentation;

(B) tools for government reviewers such as domain-specific large language models that help convert geographic information system or tabular data on resources potentially impacted into rough-draft narrative documents;

(C) tools to be applied in nongovernmental settings, such as automatic reviews of applications to assess the completeness of information; and

(D) a strategic plan to implement and deploy online and digital tools to improve Federal permitting activities, developed in consultation with—

(i) the Secretary of the Interior;

(ii) the Secretary of Agriculture, with respect to National Forest System land;

(iii) the Executive Director of the Federal Permitting Improvement Steering Council established by section 41002(a) of the FAST Act (42 U.S.C. 4370m–1(a)); and

(iv) the heads of any other relevant Federal department or agency, as determined appropriate by the Secretary.

SEC. 1099B. RULEMAKING ON AI STANDARDIZATION FOR GRID INTERCONNECTION.

Not later than 18 months after the date of enactment of this Act, the Federal Energy Regulatory Commission shall initiate a rulemaking to revise the pro forma Large Generator Interconnection Procedures promulgated pursuant to section 35.28(f) of title 18, Code of Federal Regulations (or successor regulations), to require public utility transmission providers to share and employ, as appropriate, queue management best practices with respect to the use of computing technologies, such as artificial intelligence, machine learning, or automation, in evaluating and processing interconnection requests, in order to expedite study results with respect to those requests.

SEC. 1099C. ENSURING ENERGY SECURITY FOR DATACENTERS AND COMPUTING RESOURCES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) assesses—

(A) the growth of computing data centers and advanced computing electrical power load in the United States;

(B) potential risks of growth in computing centers or growth in the required electrical power to United States energy and national security; and

(C) the extent to which emerging technologies, such as artificial intelligence and advanced computing, may impact hardware and software systems used at data and computing centers; and

(2) provides recommendations for—

(A) resources and capabilities that the Department may provide to promote access to energy resources by data centers and advanced computing;

(B) policy changes to ensure domestic deployment of data center and advanced computing resources prevents offshoring of United States data and resources; and

(C) improving the energy efficiency of data centers, advanced computing, and AI.

SEC. 1099D. OFFICE OF CRITICAL AND EMERGING TECHNOLOGY.

(a) IN GENERAL.—Title II of the Department of Energy Organization Act is amended by inserting after section 215 (42 U.S.C. 7144b) the following:

"SEC. 216. OFFICE OF CRITICAL AND EMERGING TECHNOLOGY.

''(a) DEFINITIONS.—In this section:

''(1) CRITICAL AND EMERGING TECHNOLOGY.—The term 'critical and emerging technology' means—

''(A) advanced technology that is potentially significant to United States competitiveness, energy security, or national security, such as biotechnology, advanced computing, and advanced manufacturing;

''(B) technology that may address the challenges described in subsection (b) of section 10387 of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19107); and

''(C) technology described in the key technology focus areas described in subsection (c) of that section (42 U.S.C. 19107).

''(2) DEPARTMENT CAPABILITIES.—The term 'Department capabilities' means—

''(A) each of the National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)); and

''(B) each associated user facility of the Department.

''(3) DIRECTOR.—The term 'Director' means the Director of Critical and Emerging Technology described in subsection (d).

''(4) OFFICE.—The term 'Office' means the Office of Critical and Emerging Technology established by subsection (b).

''(b) ESTABLISHMENT.—There shall be within the Office of the Under Secretary for Science and Innovation an Office of Critical and Emerging Technology.

''(c) MISSION.—The mission of the Office shall be—

''(1) to work across the entire Department to assess and analyze the status of and gaps in United States competitiveness, energy security, and national security relating to critical and emerging technologies, including through the use of Department capabilities;

''(2) to leverage Department capabilities to provide for rapid response to emerging threats and technological surprise from new emerging technologies;

''(3) to promote greater participation of Department capabilities within national science policy and international forums; and

''(4) to inform the direction of research and policy decisionmaking relating to potential risks of adoption and use of emerging technologies, such as inadvertent or deliberate misuses of technology.

''(d) DIRECTOR OF CRITICAL AND EMERGING TECHNOLOGY.—The Office shall be headed by a director, to be known as the 'Director of Critical and Emerging Technology', who shall—

''(1) be appointed by the Secretary; and

''(2) be an individual who, by reason of professional background and experience, is specially qualified to advise the Secretary on matters pertaining to critical and emerging technology.

''(e) COLLABORATION.—In carrying out the mission and activities of the Office, the Director shall closely collaborate with all relevant Departmental entities, including the National Nuclear Security Administration and the Office of Science, to maximize the computational capabilities of the Department and minimize redundant capabilities.

''(f) COORDINATION.—In carrying out the mission and activities of the Office, the Director—

''(1) shall coordinate with senior leadership across the Department and other stakeholders (such as institutions of higher education and private industry);

''(2) shall ensure the coordination of the Office of Science with the other activities of the Department relating to critical and emerging technology, including the transfer of knowledge, capabilities, and relevant technologies, from basic research programs of the Department to applied research and development programs of the Department, for the purpose of enabling development of mission-relevant technologies;

''(3) shall support joint activities among the programs of the Department;

''(4) shall coordinate with the heads of other relevant Federal agencies operating under existing authorizations with subjects related to the mission of the Office described in subsection (c) in support of advancements in related research areas, as the Director determines to be appropriate; and

''(5) may form partnerships to enhance the use of, and to ensure access to, user facilities by other Federal agencies.

''(g) PLANNING, ASSESSMENT, AND REPORTING.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Department of Energy AI Act, the Secretary shall submit to Congress a critical and emerging technology action plan and assessment, which shall include—

''(A) a review of current investments, programs, activities, and science infrastructure of the Department, including under National Laboratories, to advance critical and emerging technologies;

''(B) a description of any shortcomings of the capabilities of the Department that may adversely impact national competitiveness relating to emerging technologies or national security; and

''(C) a budget projection for the subsequent 5 fiscal years of planned investments of the Department in each critical and emerging technology, including research and development, infrastructure, pilots, test beds, demonstration projects, and other relevant activities.

''(2) UPDATES.—Every 2 years after the submission of the plan and assessment under paragraph (1), the Secretary shall submit to Congress—

''(A) an updated emerging technology action plan and assessment; and

''(B) a report that describes the progress made toward meeting the goals set forth in the emerging technology action plan and assessment submitted previously.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Department of Energy Organization Act (Public Law 95–91; 91 Stat. 565; 119 Stat. 764; 133 Stat. 2199) is amended by inserting after the item relating to section 215 the following:

''Sec. 216. Office of Critical and Emerging Technology.''.

SA 2315. Mr. KAINE (for himself and Mr. YOUNG) 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, insert the following:

SEC. 10___. DR. LORNA BREEN HEALTH CARE PROVIDER PROTECTION REAUTHORIZATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Dr. Lorna Breen Health Care Provider Protection Reauthorization Act''.

(b) DISSEMINATION OF BEST PRACTICES.—Section 2 of the Dr. Lorna Breen Health Care Provider Protection Act (Public Law 117–105) is amended—

(1) by striking ''of this Act'' and inserting ''of the Dr. Lorna Breen Health Care Provider Protection Reauthorization Act''; and

(2) by inserting ''and prevent substance use and misuse'' after ''promote their mental health''.

(c) EDUCATION AND AWARENESS INITIATIVE ENCOURAGING USE OF MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES BY HEALTH CARE PROFESSIONALS.—Section 3 of the Dr. Lorna Breen Health Care Provider Protection Act (Public Law 117–105) is amended—

(1) in subsection (b), by inserting ''and annually thereafter,'' after ''of this Act,''; and

(2) in subsection (c), by striking ''2022 through 2024'' and inserting ''2025 through 2029''.

(d) PROGRAMS TO PROMOTE MENTAL HEALTH AMONG THE HEALTH PROFESSIONAL WORKFORCE.—The second section 764 of the Public Health Service Act (42 U.S.C. 294t), as added by section 4 of the Dr. Lorna Breen Health Care Provider Protection Act (Public Law 117–105), is amended—

(1) by redesignating such section 764 as section 764A;

(2) in subsection (a)(3)—

(A) by striking ''to eligible entities in'' and inserting ''to eligible entities that—

''(A) are in'';

(B) by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(B) have a focus on the reduction of administrative burden on health care workers.'';

(3) in subsection (c), by inserting ''not less than'' after ''period of''; and

(4) in subsection (f), by striking ''2022 through 2024'' and inserting ''2025 through 2029''.

SA 2316. Ms. KLOBUCHAR (for herself and Mr. YOUNG) 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 E of title V, add the following:

SEC. 562. REIMBURSEMENT OF APPLICANTS FOR UNIFORM MILITARY SERVICE FOR CO-PAYS OF MEDICAL APPOINTMENTS REQUIRED AS PART OF MEPS PROCESS.

The Secretary of Defense is authorized to reimburse applicants for uniformed military service for up to $100 per applicant for co-payment costs incurred by such applicants for medical appointments required as part of the Military Entrance Processing Station (MEPS) process.

SA 2317. Ms. KLOBUCHAR (for herself, Mr. BARRASSO, Ms. SMITH, 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 in subtitle D of title I, insert the following:

SEC. _____. INVENTORY OF C–130 AIRCRAFT.

(a) MINIMUM INVENTORY REQUIREMENT.—Section 146(a)(3)(B) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2455), as amended by section 134(a) of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 173), is further amended by striking ''2024'' and inserting ''2025''.

(b) PROHIBITION ON REDUCTION OF C–130 AIRCRAFT ASSIGNED TO NATIONAL GUARD.—Section 146(b)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2455), as amended by section 134(b) of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 173), is further amended by striking ''fiscal years 2023 and 2024'' and inserting ''fiscal years 2023, 2024, and 2025.''

SA 2318. 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 F of title XII, add the following:

SEC. 1291. ADDITIONAL CERTIFICATION REQUIREMENTS FOR CERTAIN PURCHASES OF DEFENSE ARTICLES, DEFENSE SERVICES, AND MAJOR DEFENSE EQUIPMENT.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following new subsection:

''(j) CERTAIN ADDITIONAL PURCHASES SUBJECT TO CERTIFICATION.—A purchase by a foreign country of defense articles, defense services, or major defense equipment that, when combined with other such purchases by such country during the preceding 180-day period, exceeds the dollar amount thresholds specified in subsection (b) or (c) shall be subject to the certification requirements under such subsection, as applicable.''.

SA 2319. 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, insert the following:

SEC. _____. NOMINATION IN EVENT OF DEATH, RESIGNATION, OR EXPULSION FROM OFFICE OF MEMBER OF CONGRESS OTHERWISE AUTHORIZED TO NOMINATE.

(a) IN GENERAL.—Chapter 513 of title 46, United States Code, is amended by inserting after section 51302 the following new section:

''§ 51302a. Nomination in event of death, resignation, or expulsion from office of Member of Congress otherwise authorized to nominate

''(a) SENATORS.—In the event a Senator does not submit nominations for cadets for an academic year in accordance with section 51302(b)(1) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Senator's successor as Senator occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Senator pursuant to such section shall be made instead by the other Senator from the State concerned.

''(b) REPRESENTATIVES.—In the event a Member of the House of Representatives from a State does not submit nominations for cadets for an academic year in accordance with section 51302(b)(2) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Representative's successor as Representative occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Representative pursuant to such section shall be made instead by the Senators from the State of the congressional district concerned, with such nominations divided equally among such Senators and any remainder going to the senior Senator from the State.

''(c) CONSTRUCTION OF AUTHORITY.—Any nomination for cadets made by a Member pursuant to this section is not a reallocation of a nomination. Such nominations are made in lieu of a Member not submitting nominations for cadets for an academic year in accordance with section 51302 of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Member's successor occurs after the date of the deadline for submittal of nominations for cadets for the academic year.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 513 of such title is amended by inserting after the item relating to section 51302 the following new item:

''51302a. Nomination in event of death, resignation, or expulsion from office of Member of Congress otherwise authorized to nominate''.

SA 2320. Ms. HIRONO (for herself and Mr. CRUZ) 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. _____. TEMPORARY JUDGESHIPS IN THE DISTRICT COURTS.

(a) EXISTING JUDGESHIPS.—The existing judgeships for the district of Hawaii, the district of Kansas, and the eastern district of Missouri authorized by section 203(c) of the

Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note) and the existing judgeships for the northern district of Alabama, the district of Arizona, the central district of California, the southern district of Florida, the district of New Mexico, the western district of North Carolina, and the eastern district of Texas authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note) shall, as of the effective date of this section, be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this section.

(b) TABLES.—In order that the table contained in section 133 of title 28, United States Code, will, with respect to each judicial district, reflect the changes in the total number of permanent district judgeships authorized as a result of subsection (a) of this section, such table is amended—

(1) by striking the items relating to Alabama and inserting the following:

''Alabama:	
Northern	8
Middle	3
Southern	3'';

(2) by striking the item relating to Arizona and inserting the following:

''Arizona	13'';

(3) by striking the items relating to California and inserting the following:

''California:	
Northern	14
Eastern	6
Central	28
Southern	13'';

(4) by striking the items relating to Florida and inserting the following:

''Florida:	
Northern	4
Middle	15
Southern	18'';

(5) by striking the item relating to Hawaii and inserting the following:

''Hawaii	4'';

(6) by striking the item relating to Kansas and inserting the following:

''Kansas	6'';

(7) by striking the items relating to Missouri and inserting the following:

''Missouri:	
Eastern	7
Western	5
Eastern and Western	2'';

(8) by striking the item relating to New Mexico and inserting the following:

''New Mexico	7'';

(9) by striking the items relating to North Carolina and inserting the following:

''North Carolina:	
Eastern	4
Middle	4

Western	5''; and

(10) by striking the items relating to Texas and inserting the following:

''Texas:	
Northern	12
Southern	19
Eastern	8
Western	13''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section and the amendments made by this section.

SA 2321. Ms. HIRONO 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 D of title VIII, add the following:

SEC. 865. EXPANDING ELIGIBILITY FOR CERTAIN CONTRACTS.

(a) COMPETITIVE THRESHOLDS.—Section 8018 of title VIII of division A of the Department of Defense Appropriations Act, 2007 (15 U.S.C. 637 note) is amended by striking ''with agencies of the Department of Defense'' and inserting ''with agencies and departments of the Federal Government''.

(b) RULEMAKING.—Not later than 180 days after the date of enactment of this Act, in order to carry out the amendments made by subsection (a)—

(1) the Administrator of the Small Business Administration, in consultation with the Administrator for Federal Procurement Policy, shall promulgate regulations; and

(2) the Federal Acquisition Regulatory Council established under section 1302(a) of title 41, United States Code, shall amend the Federal Acquisition Regulation.

SA 2322. Ms. HIRONO 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 D of title VIII, add the following:

SEC. 865. MICROLOAN PROGRAM DEFINITIONS.

Section 7(m)(11) of the Small Business Act (15 U.S.C. 636(m)(11)) is amended—

(1) in subparagraph (C)(ii), by striking the period at the end and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.''.

SA 2323. Ms. HIRONO 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 B of title VIII, add the following:

SEC. 829. MODIFICATION OF JUSTIFICATION AND APPROVAL REQUIREMENT FOR SOLE SOURCE CONTRACTS.

(a) IN GENERAL.—Section 811(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 41 U.S.C. 3304 note) is amended by striking ''$20,000,000'' and inserting ''$100,000,000''.

(b) COMPTROLLER GENERAL REVIEW.—

(1) DATA TRACKING AND COLLECTION.—The head of an agency shall track the use of the authority under such section 811(a), as modified by subsection (a), and make the data available to the Comptroller General for purposes of the report required under paragraph (2).

(2) REPORT.—Not later than March 1, 2027, the Comptroller General of the United States shall submit a report to the congressional defense committees on the use of the authority under such section 811(a), as modified by subsection (a), through the end of fiscal year 2026. The report shall include—

(A) a review of the financial effect of the authority under such section 811(a), as modified by subsection (a), on the native corporations and businesses and associated native communities;

(B) a description of the nature and extent of contracts excluded from the justification and approval requirement of such section 811(a), as modified by subsection (a); and

(C) any other matter the Comptroller General deems appropriate.

SA 2324. Ms. HIRONO 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 D of title VII, add the following:

SEC. 735. TRICARE COVERAGE FOR INCREASED SUPPLY OF CONTRACEPTION.

(a) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of the Act, contraceptive supplies of up to 365 days shall be covered under the TRICARE program as follows:

(1) Coverage shall be provided for any eligible covered beneficiary to obtain, including in a single fill or refill, at the option of such beneficiary, the total days of supply (not to exceed a 365-day supply) for a contraceptive on the uniform formulary provided through a pharmacy at a military medical treatment facility, a retail pharmacy described in section 1074g(a)(2)(E)(ii) of title 10, United States Code, or through the national mail-order pharmacy program of the TRICARE program.

(2) Coverage shall be provided for the total days supply (not to exceed a 365-day supply) of contraception, including in a single fill or refill, at the option of an eligible covered beneficiary, for a contraceptive that is provided by a network provider under the TRICARE program to such beneficiary, excluding—

(A) a member of the Coast Guard; or

(B) an individual who is a beneficiary because such individual is a dependent of a member of the Coast Guard.

(3) Coverage shall be provided for the total days supply (not to exceed a 365-day supply) of contraception, including in a single fill or refill, at the option of an eligible covered beneficiary, for a contraceptive that is provided under TRICARE Prime to any such beneficiary, excluding—

(A) a member of the Coast Guard; or

(B) an individual who is a beneficiary because such individual is a dependent of a member of the Coast Guard.

(b) OUTREACH.—Beginning not later than 90 days after the implementation of coverage under subsection (a), the Secretary shall conduct such outreach activities as are necessary to inform health care providers and individuals who are enrolled in the TRICARE program of such coverage and the requirements to receive such coverage.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE COVERED BENEFICIARY.—The term ''eligible covered beneficiary'' has the meaning given that term in section 1074g(i) of title 10, United States Code, excluding—

(A) a member of the Coast Guard, the commissioned corps of the National Oceanic and Atmospheric Administration, or the commissioned corps of the Public Health Service; or

(B) an individual who is an eligible covered beneficiary because such individual is a dependent of a member described in subparagraph (A).

(2) TRICARE PROGRAM; TRICARE PRIME.—The terms ''TRICARE program'' and ''TRICARE Prime'' have the meanings given those terms in section 1072 of title 10, United States Code.

SA 2325. Mr. KING (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. NORDIC TRADER AND INVESTOR PARITY.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States and Iceland have a long and steady bilateral relationship.

(2) Diplomatic relations between Iceland and the United States may be traced back to July 7, 1941, on which date members of the United States Armed Forces arrived in Iceland as part of—

(A) a bilateral defense agreement; and

(B) Presidential Proclamation 2487, dated May 27, 1941 (relating to an unlimited national emergency in the United States).

(3) On June 17, 1944, the United States was the first country to recognize the independent Republic of Iceland.

(4) In 1949, Iceland became a founding member of the North Atlantic Treaty Organization.

(5) On May 5, 1951, the United States and Iceland entered into the bilateral Defense agreement pursuant to the North Atlantic Treaty signed at Reykjavik May 5, 1951 (2 UST 1195; TIAS 2266), which provides for the defense of Iceland.

(6) The United States is the largest trading partner of Iceland, accounting for approximately 20 percent of Iceland's total trade in goods and services.

(7) Iceland serves the commercial and trading interests of the United States economy, and Icelandic companies bring investments and jobs to the United States.

(8) With ⅓ of all visitors to Iceland arriving from the United States, Iceland is a growing tourist destination for the people of the United States. A visa is not required for United States citizens seeking to visit Iceland.

(9) Treaty trader visas (commonly referred to as ''E–1 visas'') and treaty investor visas (commonly referred to as ''E–2 visas'')—

(A) were established to facilitate and enhance economic interactions between the United States and other countries; and

(B) are temporary nonimmigrant visas that may be issued to nationals of a country with which the United States maintains a treaty of friendship, commerce, and navigation.

(10) An E–1 visa may be issued to an individual seeking to enter the United States for the purpose of engaging in substantial trade. An E–2 visa may be issued to an individual seeking to enter the United States for the purpose of developing and directing the operations of an enterprise in which the individual has invested.

(11) Eligibility for E–1 and E–2 nonimmigrant visas for citizens and nationals of Iceland is critical to facilitating Icelandic business and investment in the United States, and such eligibility will benefit the economies of both the United States and Iceland.

(12) Nationals of more than 80 countries are eligible for E–1 or E–2 visas.

(13) Iceland is the only Nordic partner whose nationals are not eligible for such visas.

(14) Iceland is 1 of only 3 North Atlantic Treaty Organization member countries whose nationals are not eligible for such visas.

(15) Iceland is one of very few United States allies whose nationals do not benefit from treaty trader and investor visas. Providing eligibility for such visas to nationals of Iceland would ensure parity between Iceland and other countries with which the United States maintains treaties of friendship, commerce, and navigation.

(16) Iceland does not place barriers on United States investors or traders wishing to enter the Icelandic market.

(17) Adding Iceland to the list of countries whose nationals are eligible for E–1 and E–2 nonimmigrant visas would—

(A) improve the strong relationship between the United States and Iceland; and

(B) promote and increase investment in the United States by nationals of Iceland.

(b) ELIGIBILITY OF ICELANDIC TRADERS AND INVESTORS FOR E–1 AND E–2 NONIMMIGRANT VISAS.—For purposes of clauses (i) and (ii) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), Iceland shall be considered to be a foreign state under such section if the Government of Iceland provides similar nonimmigrant status to nationals of the United States.

SA 2326. Mrs. MURRAY (for herself and Mr. BUDD) 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 E of title VII, add the following:

SEC. 750. WAIVER WITH RESPECT TO EXPERIENCED NURSES AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—The hiring manager of a military medical treatment facility or other health care facility of the Department of Defense may waive any General Schedule qualification standard related to work experience established by the Director of the Office of Personnel Management in the case of any applicant for a nursing or practical nurse position in a medical treatment facility or other health care facility the Department of Defense who—

(1)(A) is a nurse or practical nurse in the Department of Defense; or

(B) was a nurse or practical nurse in the Department of Defense for at least 1 year; and

(2) after commencing work as a nurse or practical nurse in the Department of Defense, obtained an associate's degree, a bachelor's degree, or a graduate degree from an accredited professional nursing educational program.

(b) CERTIFICATION.—If, in the case of any applicant described in subsection (a), a hiring manager waives a qualification standard in accordance with such subsection, such hiring manager shall submit to the Director of the Office of Personnel Management a certification that such applicant meets all remaining General Schedule qualification standards established by the Director of the Office of Personnel Management for the applicable position.

SA 2327. Mr. BROWN (for himself and Mr. BRAUN) 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, insert the following:

SEC. 1095. GUARANTEED BENEFIT CALCULATION FOR CERTAIN PLANS.

Subtitle B of title IV of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1321 et seq.) is amended by adding at the end the following:

''SEC. 4024. GUARANTEED BENEFIT CALCULATION FOR CERTAIN PLANS.

''(a) IN GENERAL.—

''(1) INCREASE TO FULL VESTED PLAN BENEFIT.—

''(A) IN GENERAL.—For purposes of determining what benefits are guaranteed under section 4022 with respect to an eligible participant or beneficiary under a covered plan specified in paragraph (4) in connection with the termination of such plan, the amount of monthly benefits shall be equal to the full vested plan benefit with respect to the participant.

''(B) NO EFFECT ON PREVIOUS DETERMINATIONS.—Nothing in this section shall be construed to change the allocation of assets and recoveries under sections 4044(a) and 4022(c) as previously determined by the corporation for the covered plans specified in paragraph (4), and the corporation's applicable rules, practices, and policies on benefits payable in terminated single-employer plans shall, except as otherwise provided in this section, continue to apply with respect to such covered plans.

''(2) RECALCULATION OF CERTAIN BENEFITS.—

''(A) IN GENERAL.—In any case in which the amount of monthly benefits with respect to an eligible participant or beneficiary described in paragraph (1) was calculated prior to the date of enactment of this section, the corporation shall recalculate such amount pursuant to paragraph (1), and shall adjust any subsequent payments of such monthly benefits accordingly, as soon as practicable after such date.

''(B) LUMP-SUM PAYMENTS OF PAST-DUE BENEFITS.—Not later than 180 days after the date of enactment of this section, the corporation, in consultation with the Secretary of the Treasury and the Secretary of Labor, shall make a lump-sum payment to each eligible participant or beneficiary whose guaranteed benefits are recalculated under subparagraph (A) in an amount equal to—

''(i) in the case of an eligible participant, the excess of—

''(I) the total of the full vested plan benefits of the participant for all months for which such guaranteed benefits were paid prior to such recalculation, over

''(II) the sum of any applicable payments made to the eligible participant; and

''(ii) in the case of an eligible beneficiary, the sum of—

''(I) the amount that would be determined under clause (i) with respect to the participant of which the eligible beneficiary is a beneficiary if such participant were still in pay status; plus

''(II) the excess of—

''(aa) the total of the full vested plan benefits of the eligible beneficiary for all months for which such guaranteed benefits were paid prior to such recalculation, over

''(bb) the sum of any applicable payments made to the eligible beneficiary.

Notwithstanding the previous sentence, the corporation shall increase each lump-sum payment made under this subparagraph to account for foregone interest in an amount determined by the corporation designed to reflect a 6 percent annual interest rate on each past-due amount attributable to the underpayment of guaranteed benefits for each month prior to such recalculation.

''(C) ELIGIBLE PARTICIPANTS AND BENEFICIARIES.—

''(i) IN GENERAL.—For purposes of this section, an eligible participant or beneficiary is a participant or beneficiary who—

''(I) as of the date of the enactment of this section, is in pay status under a covered plan or is eligible for future payments under such plan;

''(II) has received or will receive applicable payments in connection with such plan (within the meaning of clause (ii)) that does not exceed the full vested plan benefits of such participant or beneficiary; and

''(III) is not covered by the 1999 agreements between General Motors and various unions providing a top-up benefit to certain hourly employees who were transferred from the General Motors Hourly-Rate Employees Pension Plan to the Delphi Hourly-Rate Employees Pension Plan.

''(ii) APPLICABLE PAYMENTS.—For purposes of this paragraph, applicable payments to a participant or beneficiary in connection with a plan consist of the following:

''(I) Payments under the plan equal to the normal benefit guarantee of the participant or beneficiary.

''(II) Payments to the participant or beneficiary made pursuant to section 4022(c) or otherwise received from the corporation in connection with the termination of the plan.

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) FULL VESTED PLAN BENEFIT.—The term 'full vested plan benefit' means the amount of monthly benefits that would be guaranteed under section 4022 as of the date of plan termination with respect to an eligible participant or beneficiary if such section were applied without regard to the phase-in limit under subsection (b)(1) of such section and the maximum guaranteed benefit limitation under subsection (b)(3) of such section (including the accrued-at-normal limitation).

''(B) NORMAL BENEFIT GUARANTEE.—The term 'normal benefit guarantee' means the amount of monthly benefits guaranteed under section 4022 with respect to an eligible participant or beneficiary without regard to this section.

''(4) COVERED PLANS.—The covered plans specified in this paragraph are the following:

''(A) The Delphi Hourly-Rate Employees Pension Plan.

''(B) The Delphi Retirement Program for Salaried Employees.

''(C) The PHI Non-Bargaining Retirement Plan.

''(D) The ASEC Manufacturing Retirement Program.

''(E) The PHI Bargaining Retirement Plan.

''(F) The Delphi Mechatronic Systems Retirement Program.

''(5) TREATMENT OF PBGC DETERMINATIONS.—Any determination made by the corporation under this section concerning a recalculation of benefits or lump-sum payment of past-due benefits shall be subject to administrative review by the corporation. Any new determination made by the corporation under this section shall be governed by the same administrative review process as any other benefit determination by the corporation.

''(b) TRUST FUND FOR PAYMENT OF INCREASED BENEFITS.—

''(1) ESTABLISHMENT.—There is established in the Treasury a trust fund to be known as the 'Delphi Full Vested Plan Benefit Trust Fund' (referred to in this subsection as the 'Fund'), consisting of such amounts as may be appropriated or credited to the Fund as provided in this section.

''(2) FUNDING.—There is appropriated, out of amounts in the Treasury not otherwise appropriated, such amounts as are necessary for the costs of payments of the portions of monthly benefits guaranteed to participants and beneficiaries pursuant to subsection (a) and for necessary administrative and operating expenses of the corporation relating to such payments. The Fund shall be credited with amounts from time to time as the Secretary of the Treasury, in coordination with the Director of the corporation, determines appropriate, out of amounts in the Treasury not otherwise appropriated.

''(3) EXPENDITURES FROM FUND.—Amounts in the Fund shall be available for the payment of the portion of monthly benefits guaranteed to a participant or beneficiary pursuant to subsection (a) and for necessary administrative and operating expenses of the corporation relating to such payment.

''(c) REGULATIONS.—The corporation, in consultation with the Secretary of the Treasury and the Secretary of Labor, may issue such regulations as necessary to carry out this section.''.

SA 2328. Mr. KELLY (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 of subtitle H of title X, add the following:

SEC. 1095. WILDFIRE MITIGATION, MANAGEMENT, AND RECOVERY.

(a) STATE, LOCAL, AND TRIBAL MATCHING FUNDS WAIVER AND REDUCTION AUTHORITY.—

(1) IN GENERAL.—The Secretary of Agriculture, the Secretary of the Interior, or the Administrator of the Federal Emergency Management Agency Administrator (referred to in this section as the ''FEMA Administrator'') may reduce or waive applicant matching or cost-sharing requirements applicable to funds provided by the Secretary of Agriculture, the Secretary of the Interior, or the FEMA Administrator, respectively, to a State, Indian Tribe, county, municipality, or other unit of local government for—

(A) planning or implementing a wildfire mitigation or management project to reduce the risk of wildfire;

(B) preparing a needs assessment in preparation for post-wildfire cascading impacts before a wildfire occurs; or

(C) planning or implementing post-wildfire recovery projects on land in the State, county, municipality, or other unit of local government or on land of the Indian Tribe.

(2) LIMITATION.—The amount that the Secretary of Agriculture, the Secretary of the Interior, or the FEMA Administrator, as applicable, may reduce or waive under paragraph (1) shall not exceed the amount that the applicable State, Indian Tribe, county, municipality, or other unit of local government expended on the activities described in that paragraph.

(3) INCLUSIONS.—Amounts described in paragraph (2) may include amounts used for activities described in paragraph (1) that were collected by a State, Indian Tribe, county, municipality, or other unit of local government from—

(A) the sale of bonds;

(B) sales taxes, property taxes, income taxes, or other tax revenue sources;

(C) the pooling of contributions from customers of a quasi-governmental utility; or

(D) conservation finance agreements.

(b) WOOD PROCESSING INVENTORY.—

(1) DEFINITION OF SECRETARY.—In this subsection, the term ''Secretary'' means the Secretary of Agriculture, in coordination with the Secretary of the Interior.

(2) INVENTORY, STUDIES, AND REPORT.—The Secretary shall—

(A) conduct an inventory of wood processing facilities, including sawmills and biomass utilization facilities, in each region of the United States, as determined by the Secretary;

(B) conduct additional economic studies, workforce studies, and biomass feasibility studies to better understand solutions to the development and redevelopment of regional wood products markets, as the Secretary determines to be appropriate;

(C) identify each region described in subparagraph (A) that—

(i) is at high risk of wildfire, as determined by the Secretary; and

(ii) does not have a wood processing facility or needs additional wood processing infrastructure or capacity; and

(D) submit a report describing the inventory, studies, and regions described in subparagraphs (A), (B), and (C), respectively, to the relevant committees of Congress, including—

(i) the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

(iii) the Committee on Commerce, Science, and Transportation of the Senate;

(iv) the Committee on Appropriations of the Senate;

(v) the Committee on Natural Resources of the House of Representatives;

(vi) the Committee on Homeland Security of the House of Representatives;

(vii) the Committee on Science, Space, and Technology of the House of Representatives; and

(viii) the Committee on Appropriations of the House of Representatives; and

(E) made the report described in subparagraph (D) publicly available on the website of the Department of Agriculture.

(c) LAND-FOR-WOOD PROCESSING PROGRAM.—

(1) IN GENERAL.—The Secretary of Agriculture and the Secretary of the Interior shall jointly establish a program under which the Secretary of Agriculture and the Secretary of the Interior shall authorize Federal land under the jurisdiction of the Secretary of Agriculture or the Secretary of the Interior for the purpose described in paragraph (2).

(2) USE.—Land authorized under paragraph (1) shall be used for 1 or more wood processing facilities, including sawmills and biomass utilization facilities, in each region identified under subsection (b)(2)(C) that is included in the report submitted under subsection (b)(2)(D).

(d) SMALL BUSINESS SUPPORT.—The Secretary of the Interior shall enter into cost-share agreements with, and provide technical assistance to, States, Indian Tribes, counties, and municipalities to support small businesses, as determined by the Secretary of the Interior, that utilize biomass that is a byproduct of wildfire risk reduction and forest restoration activities.

(e) RENEWABLE FUEL STANDARD PROGRAM.—

(1) RENEWABLE IDENTIFICATION NUMBERS REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall—

(A) incorporate into, and establish pathways for credit under, the Renewable Fuel Program under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) for sustainable aviation fuel, renewable natural gas, hydrogen, biodiesel, and all other biofuels with the potential to be commercially viable in the 10-year period beginning on the date of enactment of this Act that are made from biomass derived from wildfire risk reduction and forest restoration activities on public and private lands; and

(B) provide renewable identification numbers for the products described in subparagraph (A).

(2) FOREST BIOMASS AS RENEWABLE BIOMASS.—Section 211(o)(1)(I) of the Clean Air Act (42 U.S.C. 7545(o)(1)(I)) is amended—

(A) by striking clauses (iv) and (v) and inserting the following:

''(iv) Forest biomass, regardless of whether the biomass is sourced from public or private land, which may include—

''(I) slash;

''(II) pre-commercial thinnings;

''(III) plantation materials and residues;

''(IV) biomass obtained from areas at risk of wildfire;

''(V) sawmill and forest products manufacturing residues; and

''(VI) any other uncontaminated byproduct of forest management and forest products manufacturing.''; and

(B) by redesignating clauses (vi) and (vii) as clauses (v) and (vi), respectively.

(f) PROGRAM ALIGNMENT.—The Secretary of Agriculture shall direct the Under Secretary for Rural Development and the Chief of the Forest Service to coordinate with each other for the purpose of supporting investments in sawmills and biomass utilization facilities in areas that have the greatest need for wildfire risk reduction.

(g) BIOMASS UTILIZATION.—The Secretary of Agriculture and the Secretary of Energy shall cooperate to support—

(1) research relating to biomass utilization methods; and

(2) large-scale forest biomass utilization research, including the development of, and support for, pilot projects that promote the utilization and commercialization of biomass as a byproduct of wildfire risk reduction and forest restoration activities.

(h) GRAZING.—

(1) IN GENERAL.—The Secretary of Agriculture and the Secretary of the Interior shall manage fine fuels and shrubs on Federal land under the jurisdiction of the Secretary of Agriculture or the Secretary of the Interior, respectively, through the expanded use of flexible, targeted grazing that—

(A) aligns with wildfire impact reduction objectives and desired environmental conditions and landscape goals in the ecological system in which the grazing is conducted; and

(B) complies with other obligations, including requirements applicable to congressionally designated wilderness areas.

(2) DEPARTMENT OF THE INTERIOR NONRENEWABLE GRAZING PERMITS AND LEASES.—The Secretary of the Interior shall—

(A) direct the use of nonrenewable grazing permits and leases described in section 4130.6–2 of title 43, Code of Federal Regulations (or successor regulations), to reduce fine fuel loads and the risk of catastrophic wildfire where and when such use is ecologically appropriate;

(B) direct the use of cooperative agreements described in section 29.2 of title 50, Code of Federal Regulations (or successor regulations); and

(C) identify and deploy technologies such as remote sensing and virtual fencing to expedite, simplify, and encourage the use of nonrenewable grazing permits and leases referred to in subparagraph (A) to reduce fine fuel loads.

(3) FOREST SERVICE TEMPORARY GRAZING PERMITS.—The Secretary of Agriculture shall—

(A) direct the issuance of temporary grazing permits under part 222 of title 36, Code of Federal Regulations (or successor regulations, to permittees under that part for the purpose of grazing to reduce fine fuel loads and the risk of catastrophic wildfire where and when such issuance is ecologically appropriate; and

(B) identify and deploy technologies such as remote sensing and virtual fencing to expedite, simplify, and encourage the use of temporary permits referred to in subparagraph (A) to reduce fine fuel loads.

(i) WORKFORCE NEEDS REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Homeland Security shall jointly prepare and submit to Congress a report describing—

(A) needs in the Federal workforce relating to a more comprehensive approach to wildfire management, including pre-fire mitigation and post-fire recovery in the built and natural environments;

(B) positions needed to more effectively partner with and enable the utilization of State, Tribal, and local capacity; and

(C) challenges with contract and agreement mechanisms, including recommendations to reduce staffing and cost burdens relating to State, Tribal, and local use of contracts and agreements.

(2) CONSULTATION.—In identifying the positions needed to partner with States, Indian Tribes, and units of local government under paragraph (1)(B), the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Homeland Security shall consult with—

(A) representative organizations of those entities, such as the National Governors Association, the National Association of State Foresters, the National Association of Counties, the National League of Cities, and the National Congress of American Indians; and

(B) representatives of community nongovernmental organizations and other relevant partners, including local utility providers, public safety personnel, fire service representatives, and emergency managers, including State hazard mitigation officers.

(j) INCIDENT RECOVERY.—

(1) IN GENERAL.—The Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Homeland Security, acting through the FEMA Administrator, shall jointly develop policies and guidance for post-fire incident recovery, specifically relating to the transition between wildfire response and the wildfire recovery period.

(2) INCLUSIONS.—The policies and guidance developed under paragraph (1) shall—

(A) identify areas for coordination between Federal agencies;

(B) support consistent implementation of incident response and recovery policies across landscapes; and

(C) provide a pathway with defined timeframes and areas of Federal responsibility for the transition between wildfire operations and locally led recovery efforts.

(3) UPDATES AND REVIEW.—Not later than 1 year after the date of enactment of this Act, the FEMA Administrator shall—

(A) update the Public Assistance Program and Policy Guide of the Federal Emergency Management Agency to include guidance on wildfire-specific recovery challenges, including debris removal, emergency protective measures, and toxicity of drinking water resources resulting from wildfire;

(B) conduct a review of the criteria for evaluating the cost-effectiveness of projects intended to mitigate the impacts of wildfire under sections 203 and 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133; 5170c), including—

(i) the establishment of pre-calculated benefits criterion for common defensible space mitigation projects for wildfire mitigation;

(ii) the use of nature-based infrastructure in wildfire mitigation;

(iii) considerations for vegetation management for wildfire mitigation;

(iv) reducing the negative effects of wildfire smoke on public health; and

(v) lessening the impact of wildfires on water infrastructure; and

(C) issue such guidance as is necessary to—

(i) update criteria described in subparagraph (B), based on the results of the review conducted under that subparagraph; and

(ii) prioritize projects under sections 203 and 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133; 5170c) based on the criteria updated under clause (i).

(k) EMERGENCY WATERSHED PROTECTION PROGRAM CROSS-BOUNDARY FUNDING.—Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended by adding at the end the following:

''(c) CROSS-BOUNDARY FUNDING.—The Secretary may undertake emergency watershed protection measures under this section across boundaries between Federal land (including land managed by different Federal agencies), State land, and private land for the purpose of protecting lives, property, or resources at risk as a result of the applicable impairment described in subsection (a).''.

(l) FUNDING TO WATER ENTITIES.—

(1) DEFINITION OF COVERED AGENCY.—In this subsection, the term ''covered agency'' means—

(A) the Environmental Protection Agency;

(B) the Department of Housing and Urban Development;

(C) the Department of Agriculture;

(D) the Federal Emergency Management Agency; and

(E) the Department of the Interior.

(2) REQUIREMENT.—After a wildfire has occurred, as determined by the head of the applicable covered agency, the head of the covered agency shall expedite to less than 90 days after the wildfire occurred the provision of grants under grant programs carried out by the covered agency, for the purpose of maintaining drinking water delivery in the area in which the wildfire occurred, for—

(A) drinking water collection and delivery restoration and repair;

(B) drinking water plant restoration and repair;

(C) the development of additional drinking water treatment infrastructure; and

(D) the development of access to alternative sources of drinking water.

(3) INDIRECT COSTS.—Notwithstanding any other provision of law, a grant provided using the authority to expedite grants under paragraph (2) may be used to restore and repair drinking water collection systems, delivery systems, and treatment plants damaged by direct flame contact or indirect impacts of wildfire, such as damage to infrastructure from increased sediment delivery resulting from a burned watershed.

(m) JOINT CHIEFS LANDSCAPE RESTORATION PARTNERSHIP PROGRAM.—Section 40808(d) of the Infrastructure Investment and Jobs Act (16 U.S.C. 6592d(d)) is amended—

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

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) whether the proposal enhances drought and wildfire resilience; and''.

(n) NATIONAL SCIENCE AND TECHNOLOGY COUNCIL WILDFIRE SUBCOMMITTEE.—The President shall establish within the Environmental Committee of the National Science and Technology Council a Wildfire Subcommittee, which shall, in coordination with non-Federal partners, prioritize, review, and direct funding to—

(1) reports on areas in which research is needed relating to effective pre-fire mitigation and post-fire recovery;

(2) the development of new fire models to better reflect scientific advancements and altered fire behavior under current and future climate conditions;

(3) map and model the current and anticipated development of communities and infrastructure and include the built environment in fuel models;

(4) study behavioral and social sciences to better understand and guide public and individual decision-making; and

(5) study organizational science to support adaptation of effective pre-fire mitigation and post-fire recovery strategies by Federal, State, Tribal, and local agencies.

(o) LOCAL WILDFIRE TRAINING.—The Secretary of Homeland Security, acting through the United States Fire Administrator, in consultation with the Secretary of Agriculture and the Secretary of the Interior, shall develop, coordinate, and deliver expanded wildfire response and suppression training and prescribed fire training to local fire entities in preparation for the increased likelihood that local fire entities will engage in work relating to wildfires.

(p) QUANTITATIVE AND QUALITATIVE REVIEW.—Every 5 years, the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Homeland Security, acting through the FEMA Administrator and United States Fire Administrator, shall jointly—

(1) conduct a quantitative and qualitative review of the comprehensive wildfire environment, including—

(A) an analysis of wildfire mitigation work completed and wildfire recovery efforts undertaken;

(B) changes in the built and natural environments;

(C) impacts to public health from wildfire;

(D) an assessment of the level of integration of planning and implementation across all temporal phases of wildfire;

(E) an assessment of anticipated changes and challenges in wildfire management in the upcoming decade; and

(F) policy recommendations to address needed changes;

(2) submit a report describing the findings of the review under paragraph (1) to the relevant committees of Congress, including the committees described in subsection (b)(2)(D); and

(3) make publicly available the report submitted under paragraph (2).

(q) BUREAU OF LAND MANAGEMENT LAND TRANSFERS.—

(1) IN GENERAL.—The Secretary of the Interior may transfer land administered by the Bureau of Land Management to an Indian Tribe for the purpose described in paragraph (2).

(2) USE.—Land transferred under paragraph (1) shall be used for wildfire mitigation and restoration workforce housing for the Indian Tribe.

(r) TRIBAL PARTICIPATION.—The Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior shall enter into contracts and agreements with, and provide grants to, Indian Tribes to promote participation of Indian Tribes in wildfire response, mitigation, and management.

(s) PANEL TO STUDY TRIBAL INCLUSION.—

(1) IN GENERAL.—The Secretary of Agriculture and the Secretary of the Interior shall jointly establish a panel to study opportunities for the inclusion of Indian Tribes in Federal wildfire response, mitigation, and co-stewardship.

(2) MEMBERS.—The panel established under paragraph (1) shall be composed of 9 members, each of whom shall represent an Indian Tribe with forestry interests or at risk of wildfire.

(3) DUTIES.—Not later than 1 year after the date of enactment of this Act, the panel established under paragraph (1) shall—

(A) conduct a study to identify opportunities described in paragraph (1); and

(B) make available on a publicly accessible website a report describing the opportunities identified through the study under subparagraph (A).

(t) WILDFIRE CASCADING IMPACTS.—

(1) IN GENERAL.—With respect to a wildfire that results in the declaration of a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the FEMA Administrator shall hold the incident period open for 1 year, beginning on the date of fire containment, for emergency assistance under section 403 of that Act (42 U.S.C. 5170b) required from flooding, mud flow, or debris flow resulting from the wildfire.

(2) RISK-BASED MONITORING PLANS.—With respect to a wildfire described in paragraph (1), an agency requesting emergency assistance may submit to the FEMA Administrator a risk-based monitoring plan, which shall include—

(A) an assessment of the risk of debris flows, flooding or other impact resulting from the wildfire;

(B) a plan for monitoring the risk and alerting the public to imminent threats to life and property; and

(C) an estimate of the duration of the risk.

(3) EXTENSION.—

(A) IN GENERAL.—Upon submission of a risk-based monitoring plan described in paragraph (2), the FEMA Administrator shall extend the incident period, holding the incident period open until the earlier of the end of—

(i) the estimated duration of the risk; or

(ii) 5 years after the date of fire containment.

(B) DEEMED GRANTED.—If the FEMA Administrator takes no action during the 90-day period after submission of a risk-based monitoring plan described in paragraph (2), an extension of the relevant incident period under subparagraph (A) shall be deemed granted.

(u) CATEGORICAL EXCLUSION.—The Secretary of Homeland Security, in coordination with the FEMA Administrator shall amend the Department of Homeland Security Instruction Manual on Implementation of the National Environmental Policy Act (Instruction Manual 023-01-001-01, Revision 01) to include post-fire revegetation, waterway protection, water resource protection, and other post-fire community environmental needs in the list of categorical exclusions.

(v) INTERAGENCY RESOURCE ORDERING.—The Secretary of Agriculture and the Secretary of the Interior shall direct agencies of the Department of Agriculture and the Department of the Interior, respectively, to utilize existing interagency resource ordering systems for prescribed fire assignments.

(w) PROGRAMMATIC ENVIRONMENTAL ANALYSES.—The Secretary of Agriculture and the Secretary of the Interior shall—

(1) increase the use of programmatic environmental analyses that are broad, include similar or connected projects, are large in scale, or will be implemented over a longer period of time, with appropriate Tribal consultation and incorporation of Indigenous knowledge; and

(2) use phased planning for projects on large landscapes.

(x) PERFORMANCE METRICS.—The Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Homeland Security, acting through the FEMA Administrator, shall jointly revise performance metrics applicable to land management agencies and the United States Fire Administration to include—

(1) the number of protected assets and values, including sacred sites and other cultural resources and values;

(2) the degree to which long-term risks to landscapes are reduced and landscapes are maintained in a more resilient state;

(3) watershed conditions, fuels reduction outcomes, biodiversity, and ecosystem services benefits; and

(4) social metrics, including collaboration, community empowerment, and partnerships.

(y) UNIFORM DATASETS.—The Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Homeland Security, acting through the United States Fire Administrator, shall jointly develop and maintain uniform wildfire hazard datasets.

SA 2329. Mr. KENNEDY 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—Fairness in Fentanyl Sentencing Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Fairness in Fentanyl Sentencing Act of 2024''.

SEC. 1097. CONTROLLED SUBSTANCES ACT AMENDMENTS.

Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A)(vi)—

(A) by striking ''400'' and inserting ''20'';

(B) by striking ''100'' and inserting ''5''; and

(C) by inserting ''scheduled or unscheduled'' before ''analogue of''; and

(2) in subparagraph (B)(vi)—

(A) by striking ''40'' and inserting ''2'';

(B) by striking ''10'' and inserting ''0.5''; and

(C) by inserting ''scheduled or unscheduled'' before ''analogue of''.

SEC. 1098. CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT AMENDMENTS.

Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1)(F)—

(A) by striking ''400'' and inserting ''20'';

(B) by striking ''100'' and inserting ''5''; and

(C) by inserting ''scheduled or unscheduled'' before ''analogue of''; and

(2) in paragraph (2)(F)—

(A) by striking ''40'' and inserting ''2'';

(B) by striking ''10'' and inserting ''0.5''; and

(C) by inserting ''scheduled or unscheduled'' before ''analogue of''.

SEC. 1099. DIRECTIVE TO THE SENTENCING COMMISSION.

(a) DEFINITION.—In this section, the term ''Commission'' means the United States Sentencing Commission.

(b) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.—Pursuant to the authority of the Commission under section 994(p) of title 28, United States Code, and in accordance with this section, the Commission shall review and amend, if appropriate, the guidelines and policy statements of the

Commission applicable to a person 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 ensure that the guidelines and policy statements are consistent with the amendments made by sections 1097 and 1098 of this subtitle.

(c) EMERGENCY AUTHORITY.—The Commission shall—

(1) promulgate the guidelines, policy statements, or amendments provided for in this subtitle as soon as practicable, and in any event not later than 120 days after the date of enactment of this Act, in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired; and

(2) pursuant to the emergency authority provided under paragraph (1), make such conforming amendments to the Federal sentencing guidelines as the Commission determines necessary to achieve consistency with other guideline provisions and applicable law.

SEC. 1099A. INTERDICTION OF FENTANYL, OTHER SYNTHETIC OPIOIDS, AND OTHER NARCOTICS AND PSYCHOACTIVE SUBSTANCES.

(a) DEFINITIONS.—In this section—

(1) the term ''chemical screening device'' means an immunoassay, narcotics field test kit, infrared spectrophotometer, mass spectrometer, nuclear magnetic resonance spectrometer, Raman spectrophotometer, or other scientific instrumentation able to collect data that can be interpreted to determine the presence of fentanyl, other synthetic opioids, and other narcotics and psychoactive substances;

(2) the term ''express consignment operator or carrier'' has the meaning given the term in section 128.1 of title 19, Code of Federal Regulations, or any successor thereto; and

(3) the term ''Postmaster General'' means the Postmaster General of the United States Postal Service.

(b) INTERDICTION OF FENTANYL, OTHER SYNTHETIC OPIOIDS, AND OTHER NARCOTICS AND PSYCHOACTIVE SUBSTANCES.—

(1) CHEMICAL SCREENING DEVICES.—The Postmaster General shall—

(A) increase the number of chemical screening devices that are available to the United States Postal Service; and

(B) make additional chemical screening devices available to the United States Postal Service as the Postmaster General determines are necessary to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, including such substances that are imported through the mail or by an express consignment operator or carrier.

(2) PERSONNEL TO INTERPRET DATA.—The Postmaster General shall dedicate the appropriate number of personnel of the United States Postal Service, including scientists, so that those personnel are available during all operational hours to interpret data collected by chemical screening devices.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Postmaster General $9,000,000 to ensure that the United States Postal Service has resources, including chemical screening devices, personnel, and scientists, available during all operational hours to prevent, detect, and interdict the unlawful importation of fentanyl, other synthetic opioids, and other narcotics and psychoactive substances.

SA 2330. Mr. KENNEDY 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. _____. DISCLOSURES BY DIRECTORS, OFFICERS, AND PRINCIPAL STOCKHOLDERS.

(a) IN GENERAL.—Section 16(a)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78p(a)(1)) is amended by inserting ''(including any such security of a foreign private issuer, as that term is defined in section 240.3b–4 of title 17, Code of Federal Regulations, or any successor regulation)'' after ''pursuant to section 12''.

(b) EFFECT ON REGULATION.—If any provision of section 240.3a12–3(b) of title 17, Code of Federal Regulations, or any successor regulation, is inconsistent with the amendment made by subsection (a), that provision of such section 240.3a12–3(b) (or such successor) shall have no force or effect.

(c) ISSUANCE OR AMENDMENT OF REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall issue final regulations (or amend existing regulations of the Commission) to carry out the amendment made by subsection (a).

SA 2331. Mr. KENNEDY 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. PROHIBITION ON ALLOCATIONS OF SPECIAL DRAWING RIGHTS AT INTERNATIONAL MONETARY FUND FOR PERPETRATORS OF GENOCIDE AND STATE SPONSORS OF TERRORISM WITHOUT CONGRESSIONAL AUTHORIZATION.

Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended by adding at the end the following:

''(c) Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States vote to allocate Special Drawing Rights under article XVIII, sections 2 and 3, of the Articles of Agreement of the Fund to a member country of the Fund, if the government of the member country has—

''(1) committed genocide at any time during the 10-year period ending with the date of the vote; or

''(2) been determined by the Secretary of State, as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, to have repeatedly provided support for acts of international terrorism, for purposes of—

''(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i));

''(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

''(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

''(D) any other provision of law.''.

SA 2332. Mr. KENNEDY 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. IMPROVING COORDINATION BETWEEN FEDERAL AND STATE AGENCIES AND THE DO NOT PAY WORKING SYSTEM.

(a) IN GENERAL.—Section 801(a) of title VIII of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking paragraph (7) and inserting the following:

''(7) by adding at the end the following paragraph:

'' ''(11) Upon the completion of the 3-year period that begins on December 27, 2023, the Commissioner of Social Security shall, to the extent feasible, provide information furnished to the Commissioner under paragraph (1) to the agency operating the Do Not Pay working system described in section 3354(c) of title 31, United States Code, or an agent thereof, to prevent improper payments to deceased individuals through a cooperative arrangement with such agency, provided that the requirements of subparagraphs (A) and (B) of paragraph (3) are met with respect to such arrangement with such agency. Under such arrangement, the agency operating the Do Not Pay working system, or an agent thereof, may compare the information so provided by the Commissioner with personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity, and may redisclose such comparison of information, as appropriate, to any Federal or State agency authorized to use the working system.'.''.

(b) CONFORMING AMENDMENT.—Section 801(b)(2) of title VIII of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking ''on the date that is 3 years after the date of enactment of this Act'' and inserting ''December 28, 2026''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 28, 2026.

SA 2333. Mr. KENNEDY (for himself and Mr. MANCHIN) 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:

Subtitle _____—PROTECTING OUR COURTS FROM FOREIGN MANIPULATION

SEC. _____01. SHORT TITLE.

This subtitle may be cited as the ''Protecting Our Courts from Foreign Manipulation Act of 2024''.

SEC. _____02. TRANSPARENCY AND LIMITATIONS ON FOREIGN THIRD-PARTY LITIGATION FUNDING.

(a) IN GENERAL.—Chapter 111 of title 28, United States Code, is amended by adding at the end the following:

"§ 1660. Transparency and limitations on foreign third-party litigation funding

''(a) DEFINITIONS.—In this section—

''(1) the term 'foreign person'—

''(A) means any person or entity that is not a United States person, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801); and

''(B) does not include a foreign state or a sovereign wealth fund;

''(2) the term 'foreign state' has the meaning given that term in section 1603; and

''(3) the term 'sovereign wealth fund' means an investment fund owned or controlled by a foreign state, an agency or instrumentality of a foreign state (as defined in section 1603), or an agent of a foreign principal (as defined in section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611)).

''(b) DISCLOSURE OF THIRD-PARTY LITIGATION FUNDING AND FOREIGN SOURCE CERTIFICATION BY FOREIGN PERSONS, FOREIGN STATES, AND SOVEREIGN WEALTH FUNDS.—

''(1) IN GENERAL.—In any civil action, each party or the counsel of record for the party shall—

''(A) disclose in writing to the court, to all other named parties to the civil action, to the Attorney General, and to the Principal Deputy Assistant Attorney General for National Security—

''(i) the name, the address, and, if applicable, the citizenship or the country of incorporation or registration of any foreign person, foreign state, or sovereign wealth fund, other than the named parties or counsel of record, that has a right to receive any payment that is contingent in any respect on the outcome of the civil action by settlement, judgment, or otherwise;

''(ii) the name, the address, and, if applicable, the citizenship or the country of incorporation or registration of any foreign person, foreign state, or sovereign wealth fund, other than the named parties or counsel of record, that has a right to receive any payment that is contingent in any respect on the outcome of any matter within a portfolio that includes the civil action and involves the same counsel of record or affiliated counsel; and

''(iii) if the party or the counsel of record for the party submits a certification described in subparagraph (C)(i), the name, the address, and, if applicable, the citizenship or the country of incorporation or registration of the foreign person, foreign state, or sovereign wealth fund that is the source of the money;

''(B) produce to the court, to all other named parties to the civil action, to the Attorney General, and to the Principal Deputy Assistant Attorney General for National Security, except as otherwise stipulated or ordered by the court, a copy of any agreement creating a contingent right described in subparagraph (A); and

''(C) for a civil action involving an agreement creating a right to receive any payment by anyone, other than the named parties or counsel of record, that is contingent in any respect on the outcome of the civil action by settlement, judgment, or otherwise, or on the outcome of any matter within a portfolio that includes the civil action and involves the same counsel or affiliated counsel, submit to the court a certification that—

''(i) the money that has been or will be used to satisfy any term of the agreement has been or will be directly or indirectly sourced, in whole or in part, from a foreign person, foreign state, or sovereign wealth fund, including the monetary amounts that have been or will be used to satisfy the agreement; or

''(ii) that the disclosure and certification criteria set forth in subparagraph (A)(iii) and clause (i) of this subparagraph do not apply to the civil action.

''(2) TIMING.—

''(A) IN GENERAL.—The disclosure and certification required by paragraph (1) shall be made not later than the later of—

''(i) 30 days after execution of any agreement described in paragraph (1); or

''(ii) the date on which the civil action is filed.

''(B) PARTIES SERVED OR JOINED LATER.—A party that enters into an agreement described in paragraph (1) that is first served or joined after the date on which the civil action is filed shall make the disclosure and certification required by paragraph (1) not later than 30 days after being served or joined, unless a different time is set by stipulation or court order.

''(3) FOREIGN SOURCE DISCLOSURE AND CERTIFICATION FORMAT.—

''(A) IN GENERAL.—A disclosure required under paragraph (1)(A) and a certification required under paragraph (1)(C) shall—

''(i) be made in the form of a declaration under penalty of perjury pursuant to section 1746 and shall be made to the best knowledge, information, and belief of the declarant formed after reasonable inquiry; and

''(ii) be provided to all other named parties to the civil action, to the Attorney General, and to the Principal Deputy Assistant Attorney General for National Security by the party or counsel of record for the party making the disclosure and certification, except as otherwise stipulated or ordered by the court.

''(B) SUPPLEMENTATION AND CORRECTION.—Not later than 30 days after the date on which a party or counsel of record for the party knew or should have known that the disclosure required under paragraph (1)(A) or a certification required under paragraph (1)(C) is incomplete or inaccurate in any material respect, the party or counsel of record shall supplement or correct the disclosure or certification.

''(c) PROHIBITION ON THIRD-PARTY FUNDING LITIGATION BY FOREIGN STATES AND SOVEREIGN WEALTH FUNDS.—

''(1) IN GENERAL.—It shall be unlawful for any party to or counsel of record for a civil action to enter into an agreement creating a right for anyone, other than the named parties or counsel of record, to receive any payment that is contingent in any respect on the outcome of a civil action or any matter within a portfolio that includes the civil action and involves the same counsel of record or affiliated counsel, the terms of which are to be satisfied by money that has been or will be directly or indirectly sourced, in whole or in part, from a foreign state or a sovereign wealth fund.

''(2) ENFORCEMENT.—Any agreement entered in violation of paragraph (1) shall be null and void.

''(d) FAILURE TO DISCLOSE, TO SUPPLEMENT; SANCTIONS.—A disclosure, production, or certification under subsection (b) is deemed to be information required by rule 26(a) of the Federal Rules of Civil Procedure and subject to the sanctions provisions of rule 37 of the Federal Rules of Civil Procedure.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections chapter 111 of title 28, United States Code, is amended by adding at the end the following:

''1660. Transparency and limitations on foreign third-party litigation funding.''.

SEC. _____03. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, 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 on the activities involving foreign third-party litigation funding in Federal courts, including, if applicable—

(1) the identities of foreign third-party litigation funders in Federal courts, including names, addresses, and citizenship or country of incorporation or registration;

(2) the identities of foreign persons, foreign states, or sovereign wealth funds (as such terms are defined in section 1660 of title 28, United States Code, as added by section _____02 of this subtitle) that have been the sources of money for third-party litigation funding in Federal courts;

(3) the judicial districts in which foreign third-party litigation funding has occurred;

(4) an estimate of the total amount of foreign-sourced money used for third-party litigation funding in Federal courts, including an estimate of the amount of such money sourced from each country; and

(5) a summary of the subject matters of the civil actions in Federal courts for which foreign sourced money has been used for third-party litigation funding.

SEC. _____04. APPLICABILITY.

The amendments made by this subtitle shall apply to any civil action pending on or commenced on or after the date of enactment of this Act.

SA 2334. Mr. KENNEDY 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. HOSPITAL PRICE TRANSPARENCY REQUIREMENTS.

Section 2718(e) of the Public Health Service Act (42 U.S.C. 300gg–18(e)) is amended—

(1) by striking ''Each hospital'' and inserting the following:

''(1) IN GENERAL.—Each hospital'';

(2) by inserting '', in accordance with paragraph (2)'', after ''for each year''; and

(3) by adding at the end the following:

''(2) TIMING REQUIREMENTS.—

''(A) IN GENERAL.—Each hospital operating in the United States on the date of enactment of this paragraph shall, not later than 6 months after such date of enactment and every year thereafter, establish (and update) and make public the list under paragraph (1).

''(B) NEWLY OPERATING HOSPITALS.—In the case of a hospital that begins operating in the United States after the date of enactment of this paragraph, the hospital shall comply with the requirements described in subparagraph (A) not later than 6 months after the date on which the hospital begins such operation and every year thereafter.

''(3) PROHIBITION ON SHIELDING INFORMATION.—No hospital may shield the information required under paragraph (1) from online search results through webpage coding.

''(4) CIVIL MONETARY PENALTIES.—

''(A) IN GENERAL.—A hospital that fails to comply with the requirements of this subsection for a year shall be subject to a civil monetary penalty of an amount not to exceed—

''(i) in the case of a hospital with a bed count of 30 or fewer, $600 for each day in which the hospital fails to comply with such requirements;

''(ii) in the case of a hospital with a bed count that is greater than 30 and equal to or fewer than 550, $20 per bed for each day in which the hospital fails to comply with such requirements; or

''(iii) in the case of a hospital with a bed count that is greater than 550, $11,000 for each day in which the hospital fails to comply with such requirements.

''(B) PROCEDURES.—

''(i) IN GENERAL.—Except as otherwise provided in this subsection, a civil monetary penalty under subparagraph (A) shall be imposed and collected in accordance with part 180 of title 45, Code of Federal Regulations (or successor regulations).

''(ii) TIMING.—A hospital shall pay in full a civil monetary penalty imposed on the hospital under subparagraph (A) not later than—

''(I) 60 calendar days after the date on which the Secretary issues a notice of the imposition of such penalty; or

''(II) in the event the hospital requests a hearing pursuant to subpart D of part 180 of title 45, Code of Federal Regulations (or successor regulations), 60 calendar days after the date of a final and binding decision in accordance with such subpart, to uphold, in whole or in part, the civil monetary penalty.

''(5) LIST OF HOSPITALS NOT IN COMPLIANCE.—The Secretary shall publish a list of the name of each hospital that is not in compliance with the requirements under this subsection. Such list shall be published 280 days after the date of enactment of this paragraph and every 180 days thereafter.''.

SA 2335. Mr. KENNEDY 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. _____. TARGETING CHILD PREDATORS.

(a) NONDISCLOSURE OF ADMINISTRATIVE SUBPOENAS.—Section 3486(a) of title 18, United States Code, is amended—

(1) by striking ''the Secretary of the Treasury'' each place it appears and inserting ''the Secretary of Homeland Security'';

(2) in paragraph (5), by striking ''ordered by a court''; and

(3) in paragraph (6)—

(A) in subparagraph (A), by striking ''A United States'' and inserting ''Except as provided in subparagraph (D), a United States''; and

(B) by adding at the end the following:

''(D)(i)(I) If a subpoena issued under this section as described in paragraph (1)(A)(i)(II) is accompanied by a certification under subclause (II) of this clause and notice of the right to judicial review under clause (iii) of this subparagraph, no recipient of such a subpoena shall disclose to any person that the Federal official who issued the subpoena has sought or obtained access to information or records under this section, for a period of 180 days.

''(II) The requirements of subclause (I) shall apply if the Federal official who issued the subpoena certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(aa) endangering the life or physical safety of an individual;

''(bb) flight from prosecution;

''(cc) destruction of or tampering with evidence;

''(dd) intimidation of potential witnesses; or

''(ee) otherwise seriously jeopardizing an investigation.

''(ii)(I) A recipient of a subpoena under this section as described in paragraph (1)(A)(i)(II) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(aa) those persons to whom disclosure is necessary in order to comply with the request;

''(bb) an attorney in order to obtain legal advice or assistance regarding the request; or

''(cc) other persons as permitted by the Federal official who issued the subpoena.

''(II) A person to whom disclosure is made under subclause (I) shall be subject to the nondisclosure requirements applicable to a person to whom a subpoena is issued under this section in the same manner as the person to whom the subpoena was issued.

''(III) Any recipient that discloses to a person described in subclause (I) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(IV) At the request of the Federal official who issued the subpoena, any person making or intending to make a disclosure under item (aa) or (cc) of subclause (I) shall identify to the individual making the request under this clause the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(iii)(I) A nondisclosure requirement imposed under clause (i) shall be subject to judicial review under section 3486A.

''(II) A subpoena issued under this section as described in paragraph (1)(A)(i)(II), in connection with which a nondisclosure requirement under clause (i) is imposed, shall include notice of the availability of judicial review described in subclause (I).

''(iv) A nondisclosure requirement imposed under clause (i) may be extended in accordance with section 3486A(a)(4).''.

(b) JUDICIAL REVIEW OF NONDISCLOSURE REQUIREMENTS.—

(1) IN GENERAL.—Chapter 223 of title 18, United States Code, is amended by inserting after section 3486 the following:

''§ 3486A. Judicial review of nondisclosure requirements

''(a) NONDISCLOSURE.—

''(1) IN GENERAL.—

''(A) NOTICE.—If a recipient of a subpoena under section 3486 as described in subsection (a)(1)(A)(i)(II) of section 3486 wishes to have a court review a nondisclosure requirement imposed in connection with the subpoena, the recipient may notify the Government or file a petition for judicial review in any court described in subsection (a)(5) of section 3486.

''(B) APPLICATION.—Not later than 30 days after the date of receipt of a notification under subparagraph (A), the Government shall apply for an order prohibiting the disclosure of the existence or contents of the relevant subpoena. An application under this subparagraph may be filed in the district court of the United States for the judicial district in which the recipient of the subpoena is doing business or in the district court of the United States for any judicial district within which the authorized investigation that is the basis for the subpoena is being conducted. The applicable nondisclosure requirement shall remain in effect during the pendency of proceedings relating to the requirement.

''(C) CONSIDERATION.—A district court of the United States that receives a petition under subparagraph (A) or an application under subparagraph (B) should rule expeditiously, and shall, subject to paragraph (3), issue a nondisclosure order that includes conditions appropriate to the circumstances.

''(2) APPLICATION CONTENTS.—An application for a nondisclosure order or extension thereof or a response to a petition filed under paragraph (1) shall include a certification from the Federal official who issued the subpoena indicating that the absence of a prohibition of disclosure under this subsection may result in—

''(A) endangering the life or physical safety of an individual;

''(B) flight from prosecution;

''(C) destruction of or tampering with evidence;

''(D) intimidation of potential witnesses; or

''(E) otherwise seriously jeopardizing an investigation.

''(3) STANDARD.—A district court of the United States shall issue a nondisclosure order or extension thereof under this subsection if the court determines that there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period may result in—

''(A) endangering the life or physical safety of an individual;

''(B) flight from prosecution;

''(C) destruction of or tampering with evidence;

''(D) intimidation of potential witnesses; or

''(E) otherwise seriously jeopardizing an investigation.

''(4) EXTENSION.—Upon a showing that the circumstances described in subparagraphs (A) through (E) of paragraph (3) continue to exist, a district court of the United States may issue an ex parte order extending a nondisclosure order imposed under this subsection or under section 3486(a)(6)(D) for additional periods of 180 days, or, if the court determines that the circumstances necessitate a longer period of nondisclosure, for additional periods which are longer than 180 days.

''(b) CLOSED HEARINGS.—In all proceedings under this section, subject to any right to an open hearing in a contempt proceeding, the court must close any hearing to the extent necessary to prevent an unauthorized disclosure of a request for records, a report, or other information made to any person or entity under section 3486. Petitions, filings, records, orders, certifications, and subpoenas must also be kept under seal to the extent and as long as necessary to prevent the unauthorized disclosure of a subpoena under section 3486.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 223 of title 18, United States Code, is amended by inserting after the item relating to section 3486 the following:

''3486A. Judicial review of nondisclosure requirements.''.

SA 2336. Mr. KENNEDY 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 VIII, add the following:

SEC. 865. TRAINING ON INCREASING CONTRACT AWARDS TO SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

Section 36 of the Small Business Act (15 U.S.C. 657f) is amended by adding at the end the following:

''(j) TRAINING ON INCREASING CONTRACT AWARDS TO SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

''(1) IN GENERAL.—The Administrator, in consultation with the Office of Veterans Business Development, shall provide to covered employees at each Federal agency that has not met the goal established under section 15(g)(1)(A)(ii) training on how to increase the number of contracts awarded to small business concerns owned and controlled by service-disabled veterans.

''(2) GUIDANCE.—Not later than 180 days after the date of enactment of this subsection, the Administrator, in consultation with the Office of Veterans Business Development, shall issue guidance and best practices on increasing the number of contracts awarded to small businesses owned and controlled by service-disabled veterans for Federal agencies to which the goal established under section 15(g)(1)(A)(ii) applies.

''(3) REPORT.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Administration shall submit to Congress a report detailing, for the fiscal year covered by the report—

''(A) a list of each Federal agency that failed to meet the goal established under section 15(g)(1)(A)(ii);

''(B) the number of trainings provided to each Federal agency described in paragraph (1); and

''(C) an overview of the content included in the training sessions described in subparagraph (B).''.

SA 2337. Mr. KENNEDY 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. AUTHORIZATION OF AMOUNTS FOR MILITARY CONSTRUCTION PROJECT TO IMPROVE BARRACKS AT FORT JOHNSON, LOUISIANA.

There is authorized to be appropriated to the Secretary of the Army $117,000,000 to carry out a military construction project at Fort Johnson, Louisiana, to improve the barracks at such installation.

SA 2338. Mr. HAGERTY 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—Strategy to Oppose Financial or Material Support by Foreign Countries to the Taliban

SEC. 1294. STRATEGY TO OPPOSE FINANCIAL OR MATERIAL SUPPORT BY FOREIGN COUNTRIES TO THE TALIBAN.

(a) STATEMENT OF POLICY.—It is the policy of the United States to oppose the provision of financial or material support by foreign countries to the Taliban that is inconsistent with United States law or policy.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report identifying, to the maximum extent possible—

(1) foreign countries that have provided financial or material support to the Taliban since September 1, 2021, that is inconsistent with United States law or policy, including—

(A) the amount of United States-provided foreign assistance each country receives, if any;

(B) the amount of financial or material support each country has provided to the Taliban; and

(C) a description of how the Taliban has utilized such financial or material support; and

(2) efforts the United States has taken since September 1, 2021, to oppose foreign countries from providing financial or material support to the Taliban if doing so is inconsistent with United States law or policy.

(c) STRATEGY AND REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall develop a strategy to discourage foreign countries from providing financial or material support to the Taliban that is inconsistent with United States law or policy.

(2) REPORTS.—

(A) INITIAL REPORT.—Not later than the date on which the strategy required by paragraph (1) is completed, the Secretary of State shall submit to the appropriate congressional committees a report detailing the strategy and a plan for its implementation.

(B) SUBSEQUENT REPORTS.—

(i) IN GENERAL.—Not later than 180 days after the date on which the strategy required by paragraph (1) is completed, and annually thereafter for 5 years, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of the strategy, including the impact of the strategy in discouraging foreign countries from providing financial or material support to the Taliban that is inconsistent with United States law or policy.

(ii) FORM.—The report required by this subparagraph shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 1295. REPORT ON DIRECT CASH ASSISTANCE PROGRAMS IN AFGHANISTAN.

(a) IN GENERAL.—The Administrator of the United States Agency for International Development, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on United States Government-funded direct cash assistance programs in Afghanistan during the period beginning on August 1, 2021, and ending on the date that is 30 days after the date of enactment of this Act. The report shall be submitted in conjunction with the submission of the Fiscal Year 2023 Annual Financial Report of the United States Agency for International Development.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall, with respect to such direct cash assistance programs, include—

(1) a description of method of payments;

(2) a description of how and where currency exchanges occur;

(3) a description of if and how hawalas are used and the oversight mechanisms in place regarding use of hawalas to transfer funds in United States Government funded direct cash assistance programs in Afghanistan; and

(4) a description of safeguards, including oversight processes, to prevent the Taliban from accessing cash assistance under such programs.

SEC. 1296. REPORT ON STATUS OF AFGHAN FUND.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees, 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 the status of the Afghan Fund.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include, to the maximum extent possible—

(1) a description of the Taliban's influence over Da Afghanistan Bank, including a list of Taliban members employed by such Bank or serving on its board of directors;

(2) a description of the Afghan Fund's board of trustees, including the process for vetting and selection of trustees;

(3) the conditions necessary for the United States Government to support disbursements from the Afghan Fund to Da Afghanistan Bank;

(4) how the Afghan Fund's board of trustees determines the Fund's activities, including what kind of information will inform the board's decisions, and how the board will collect and verify this information; and

(5) a description of what controls have been put into place to ensure funds and disbursements are not diverted to or misused by the Taliban.

(c) SUNSET.—This reporting requirement under this section shall terminate on the date that all disbursements from the Afghan Fund have been made.

SEC. 1297. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SA 2339. Mr. JOHNSON (for himself and Ms. BALDWIN) 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 of division A, add the following:

SEC. ____. PAYMENT TO CERTAIN INDIVIDUALS WHO DYE FUEL.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6434. DYED FUEL.

''(a) IN GENERAL.—If a person establishes to the satisfaction of the Secretary that such person meets the requirements of subsection (b) with respect to diesel fuel or kerosene, then the Secretary shall pay to such

person an amount (without interest) equal to the tax described in subsection (b)(2)(A) with respect to such diesel fuel or kerosene.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—A person meets the requirements of this subsection with respect to diesel fuel or kerosene if such person removes from a terminal eligible indelibly dyed diesel fuel or kerosene.

''(2) ELIGIBLE INDELIBLY DYED DIESEL FUEL OR KEROSENE DEFINED.—The term 'eligible indelibly dyed diesel fuel or kerosene' means diesel fuel or kerosene—

''(A) with respect to which a tax under section 4081 was previously paid (and not credited or refunded), and

''(B) which is exempt from taxation under section 4082(a).

''(c) CROSS REFERENCE.—For civil penalty for excessive claims under this section, see section 6675.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 6206 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''or 6427'' each place it appears and inserting ''6427, or 6434''; and

(B) by striking ''6420 and 6421'' and inserting ''6420, 6421, and 6434''.

(2) Section 6430 of such Code is amended—

(A) by striking ''or'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', or'', and by adding at the end the following new paragraph:

''(4) which are removed as eligible indelibly dyed diesel fuel or kerosene under section 6434.''.

(3) Section 6675 of such Code is amended—

(A) in subsection (a), by striking ''or 6427 (relating to fuels not used for taxable purposes)'' and inserting ''6427 (relating to fuels not used for taxable purposes), or 6434 (relating to eligible indelibly dyed fuel)''; and

(B) in subsection (b)(1), by striking ''6421, or 6427,'' and inserting ''6421, 6427, or 6434,''.

(4) The table of sections for subchapter B of chapter 65 of such Code is amended by adding at the end the following new item:

''Sec. 6434. Dyed fuel.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to eligible indelibly dyed diesel fuel or kerosene removed on or after the date that is 180 days after the date of the enactment of this section.

SA 2340. 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 D of title XII, add the following:

SEC. 1266. REPORT ON THE IMPACT OF THE WAR IN GAZA ON THE STANDING OF THE UNITED STATES IN THE INDO-PACIFIC REGION.

(a) IN GENERAL.—Not later than 90 days after the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State and the Office of the Director of National Intelligence, shall submit a report to the relevant congressional committees regarding the impacts to United States security and diplomatic interests in the Indo-Pacific region as a result of the United States' actions and engagements with Israel during the ongoing Israel-Hamas War.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an assessment of public sentiment towards the United States within nations in the Indo-Pacific region, with a special focus on the standing of the United States in Indonesia, the Philippines, and Pacific Island nations that are members of the Pacific Islands Forum;

(2) a threat assessment with respect to United States' facilities, installations, and personnel in the Indo-Pacific region since October 7, 2023, including whether the current threat is uniquely more significant than prior threats;

(3) a description of any impacts to the willingness of nations in the Indo-Pacific region to engage with the United States on issues of intelligence sharing, economic development, and the expansion of bilateral relations; and

(4) an assessment on the rise of extremism in the Indo-Pacific region that is targeted against the United States or its allies.

SA 2341. 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 title X, add the following:

Subtitle I—Veterans Medical Marijuana Safe Harbor Act

SEC. 1095. SHORT TITLE.

This subtitle may be cited as the ''Veterans Medical Marijuana Safe Harbor Act''.

SEC. 1095A. FINDINGS.

Congress finds the following:

(1) Chronic pain affects the veteran population, with almost 60 percent of veterans returning from serving in the Armed Forces in the Middle East, and more than 50 percent of older veterans, who are using the health care system of the Department of Veterans Affairs living with some form of chronic pain.

(2) In 2020, opioids accounted for approximately 75 percent of all drug overdose deaths in the United States.

(3) Veterans are twice as likely to die from opioid related overdoses than nonveterans.

(4) States with recreational cannabis laws experienced a 7.6 percent reduction in opioid-related emergency department visits during the 180-day period after the implementation of such laws.

(5) Marijuana and its compounds show promise for pain management and treating a wide-range of diseases and disorders, including post-traumatic stress disorder.

(6) Medical marijuana in States where it is legal may serve as a less harmful alternative to opioids in treating veterans.

SEC. 1095B. SAFE HARBOR FOR USE BY VETERANS OF MEDICAL MARIJUANA.

(a) SAFE HARBOR.—Notwithstanding the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or any other Federal law, it shall not be unlawful for—

(1) a veteran to use, possess, or transport medical marijuana in a State or on Indian land if the use, possession, or transport is authorized and in accordance with the law of the applicable State or Indian Tribe;

(2) a physician to discuss with a veteran the use of medical marijuana as a treatment if the physician is in a State or on Indian land where the law of the applicable State or Indian Tribe authorizes the use, possession, distribution, dispensation, administration, delivery, and transport of medical marijuana; or

(3) a physician to recommend, complete forms for, or register veterans for participation in a treatment program involving medical marijuana that is approved by the law of the applicable State or Indian Tribe.

(b) DEFINITIONS.—In this section:

(1) INDIAN LAND.—The term ''Indian land'' means any of the Indian lands, as that term is defined in section 824(b) of the Indian Health Care Improvement Act (25 U.S.C. 1680n).

(2) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(3) PHYSICIAN.—The term ''physician'' means a physician appointed by the Secretary of Veterans Affairs under section 7401(1) of title 38, United States Code.

(4) STATE.—The term ''State'' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(5) VETERAN.—The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(c) SUNSET.—This section shall cease to have force or effect on the date that is five years after the date of the enactment of this Act.

SEC. 1095C. RESEARCH ON USE OF MEDICAL MARIJUANA BY VETERANS.

(a) RESEARCH ON EFFECTS OF MEDICAL MARIJUANA ON VETERANS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall support clinical research on the use of medical marijuana—

(A) by veterans to manage pain; and

(B) for the treatment of veterans for diseases and disorders such as post-traumatic stress disorder.

(2) INTERAGENCY COORDINATION.—The Secretary shall coordinate and collaborate with other relevant Federal agencies to support and facilitate clinical research under paragraph (1).

(3) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the ongoing clinical research supported by the Secretary under paragraph (1), which shall include such recommendations for legislative or administrative action as the Secretary considers appropriate to continue to support the management of pain and the treatment of diseases and disorders of veterans.

(b) STUDY ON USE BY VETERANS OF STATE MEDICAL MARIJUANA PROGRAMS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary shall conduct a study on the relationship between treatment programs involving medical marijuana that are approved by States, the access of veterans to such programs, and a reduction in opioid use and misuse among veterans.

(2) REPORT.—Not later than 180 days after the date on which the study required under paragraph (1) is completed, the Secretary shall submit to Congress a report on the study, which shall include such recommendations for legislative or administrative action as the Secretary considers appropriate.

(c) VETERAN DEFINED.—In this section, the term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out this section.

SA 2342. 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 B of title XXVIII, add the following:

SEC. 2823. REPORT ON IMPACT OF INSTALLATIONS OF THE DEPARTMENT OF DEFENSE ON HOUSING-CONSTRAINED AREAS OF THE UNITED STATES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the impact of installations of the Department of Defense on housing in housing-constrained areas of the United States.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The number of installations of the Department of Defense located in housing-constrained areas of the United States.

(2) A definition of ''housing-constrained area'' for purposes of this section that includes the following:

(A) Areas where the median asking rent for an average-sized two-bedroom apartment, or median selling price for a single-family home of average size is in the top 25 percent nationally.

(B) Areas where rental vacancy rates are below the national average.

(C) Other areas based on additional metrics that the Secretary may determine.

(3) The percentage and total number of members of the Armed Forces and employed civilians working at such installations who reside outside the installation.

(4) An assessment of the impact of such installations and associated personnel on local and regional housing demand and housing prices, including rents, in such areas.

(5) The cost of housing allowances and cost of living adjustments or salary adjustments to allow personnel to live outside the installation in such areas.

(6) An assessment of policy changes by the Department of Defense that would be required to mitigate or eliminate housing impacts of installations of the Department in such areas, including policies—

(A) to provide housing for all personnel employed at the installation;

(B) to restrict the provision of housing allowances for housing outside the installation; and

(C) to reduce housing allowances to provide less competition with other residents in such areas.

(7) An assessment of the upfront costs and long-term cost savings of providing on-base housing for all personnel at installations located in such areas.

SA 2343. 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 end of subtitle F of title III, add the following:

SEC. 358. REFORM AND OVERSIGHT OF DEPARTMENT OF DEFENSE TRANSFER OF PERSONAL PROPERTY TO LAW ENFORCEMENT AGENCIES AND OTHER ENTITIES.

(a) IN GENERAL.—Section 2576a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''subsection (b)'' and inserting ''the provisions of this section''; and

(B) by adding at the end the following:

''(3) The Secretary may transfer non-controlled property to nonprofit organizations involved in humanitarian response or first responder activities.'';

(2) in subsection (b)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting '', and provides a description of the training courses;''; and

(C) by adding at the end the following:

''(7) the recipient, on an annual basis, certifies that if the recipient determines that any controlled property received is surplus to the needs of the recipient, the recipient will return the property to the Department of Defense;

''(8) the recipient, when requisitioning property, submits to the Department of Defense a justification for why the recipient needs the property and a description of the expected uses of the property;

''(9) with respect to a recipient that is not a Federal agency, the recipient certifies annually to the Department of Defense that the recipient has notified the local community of its participation in the program under this section by—

''(A) publishing a notice of such participation on a publicly accessible internet website, including information on how members of the local community can track property requested or received by the recipient on the website of the Department of Defense;

''(B) posting such notice at several prominent locations in the jurisdiction of the recipient; and

''(C) ensuring that such notices were available to the local community for a period of not less than 30 days;

''(10) with respect to a recipient that is a local law enforcement agency, the recipient publishes a notice on a publicly accessible internet website and at several prominent locations in the jurisdiction of the recipient of the approval of the city council or other local governing body to acquire the property sought under this section; and

''(11) with respect to a recipient that is a State law enforcement agency, the recipient publishes a notice on a publicly accessible internet website and at several prominent locations in the jurisdiction of the recipient of the approval of the appropriate State governing body to acquire the property sought under this section.'';

(3) in subsection (e), by adding at the end the following:

''(5) Grenade launchers.

''(6) Explosives (unless used for explosive detection canine training).

''(7) Firearms of .50 caliber or higher.

''(8) Ammunition of 0.5 caliber or higher.

''(9) Asphyxiating gases, including those comprised of lachrymatory agents, and analogous liquids, materials, or devices.

''(10) Silencers.

''(11) Long-range acoustic devices.''; and

(4) by striking subsections (f) and (g) and inserting the following:

''(f) LIMITATIONS ON TRANSFERS.—(1) The prohibitions under subsection (e) shall also apply with respect to the transfer of previously transferred property of the Department of Defense from a Federal or State agency to another such agency.

''(2) Each year, the Attorney General shall—

''(A) review all recipients of transferred equipment under this section; and

''(B) make recommendations to the Secretary on recipients that should be restricted, suspended, or terminated from the program under this section based on the findings of the Attorney General, including a finding that a recipient used equipment to conduct actions against individuals that infringe upon their rights under the First Amendment to the Constitution of the United States.

''(3) In the case of a recipient that is under investigation for a violation of, or is subject to a consent decree authorized by, section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), the Attorney General shall provide a recommendation to the Secretary with respect to the continued participation of the recipient in the program under this section.

''(g) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) For each fiscal year, the Secretary shall submit to Congress certification in writing that each State or local agency to which the Secretary has transferred personal property under this section—

''(A) has provided to the Secretary documentation accounting for all controlled property, including arms, that the Secretary has transferred to the agency, including any item described in subsection (e) so transferred before the date of enactment of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3388); and

''(B) has carried out each of paragraphs (5) through (9) of subsection (b).

''(2) If the Secretary cannot provide a certification under paragraph (1) for a State or local agency, the Secretary may not transfer additional property to that agency under this section.

''(h) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to the appropriate committees of Congress a certification, for the preceding fiscal year, that—

''(1) each non-Federal agency that has received personal property under this section has—

''(A) demonstrated full and complete accountability for all such property, in accordance with paragraph (2); or

''(B) been suspended or terminated from the program pursuant to paragraph (3);

''(2) the State Coordinator responsible for each non-Federal agency that has received property under this section has verified that—

''(A) the State Coordinator or an agent of the State Coordinator has conducted an inventory of the property transferred to the agency; and

''(B)(i) all property transferred to the agency was accounted for during the inventory described in subparagraph (A); or

''(ii) the agency has been suspended or terminated from the program pursuant to paragraph (3);

''(3) with respect to any non-Federal agency that has received property under this section for which all of such property was not accounted for during an inventory described in paragraph (2), the eligibility of the agency to receive property transferred under this section has been suspended or terminated; and

''(4) each State Coordinator has certified, for each non-Federal agency located in the State for which the State Coordinator is responsible, that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated.

''(i) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) The Secretary shall submit to the appropriate committees of Congress each year a certification in writing that each recipient to which the Secretary has transferred personal property under this section during the preceding fiscal year—

''(A) has provided to the Secretary documentation accounting for all property the Secretary has previously transferred to such recipient under this section; and

''(B) has complied with paragraphs (5) and (6) of subsection (b) with respect to the property so transferred during such fiscal year.

''(2) If the Secretary cannot provide a certification under paragraph (1) for a recipient, the Secretary may not transfer additional property to such recipient under this section, effective as of the date on which the Secretary would otherwise make the certification under this subsection, and such recipient shall be suspended or terminated from further receipt of property under this section.

''(j) REPORTS TO CONGRESS.—Not later than 30 days after the last day of a fiscal year, the Secretary shall submit to Congress a report on the following for the preceding fiscal year:

''(1) The percentage of equipment lost by recipients of property transferred under this section, including specific information about the type of property lost, the monetary value of such property, and the recipient that lost the property.

''(2) The transfer of items under this section classified under Supply Condition Code A, including specific information about the type of property, the recipient of the property, the original acquisition value of each item of the property, and the total original acquisition of all such property transferred during the fiscal year.

''(k) PUBLICLY ACCESSIBLE WEBSITE ON TRANSFERRED CONTROLLED PROPERTY.—(1) The Secretary shall create, maintain, and update on a quarterly basis a publicly available internet website that provides information, in a searchable format, on the controlled property transferred under this section and the recipients of such property.

''(2) The contents of the internet website required under paragraph (1) shall include all publicly accessible unclassified information pertaining to the request, transfer, denial, and repossession of controlled property under this section, including—

''(A) a current inventory of all controlled property transferred to Federal and State agencies under this section, listed by—

''(i) the name of the Federal agency, or the State, county, and recipient agency;

''(ii) the item name, item type, and item model;

''(iii) the date on which such property was transferred; and

''(iv) the current status of such item;

''(B) all pending requests for transfers of controlled property under this section, including the information submitted by the Federal and State agencies requesting such transfers;

''(C) a list of each agency suspended or terminated from further receipt of property under this section, including any State, county, or local agency, and the reason for and duration of such suspension or termination; and

''(D) all reports required to be submitted to the Secretary under this section by Federal and State agencies that receive controlled property under this section.

''(l) DEFINITIONS.—In this section:

''(1) The term 'agent of a State Coordinator' means any individual to whom a State Coordinator formally delegates responsibilities for the duties of the State Coordinator to conduct inventories described in subsection (h)(2).

''(2) The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Armed Services and the Committee on Oversight and Reform of the House of Representatives.

''(3) The term 'controlled property' means any item assigned a demilitarization code of B, C, D, E, G, or Q under Department of Defense Manual 4160.21–M, 'Defense Materiel Disposition Manual', or any successor document.

''(4) The term 'State Coordinator', with respect to a State, means the individual appointed by the governor of the State to maintain property accountability records and oversee property use by the State.''.

(b) INTERAGENCY LAW ENFORCEMENT EQUIPMENT WORKING GROUP.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Attorney General, in coordination with the Secretary of Defense and the Secretary of Homeland Security, shall establish an interagency Law Enforcement Equipment Working Group (referred to in this subsection as the ''Working Group'') to support oversight and policy development functions for controlled equipment programs.

(2) PURPOSE.—The Working Group shall—

(A) examine and evaluate the Controlled and Prohibited Equipment Lists for possible additions or deletions;

(B) track law enforcement agency controlled equipment inventory;

(C) ensure Government-wide criteria to evaluate requests for controlled equipment;

(D) ensure uniform standards for compliance reviews;

(E) harmonize Federal programs to ensure the programs have consistent and transparent policies with respect to the acquisition of controlled equipment by law enforcement agencies;

(F) require after-action analysis reports for significant incidents involving federally provided or federally funded controlled equipment;

(G) develop policies to ensure that law enforcement agencies abide by any limitations or affirmative obligations imposed on the acquisition of controlled equipment or receipt of funds to purchase controlled equipment from the Federal Government and the obligations resulting from receipt of Federal financial assistance;

(H) require a State and local governing body to review and authorize a law enforcement agency's request for or acquisition of controlled equipment;

(I) require that law enforcement agencies participating in Federal controlled equipment programs receive necessary training regarding appropriate use of controlled equipment and the implementation of obligations resulting from receipt of Federal financial assistance, including training on the protection of civil rights and civil liberties;

(J) provide uniform standards for suspending law enforcement agencies from Federal controlled equipment programs for specified violations of law, including civil rights laws, and ensuring those standards are implemented consistently across agencies; and

(K) create a process to monitor the sale or transfer of controlled equipment from the Federal Government or controlled equipment purchased with funds from the Federal Government by law enforcement agencies to third parties.

(3) COMPOSITION.—

(A) IN GENERAL.—The Working Group shall be co-chaired by the Attorney General, the Secretary of Defense, and the Secretary of Homeland Security.

(B) MEMBERSHIP.—The Working Group shall be comprised of—

(i) representatives of interested parties, who are not Federal employees, including appropriate State, local, and Tribal officials, law enforcement organizations, civil rights and civil liberties organizations, and academics; and

(ii) the heads of such other Federal agencies and offices as the Co-Chairs may, from time to time, designate.

(C) DESIGNATION.—A member of the Working Group described in subparagraph (A) or (B)(ii) may designate a senior-level official from the agency or office represented by the member to perform the day-to-day Working Group functions of the member, if the designated official is a full-time officer or employee of the Federal Government.

(D) SUBGROUPS.—At the direction of the Co-Chairs, the Working Group may establish subgroups consisting exclusively of Working Group members or their designees under this subsection, as appropriate.

(E) EXECUTIVE DIRECTOR.—

(i) IN GENERAL.—There shall be an Executive Director of the Working Group, to be appointed by the Attorney General.

(ii) RESPONSIBILITIES.—The Executive Director appointed under clause (i) shall determine the agenda of the Working Group, convene regular meetings, and supervise the work of the Working Group under the direction of the Co-Chairs.

(iii) FUNDING.—

(I) IN GENERAL.—To the extent permitted by law and using amounts already appropriated, the Attorney General shall fund, and provide administrative support for, the Working Group.

(II) REQUIREMENT.—Each agency shall bear its own expenses for participating in the Working Group.

(F) COORDINATION WITH THE DEPARTMENT OF HOMELAND SECURITY.—In general, the Working Group shall coordinate with the Homeland Security Advisory Council of the Department of Homeland Security to identify areas of overlap or potential national preparedness implications of further changes to Federal controlled equipment programs.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as creating any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(c) REPORT ON DEPARTMENT OF DEFENSE TRANSFER OF PERSONAL PROPERTY TO LAW ENFORCEMENT AGENCIES AND OTHER ENTITIES.—

(1) APPROPRIATE RECIPIENTS DEFINED.—In this subsection, the term ''appropriate recipients'' means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Armed Services of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary of Defense, in consultation with the Attorney General and the Secretary of Homeland Security, shall submit a report to the appropriate recipients.

(3) CONTENTS.—The report required under paragraph (2) shall contain—

(A) a review of the efficacy of the surplus equipment transfer program under section 1033 of title 10, United States Code; and

(B) a determination of whether to recommend continuing or ending the program described in subparagraph (A) in the future.

SA 2344. 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 appropriate place in title X, insert the following:

SEC. _____. IMPROVING TRANSPARENCY AND ACCOUNTABILITY OF EDUCATIONAL INSTITUTIONS FOR PURPOSES OF VETERANS EDUCATIONAL ASSISTANCE.

(a) REQUIREMENT RELATING TO G.I. BILL COMPARISON TOOL.—

(1) REQUIREMENT TO MAINTAIN TOOL.—The Secretary of Veterans Affairs shall maintain the G.I. Bill Comparison Tool that was established pursuant to Executive Order 13607 (77 Fed. Reg. 25861; relating to establishing principles of excellence for educational institutions serving service members, veterans, spouses, and other family members) and in effect on the day before the date of enactment of this Act, or a successor tool, to provide relevant and timely information about programs of education approved under chapter 36 of title 38, United States Code, and the educational institutions that offer such programs.

(2) DATA RETENTION.—The Secretary shall ensure that historical data that is reported via the tool maintained under paragraph (1) remains easily and prominently accessible on the benefits.va.gov website, or a successor website, for a period of not less than six years from the date of initial publication.

(b) PROVIDING TIMELY AND RELEVANT EDUCATION INFORMATION TO VETERANS, MEMBERS OF THE ARMED FORCES, AND OTHER INDIVIDUALS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Education, the Secretary of the Treasury, and the heads of other relevant Federal agencies, shall make such changes to the tool maintained under subsection (a) as the Secretary of Veterans Affairs determines appropriate to ensure that such tool is an effective and efficient method for providing information pursuant to section 3698(b)(5) of title 38, United States Code.

(2) MEMORANDUM OF UNDERSTANDING REQUIRED.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall seek to enter into a memorandum of understanding with the Secretary of Education and the heads other relevant Federal agencies, as the Secretary of Veterans Affairs determines appropriate, to obtain information on outcomes with respect to individuals who are entitled to educational assistance under the laws administered by the Secretary of Veterans Affairs and who are attending educational institutions. Such memorandum of understanding may include data sharing or computer matching agreements.

(3) MODIFICATION OF SCOPE OF COMPREHENSIVE POLICY ON PROVIDING EDUCATION INFORMATION.—Section 3698 of title 38, United States Code, is amended—

(A) in subsection (a), by striking ''veterans and members of the Armed Forces'' and inserting ''individuals entitled to educational assistance under laws administered by the Secretary of Veterans Affairs''; and

(B) in subsection (b)(5)—

(i) by striking ''veterans and members of the Armed Forces'' and inserting ''individuals described in subsection (a)''; and

(ii) by striking ''the veteran or member'' and inserting ''the individual''.

(4) G.I. BILL COMPARISON TOOL REQUIRED DISCLOSURES.—Paragraph (1) of subsection (c) of such section is amended—

(A) by striking subparagraph (B) and inserting the following:

''(B) for each individual described in subsection (a) seeking information provided under subsection (b)(5), the name of each Federal student aid program, and a description of each such program, from which the individual may receive educational assistance;'';

(B) in subparagraph (C)—

(i) in clause (i), by inserting ''and a definition of each type of institution'' before the semicolon;

(ii) in clause (iv), by inserting ''and if so, which programs'' before the semicolon;

(iii) by striking clause (v) and inserting the following:

''(v) the average annual cost and the total cost to earn an associate's degree and a bachelor's degree, with available cost information on any other degree or credential the institution awards;'';

(iv) in clause (vi), by inserting before the semicolon the following: ''disaggregated by—

''(I) the type of beneficiary of educational assistance;

''(II) individuals who received a credential and individuals who did not; and

''(III) individuals using educational assistance under laws administered by the Secretary and individuals who are not'';

(v) in clause (xiv), by striking ''and'' at the end;

(vi) in clause (xv), by striking the period at the end and inserting a semicolon; and

(vii) by adding at the end the following new clauses:

''(xvi) the number of veterans or members who completed covered education at the institution leading to—

''(I) a degree, disaggregated by type of program, including—

''(aa) an associate degree;

''(bb) a bachelor's degree; and

''(cc) a postbaccalaureate degree; and

''(II) a certificate or professional license, disaggregated by type of certificate or professional license;

''(xvii) programs available and the average time for completion of each program;

''(xviii) employment rate and median income of graduates of the institution in general two and five years after graduation, disaggregated by—

''(I) specific program; and

''(II) individuals using educational assistance under laws administered by the Secretary and individuals who are not; and

''(xix) the number of individuals using educational assistance under laws administered by the Secretary who are enrolled in the both the institution and specific program per year.''.

(5) CLARITY AND ANONYMITY OF INFORMATION PROVIDED.—Paragraph (2) of such subsection is amended—

(A) by inserting ''(A)'' before ''To the extent''; and

(B) by adding at the end the following new subparagraph:

''(B) The Secretary shall ensure that information provided pursuant to subsection (b)(5) is provided in a manner that is easy for, and accessible to, individuals described in subsection (a).

''(C) In providing information pursuant to subsection (b)(5), the Secretary shall maintain the anonymity of individuals described in subsection (a) and, to the extent that a portion of any data would undermine such anonymity, ensure that such data is not made available pursuant to such subsection.''.

(c) IMPROVEMENTS FOR STUDENT FEEDBACK.—

(1) IN GENERAL.—Subsection (b)(2) of such section is amended—

(A) by amending subparagraph (A) to read as follows:

''(A) provides institutions of higher learning—

''(i) up to 30 days to review and respond to feedback from individuals described in subsection (a) and address issues regarding the feedback before the feedback is published; and

''(I) if an institution of higher learning contests the accuracy of the feedback, the opportunity to challenge the inclusion of such data with an official appointed by the Secretary;'';

(B) in subparagraph (B), by striking ''and'' at the end;

(C) in subparagraph (C), by striking ''that conforms with criteria for relevancy that the Secretary shall determine.'' and inserting '', and responses from institutions of higher learning to such feedback, that conform with criteria for relevancy that the Secretary shall determine;''; and

(D) by adding at the end the following new subparagraphs:

''(D) for each institution of higher learning that is approved under this chapter, retains, maintains, and publishes all of such feedback for not less than six years; and

''(E) is easily accessible to individuals described in subsection (a) and to the general public.''.

(2) ACCESSIBILITY FROM G.I. BILL COMPARISON TOOL.—The Secretary shall ensure that—

(A) the feedback tracked and published under subsection (b)(2) of such section, as amended by paragraph (1), is prominently displayed in the tool maintained under subsection (a) of this section; and

(B) when such tool displays information for an institution of higher learning, the applicable feedback is also displayed for such institution of higher learning.

(d) TRAINING FOR PROVISION OF EDUCATION COUNSELING SERVICES.—

(1) IN GENERAL.—Not less than one year after the date of the enactment of this Act, the Secretary shall ensure that personnel employed by the Department of Veteran Affairs, or a contractor of the Department, to provide education benefits counseling, vocational or transition assistance, or similar functions, including employees or contractors of the Department who provide such counseling or assistance as part of the Transition Assistance Program, are trained on how—

(A) to use properly the tool maintained under subsection (a); and

(B) to provide appropriate educational counseling services to individuals described in section 3698(a) of such title, as amended by subsection (b)(3)(A).

(2) TRANSITION ASSISTANCE PROGRAM DEFINED.—In this subsection, the term ''Transition Assistance Program'' means the program of counseling, information, and services under section 1142 of title 10, United States Code.

SA 2345. Mr. BOOKER (for himself, Mr. SCHUMER, Mr. ROUNDS, 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 of subtitle H of title X, add the following:

SEC. 1095. PRIZE COMPETITIONS FOR ARTIFICIAL INTELLIGENCE RESEARCH AND DEVELOPMENT.

(a) DEFINITION.—Except as otherwise expressly provided, in this section the term ''Director'' means the Director of the National Science Foundation.

(b) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Director, in coordination with the Interagency Committee established under section 5103 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9413), shall establish a program to award prizes, utilizing the authorities and processes established under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), to eligible participants as determined by the Director pursuant to subsection (e) to stimulate artificial intelligence research, development, and commercialization that solves or advances specific, well-defined, and measurable grand challenges in 1 or more of the following categories:

(A) National security.

(B) Cybersecurity.

(C) Health.

(D) Energy.

(E) Environment.

(F) Transportation.

(G) Agriculture and rural development.

(H) Education and workforce training.

(I) Manufacturing.

(J) Space and aerospace.

(K) Quantum computing, including molecular modeling and simulation.

(L) Materials science.

(M) Supply chain resilience.

(N) Disaster preparedness.

(O) Natural resources management.

(P) Cross cutting challenges in artificial intelligence, including robustness, interpretability, explainability, transparency, safety, privacy, content provenance, and bias mitigation.

(2) DESIGNATION.—The grand challenges and prize competition program established under paragraph (1) shall be known as the ''AI Grand Challenges Program''.

(3) ROTATORS.—Participants in the Rotator Program of the National Science Foundation may support the development and implementation of the AI Grand Challenges Program.

(c) GRAND CHALLENGES SELECTION AND GRAND CHALLENGES INFORMATION.—

(1) IN GENERAL.—

(A) CONSULTATION ON IDENTIFICATION AND SELECTION.—The Director shall consult with the Director of the Office of Science and Technology Policy, the Director of the National Institute of Standards and Technology, the Director of the Defense Advanced Research Projects Agency, the heads of relevant Federal agencies, and the National Artificial Intelligence Advisory Committee to identify and select artificial intelligence research and development grand challenges in which eligible participants will compete to solve or advance for prize awards under subsection (b).

(B) PUBLIC INPUT ON IDENTIFICATION.—The Director shall also seek public input on the identification of artificial intelligence research and development grand challenges.

(2) PROBLEM STATEMENTS; SUCCESS METRICS.—For each grand challenge selected under paragraph (1) and the grand challenge under paragraph (3), the Director shall—

(A) establish a specific and well-defined grand challenge problem statement and ensure that such problem statement is published on the National Science Foundation website linking out to relevant prize competition listings on the website Challenge.gov that is managed by the General Services Administration; and

(B) establish and publish on the website Challenge.gov clear targets, success metrics, and validation protocols for the prize competitions designed to address each grand challenge, in order to provide specific benchmarks that will be used to evaluate submissions to the prize competition.

(3) GRAND CHALLENGE FOR ARTIFICIAL INTELLIGENCE-ENABLED CANCER BREAKTHROUGHS.—

(A) REQUIRED PRIZE COMPETITION.—Not later than 1 year after the date of enactment of this Act, the Director, in consultation with the Director of the Office of Science and Technology Policy and the Director of the National Institutes of Health, shall establish not less than 1 grand challenge in which eligible participants will compete in a prize competition to solve or advance solutions for prize awards under subsection (b) that seek to advance medical breakthroughs to address 1 or more of the most lethal forms of cancer and related comorbidities. The grand challenge shall relate to detection, diagnostics, treatments, therapeutics, or other innovations in artificial intelligence to increase the total quality-adjusted life years of those affected or likely to be affected by cancer.

(B) PRIZE AMOUNT.—In carrying out the prize competition under subparagraph (A), the Director shall award not less than $10,000,000 in cash prize awards to each winner.

(4) AMBITIOUS AND ACHIEVABLE GOALS.—Grand challenges selected under paragraph (1) and the grand challenge under paragraph (3) shall be ambitious but achievable goals that utilize science, technology, and innovation to solve or advance solutions to problems to benefit the United States.

(d) ADDITIONAL CONSULTATION.—The Director may consult with, and incorporate effective practices from, other entities that have developed successful large-scale technology demonstration prize competitions, including the Defense Advanced Research Projects Agency, the National Aeronautics and Space Administration, other Federal agencies, private sector enterprises, and nonprofit organizations, in the development and implementation of the AI Grand Challenges Program and related prize competitions, including on the requirements under subsection (e).

(e) REQUIREMENTS.—

(1) IN GENERAL.—The Director shall develop requirements for—

(A) the prize competition process, including eligibility criteria for participants, consistent with the requirements under paragraph (2); and

(B) testing, judging, and verification procedures for submissions to receive a prize award under the AI Grand Challenges Program.

(2) ELIGIBILITY REQUIREMENT AND JUDGING.—

(A) ELIGIBILITY.—In accordance with the requirement described in section 24(g)(3) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719(g)(3)), a recipient of a prize award under the AI Grand Challenges Program—

(i) that is a private entity shall be incorporated in and maintain a primary place of business in the United States; and

(ii) who is an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States.

(B) JUDGES.—In accordance with section 24(k) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719(k)), a judge of a prize competition under the AI Grand Challenges Program may be an individual from the private sector.

(f) PRIZE AMOUNT.—

(1) IN GENERAL.—In carrying out the AI Grand Challenges Program, the Director—

(A) shall award not less than $1,000,000 in cash prize awards to each winner of the prize competitions, except as provided in subsection (c)(3); and

(B) may also utilize non-cash awards.

(2) LARGER AWARDS.—The Director may award prizes under the AI Grand Challenges Program that are more than $50,000,000, pursuant to the requirements under section 24(m)(4)(A) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719(m)(4)(A)).

(g) FUNDING.—

(1) IN GENERAL.—In accordance with section 24(m)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719(m)(1)), the Director may request and accept funds from other Federal agencies, State, United States territory, local, or Tribal government agencies, for-profit entities, and nonprofit entities to support the AI Grand Challenges Program.

(2) PROHIBITION ON CONSIDERATION FOR SUPPORT.—The Director may not consider any support provided by an agency or entity under paragraph (1) in determining the winners of prize awards under subsection (b).

(h) REPORTS.—

(1) NOTIFICATION OF WINNING SUBMISSION.—Not later than 60 days after the date on which a prize is awarded under the AI Grand Challenges Program, the Director 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 other relevant committees of Congress a report that describes the winning submission to the prize competition and its benefits to the United States.

(2) BIENNIAL REPORT.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and biennially thereafter, the Director 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 other relevant committees of Congress a report that includes—

(i) a description of the activities carried out under this Act;

(ii) a description of the active competitions and the results of completed competitions under the AI Grand Challenges Program; and

(iii) efforts to provide information to the public about the AI Grand Challenges Program to encourage participation.

(B) PUBLIC ACCESSIBILITY.—The Director shall make the biennial report required under subparagraph (A) publicly accessible, including by posting the biennial report on the website of the National Science Foundation in an easily accessible location.

(i) ACCESSIBILITY.—In carrying out the AI Grand Challenges Program, the Director shall post the active prize competitions and available prize awards under subsection (b) to Challenge.gov after the grand challenges are selected and the prize competitions are designed pursuant to subsections (c) and (e) to ensure the prize competitions are widely accessible to eligible participants.

SA 2346. Mr. WELCH (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 appropriate place in title V, insert the following:

SEC. ___. PLAN FOR ADDITIONAL SKILL IDENTIFIERS FOR ARMY MOUNTAIN WARFARE SCHOOL.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall develop and implement a plan to establish each of the following:

(1) Additional skill identifiers for the following courses at the Army Mountain Warfare School:

(A) Advanced Military Mountaineer Course (Summer).

(B) Advanced Military Mountaineer Course (Winter).

(C) Rough Terrain Evacuation Course.

(D) Mountain Planner Course.

(E) Mountain Rifleman Course.

(2) New skill identifiers for officers and warrant officers who complete the Basic Military Mountaineer Course and the Mountain Planner Course.

(b) BRIEFING ON PLAN.—Not later than 30 days after the date on which the Secretary completes the plan under subsection (a), the Secretary shall provide to the congressional defense committees a briefing on the plan and the implementation of the plan.

SA 2347. Mr. WELCH (for himself, Ms. MURKOWSKI, Mr. TILLIS, Ms. KLOBUCHAR, and Mrs. GILLIBRAND) 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 I, add the following:

SEC. 114. FUNDING FOR SOLID WASTE DISPOSAL SYSTEMS.

(a) IN GENERAL.—The amount authorized to be appropriated by section 101 for Other Procurement, Army, for Modification of In-Svc Equipment, as specified in the funding table in section 4101, is hereby increased by $8,950,000, with the amount of the increase to be available for solid waste disposal systems.

(b) OFFSET.—The amount authorized to be appropriated by section 301 for Operations and Maintenance, Army, for Additional Activities, as specified in the funding table in section 4301, is hereby reduced by $8,950,000, with the amount of the reduction to be derived from amounts for the use of open-air burn pits in contingency operations.

SA 2348. Mr. WELCH (for himself, Mrs. CAPITO, Ms. MURKOWSKI, Ms. KLOBUCHAR, and Mrs. GILLIBRAND) 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 AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY 2.0.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the current status and timeline for when the redesigned Airborne Hazards and Open Burn Pit Registry 2.0 will be completed.

SA 2349. Mr. WELCH 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. ___. OUTREACH TO MEMBERS OF THE ARMED FORCES REGARDING POSSIBLE TOXIC EXPOSURE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall establish—

(1) a new risk assessment for toxic exposure for members of the Armed Forces assigned to work near burn pits; and

(2) an outreach program to inform such members regarding such toxic exposure. Such program shall include information regarding benefits and support programs furnished by the Secretary (including eligibility requirements and timelines) regarding toxic exposure.

(b) PROMOTION.—The Secretary of Defense shall promote the program to members described in subsection (a) by direct mail, email, text messaging, and social media.

(c) PUBLICATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall publish on a website of the Department of Defense a list of resources furnished by the Secretary for—

(1) members and veterans who experienced toxic exposure in the course of serving as a member of the Armed Forces;

(2) dependents and caregivers of such members and veterans; and

(3) survivors of such members and veterans who receive death benefits under laws administered by the Secretary.

(d) TOXIC EXPOSURE DEFINED.—In this section, the term ''toxic exposure'' has the meaning given the term in section 101 of title 38, United States Code.

SA 2350. 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 E of title X, add the following:

SEC. 1049. LIMITED AUTHORITY TO USE THE ARMED FORCES TO SUPPRESS INSURRECTION OR REBELLION AND QUELL DOMESTIC VIOLENCE.

(a) SHORT TITLE.— This section may be cited as the ''Insurrection Act of 2024''.

(b) STATEMENT OF CONSTITUTIONAL AUTHORITY.—This section represents an exercise of Congress's authorities under—

(1) clauses 14, 15, 16, and 18 of section 8 of article I of the Constitution of the United States;

(2) section 4 of article IV of the Constitution of the United States; and

(3) section 5 of the 14th Amendment to the Constitution of the United States.

(c) AMENDMENTS TO INSURRECTION PROVISIONS IN TITLE 10, UNITED STATES CODE.— Chapter 13 of title 10, United States Code, is amended by striking sections 251 through 255 and inserting the following new sections:

''§ 251. Statement of policy

''It is the policy of the United States that domestic deployment of the armed forces for the purposes set forth in this chapter should be a last resort and should be ordered only if State and local authorities in the State concerned are unable or otherwise fail to suppress the insurrection or rebellion, quell the domestic violence, or enforce the laws that are being obstructed, and Federal civilian law enforcement authorities are unable to do so.

''§ 252. Triggering circumstances

''(a) IN GENERAL.—The authorities granted to the President by section 253 may be exercised only if—

''(1) there is an insurrection or rebellion in a State—

''(A) against the State or local government, in such numbers, or with such force or capacity, as to overwhelm State or local authorities, and the chief executive of the State requests assistance under this chapter; or

''(B) against the Government of the United States, in such numbers, or with such force or capacity, as to overwhelm State or local authorities;

''(2) there is domestic violence in a State that is sufficiently widespread or severe as to overwhelm State or local authorities, and the chief executive of the State, or super majority of the State legislature, requests assistance under this chapter; or

''(3) there is, within a State—

''(A) obstruction of the execution of State or Federal law that has the effect of depriving any party or class of the people of that State of a right, privilege, immunity, or protection named in the Constitution and secured by law, and State or local authorities or Federal civilian law enforcement personnel are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection;

''(B) obstruction of the execution of Federal law by private actors where such obstruction creates an immediate threat to public safety and the use of State or local authorities and Federal civilian law enforcement personnel is insufficient to ensure execution of the law and—

''(i) the private actors are in such numbers, or with such force or capacity, as to overwhelm State or local authorities and Federal civilian law enforcement personnel; or

''(ii) State or local authorities and Federal civilian law enforcement personnel otherwise fail to address the obstruction; or

''(C) obstruction of the execution of Federal law by the State or its agents, where the use of Federal civilian law enforcement personnel is insufficient to ensure execution of the law.

''(b) RULES OF CONSTRUCTION.—(1) Subsection (a)(3)(A) shall be construed to encompass the obstruction of any provision of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) or section 2004 of the Revised Statutes (52 U.S.C. 10101) regarding protection of the right to vote. Any deployment of the armed forces in such circumstances shall be subject to section 2003 of the Revised Statutes (52 U.S.C. 10102), sections 592 and 593 of title 18, and any other applicable statutory limitations designed to protect the right to vote.

''(2) In any situation covered by subsection (a)(3)(A), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

''§ 253. Authority of the President

''(a) IN GENERAL.—Subject to subsection (b) and sections 254 through 257, the President may, if the conditions specified in section 252 are met, order to active duty any reserve component forces and use the armed forces to suppress the insurrection or rebellion, quell the domestic violence, or enforce the laws that are being obstructed.

''(b) LIMITATIONS.—(1) During any deployment of the armed forces under subsection (a), the armed forces shall remain subordinate to the chain of command prescribed in section 162(b) of this title.

''(2) Any part of the armed forces employed to suppress an insurrection or rebellion, quell domestic violence, or enforce the law under the authorities granted by subsection (a) must operate under the Standing Rules for the Use of Force.

''(3) Nothing in this chapter shall be construed to authorize—

''(A) suspension of the writ of habeas corpus; or

''(B) any action that violates Federal law or, where consistent with Federal law, State law.

''(c) STANDING RULES FOR THE USE OF FORCE.—In this section, the term 'Standing Rules for the Use of Force' means Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 3121.01B, dated June 13, 2005, and entitled, 'Standing Rules of Engagement/Standing Rules for the Use of Force for U.S. Forces', or any successor instruction.

''§ 254. Consultation with Congress; proclamation to disperse; reporting requirement; effective periods of authorities

''(a) CONSULTATION.—The President shall, to the maximum extent practicable, consult with Congress before exercising the authorities granted under section 253.

''(b) PROCLAMATION.—Before exercising the authorities granted by section 253, the President shall, by proclamation immediately transmitted to Congress and the Federal Register—

''(1) specify which paragraph and, where applicable, subparagraph and clause, of section 252(a) provides the basis for such exercise of authority; and

''(2) order the lawbreakers to disperse peaceably within a reasonable, limited time period.

''(c) REPORT.—Contemporaneously with the proclamation required under subsection (b), the President shall submit to the President pro tempore of the Senate and the Speaker of the House of Representatives a written report setting forth the following:

''(1) The circumstances necessitating the exercise of the authorities granted to the President by section 253.

''(2) Where applicable, a certification by the Attorney General of the United States that the chief executive of the State in question has requested assistance under this chapter or that State authorities are unable or have otherwise failed to address the circumstances necessitating exercise of the President's authorities under section 253.

''(3) Certification by the Attorney General of the United States that options other than the use of the armed forces have been exhausted, or that those options would likely be insufficient to resolve the situation and that delay would likely cause significant harm.

''(4) A description of the size, mission, scope, and expected duration of the use of the armed forces, with a certification by the relevant Service Secretary or Secretaries that, in their best military advice and opinion, the armed forces to be called for duty are trained, equipped, and able to complete the assigned mission.

''§ 255. Congressional approval

''(a) TEMPORARY EFFECTIVE PERIODS.—(1) Any authority made available under section 253 shall terminate 7 days after the President makes the proclamation required under section 254(b) unless—

''(A) there is enacted into law a joint resolution of approval under subsection (b) with respect to the proclamation; or

''(B) there is a material and significant change in factual circumstances that are set forth in a new proclamation and report to Congress as provided in subsections (b) and (c) of section 254.

''(2) Notwithstanding subparagraphs (A) and (B) of paragraph (1), no authority may be exercised after the 7-day period described in such paragraph if the exercise of authority has been enjoined by a court of competent jurisdiction.

''(3) If Congress is physically unable to convene as a result of an insurrection, rebellion, domestic violence, or obstruction of law described in a proclamation issued pursuant to section 254(b), the 7-day period described in paragraph (1) shall begin on the first day Congress convenes for the first time after the insurrection, rebellion, domestic violence, or obstruction of law.

''(b) EFFECT OF A JOINT RESOLUTION OF APPROVAL.—If there is enacted into law a joint resolution of approval as defined in subsection (d), then any authority made available under this chapter may be exercised with respect to the insurrection, rebellion, or domestic violence described in the proclamation that is the subject of such resolution for 14 days from the date of the enactment of such resolution, except that such exercise of authority must terminate if enjoined by a court of competent jurisdiction on the ground that it violates the terms of this chapter, the Constitution of the United States, or other applicable Federal law.

''(c) RENEWAL OF JOINT RESOLUTIONS OF APPROVAL.—An exercise of authority subject to a joint resolution of approval may not be exercised for longer than 14 days, unless—

''(1) there is enacted into law another joint resolution of approval renewing the President's authority pursuant to section 253; or

''(2) there has been a material and significant change in factual circumstances that are set forth in a new proclamation and report to Congress as provided in subsections (b) and (c) of section 254.

''(d) JOINT RESOLUTION OF APPROVAL DEFINED.—In this section, the term 'joint resolution of approval' means a joint resolution that contains only the following provisions after its resolving clause:

''(1) A provision approving the exercise of authority specified by the President in a proclamation made under subsection (b) of section 254.

''(2) A statement that the exercise of authority may continue for a period of 14 days unless enjoined by a court of competent jurisdiction on the ground that it violates the terms of this chapter, the Constitution of the United States, or other applicable Federal or State law.

''(e) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS OF APPROVAL.—

''(1) INTRODUCTION.—A joint resolution of approval may be introduced in either House of Congress by any member of that House at any time that authority under section 253 is in effect pursuant to a proclamation made under section 254(b) or a joint resolution of approval enacted into law pursuant to subsection (b).

''(2) REQUESTS TO CONVENE CONGRESS DURING RECESSES.—If, when the President transmits to Congress a proclamation under section 254(b) [or at any time that authority under section 253 is in effect as described in paragraph (1)], Congress has adjourned sine die or has adjourned for any period in excess of 3 calendar days, the majority leader of the Senate and the Speaker of the House of Representatives, or their respective designees, acting jointly after consultation with and with the concurrence of the minority leader of the Senate and the minority leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

''(3) COMMITTEE REFERRAL.—A joint resolution of approval shall be referred in each House of Congress to the committee or committees having jurisdiction over the emergency authorities invoked by the proclamation under section 254(b) that are the subject of the joint resolution.

''(4) CONSIDERATION IN SENATE.—In the Senate, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval has been referred has not reported it at the end of 3 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar.

''(B) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when the committee to which a joint resolution of approval is referred has reported the resolution, or when that committee is discharged under subparagraph (A) from further consideration of the resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is subject to 4 hours of debate divided evenly between those favoring and those opposing the joint resolution of approval. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business.

''(C) FLOOR CONSIDERATION.—A joint resolution of approval shall be subject to 10 hours of consideration, to be divided evenly between those favoring and those opposing the joint resolution of approval.

''(D) AMENDMENTS.—No amendments shall be in order with respect to a joint resolution of approval.

''(E) MOTION TO RECONSIDER FINAL VOTE.—A motion to reconsider a vote on passage of a joint resolution of approval shall not be in order.

''(F) APPEALS.—Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

''(5) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If any committee to which a joint resolution of approval has been referred has not reported it

to the House within 3 calendar days after the date of referral, such committee shall be discharged from further consideration of the joint resolution.

''(B) PROCEEDING TO CONSIDERATION.—

''(i) IN GENERAL.—Beginning on the third legislative day after each committee to which a joint resolution of approval has been referred reports it to the House or has been discharged from further consideration of the joint resolution, and except as provided in clause (ii), it shall be in order to move to proceed to consider the joint resolution in the House. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

''(ii) SUBSEQUENT MOTIONS TO PROCEED TO JOINT RESOLUTION OF APPROVAL.—A motion to proceed to consider a joint resolution of approval shall not be in order after the House has disposed of another motion to proceed on that resolution.

''(C) FLOOR CONSIDERATION.—Upon adoption of the motion to proceed in accordance with subparagraph (B)(i), the joint resolution of approval shall be considered as read. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate, equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

''(D) AMENDMENTS.—No amendments shall be in order with respect to a joint resolution of approval.

''(6) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before passing a joint resolution of approval, one House receives a joint resolution of approval from the other House, then—

''(A) the joint resolution of the other House shall not be referred to a committee and shall be deemed to have been discharged from committee on the day it is received; and

''(B) the procedures set forth in paragraphs (4) and (5), as applicable, shall apply in the receiving House to the joint resolution received from the other House to the same extent as such procedures apply to a joint resolution of the receiving House.

''(f) RULE OF CONSTRUCTION.—The enactment of a joint resolution of approval under this section shall not be interpreted to serve as a grant or modification by Congress of statutory authority of the President.

''(g) RULES OF THE HOUSE AND SENATE.—This section is enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of joint resolutions described in this section, and supersedes other rules only to the extent that it is inconsistent with such other rules; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

''§ 256. Termination of authority

''(a) IN GENERAL.—Any exercise of authority specified by the President in a proclamation made under subsection (b) of section 254 shall terminate on the earliest of—

''(1) the date provided for in section 255(a);

''(2) the date provided for in section 255(b);

''(3) the date specified in an Act of Congress terminating the authority;

''(4) the date specified in a proclamation of the President terminating the emergency; or

''(5) the date of a revocation of a request for assistance under this chapter by the chief executive of the State in question.

''(b) EFFECT OF TERMINATION.—

''(1) IN GENERAL.—Effective on the date of the termination of authority under subsection (a)—

''(A) except as provided by paragraph (2), any powers or authorities exercised by reason of the authority shall cease to be exercised;

''(B) any amounts reprogrammed or transferred under any provision of law with respect to the exercise of authority that remain unobligated on that date shall be returned and made available for the purpose for which such amounts were appropriated; and

''(C) any contracts entered into under any provision of law relating to the execution of authority shall be terminated.

''(2) SAVINGS PROVISION.—The termination of an exercise of authority under this chapter shall not affect—

''(A) any legal action taken or pending legal proceeding not finally concluded or determined on the date of the termination under subsection (a);

''(B) any legal action or legal proceeding based on any act committed prior to that date; or

''(C) any rights or duties that matured or penalties that were incurred prior to that date.

''§ 257. Judicial review

''(a) IN GENERAL.—Notwithstanding, and without prejudice to, any other provision of law, any individual or entity (including a State or local government) that is injured by, or has a credible fear of injury from, the use of members of the armed forces under this chapter may bring a civil action for declaratory or injunctive relief. In any action under this section, the district court shall have jurisdiction to decide any question of law or fact arising under this chapter, including challenges to the legal basis for members of the armed forces to be acting under this chapter.

''(b) STANDARD OF REVIEW.—A determination that the conditions specified in section 252 are met shall be upheld if supported by substantial evidence.

''(c) EXPEDITED CONSIDERATION.—It shall be the duty of the applicable district court of the United States and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under this section.

''(d) APPEALS.—

''(1) IN GENERAL.—The Supreme Court of the United States shall have jurisdiction of an appeal from a final decision of a district court of the United States in a civil action brought under this section.

''(2) FILING DEADLINE.—A party shall file an appeal under paragraph (1) not later than 30 days after the court issues a final decision under subsection (a).

''§ 258. State defined

''For purposes of this chapter, the term 'State' includes the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

''§ 259. Limitation on use of National Guard members performing training or other duty for certain purposes

''A member of the National Guard performing training or other duty under section 502(a) or (f) of title 32 may not be used to suppress a domestic insurrection or rebellion, quell domestic violence, or enforce the law.''.

(d) CONFORMING AMENDMENTS.—

(1) USE OF STATE DEFENSE FORCES.—Section 109(c) of title 32, United States Code, is amended by inserting '', except as provided by section 253 of title 10'' after ''armed forces''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 13 of title 10, United States Code, is amended to read as follows:

''Sec.
''251. Statement of policy.
''252. Triggering circumstances.
''253. Authority of the President.
''254. Consultation with Congress; proclamation to disperse; reporting requirement; effective periods of authorities.
''255. Congressional approval.
''256. Termination.
''257. Judicial review.
''258. State defined.
''259. Limitation on use of National Guard members performing training or other duty for certain purposes.''.

SA 2351. Mr. HICKENLOOPER (for himself, Ms. LUMMIS, 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 title XV, add the following:

Subtitle E—Orbital Sustainability Act of 2024

SEC. 1551. SHORT TITLE.

This subtitle may be cited as the ''Orbital Sustainability Act of 2024'' or the ''ORBITS Act of 2024''.

SEC. 1552. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The safety and sustainability of operations in low-Earth orbit and nearby orbits in outer space have become increasingly endangered by a growing amount of orbital debris.

(2) Exploration and scientific research missions and commercial space services of critical importance to the United States rely on continued and secure access to outer space.

(3) Efforts by nongovernmental space entities to apply lessons learned through standards and best practices will benefit from government support for implementation both domestically and internationally.

(b) SENSE OF CONGRESS.—It is the sense of Congress that to preserve the sustainability of operations in space, the United States Government should—

(1) to the extent practicable, develop and carry out programs, establish or update regulations, and commence initiatives to minimize orbital debris, including initiatives to demonstrate active debris remediation of orbital debris generated by the United States Government or other entities under the jurisdiction of the United States;

(2) lead international efforts to encourage other spacefaring countries to mitigate and remediate orbital debris under their jurisdiction and control; and

(3) encourage space system operators to continue implementing best practices for space safety when deploying satellites and constellations of satellites, such as transparent data sharing and designing for system reliability, so as to limit the generation of future orbital debris.

SEC. 1553. DEFINITIONS.

In this subtitle:

(1) ACTIVE DEBRIS REMEDIATION.—The term ''active debris remediation''—

(A) means the deliberate process of facilitating the de-orbit, repurposing, or other disposal of orbital debris, which may include moving orbital debris to a safe position, using an object or technique that is external or internal to the orbital debris; and

(B) does not include de-orbit, repurposing, or other disposal of orbital debris by passive means.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Aeronautics and Space Administration.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, and the Committee on Armed Services of the Senate; and

(B) the Committee on Appropriations, the Committee on Science, Space, and Technology, the Committee on Foreign Affairs, and the Committee on Armed Services of the House of Representatives.

(4) DEMONSTRATION PROJECT.—The term ''demonstration project'' means the active orbital debris remediation demonstration project carried out under section 1554(b).

(5) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a United States-based—

(i) non-Federal, commercial entity;

(ii) institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(iii) nonprofit organization;

(B) any other United States-based entity the Administrator considers appropriate; and

(C) a partnership of entities described in subparagraphs (A) and (B).

(6) ORBITAL DEBRIS.—The term ''orbital debris'' means any human-made space object orbiting Earth that—

(A) no longer serves an intended purpose; and

(B)(i) has reached the end of its mission; or

(ii) is incapable of safe maneuver or operation.

(7) PROJECT.—The term ''project'' means a specific investment with defined requirements, a life-cycle cost, a period of duration with a beginning and an end, and a management structure that may interface with other projects, agencies, and international partners to yield new or revised technologies addressing strategic goals.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(9) SPACE TRAFFIC COORDINATION.—The term ''space traffic coordination'' means the planning, coordination, and on-orbit synchronization of activities to enhance the safety and sustainability of operations in the space environment.

SEC. 1554. ACTIVE DEBRIS REMEDIATION.

(a) PRIORITIZATION OF ORBITAL DEBRIS.—

(1) LIST.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, the Secretary of Defense, the Secretary of State, the National Space Council, and representatives of the commercial space industry, academia, and nonprofit organizations, shall publish a list of select identified orbital debris that may be remediated to improve the safety and sustainability of orbiting satellites and on-orbit activities.

(2) CONTENTS.—The list required under paragraph (1)—

(A) shall be developed using appropriate sources of data and information derived from governmental and nongovernmental sources, including space situational awareness data obtained by the Office of Space Commerce, to the extent practicable;

(B) shall include, to the extent practicable—

(i) a description of the approximate age, location in orbit, size, mass, tumbling state, post-mission passivation actions taken, and national jurisdiction of each orbital debris identified; and

(ii) data required to inform decisions regarding potential risk and feasibility of safe remediation;

(C) may include orbital debris that poses a significant risk to terrestrial people and assets, including risk resulting from potential environmental impacts from the uncontrolled reentry of the orbital debris identified; and

(D) may include collections of small debris that, as of the date of the enactment of this Act, are untracked.

(3) PUBLIC AVAILABILITY; PERIODIC UPDATES.—

(A) IN GENERAL.—Subject to subparagraph (B), the list required under paragraph (1) shall be published in unclassified form on a publicly accessible internet website of the Department of Commerce.

(B) EXCLUSION.—The Secretary may not include on the list published under subparagraph (A) data acquired from nonpublic sources.

(C) PERIODIC UPDATES.—Such list shall be updated periodically.

(4) ACQUISITION, ACCESS, USE, AND HANDLING OF DATA OR INFORMATION.—In carrying out the activities under this subsection, the Secretary—

(A) shall acquire, access, use, and handle data or information in a manner consistent with applicable provisions of law and policy, including laws and policies providing for the protection of privacy and civil liberties, and subject to any restrictions required by the source of the information;

(B) shall have access, upon written request, to all information, data, or reports of any executive agency that the Secretary determines necessary to carry out the activities under this subsection, provided that such access is—

(i) conducted in a manner consistent with applicable provisions of law and policy of the originating agency, including laws and policies providing for the protection of privacy and civil liberties; and

(ii) consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters; and

(C) may obtain commercially available information that may not be publicly available.

(b) ACTIVE ORBITAL DEBRIS REMEDIATION DEMONSTRATION PROJECT.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, subject to the availability of appropriations, the Administrator, in consultation with the head of each relevant Federal department or agency, shall establish a demonstration project to make competitive awards for the research, development, and demonstration of technologies leading to the remediation of selected orbital debris identified under subsection (a)(1).

(2) PURPOSE.—The purpose of the demonstration project shall be to enable eligible entities to pursue the phased development and demonstration of technologies and processes required for active debris remediation.

(3) PROCEDURES AND CRITERIA.—In establishing the demonstration project, the Administrator shall—

(A) establish—

(i) eligibility criteria for participation; and

(ii) a process for soliciting proposals from eligible entities;

(iii) criteria for the contents of such proposals;

(iv) project compliance and evaluation metrics; and

(v) project phases and milestones;

(B) identify government-furnished data or equipment;

(C) develop a plan for National Aeronautics and Space Administration participation, as appropriate, in technology development and intellectual property rights that—

(i) leverages National Aeronautics and Space Administration Centers that have demonstrated expertise and historical knowledge in measuring, modeling, characterizing, and describing the current and future orbital debris environment; and

(ii) develops the technical consensus for adopting mitigation measures for such participation; and

(D)(i) assign a project manager to oversee the demonstration project and carry out project activities under this subsection; and

(ii) in assigning such project manager, leverage National Aeronautics and Space Administration Centers and the personnel of National Aeronautics and Space Administration Centers, as practicable.

(4) RESEARCH AND DEVELOPMENT PHASE.—With respect to orbital debris identified under paragraph (1) of subsection (a), the Administrator shall, to the extent practicable and subject to the availability of appropriations, carry out the additional research and development activities necessary to mature technologies, in partnership with eligible entities, with the intent to close commercial capability gaps and enable potential future remediation missions for such orbital debris, with a preference for technologies that are capable of remediating orbital debris that have a broad range of characteristics described in paragraph (2)(B)(i) of that subsection.

(5) DEMONSTRATION MISSION PHASE.—

(A) IN GENERAL.—The Administrator shall evaluate proposals for a demonstration mission, and select and enter into a partnership with an eligible entity, subject to the availability of appropriations, with the intent to demonstrate technologies determined by the Administrator to meet a level of technology readiness sufficient to carry out on-orbit remediation of select orbital debris.

(B) EVALUATION.—In evaluating proposals for the demonstration project, the Administrator shall—

(i) consider the safety, feasibility, cost, benefit, and maturity of the proposed technology;

(ii) consider the potential for the proposed demonstration to successfully remediate orbital debris and to advance the commercial state of the art with respect to active debris remediation;

(iii) carry out a risk analysis of the proposed technology that takes into consideration the potential casualty risk to humans in space or on the Earth's surface;

(iv) in an appropriate setting, conduct thorough testing and evaluation of the proposed technology and each component of such technology or system of technologies; and

(v) consider the technical and financial feasibility of using the proposed technology to conduct multiple remediation missions.

(C) CONSULTATION.—The Administrator shall consult with the head of each relevant Federal department or agency before carrying out any demonstration mission under this paragraph.

(D) ACTIVE DEBRIS REMEDIATION DEMONSTRATION MISSION.—It is the sense of Congress that the Administrator should consider

maximizing competition for, and use best practices to engage commercial entities in, an active debris remediation demonstration mission.

(6) BRIEFING AND REPORTS.—

(A) INITIAL BRIEFING.—Not later than 30 days after the establishment of the demonstration project under paragraph (1), the Administrator shall provide to the appropriate committees of Congress a briefing on the details of the demonstration project.

(B) ANNUAL REPORT.—Not later than 1 year after the initial briefing under subparagraph (A), and annually thereafter until the conclusion of the 1 or more demonstration missions, the Administrator shall submit to the appropriate committees of Congress a status report on—

(i) the technology developed under the demonstration project;

(ii) progress toward the accomplishment of the 1 or more demonstration missions; and

(iii) any duplicative efforts carried out or supported by the National Aeronautics and Space Administration or the Department of Defense.

(C) RECOMMENDATIONS.—Not later than 1 year after the date on which the first demonstration mission is carried out under this subsection, the Administrator, in consultation with the head of each relevant Federal department or agency, shall submit to Congress a report that provides legislative, regulatory, and policy recommendations to improve active debris remediation missions, as applicable.

(D) TECHNICAL ANALYSIS.—

(i) IN GENERAL.—To inform decisions regarding the acquisition of active debris remediation services by the Federal Government, not later than 1 year after the date on which an award is made under paragraph (1), the Administrator shall submit to Congress a report that—

(I) summarizes the cost-effectiveness, and provides a technical analysis of, technologies developed under the demonstration project;

(II) identifies any technology gaps addressed by the demonstration project and any remaining technology gaps; and

(III) provides, as applicable, any further legislative, regulatory, and policy recommendations to enable active debris remediation missions.

(ii) AVAILABILITY.—The Administration shall make the report submitted under clause (i) available to the Secretary, the Secretary of Defense, and other relevant Federal departments and agencies, as determined by the Administrator.

(7) SENSE OF CONGRESS ON INTERNATIONAL COOPERATION.—It is the sense of Congress that, in carrying out the demonstration project, it is critical that the Administrator, in coordination with the Secretary of State and in consultation with the National Space Council, cooperate with one or more partner countries to enable the remediation of orbital debris that is under their respective jurisdictions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $150,000,000 for the period of fiscal years 2025 through 2029.

(d) RESCISSION OF UNOBLIGATED FUNDS.—Unobligated balances of amounts appropriated or otherwise made available by subsection (c) as of September 30, 2029, shall be rescinded not later than December 31, 2029.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to grant the Administrator the authority to issue any regulation relating to activities under subsection (b) or related space activities under title 51, United States Code.

SEC. 1555. ACTIVE DEBRIS REMEDIATION SERVICES.

(a) IN GENERAL.—To foster the competitive development, operation, improvement, and commercial availability of active debris remediation services, and in consideration of the economic analysis required by subsection (b) and the briefing and reports under section 1554(b)(6), the Administrator and the head of each relevant Federal department or agency may acquire services for the remediation of orbital debris, whenever practicable, through fair and open competition for contracts that are well-defined, milestone-based, and in accordance with the Federal Acquisition Regulation.

(b) ECONOMIC ANALYSIS.—Based on the results of the demonstration project, the Secretary, acting through the Office of Space Commerce, shall publish an assessment of the estimated Federal Government and private sector demand for orbital debris remediation services for the 10-year period beginning in 2026.

SEC. 1556. UNIFORM ORBITAL DEBRIS STANDARD PRACTICES FOR UNITED STATES SPACE ACTIVITIES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the National Space Council, in coordination with the Secretary, the Administrator of the Federal Aviation Administration, the Secretary of Defense, the Secretary of State, the Federal Communications Commission, and the Administrator, shall initiate an update to the Orbital Debris Mitigation Standard Practices that—

(1) considers planned space systems, including satellite constellations; and

(2) addresses—

(A) collision risk;

(B) explosion risk;

(C) casualty probability;

(D) post-mission disposal of space systems;

(E) time to disposal or de-orbit;

(F) spacecraft collision avoidance and automated identification capability; and

(G) the ability to track orbital debris of decreasing size.

(b) CONSULTATION.—In developing the update under subsection (a), the National Space Council, or a designee of the National Space Council, shall seek advice and input on commercial standards and best practices from representatives of the commercial space industry, academia, and nonprofit organizations, including through workshops and, as appropriate, advance public notice and comment processes under chapter 5 of title 5, United States Code.

(c) PUBLICATION.—Not later than 1 year after the date of the enactment of this Act, such update shall be published in the Federal Register and posted to the relevant Federal Government internet websites.

(d) REGULATIONS.—To promote uniformity and avoid duplication in the regulation of space activity, including licensing by the Federal Aviation Administration, the National Oceanic and Atmospheric Administration, and the Federal Communications Commission, such update, after publication, shall be used to inform the further development and promulgation of Federal regulations relating to orbital debris.

(e) INTERNATIONAL PROMOTION.—To encourage effective and nondiscriminatory standards, best practices, rules, and regulations implemented by other countries, such update shall inform bilateral and multilateral discussions focused on the authorization and continuing supervision of nongovernmental space activities.

(f) PERIODIC REVIEW.—Not less frequently than every 5 years, the Orbital Debris Mitigation Standard Practices referred to in subsection (a) shall be assessed and, if necessary, updated, used, and promulgated in a manner consistent with this section.

SEC. 1557. STANDARD PRACTICES FOR SPACE TRAFFIC COORDINATION.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of Defense and members of the National Space Council and the Federal Communications Commission, shall facilitate the development of standard practices for on-orbit space traffic coordination based on existing guidelines and best practices used by Government and commercial space industry operators.

(b) CONSULTATION.—In facilitating the development of standard practices under subsection (a), the Secretary, through the Office of Space Commerce, in consultation with the National Institute of Standards and Technology, shall engage in frequent and routine consultation with representatives of the commercial space industry, academia, and nonprofit organizations.

(c) PROMOTION OF STANDARD PRACTICES.—On completion of such standard practices, the Secretary, the Secretary of State, the Secretary of Transportation, the Administrator, and the Secretary of Defense shall promote the adoption and use of the standard practices for domestic and international space missions.

SA 2352. Mr. TESTER (for himself and Mr. DAINES) 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—FORT BELKNAP INDIAN COMMUNITY WATER RIGHTS SETTLEMENT ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Fort Belknap Indian Community Water Rights Settlement Act of 2024''.

SEC. 5002. PURPOSES.

The purposes of this division are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; and

(B) the United States, acting as trustee for the Fort Belknap Indian Community and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Fort Belknap Indian Community and the State, to the extent that the Compact is consistent with this division;

(3) to authorize and direct the Secretary—

(A) to execute the Compact; and

(B) to take any other actions necessary to carry out the Compact in accordance with this division;

(4) to authorize funds necessary for the implementation of the Compact and this division; and

(5) to authorize the exchange and transfer of certain Federal and State land.

SEC. 5003. DEFINITIONS.

In this division:

(1) ALLOTTEE.—The term ''allottee'' means an individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BLACKFEET TRIBE.—The term ''Blackfeet Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

(3) CERCLA.—The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of Reclamation.

(5) COMPACT.—The term ''Compact'' means—

(A) the Fort Belknap-Montana water rights compact dated April 16, 2001, as contained in section 85–20–1001 of the Montana Code Annotated (2021); and

(B) any appendix (including appendix amendments), part, or amendment to the Compact that is executed to make the Compact consistent with this division.

(6) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 5011(f).

(7) FORT BELKNAP INDIAN COMMUNITY.—The term ''Fort Belknap Indian Community'' means the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation of Montana, a federally recognized Indian Tribal entity included on the list published by the Secretary pursuant to section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

(8) FORT BELKNAP INDIAN COMMUNITY COUNCIL.—The term ''Fort Belknap Indian Community Council'' means the governing body of the Fort Belknap Indian Community.

(9) FORT BELKNAP INDIAN IRRIGATION PROJECT.—

(A) IN GENERAL.—The term ''Fort Belknap Indian Irrigation Project'' means the Federal Indian irrigation project constructed and operated by the Bureau of Indian Affairs, consisting of the Milk River unit, including—

(i) the Three Mile unit; and

(ii) the White Bear unit.

(B) INCLUSIONS.—The term ''Fort Belknap Indian Irrigation Project'' includes any addition to the Fort Belknap Indian Irrigation Project constructed pursuant to this division, including expansion of the Fort Belknap Indian Irrigation Project, the Pumping Plant, delivery Pipe and Canal, the Fort Belknap Reservoir and Dam, and the Peoples Creek Flood Protection Project.

(10) IMPLEMENTATION FUND.—The term ''Implementation Fund'' means the Fort Belknap Indian Community Water Settlement Implementation Fund established by section 5013(a).

(11) 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).

(12) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(13) MALTA IRRIGATION DISTRICT.—The term ''Malta Irrigation District'' means the public corporation—

(A) created on December 28, 1923, pursuant to the laws of the State relating to irrigation districts; and

(B) headquartered in Malta, Montana.

(14) MILK RIVER.—The term ''Milk River'' means the mainstem of the Milk River and each tributary of the Milk River between the headwaters of the Milk River and the confluence of the Milk River with the Missouri River, consisting of—

(A) Montana Water Court Basins 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and 40O; and

(B) the portion of the Milk River and each tributary of the Milk River that flows through the Canadian Provinces of Alberta and Saskatchewan.

(15) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(16) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River, including tributaries.

(17) OPERATIONS AND MAINTENANCE.—The term ''operations and maintenance'' means the Bureau of Indian Affairs operations and maintenance activities related to costs described in section 171.500 of title 25, Code of Federal Regulations (or a successor regulation).

(18) OPERATIONS, MAINTENANCE, AND REPLACEMENT.—The term ''operations, maintenance, and replacement'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to repairing, replacing, or rehabilitating a feature of a project.

(19) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM.—The term ''Pick-Sloan Missouri River Basin Program'' means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665)).

(20) PMM.—The term ''PMM'' means the Principal Meridian, Montana.

(21) RESERVATION.—

(A) IN GENERAL.—The term ''Reservation'' means the area of the Fort Belknap Reservation in the State, as modified by this division.

(B) INCLUSIONS.—The term ''Reservation'' includes—

(i) all land and interests in land established by—

(I) the Agreement with the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 212), as modified by the Agreement with the Indians of the Fort Belknap Reservation of October 9, 1895 (ratified by the Act of June 10, 1896) (29 Stat. 350, chapter 398);

(II) the Act of March 3, 1921 (41 Stat. 1355, chapter 135); and

(III) Public Law 94–114 (25 U.S.C. 5501 et seq.);

(ii) the land known as the ''Hancock lands'' purchased by the Fort Belknap Indian Community pursuant to the Fort Belknap Indian Community Council Resolution No. 234–89 (October 2, 1989); and

(iii) all land transferred to the United States to be held in trust for the benefit of the Fort Belknap Indian Community under section 5006.

(22) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(23) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(24) STATE.—The term ''State'' means the State of Montana.

(25) TRIBAL WATER CODE.—The term ''Tribal water code'' means the Tribal water code enacted by the Fort Belknap Indian Community pursuant to section 5005(g).

(26) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Fort Belknap Indian Community, as described in Article III of the Compact and this division, including the allocation of water to the Fort Belknap Indian Community from Lake Elwell under section 5007.

(27) TRUST FUND.—The term ''Trust Fund'' means the Aaniiih Nakoda Settlement Trust Fund established for the Fort Belknap Indian Community under section 5012(a).

SEC. 5004. RATIFICATION OF COMPACT.

(a) RATIFICATION OF COMPACT.—

(1) IN GENERAL.—As modified by this division, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed to the extent that the amendment is executed to make the Compact consistent with this division.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this division, the Secretary shall execute the Compact, including all appendices to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this division precludes the Secretary from approving any modification to an appendix to the Compact that is consistent with this division, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this division, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Compact and this division, the Fort Belknap Indian Community shall prepare any necessary environmental documents, except for any environmental documents required under section 5008, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities described in paragraph (2) shall be paid from

funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 5005. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this division.

(3) CONFLICT.—In the event of a conflict between the Compact and this division, this division shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this Act, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this division;

(2) the availability of funding under this division and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), and this division to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Fort Belknap Indian Community and allottees in accordance with this division; and

(2) shall not be subject to loss through nonuse, forfeiture, or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF THE ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), relating to the use of water for irrigation purposes, shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the Tribal water code or other applicable Tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the Tribal water code or other applicable Tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF THE SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF THE FORT BELKNAP INDIAN COMMUNITY.—

(1) IN GENERAL.—The Fort Belknap Indian Community shall have the authority to allocate, distribute, and lease the Tribal water rights for use on the Reservation in accordance with the Compact, this division, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Fort Belknap Indian Community may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, this division, and applicable Federal law—

(A) subject to the approval of the Secretary; or

(B) pursuant to Tribal water leasing regulations consistent with the requirements of subsection (f).

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the Tribal water code.

(f) TRIBAL WATER LEASING REGULATIONS.—

(1) IN GENERAL.—At the discretion of the Fort Belknap Indian Community, any water lease of the Fort Belknap Indian Community of the Tribal water rights for use on or off the Reservation shall not require the approval of the Secretary if the lease—

(A) is executed under tribal regulations, approved by the Secretary under this subsection;

(B) is in accordance with the Compact; and

(C) does not exceed a term of 100 years, except that a lease may include an option to renew for 1 additional term of not to exceed 100 years.

(2) AUTHORITY OF THE SECRETARY OVER TRIBAL WATER LEASING REGULATIONS.—

(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any Tribal water leasing regulations issued in accordance with paragraph (1).

(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any Tribal water leasing regulations issued in accordance with paragraph (1) if the Tribal water leasing regulations—

(i) provide for an environmental review process that includes—

(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

(II) a process for ensuring that—

(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Fort Belknap Indian Community; and

(bb) the Fort Belknap Indian Community provides responses to relevant and substantive public comments on those impacts prior to its approval of a water lease; and

(ii) are consistent with this division and the Compact.

(3) REVIEW PROCESS.—

(A) IN GENERAL.—Not later than 120 days after the date on which Tribal water leasing regulations under paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the Tribal water leasing regulations described in subparagraph (A), the Secretary shall include written documentation with the disapproval notification that describes the basis for this disapproval.

(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(4) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (2) and (3), if the Fort Belknap Indian Community carries out a project or activity funded by a Federal agency, the Fort Belknap Indian Community—

(A) shall have the authority to rely on the environmental review process of the applicable Federal agency; and

(B) shall not be required to carry out a tribal environmental review process under this subsection.

(5) DOCUMENTATION.—If the Fort Belknap Indian Community issues a lease pursuant to Tribal water leasing regulations under paragraph (1), the Fort Belknap Indian Community shall provide the Secretary and the State a copy of the lease, including any amendments or renewals to the lease.

(6) LIMITATION OF LIABILITY.—

(A) IN GENERAL.—The United States shall not be liable in any claim relating to the negotiation, execution, or approval of any lease or exchange agreement or storage agreement, including any claims relating to the terms included in such an agreement, made pursuant to Tribal water leasing regulations under paragraph (1).

(B) OBLIGATIONS.—The United States shall have no trust obligation or other obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease or exchange agreement or storage agreement; or

(ii) the expenditure of those funds.

(g) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding Article IV.A.2. of the Compact, not later than 4 years after the date on which the Fort Belknap Indian Community approves the Compact in accordance with section 5011(f)(1), the Fort Belknap Indian Community shall enact a Tribal water code that provides for—

(A) the administration, management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this division; and

(B) the establishment by the Fort Belknap Indian Community of the conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this division.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the Tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Fort Belknap Indian Community provide water for irrigation use in accordance with this division, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (36 Stat. 856, chapter 431; 25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Fort Belknap Indian Community of any request of an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision;

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the Tribal water code, including to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under Tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B);

(E) a process by which an owner of fee land within the boundaries of the Reservation may apply for use of a portion of the Tribal water rights; and

(F) a process for the establishment of a controlled Groundwater area and for the management of that area in cooperation with establishment of a contiguous controlled Groundwater area off the Reservation established pursuant to Section B.2. of Article IV of the Compact and State law.

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this Act and ending on the date on which a Tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with the Compact and this division.

(B) APPROVAL.—The Tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the Tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the Tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the Tribal water code or an amendment to the Tribal water code by not later than 180 days after the date on which the Tribal water code or amendment to the Tribal water code is submitted to the Secretary.

(ii) EXTENSIONS.—The deadline described in clause (i) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(h) ADMINISTRATION.—

(1) NO ALIENATION.—The Fort Belknap Indian Community shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this division for the allocation, distribution, leasing, or other arrangement entered into pursuant to this division shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(i) EFFECT.—Except as otherwise expressly provided in this section, nothing in this division—

(1) authorizes any action by an allottee against any individual or entity, or against the Fort Belknap Indian Community, under Federal, State, Tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

(j) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM POWER RATES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary, in cooperation with the Secretary of Energy, shall make available the Pick-Sloan Missouri River Basin Program irrigation project pumping power rates to the Fort Belknap Indian Community, the Fort Belknap Indian Irrigation Project, and any projects funded under this division.

(2) AUTHORIZED PURPOSES.—The power rates made available under paragraph (1) shall be authorized for the purposes of wheeling, administration, and payment of irrigation project pumping power rates, including project use power for gravity power.

SEC. 5006. EXCHANGE AND TRANSFER OF LAND.

(a) EXCHANGE OF ELIGIBLE LAND AND STATE LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE LAND.—The term ''eligible land'' means—

(i) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) that are administered by the Secretary, acting through the Director of the Bureau of Land Management; and

(ii) land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a)) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(B) SECRETARY CONCERNED.—The term ''Secretary concerned'' means, as applicable—

(i) the Secretary, with respect to the eligible land administered by the Bureau of Land Management; and

(ii) the Secretary of Agriculture, with respect to eligible land managed by the Forest Service.

(2) NEGOTIATIONS AUTHORIZED.—

(A) IN GENERAL.—The Secretary concerned shall offer to enter into negotiations with the State for the purpose of exchanging eligible land described in paragraph (4) for the State land described in paragraph (3).

(B) REQUIREMENTS.—Any exchange of land made pursuant to this subsection shall be subject to the terms and conditions of this subsection.

(C) PRIORITY.—

(i) IN GENERAL.—In carrying out this paragraph, the Secretary and the Secretary of Agriculture shall, during the 5-year period beginning on the date of enactment of this Act, give priority to an exchange of eligible land located within the State for State land.

(ii) SECRETARY OF AGRICULTURE.—The responsibility of the Secretary of Agriculture under clause (i), during the 5-year period described in that clause, shall be limited to negotiating with the State an acceptable package of land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a))).

(3) STATE LAND.—The Secretary is authorized to accept the following parcels of State land located on and off the Reservation:

(A) 717.56 acres in T. 26 N., R. 22 E., sec. 16.
(B) 707.04 acres in T. 27 N., R. 22 E., sec. 16.
(C) 640 acres in T. 27 N., R. 21 E., sec. 36.
(D) 640 acres in T. 26 N., R. 23 E., sec. 16.
(E) 640 acres in T. 26 N., R. 23 E., sec. 36.
(F) 640 acres in T. 26 N., R. 26 E., sec. 16.
(G) 640 acres in T. 26 N., R. 22 E., sec. 36.
(H) 640 acres in T. 27 N., R. 23 E., sec. 16.
(I) 640 acres in T. 27 N., R. 25 E., sec. 36.
(J) 640 acres in T. 28 N., R. 22 E., sec. 36.
(K) 640 acres in T. 28 N., R. 23 E., sec. 16.
(L) 640 acres in T. 28 N., R. 24 E., sec. 36.
(M) 640 acres in T. 28 N., R. 25 E., sec. 16.
(N) 640 acres in T. 28 N., R. 25 E., sec. 36.
(O) 640 acres in T. 28 N., R. 26 E., sec. 16.
(P) 94.96 acres in T. 28 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act, comprised of—
(i) 30.68 acres in lot 5;
(ii) 26.06 acres in lot 6;
(iii) 21.42 acres in lot 7; and
(iv) 16.8 acres in lot 8.
(Q) 652.32 acres in T. 29 N., R. 22 E., sec. 16, excluding the 73.36 acres under lease by individuals who are not members of the Fort Belknap Indian Community, on the date of enactment of this Act.
(R) 640 acres in T. 29 N., R. 22 E., sec. 36.
(S) 640 acres in T. 29 N., R. 23 E., sec. 16.
(T) 640 acres in T. 29 N., R. 24 E., sec. 16.
(U) 640 acres in T. 29 N., R. 24 E., sec. 36.
(V) 640 acres in T. 29 N., R. 25 E., sec. 16.
(W) 640 acres in T. 29 N., R. 25 E., sec. 36.
(X) 640 acres in T. 29 N., R. 26 E., sec. 16.
(Y) 663.22 acres in T. 30 N., R. 22 E., sec. 16, excluding the 58.72 acres under lease by individuals who are not members of the Fort Belknap Indian Community on the date of enactment of this Act.
(Z) 640 acres in T. 30 N., R. 22 E., sec. 36.
(AA) 640 acres in T. 30 N., R. 23 E., sec. 16.
(BB) 640 acres in T. 30 N., R. 23 E., sec. 36.
(CC) 640 acres in T. 30 N., R. 24 E., sec. 16.
(DD) 640 acres in T. 30 N., R. 24 E., sec. 36.
(EE) 640 acres in T. 30 N., R. 25 E., sec. 16.
(FF) 275.88 acres in T. 30 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act.
(GG) 640 acres in T. 31 N., R. 22 E., sec. 36.
(HH) 640 acres in T. 31 N., R. 23 E., sec. 16.
(II) 640 acres in T. 31 N., R. 23 E., sec. 36.
(JJ) 34.04 acres in T. 31 N., R. 26 E., sec. 16, lot 4.
(KK) 640 acres in T. 25 N., R. 22 E., sec. 16.

(4) ELIGIBLE LAND.—

(A) IN GENERAL.—Subject to valid existing rights, the reservation of easements or rights-of-way deemed necessary to be retained by the Secretary concerned, and the requirements of this subsection, the Secretary is authorized and directed to convey to the State any eligible land within the State identified in the negotiations authorized by paragraph (2) and agreed to by the Secretary concerned.

(B) EXCEPTIONS.—The Secretary concerned shall exclude from any conveyance any parcel of eligible land that is—

(i) included within the National Landscape Conservation System established by section 2002(a) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(a)), without regard to whether that land has been identified as available for disposal in a land use plan;

(ii) designated as wilderness by Congress;

(iii) within a component of the National Wild and Scenic Rivers System; or

(iv) designated in the Forest Land and Resource Management Plan as a Research Natural Area.

(C) ADMINISTRATIVE RESPONSIBILITY.—The Secretary shall be responsible for meeting all substantive and any procedural requirements necessary to complete the exchange and the conveyance of the eligible land.

(5) LAND INTO TRUST.—On completion of the land exchange authorized by this subsection, the Secretary shall, as soon as practicable after the enforceability date, take the land received by the United States pursuant to this subsection into trust for the benefit of the Fort Belknap Indian Community.

(6) TERMS AND CONDITIONS.—

(A) EQUAL VALUE.—The values of the eligible land and State land exchanged under this subsection shall be equal, except that the Secretary concerned may—

(i) exchange land that is of approximately equal value if such an exchange complies with the requirements of section 206(h) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(h)) (and any regulations implementing that section) without regard to the monetary limitation described in paragraph (1)(A) of that section; and

(ii) make or accept an equalization payment, or waive an equalization payment, if such a payment or waiver of a payment complies with the requirements of section 206(b) of that Act (43 U.S.C. 1716(b)) (and any regulations implementing that section).

(B) IMPACTS ON LOCAL GOVERNMENTS.—In identifying eligible land to be exchanged with the State, the Secretary concerned and the State may—

(i) consider the financial impacts of exchanging specific eligible land on local governments; and

(ii) attempt to minimize the financial impact of the exchange on local governments.

(C) EXISTING AUTHORIZATIONS.—

(i) ELIGIBLE LAND CONVEYED TO THE STATE.—

(I) IN GENERAL.—Any eligible land conveyed to the State under this subsection shall be subject to any 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) ASSUMPTION BY STATE.—The State shall assume all benefits and obligations of the Forest Service or the Bureau of Land Management, as applicable, under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I).

(ii) STATE LAND CONVEYED TO THE UNITED STATES.—

(I) IN GENERAL.—Any State land conveyed to the United States under this subsection and taken into trust for the benefit of the Fort Belknap Indian Community subject shall be to any 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) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—

(aa) assume all benefits and obligations of the State under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I); and

(bb) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-way, after the date of transfer 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 benefit of the Fort Belknap Indian Community.

(D) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred to the United States under this subsection shall—

(I) remain the property of the holder; and

(II) be removed not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—

(I) become the property of the Fort Belknap Indian Community; and

(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable for costs incurred by the Fort Belknap Indian Community in removing and disposing of the personal property under clause (ii)(II).

(7) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of land owned by the State under paragraph (3), the State may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the State parcels to be exchanged.

(8) ASSISTANCE.—The Secretary shall provide $10,000,000 of financial or other assistance to the State and the Fort Belknap Indian Community as may be necessary to obtain the appraisals, and to satisfy administrative requirements, necessary to accomplish the exchanges under paragraph (2).

(b) FEDERAL LAND TRANSFERS.—

(1) IN GENERAL.—Subject to valid existing rights and the requirements of this subsection, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be held by the United States in trust for the benefit of the Fort Belknap Indian Community as part of the Reservation on the enforceability date.

(2) FEDERAL LAND.—

(A) BUREAU OF LAND MANAGEMENT PARCELS.—

(i) 59.46 acres in T. 25 N., R. 22 E., sec. 4, comprised of—

(I) 19.55 acres in lot 10;

(II) 19.82 acres in lot 11; and

(III) 20.09 acres in lot 16.

(ii) 324.24 acres in the N½ of T. 25 N., R. 22 E., sec. 5.

(iii) 403.56 acres in T. 25 N., R. 22 E., sec. 9, comprised of—

(I) 20.39 acres in lot 2;

(II) 20.72 acres in lot 7;

(III) 21.06 acres in lot 8;

(IV) 40.00 acres in lot 9;

(V) 40.00 acres in lot 10;

(VI) 40.00 acres in lot 11;

(VII) 40.00 acres in lot 12;

(VIII) 21.39 acres in lot 13; and

(IX) 160 acres in SW¼.

(iv) 70.63 acres in T. 25 N., R. 22 E., sec. 13, comprised of—

(I) 18.06 acres in lot 5;

(II) 18.25 acres in lot 6;

(III) 18.44 acres in lot 7; and

(IV) 15.88 acres in lot 8.

(v) 71.12 acres in T. 25 N., R. 22 E., sec. 14, comprised of—

(I) 17.65 acres in lot 5;

(II) 17.73 acres in lot 6;

(III) 17.83 acres in lot 7; and

(IV) 17.91 acres in lot 8.

(vi) 103.29 acres in T. 25 N., R. 22 E., sec. 15, comprised of—

(I) 21.56 acres in lot 6;

(II) 29.50 acres in lot 7;

(III) 17.28 acres in lot 8;

(IV) 17.41 acres in lot 9; and

(V) 17.54 acres in lot 10.

(vii) 160 acres in T. 26 N., R. 21 E., sec. 1, comprised of—

(I) 80 acres in the S½ of the NW¼ ; and

(II) 80 acres in the W½ of the SW¼.

(viii) 567.50 acres in T. 26 N., R. 21 E., sec. 2, comprised of—

(I) 82.54 acres in the E½ of the NW¼;

(II) 164.96 acres in the NE¼; and

(III) 320 acres in the S½.

(ix) 240 acres in T. 26 N., R. 21 E., sec. 3, comprised of—

(I) 40 acres in the SE¼ of the NW¼;

(II) 160 acres in the SW¼; and

(III) 40 acres in the SW¼ of the SE¼.

(x) 120 acres in T. 26 N., R. 21 E., sec. 4, comprised of—

(I) 80 acres in the E½ of the SE¼; and

(II) 40 acres in the NW¼ of the SE¼.

(xi) 200 acres in T. 26 N., R. 21 E., sec. 5, comprised of—

(I) 160 acres in the SW¼; and

(II) 40 acres in the SW¼ of the NW¼.

(xii) 40 acres in the SE¼ of the SE¼ of T. 26 N., R. 21 E., sec. 6.

(xiii) 240 acres in T. 26 N., R. 21 E., sec. 8, comprised of—

(I) 40 acres in the NE¼ of the SW¼;

(II) 160 acres in the NW¼; and

(III) 40 acres in the NW¼ of the SE¼.

(xiv) 320 acres in the E½ of T. 26 N., R. 21 E., sec. 9.

(xv) 640 acres in T. 26 N., R. 21 E., sec. 10.

(xvi) 600 acres in T. 26 N., R. 21 E., sec. 11, comprised of—

(I) 320 acres in the N½;

(II) 80 acres in the N½ of the SE¼;

(III) 160 acres in the SW¼; and

(IV) 40 acres in the SW¼ of the SE¼.

(xvii) 525.81 acres in T. 26 N., R. 22 E., sec. 21, comprised of—

(I) 6.62 acres in lot 1;

(II) 5.70 acres in lot 2;

(III) 56.61 acres in lot 5;

(IV) 56.88 acres in lot 6;

(V) 320 acres in the W½; and

(VI) 80 acres in the W½ of the SE¼.

(xviii) 719.58 acres in T. 26 N., R. 22 E., sec. 28.

(xix) 560 acres in T. 26 N., R. 22 E., sec. 29, comprised of—

(I) 320 acres in the N½;

(II) 160 acres in the N½ of the S½; and

(III) 80 acres in the S½ of the SE¼.

(xx) 400 acres in T. 26 N., R. 22 E., sec. 32, comprised of—

(I) 320 acres in the S½; and

(II) 80 acres in the S½ of the NW¼.

(xxi) 455.51 acres in T. 26 N., R. 22 E., sec. 33, comprised of—

(I) 58.25 acres in lot 3;

(II) 58.5 acres in lot 4;

(III) 58.76 acres in lot 5;

(IV) 40 acres in the NW¼ of the NE¼;

(V) 160 acres in the SW¼; and

(VI) 80 acres in the W½ of the SE¼.

(xxii) 88.71 acres in T. 27 N., R. 21 E., sec. 1, comprised of—

(I) 24.36 acres in lot 1;

(II) 24.35 acres in lot 2; and

(III) 40 acres in the SW¼ of the SW¼.

(xxiii) 80 acres in T. 27 N., R. 21 E., sec. 3, comprised of—

(I) 40 acres in lot 11; and

(II) 40 acres in lot 12.

(xxiv) 80 acres in T. 27 N., R. 21 E., sec. 11, comprised of—

(I) 40 acres in the NW¼ of the SW¼; and

(II) 40 acres in the SW¼ of the NW¼.

(xxv) 200 acres in T. 27 N., R. 21 E., sec. 12, comprised of—

(I) 80 acres in the E½ of the SW¼;

(II) 40 acres in the NW¼ of the NW¼; and

(III) 80 acres in the S½ of the NW¼.

(xxvi) 40 acres in the SE¼ of the NE¼ of T. 27 N., R. 21 E., sec. 23.

(xxvii) 320 acres in T. 27 N., R. 21 E., sec. 24, comprised of—

(I) 80 acres in the E½ of the NW¼;

(II) 160 acres in the NE¼;

(III) 40 acres in the NE¼ of the SE¼; and

(IV) 40 acres in the SW¼ of the SW¼.

(xxviii) 120 acres in T. 27 N., R. 21 E., sec. 25, comprised of—

(I) 80 acres in the S½ of the NE¼; and

(II) 40 acres in the SE¼ of the NW¼.

(xxix) 40 acres in the NE¼ of the SE¼ of T. 27 N., R. 21 E., sec. 26.

(xxx) 160 acres in the NW¼ of T. 27 N., R. 21 E., sec. 27.

(xxxi) 40 acres in the SW¼ of the SW¼ of T. 27 N., R. 21 E., sec. 29.

(xxxii) 40 acres in the SW¼ of the NE¼ of T. 27 N., R. 21 E., sec 30.

(xxxiii) 120 acres in T. 27 N., R. 21 E., sec. 33, comprised of—

(I) 40 acres in the SE¼ of the NE¼; and

(II) 80 acres in the N½ of the SE¼.

(xxxiv) 440 acres in T. 27 N., R. 21 E., sec. 34, comprised of—

(I) 160 acres in the N½ of the S½;

(II) 160 acres in the NE¼;

(III) 80 acres in the S½ of the NW¼; and

(IV) 40 acres in the SE¼ of the SE¼.

(xxxv) 133.44 acres in T. 27 N., R. 22 E., sec. 4, comprised of—

(I) 28.09 acres in lot 5;

(II) 25.35 acres in lot 6;

(III) 40 acres in lot 10; and

(IV) 40 acres in lot 15.

(xxxvi) 160 acres in T. 27 N., R. 22 E., sec. 7, comprised of—

(I) 40 acres in the NE¼ of the NE¼;

(II) 40 acres in the NW¼ of the SW¼; and

(III) 80 acres in the W½ of the NW¼.

(xxxvii) 120 acres in T. 27 N., R. 22 E., sec. 8, comprised of—

(I) 80 acres in the E½ of the NW¼; and

(II) 40 acres in the NE¼ of the SW¼.

(xxxviii) 40 acres in the SW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 9.

(xxxix) 40 acres in the NE¼ of the SW¼ of T. 27 N., R. 22 E., sec. 17.

(xl) 40 acres in the NW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 19.

(xli) 40 acres in the SE¼ of the NW¼ of T. 27 N., R22 E., sec. 20.

(xlii) 80 acres in the W½ of the SE¼ of T. 27 N., R. 22 E., sec. 31.

(xliii) 52.36 acres in the SE¼ of the SE¼ of T. 27 N., R. 22 E., sec. 33.

(xliv) 40 acres in the NE¼ of the SW¼ of T. 28 N., R. 22 E., sec. 29.

(xlv) 40 acres in the NE¼ of the NE¼ of T. 26 N., R. 21 E., sec. 7.

(xlvi) 40 acres in the SW¼ of the NW¼ of T. 26 N., R. 21 E., sec. 12.

(xlvii) 42.38 acres in the NW¼ of the NE¼ of T. 26 N., R. 22 E., sec. 6.

(xlviii) 320 acres in the E½ of T. 26 N., R. 22 E., sec. 17.

(xlix) 80 acres in the E½ of the NE¼ of T. 26 N., R. 22 E., sec. 20.

(l) 240 acres in T. 26 N., R. 22 E., sec. 30, comprised of—

(I) 80 acres in the E½ of the NE¼;

(II) 80 acres in the N½ of the SE¼;

(III) 40 acres in the SE¼ of the NW¼; and

(IV) 40 acres in the SW¼ of the NE¼.

(B) BUREAU OF INDIAN AFFAIRS.—The parcels of approximately 3,519.3 acres of trust land that have been converted to fee land, judicially foreclosed on, acquired by the Department of Agriculture, and transferred to the Bureau of Indian Affairs, described in clauses (i) through (iii).

(i) PARCEL 1.—The land described in this clause is 640 acres in T. 29 N., R. 26 E., comprised of—

(I) 160 acres in the SW¼ of sec. 27;

(II) 160 acres in the NE¼ of sec. 33; and

(III) 320 acres in the W½ of sec. 34.

(ii) PARCEL 2.—The land described in this clause is 320 acres in the N½ of T. 30 N., R. 23 E., sec. 28.

(iii) PARCEL 3.—The land described in this clause is 2,559.3 acres, comprised of—

(I) T. 28 N., R. 24 E., including—

(aa) of sec. 16—

(AA) 5 acres in the E½, W½, E½, W½, W½, NE¼;

(BB) 10 acres in the E½ , E½, W½, W½, NE¼;

(CC) 40 acres in the E½, W½, NE¼;

(DD) 40 acres in the W½, E½, NE¼;

(EE) 20 acres in the W½, E½, E½, NE¼;

(FF) 5 acres in the W½, W½, E½, E½, E½, NE¼; and

(GG) 160 acres in the SE¼;

(bb) 640 acres in sec. 21;

(cc) 320 acres in the S½ of sec. 22; and

(dd) 320 acres in the W½ of sec. 27;

(II) T. 29 N., R. 25 E., PMM, including—

(aa) 320 acres in the S½ of sec. 1; and

(bb) 320 acres in the N½ of sec. 12;

(III) 39.9 acres in T. 29 N., R. 26 E., PMM, sec. 6, lot 2;

(IV) T. 30 N., R. 26 E., PMM, including—

(aa) 39.4 acres in sec. 3, lot 2;

(bb) 40 acres in the SW¼ of the SW¼ of sec. 4;

(cc) 80 acres in the E½ of the SE¼ of sec. 5;

(dd) 80 acres in the S½ of the SE¼ of sec. 7; and

(ee) 40 acres in the N½, N½, NE¼ of sec. 18; and

(V) 40 acres in T. 31 N., R. 26 E., PMM, the NW¼ of the SE¼ of sec. 31.

(3) TERMS AND CONDITIONS.—

(A) EXISTING AUTHORIZATIONS.—

(i) IN GENERAL.—Federal land transferred under this subsection shall be conveyed and taken into trust subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, and rights-of-way requests an earlier termination in accordance with existing law.

(ii) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—

(I) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, and rights-of-way described in clause (i); and

(II) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-ways after the date of transfer 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 Fort Belknap Indian Community.

(B) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred under this subsection shall—

(I) remain the property of the holder; and

(II) be removed from the land not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—

(I) become the property of the Fort Belknap Indian Community; and

(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable to the Fort Belknap Indian Community for costs incurred by the Fort Belknap Indian Community in removing and disposing of the property under clause (ii)(II).

(C) EXISTING ROADS.—If any road within the Federal land transferred under this subsection is necessary for customary access to private land, the Bureau of Indian Affairs shall offer the owner of the private land to apply for a right-of-way along the existing road, at the expense of the landowner.

(D) LIMITATION ON THE TRANSFER OF WATER RIGHTS.—Water rights that transfer with the land described in paragraph (2) shall not become part of the Tribal water rights, unless those rights are recognized and ratified in the Compact.

(4) WITHDRAWAL OF FEDERAL LAND.—

(A) IN GENERAL.—Subject to valid existing rights, effective on the date of enactment of this Act, all Federal land within the parcels described in paragraph (2) 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 and geothermal leasing or mineral materials.

(B) EXPIRATION.—The withdrawals pursuant to subparagraph (A) shall terminate on the date that the Secretary takes the land into trust for the benefit of the Fort Belknap Indian Community pursuant to paragraph (1).

(C) NO NEW RESERVATION OF FEDERAL WATER RIGHTS.—Nothing in this paragraph establishes a new reservation in favor of the United States or the Fort Belknap Indian Community with respect to any water or water right on the land withdrawn by this paragraph.

(5) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in paragraph (2), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels.

(6) SURVEY.—

(A) IN GENERAL.—Unless the United States or the Fort Belknap Indian Community request an additional survey for the transferred land or a technical correction is made under paragraph (5), the description of land under this subsection shall be controlling.

(B) ADDITIONAL SURVEY.—If the United States or the Fort Belknap Indian Community requests an additional survey, that survey shall control the total acreage to be transferred into trust under this subsection.

(C) ASSISTANCE.—The Secretary shall provide such financial or other assistance as may be necessary—

(i) to conduct additional surveys under this subsection; and

(ii) to satisfy administrative requirements necessary to accomplish the land transfers under this subsection.

(7) DATE OF TRANSFER.—The Secretary shall complete all land transfers under this subsection and shall take the land into trust for the benefit of the Fort Belknap Indian Community as expeditiously as practicable after the enforceability date, but not later than 10 years after the enforceability date.

(c) TRIBALLY OWNED FEE LAND.—Not later than 10 years after the enforceability date, the Secretary shall take into trust for the benefit of the Fort Belknap Indian Community all fee land owned by the Fort Belknap Indian Community on or adjacent to the Reservation to become part of the Reservation, provided that—

(1) the land is free from any liens, encumbrances, or other infirmities; and

(2) no evidence exists of any hazardous substances on, or other environmental liability with respect to, the land.

(d) DODSON LAND.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the enforceability date, but not later than 10 years after the enforceability date, the Dodson Land described in paragraph (3) shall be taken into trust by the United States for the benefit of the Fort Belknap Indian Community as part of the Reservation.

(2) RESTRICTIONS.—The land taken into trust under paragraph (1) shall be subject to a perpetual easement, reserved by the United States for use by the Bureau of Reclamation, its contractors, and its assigns for—

(A) the right of ingress and egress for Milk River Project purposes; and

(B) the right to—

(i) seep, flood, and overflow the transferred land for Milk River Project purposes;

(ii) conduct routine and non-routine operation, maintenance, and replacement activities on the Milk River Project facilities, including modification to the headworks at the upstream end of the Dodson South Canal in support of Dodson South Canal enlargement, to include all associated access, construction, and material storage necessary to complete those activities; and

(iii) prohibit the construction of permanent structures on the transferred land, except—

(I) as provided in the cooperative agreement under paragraph (4); and

(II) to meet the requirements of the Milk River Project.

(3) DESCRIPTION OF DODSON LAND.—

(A) IN GENERAL.—The Dodson Land referred to in paragraphs (1) and (2) is the approximately 2,500 acres of land owned by the United States that is, as of the date of enactment of this Act, under the jurisdiction of the Bureau of Reclamation and located at the northeastern corner of the Reservation (which extends to the point in the middle of the main channel of the Milk River), where the Milk River Project facilities, including the Dodson Diversion Dam, headworks to the Dodson South Canal, and Dodson South

Canal, are located, and more particularly described as follows:

(i) Supplemental Plat of T. 30 N., R. 26 E., PMM, secs. 1 and 2.

(ii) Supplemental Plat of T. 31 N., R. 25 E., PMM, sec. 13.

(iii) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 18, 19, 20, and 29.

(iv) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 26, 27, 35, and 36.

(B) CLARIFICATION.—The supplemental plats described in clauses (i) through (iv) of subparagraph (A) are official plats, as documented by retracement boundary surveys of the General Land Office, approved on March 11, 1938, and on record at the Bureau of Land Management.

(C) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in subparagraph (A), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels to be transferred.

(4) COOPERATIVE AGREEMENT.—Not later than 3 years after the enforceability date, the Bureau of Reclamation, the Malta Irrigation District, the Bureau of Indian Affairs, and the Fort Belknap Indian Community shall negotiate and enter into a cooperative agreement that identifies the uses to which the Fort Belknap Indian Community may put the land described in paragraph (3), provided that the cooperative agreement may be amended by mutual agreement of the Fort Belknap Indian Community, Bureau of Reclamation, the Malta Irrigation District, and the Bureau of Indian Affairs, including to modify the perpetual easement to narrow the boundaries of the easement or to terminate the perpetual easement and cooperative agreement.

(e) LAND STATUS.—All land held in trust by the United States for the benefit of the Fort Belknap Indian Community under this section shall be—

(1) beneficially owned by the Fort Belknap Indian Community; and

(2) part of the 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.

SEC. 5007. STORAGE ALLOCATION FROM LAKE ELWELL.

(a) STORAGE ALLOCATION OF WATER TO FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall allocate to the Fort Belknap Indian Community 20,000 acre-feet per year of water stored in Lake Elwell for use by the Fort Belknap Indian Community for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation for the benefit of the Fort Belknap Indian Community, as measured and diverted at the outlet works of the Tiber Dam or through direct pumping from Lake Elwell.

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Fort Belknap Indian Community under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Fort Belknap Indian Community under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Fort Belknap Indian Community shall administer the water allocated under subsection (a) in accordance with the Compact and this division.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving the allocation under this section, the Fort Belknap Indian Community shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this division.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Fort Belknap Indian Community, and not the United States, shall be entitled to all consideration due to the Fort Belknap Indian Community under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Fort Belknap Indian Community shall have the same storage rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Fort Belknap Indian Community shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, regardless of whether that water is delivered for use by the Fort Belknap Indian Community or under a lease, contract, exchange, or by agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(G) the Fort Belknap Indian Community shall not be required to make payments to the United States for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H); and

(H) for each acre-foot of stored water leased or transferred by the Fort Belknap Indian Community for industrial purposes—

(i) the Fort Belknap Indian Community shall pay annually to the United States an amount necessary to cover the proportional share of the annual operations, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Fort Belknap Indian Community for industrial purposes; and

(ii) the annual payments of the Fort Belknap Indian Community shall be reviewed and adjusted, as appropriate, to reflect the actual operations, maintenance, and replacement costs for Tiber Dam.

(d) AGREEMENT BY FORT BELKNAP INDIAN COMMUNITY.—The Fort Belknap Indian Community may use, lease, contract, exchange, or enter into other agreements for the use of the water allocated to the Fort Belknap Indian Community under subsection (a) if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any water allocated to the Fort Belknap Indian Community under that subsection.

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 5008. MILK RIVER PROJECT MITIGATION.

(a) IN GENERAL.—In complete satisfaction of the Milk River Project mitigation requirements provided for in Article VI.B. of the Compact, the Secretary, acting through the Commissioner—

(1) in cooperation with the State and the Blackfeet Tribe, shall carry out appropriate activities concerning the restoration of the St. Mary Canal and associated facilities, including activities relating to the—

(A) planning and design to restore the St. Mary Canal and appurtenances to convey 850 cubic-feet per second; and

(B) rehabilitating, constructing, and repairing of the St. Mary Canal and appurtenances; and

(2) in cooperation with the State and the Fort Belknap Indian Community, shall carry out appropriate activities concerning the enlargement of Dodson South Canal and associated facilities, including activities relating to the—

(A) planning and design to enlarge Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; and

(B) rehabilitating, constructing, and enlarging the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second.

(b) FUNDING.—The total amount of obligations incurred by the Secretary, prior to any adjustments provided for in section 5014(b), shall not exceed $300,000,000 to carry out activities described in subsection (c)(1).

(c) SATISFACTION OF MITIGATION REQUIREMENT.—Notwithstanding any provision of the Compact, the mitigation required by Article VI.B. of the Compact shall be deemed satisfied if—

(1) the Secretary has—

(A) restored the St. Mary Canal and associated facilities to convey 850 cubic-feet per second; and

(B) enlarged the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; or

(2) the Secretary—

(A) has expended all of the available funding provided pursuant to section 5014(a)(1)(D) to rehabilitate the St. Mary Canal and enlarge the Dodson South Canal; and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

(d) NONREIMBURSABILITY OF COSTS.—The costs to the Secretary of carrying out this section shall be nonreimbursable.

SEC. 5009. FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall rehabilitate, modernize, and expand the Fort Belknap Indian Irrigation Project, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, which shall include—

(1) planning, studies, and designing of the existing and expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project;

(2) the rehabilitation, modernization, and construction of the existing Milk River unit; and

(3) construction of the expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project.

(b) LEAD AGENCY.—The Bureau of Indian Affairs, in coordination with the Bureau of Reclamation, shall serve as the lead agency with respect to any activities carried out under this section.

(c) CONSULTATION WITH THE FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall consult with the Fort Belknap Indian Community on appropriate changes to the final design and costs of any activity under this section.

(d) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section, prior to any adjustment provided for in section 5014(b), shall not exceed $415,832,153.

(e) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(f) ADMINISTRATION.—The Secretary and the Fort Belknap Indian Community shall negotiate the cost of any oversight activity carried out by the Bureau of Indian Affairs or the Bureau of Reclamation under any agreement entered into under subsection (j), subject to the condition that the total cost for the oversight shall not exceed 3 percent of the total project costs for each project.

(g) PROJECT MANAGEMENT COMMITTEE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall facilitate the formation of a project management committee composed of representatives of the Bureau of Indian Affairs, the Bureau of Reclamation, and the Fort Belknap Indian Community—

(1) to review and make recommendations relating to cost factors, budgets, and implementing the activities for rehabilitating, modernizing, and expanding the Fort Belknap Indian Irrigation Project; and

(2) to improve management of inherently governmental activities through enhanced communication.

(h) PROJECT EFFICIENCIES.—If the total cost of planning, studies, design, rehabilitation, modernization, and construction activities relating to the projects described in subsection (a) results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under section 5012(b)(2).

(i) TREATMENT.—Any activities carried out pursuant to this section that result in improvements, additions, or modifications to the Fort Belknap Indian Irrigation Project shall—

(1) become a part of the Fort Belknap Indian Irrigation Project; and

(2) be recorded in the inventory of the Secretary relating to the Fort Belknap Indian Irrigation Project.

(j) APPLICABILITY OF ISDEAA.—At the request of the Fort Belknap Indian Community, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into agreements with the Fort Belknap Indian Community to carry out all or a portion of this section.

(k) EFFECT.—Nothing in this section—

(1) alters any applicable law under which the Bureau of Indian Affairs collects assessments or carries out the operations and maintenance of the Fort Belknap Indian Irrigation Project; or

(2) impacts the availability of amounts under section 5014.

(l) SATISFACTION OF FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM REQUIREMENT.—The obligations of the Secretary under subsection (a) shall be deemed satisfied if the Secretary—

(1) has rehabilitated, modernized, and expanded the Fort Belknap Indian Irrigation Project in accordance with subsection (a); or

(2)(A) has expended all of the available funding provided pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 5014(a); and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

SEC. 5010. SATISFACTION OF CLAIMS.

(a) IN GENERAL.—The benefits provided under this division shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Fort Belknap Indian Community against the United States that is waived and released by the Fort Belknap Indian Community under section 5011(a).

(b) ALLOTTEES.—The benefits realized by the allottees under this division shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released by the United States (acting as trustee for the allottees) under section 5011(a)(2); and

(2) any claims of the allottees against the United States similar to the claims described in section 5011(a)(2) that the allottee asserted or could have asserted.

SEC. 5011. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AND UNITED STATES AS TRUSTEE FOR THE FORT BELKNAP INDIAN COMMUNITY.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), and the United States, acting as trustee for the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Fort Belknap Indian Community, or the United States acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(2) WAIVER AND RELEASE OF CLAIMS BY THE UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the United States, acting as trustee for the allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(3) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) first arising before the enforceability date relating to—

(i) water rights within the State that the United States, acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a general stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this division;

(ii) foregone benefits from nontribal use of water, on and off the Reservation (including water from all sources and for all uses);

(iii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State;

(iv) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(v) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of the Fort Belknap Indian Irrigation Project and other Federal land and facilities (including damages, losses, or injuries to Tribal fisheries, fish habitat, wildlife, and wildlife habitat);

(vi) a failure to provide for operation and maintenance, or deferred maintenance, for the Fort Belknap Indian Irrigation Project or any other irrigation system or irrigation project;

(vii) the litigation of claims relating to any water rights of the Fort Belknap Indian Community in the State;

(viii) the negotiation, execution, or adoption of the Compact (including appendices) and this division;

(ix) the taking or acquisition of land or resources of the Fort Belknap Indian Community for the construction or operation of the Fort Belknap Indian Irrigation Project or the Milk River Project; and

(x) the allocation of water of the Milk River and the St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448); and

(B) relating to damage, loss, or injury to water, water rights, land, or natural resources due to mining activities in the Little Rockies Mountains prior to the date of trust acquisition, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights.

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) OBJECTIONS IN MONTANA WATER COURT.—Nothing in this division or the Compact prohibits the Fort Belknap Indian Community, a member of the Fort Belknap Indian Community, an allottee, or the United States in any capacity from objecting to any claim to a water right filed in any general stream adjudication in the Montana Water Court.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and

members of the Fort Belknap Indian Community, and the United States, acting as trustee for the Fort Belknap Indian Community and the allottees shall retain—

(1) all claims relating to—

(A) the enforcement of water rights recognized under the Compact, any final court decree relating to those water rights, or this division or to water rights accruing on or after the enforceability date;

(B) the quality of water under—

(i) CERCLA, including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(C) damage, loss, or injury to land or natural resources that are—

(i) not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights); and

(ii) not described in subsection (a)(3); and

(D) an action to prevent any person or party (as defined in sections 29 and 30 of Article II of the Compact) from interfering with the enjoyment of the Tribal water rights;

(2) all claims relating to off-Reservation hunting rights, fishing rights, gathering rights, or other rights;

(3) all claims relating to the right to use and protect water rights acquired after the date of enactment of this Act;

(4) all claims relating to the allocation of waters of the Milk River and the Milk River Project between the Fort Belknap Indian Community and the Blackfeet Tribe, pursuant to section 3705(e)(3) of the Blackfeet Water Rights Settlement Act (Public Law 114–322; 130 Stat. 1818);

(5) all claims relating to the enforcement of this division, including the required transfer of land under section 5006; and

(6) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this division or the Compact.

(e) EFFECT OF COMPACT AND ACT.—Nothing in the Compact or this division—

(1) affects the authority of the Fort Belknap Indian Community to enforce the laws of the Fort Belknap Indian Community, including with respect to environmental protections;

(2) affects the ability of the United States, acting as sovereign, to carry out any activity authorized by law, including—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) CERCLA; and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) affects the ability of the United States to act as trustee for any other Indian Tribe or an allottee of any other Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law relating to health, safety, or the environment; or

(C) to conduct judicial review of any Federal agency action;

(5) waives any claim of a member of the Fort Belknap Indian Community in an individual capacity that does not derive from a right of the Fort Belknap Indian Community;

(6) revives any claim adjudicated in the decision in Gros Ventre Tribe v. United States, 469 F.3d 801 (9th Cir. 2006); or

(7) revives any claim released by an allottee or member of the Fort Belknap Indian Community in the settlement in Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) the eligible members of the Fort Belknap Indian Community have voted to approve this division and the Compact by a majority of votes cast on the day of the vote;

(2)(A) the Montana Water Court has approved the Compact in a manner from which no further appeal may be taken; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate district court of the United States has approved the Compact as a consent decree from which no further appeal may be taken;

(3) all of the amounts authorized to be appropriated under section 5014 have been appropriated and deposited in the designated accounts;

(4) the Secretary and the Fort Belknap Indian Community have executed the allocation agreement described in section 5007(c)(1);

(5) the State has provided the required funding into the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund pursuant to section 5014(a)(3); and

(6) the waivers and releases under subsection (a) have been executed by the Fort Belknap Indian Community and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the enforceability date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitations or time-based equitable defense that expired before the date of enactment of this Act.

(h) EXPIRATION.—

(1) IN GENERAL.—This division shall expire in any case in which—

(A) the amounts authorized to be appropriated by this division have not been made available to the Secretary by not later than—

(i) January 21, 2034; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary; or

(B) the Secretary fails to publish a statement of findings under subsection (f) by not later than—

(i) January 21, 2035; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this division expires under paragraph (1)—

(A) the waivers and releases under subsection (a) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Compact under section 5004 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this division shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this division, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this division shall be returned to the Federal Government, unless otherwise agreed to by the Fort Belknap Indian Community and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this division that were expended or withdrawn, or any funds made available to carry out this division from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Fort Belknap Indian Community; or

(bb) any user of the Tribal water rights; or

(II) any other matter described in subsection (a)(3); or

(ii) in any future settlement of water rights of the Fort Belknap Indian Community or an allottee.

SEC. 5012. AANIIIH NAKODA SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund for the Fort Belknap Indian Community, to be known as the ''Aaniiih Nakoda Settlement Trust Fund'', 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 subsection (c), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account.

(2) The Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account.

(3) The Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1), the amounts made available pursuant to paragraphs (1)(A) and (2)(A)(i) of section 5014(a);

(2) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the amounts made available pursuant to section 5014(a)(2)(A)(ii); and

(3) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the amounts made available pursuant to paragraphs (1)(B) and (2)(A)(iii) of section 5014(a).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of the funds into the accounts in the Trust Fund pursuant to subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in accordance with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the amounts deposited under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund shall be available for use in accordance with subsections (e) and (g).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, earned on those amounts shall be made available—

(A) to the Fort Belknap Indian Community by the Secretary beginning on the enforceability date; and

(B) subject to the uses and restrictions in this section.

(2) EXCEPTIONS.—Notwithstanding paragraph (1)—

(A) amounts deposited in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for uses described in subparagraphs (A) and (B) of subsection (g)(1);

(B) amounts deposited in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2) shall be made available to the Fort Belknap Indian Community on the date on which the amounts are deposited and the Fort Belknap Indian Community has satisfied the requirements of section 5011(f)(1), for the uses described in subsection (g)(2)(A); and

(C) amounts deposited in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for the uses described in subsection (g)(3)(A).

(f) WITHDRAWALS.—

(1) AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Fort Belknap Indian Community may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Fort Belknap Indian Community in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Fort Belknap Indian Community spend all amounts withdrawn from the Trust Fund, and any investment earnings accrued through the investments under the Tribal management plan, in accordance with this division.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary—

(i) to enforce the Tribal management plan; and

(ii) to ensure that amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community under this paragraph are used in accordance with this division.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Fort Belknap Indian Community may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under this paragraph, the Fort Belknap Indian Community shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Fort Belknap Indian Community elects to withdraw pursuant to this paragraph, subject to the condition that the funds shall be used for the purposes described in this division.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Fort Belknap Indian Community in accordance with subsections (e) and (g).

(D) APPROVAL.—On receipt of an expenditure plan under this paragraph, the Secretary shall approve the expenditure plan if the Secretary determines that the expenditure plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this division.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan under this paragraph to ensure that amounts disbursed under this paragraph are used in accordance with this division.

(g) USES.—Amounts from the Trust Fund shall be used by the Fort Belknap Indian Community for the following purposes:

(1) FORT BELKNAP INDIAN COMMUNITY TRIBAL IRRIGATION AND OTHER WATER RESOURCES DEVELOPMENT ACCOUNT.—Amounts in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be used to pay the cost of activities relating to—

(A) planning, studies, and design of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019;

(B) environmental compliance;

(C) construction of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir;

(D) wetlands restoration and development;

(E) stock watering infrastructure; and

(F) on farm development support and reacquisition of fee lands within the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(2) FORT BELKNAP INDIAN COMMUNITY WATER RESOURCES AND WATER RIGHTS ADMINISTRATION, OPERATION, AND MAINTENANCE ACCOUNT.—Amounts in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities described in subparagraphs (A) through (C) as follows:

(A) $9,000,000 shall be used for the establishment, operation, and capital expenditures in connection with the administration of the Tribal water resources and water rights development, including the development or enactment of a Tribal water code.

(B) Only investment earnings, including interest, on $29,299,059 shall be used and be available to pay the costs of activities for administration, operations, and regulation of the Tribal water resources and water rights department, in accordance with the Compact and this division.

(C) Only investment earnings, including interest, on $28,331,693 shall be used and be available to pay the costs of activities relating to a portion of the annual assessment costs for the Fort Belknap Indian Community and Tribal members, including allottees, under the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(3) FORT BELKNAP INDIAN COMMUNITY CLEAN AND SAFE DOMESTIC WATER AND SEWER SYSTEMS, AND LAKE ELWELL PROJECT ACCOUNT.—Amounts in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities relating to—

(A) planning, studies, design, and environmental compliance of domestic water supply, and sewer collection and treatment systems, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, including the Lake Elwell Project water delivery to the southern part of the Reservation;

(B) construction of domestic water supply, sewer collection, and treatment systems;

(C) construction, in accordance with applicable law, of infrastructure for delivery of Lake Elwell water diverted from the Missouri River to the southern part of the Reservation; and

(D) planning, studies, design, environmental compliance, and construction of a Tribal wellness center for a work force health and wellbeing project.

(h) LIABILITY.—The Secretary shall not be liable for any expenditure or investment of amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community pursuant to subsection (f).

(i) PROJECT EFFICIENCIES.—If the total cost of the activities described in subsection (g) results in cost savings and is less than the amounts authorized to be obligated under any of paragraphs (1) through (3) of that subsection required to carry out those activities, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Trust Fund to be used in accordance with that subsection.

(j) ANNUAL REPORT.—The Fort Belknap Indian Community shall submit to the Secretary an annual expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan described in this section.

(k) NO PER CAPITA PAYMENTS.—No principal or interest amount in any account established by this section shall be distributed to any member of the Fort Belknap Indian Community on a per capita basis.

(l) EFFECT.—Nothing in this division entitles the Fort Belknap Indian Community to judicial review of a determination of the Secretary regarding whether to approve a Tribal management plan under subsection (f)(1) or an expenditure plan under subsection (f)(2), except as provided under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

SEC. 5013. FORT BELKNAP INDIAN COMMUNITY WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account to be known

as the ''Fort Belknap Indian Community Water Settlement Implementation Fund'', to be managed and distributed by the Secretary, for use by the Secretary for carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The Fort Belknap Indian Irrigation Project System Account.

(2) The Milk River Project Mitigation Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1), the amount made available pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 5014(a); and

(2) in the Milk River Project Mitigation Account established under subsection (b)(2), the amount made available pursuant to section 5014(a)(1)(D).

(d) USES.—

(1) FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM ACCOUNT.—The Fort Belknap Indian Irrigation Project Rehabilitation Account established under subsection (b)(1) shall be used to carry out section 5009, except as provided in subsection (h) of that section.

(2) MILK RIVER PROJECT MITIGATION ACCOUNT.—The Milk River Project Mitigation Account established under subsection (b)(2) may only be used to carry out section 5008.

(e) MANAGEMENT.—

(1) IN GENERAL.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

(2) EXCEPTION.—Notwithstanding paragraph (1), amounts deposited in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1) shall be available to the Secretary on the date on which the amounts are deposited for uses described in paragraphs (1) and (2) of section 5009(a).

(f) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (d).

SEC. 5014. FUNDING.

(a) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(A) for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 5012(b)(1), $89,643,100, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(B) for deposit in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 5012(b)(3), $331,885,220, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(C) for deposit in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 5013(b)(1), such sums as are necessary, but not more than $187,124,469, for the Secretary to carry out section 5009, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury; and

(D) for deposit in the Milk River Project Mitigation Account of the Implementation Fund established under section 5013(b)(2), such sums as are necessary, but not more than $300,000,000, for the Secretary to carry out obligations of the Secretary under section 5008, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) MANDATORY APPROPRIATIONS.—

(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall deposit—

(i) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 5012(b)(1), $29,881,034, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(ii) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account of the Trust Fund established under section 5012(b)(2), $66,630,752;

(iii) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 5012(b)(3), $110,628,407; and

(iv) in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 5013(b)(1), $228,707,684.

(B) AVAILABILITY.—Amounts deposited in the accounts under subparagraph (A) shall be available without further appropriation.

(3) STATE COST SHARE.—The State shall contribute $5,000,000, plus any earned interest, payable to the Secretary for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 5012(b)(1) on approval of a final decree by the Montana Water Court for the purpose of activities relating to the Upper Peoples Creek Dam and Reservoir under subparagraphs (A) through (C) of section 5012(g)(1).

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amounts authorized to be appropriated under paragraphs (1) and (2) of subsection (a) and this subsection shall be—

(A) increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after the date of enactment of this Act as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend; and

(B) adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(2) REPETITION.—The adjustment process under paragraph (1) shall be repeated for each subsequent amount appropriated until the amount authorized to be appropriated under subsection (a), as adjusted, has been appropriated.

(3) PERIOD OF INDEXING.—

(A) TRUST FUND.—With respect to the Trust Fund, the period of indexing adjustment under paragraph (1) for any increment of funding shall end on the date on which the funds are deposited into the Trust Fund.

(B) IMPLEMENTATION FUND.—With respect to the Implementation Fund, the period of adjustment under paragraph (1) for any increment of funding shall be annually.

SEC. 5015. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this division waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Fort Belknap Indian Community.

(c) ELIMINATION OF DEBTS OR LIENS AGAINST ALLOTMENTS OF THE FORT BELKNAP INDIAN COMMUNITY MEMBERS WITHIN THE FORT BELKNAP INDIAN IRRIGATION PROJECT.—On the date of enactment of this Act, the Secretary shall cancel and eliminate all debts or liens against the allotments of land held by the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community due to construction assessments and annual operation and maintenance charges relating to the Fort Belknap Indian Irrigation Project.

(d) EFFECT ON CURRENT LAW.—Nothing in this division affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner under this division shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(f) ADDITIONAL FUNDING.—Nothing in this division prohibits the Fort Belknap Indian Community from seeking—

(1) additional funds for Tribal programs or purposes; or

(2) funding from the United States or the State based on the status of the Fort Belknap Indian Community as an Indian Tribe.

(g) RIGHTS UNDER STATE LAW.—Except as provided in section 1 of Article III of the Compact (relating to the closing of certain water basins in the State to new appropriations in accordance with the laws of the State), nothing in this division or the Compact precludes the acquisition or exercise of a right arising under State law (as defined in section 6 of Article II of the Compact) to the use of water by the Fort Belknap Indian Community, or a member or allottee of the Fort Belknap Indian Community, outside the Reservation by—

(1) purchase of the right; or

(2) submitting to the State an application in accordance with State law.

(h) WATER STORAGE AND IMPORTATION.—Nothing in this division or the Compact prevents the Fort Belknap Indian Community from participating in any project to import water to, or to add storage in, the Milk River Basin.

SEC. 5016. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this division, including any obligation or activity under the Compact, if—

(1) adequate appropriations are not provided by Congress expressly to carry out the purposes of this division; or

(2) there are not enough funds available in the Reclamation Water Settlements Fund established by section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)) to carry out the purposes of this division.

SA 2353. 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 D of title XII, add the following:

SEC. 1266. REVIEW OF DEPARTMENT OF STATE AND USAID PROGRAMMING IN PACIFIC ISLANDS.

(a) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development (in this section referred to as ''USAID''), shall include Pacific Island countries in existing strategic planning and multi-sector program evaluation processes, including the Integrated Country Strategies of the Department of State, the Country Development Cooperation Strategies of USAID, and the Joint Strategic Plan of the Department and USAID.

(b) STRATEGIC FRAMEWORK.—Not later than 5 years after the date of the enactment of this Act, and every 5 years thereafter, the Administrator of USAID shall publish a 5-year Pacific Islands Strategic Framework to guide USAID's work in the Pacific and describe the current status of ongoing programming.

(c) PROGRAMMATIC CONSIDERATIONS.—Evaluations and considerations for Pacific Island countries in the program planning and strategic development processes under this section should include—

(1) descriptions of the diplomatic and development challenges of each Pacific Island country as those challenges relate to the strategic, economic, and humanitarian interests of the United States;

(2) reviews of existing Department of State and USAID programs to address the diplomatic and development challenges of those countries identified under paragraph (1);

(3) descriptions of the barriers, if any, to increasing Department of State and USAID programming to Pacific Island countries, including—

(A) the relative income level of Pacific Island countries relative to other regions where there is high demand for United States foreign assistance to support development needs;

(B) the relative capacity of Pacific Island countries to absorb United States foreign assistance for diplomatic and development needs through partner governments and civil society institutions; and

(C) any other factor that the Secretary or the Administrator determines may constitute a barrier to deploying or increasing United States foreign assistance to the Pacific Island countries;

(4) assessments of the presence of, degree of international development by, partner country indebtedness to, and political influence of malign foreign governments, such as the Government of the People's Republic of China, and non-state actors;

(5) assessments of new foreign economic assistance modalities that could assist in strengthening United States foreign assistance in to Pacific Island countries, including the deployment of technical assistance and asset recovery tools to partner governments and civil society institutions to help develop the capacity and expertise necessary to achieve self-sufficiency;

(6) an evaluation of the existing budget and resource management processes for the mission and work of the Department of State and USAID with respect to programming in Pacific Island countries;

(7) an explanation of how the Secretary and the Administrator will use existing programming processes, including those with respect to development of an Integrated Country Strategy, a Country Development Cooperation Strategy, and the Joint Strategic Plan to advance the long-term growth, governance, economic development, and resilience of Pacific Island countries; and

(8) any recommendations about appropriate budgetary, resource management, and programmatic changes necessary to assist in strengthening United States foreign assistance programming in the Pacific Island countries.

(d) BRIEFING REQUIREMENT.—No later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary and the Administrator shall brief Congress on ongoing programming in Pacific Island Countries, including the considerations described in subsection (c).

SA 2354. 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 D of title XII, add the following:

SEC. 1266. BRIEFING ON ESTABLISHING A PACIFIC ISLANDS SECURITY DIALOGUE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the feasibility and advisability of establishing a United States-based public-private sponsored security dialogue (to be known as the ''Pacific Islands Security Dialogue'') among the Pacific Islands for the purposes of jointly exploring and discussing issues affecting the economic, diplomatic, and national security of the Pacific Islands.

(b) REPORT REQUIRED.—The briefing required by subsection (a) shall, at a minimum, include the following:

(1) A review of the ability of the Department of State to participate in a public-private sponsored security dialogue.

(2) A survey of Pacific Island countries on their interest in engaging in such a dialogue and potential topics for discussion.

(3) An assessment of the potential locations for conducting a Pacific Islands Security Dialogue in the jurisdiction of the United States.

(4) Consideration of dates for conducting a Pacific Islands Security Dialogue that would maximize participation of representatives from the Pacific Islands.

(5) A review of the funding modalities available to the Department of State to help finance a Pacific Islands Security Dialogue, including grant-making authorities available to the Department of State.

(6) An assessment of any administrative, statutory, or other legal limitations that would prevent the establishment of a Pacific Islands Security Dialogue with participation and support of the Department of State as described in subsection (a).

(7) An analysis of how a Pacific Islands Security Dialogue could help to advance the Boe Declaration on Regional Security, including its emphasis on the changing environment as the greatest existential threat to the Pacific Islands.

(8) An evaluation of how a Pacific Islands Security Dialogue could help amplify the issues and work of existing regional structures and organizations dedicated to the security of the Pacific Islands region, such as the Pacific Island Forum and Pacific Environmental Security Forum.

(9) An analysis of how a Pacific Islands Security Dialogue would advance the Pacific Partnership Strategy of the United States and the National Security Strategy of the United States.

(c) INTERAGENCY CONSULTATION.—To the extent practicable, the Secretary of State may consult with the Secretary of Homeland Security, the Secretary of Defense and, where appropriate, evaluate the lessons learned of the Regional Centers for Security Studies of the Department of Defense to determine the feasibility and advisability of establishing the Pacific Islands Security Dialogue.

SA 2355. 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 D of title XII, add the following:

SEC. 1266. PACIFIC ISLANDS STRATEGIC INFRASTRUCTURE INITIATIVE.

(a) IN GENERAL.—The Secretary of State, in concurrence with the Director of the United States Trade and Development Agency, and in collaboration with the Administrator of the United States Agency for International Development, the Secretary of Transportation, the Chief of Engineers, and the Secretary of Energy, working through the directors of the national laboratories of the Department of Energy, the Secretary of the Treasury, and the Secretary of Defense, shall develop a program to catalyze sustainable, resilient infrastructure throughout the Pacific Islands, including by providing frequent and meaningful technical assistance to inform the needs assessments and planning of Pacific Island countries to protect against threats to critical infrastructure.

(b) GOALS.—The goal of the program established under subsection (a) is to strengthen United States support of Pacific Island countries in assessing—

(1) existing and forecasted threats to the functionality and safety of infrastructure resulting from sea-level fluctuation, salt water intrusion, extreme weather, or other severe changes in the environment, as well as cyber threats and any other security risks that disrupt essential services or threaten public health;

(2) the strategies, designs, and engineering techniques for reinforcing or rebuilding failing infrastructure in ways that with withstand and maintain function in light of existing and forecasted threats to community infrastructure;

(3) the rate and sources of deterioration, structural deficiencies, and most pressing risks to public safety from aging and failing infrastructure;

(4) priorities for infrastructure improvement, reinforcement, re-engineering, or replacement based on the significance of infrastructure to ensuring public health, safety, and economic growth;

(5) risks associated with the interconnectedness of supply chains and technology, communications, and financial systems;

(6) the policy and governance needed to strengthen critical infrastructure resilience,

including with respect to infrastructure financing to meet the contemporary needs of Pacific Islanders; and

(7) the plan for leveraging regional funding mechanisms, including the Pacific Resilience Facility, as well as bilateral assistance and global multilateral financing to coordinate international financial support for infrastructure projects.

(c) ACTIVITIES.—To achieve the purpose of the program established under subsection (a), the Secretary is encouraged to consider the following activities:

(1) Educational and information sharing with Pacific Island countries that helps develop the local capacity of government and civil society leaders to evaluate localized critical infrastructure risks, interdependencies across systems, and risk-mitigation solutions.

(2) Technology exchanges that provide Pacific Island countries with access to proven, cost-effective solutions for mitigating the risks associated with critical infrastructure vulnerabilities and related interdependencies.

(3) Financial and budget management and related technical assistance that provide Pacific Island countries with additional capacity to access, manage, and service financing for contemporary infrastructure projects to support the resilience needs of communities in the Pacific Islands.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2025 through 2029 $20,000,000 to the United States Trade and Development Agency, to be used in consultation with the Secretary of State, to carry out this section.

SA 2356. 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 D of title XII, add the following:

SEC. 1266. PACIFIC ISLANDS RESTORATION AND HAZARDS REMOVAL PROGRAM.

(a) IN GENERAL.—The Secretary of State shall establish an Pacific Islands Restoration and Hazards Removal Program (in this section referred to as the ''Program'').

(b) PURPOSE.—The purpose of the Program is—

(1) to coordinate with Pacific Island countries to support survey and clearance operations of landmines and other explosive remnants of war; and

(2) to build the national capacity of the Pacific Island countries to identify, isolate, and mitigate risks related to explosive ordnance hazards through survey and disposal training, funding to nongovernmental organizations, and support to regional cooperation initiatives with countries that are partners and allies of the United States, including Australia, France, Japan, New Zealand, the Republic of Korea, and the United Kingdom.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the committees specified in subsection (d) a report on the Program that includes the following:

(1) An assessment of the risk from surface and subsurface explosive ordnance hazards, submerged maritime vessels, and related hazards as determined by the Secretary that exists for the people of the Pacific Islands, including—

(A) a review of threats to critical infrastructure, environmental resources, and other sectors essential to the health, safety, and livelihoods of the people of the Pacific Islands; and

(B) an identification of gaps in key databases or data needed to provide a more thorough assessment of the risk.

(2) A list of the locations where the United States plans to prioritize mitigation efforts based on the risk assessment conducted under paragraph (1) to support and fund survey, explosive ordnance risk education, victim assistance programs, and clearance operations and enhance national capacity building to address hazards or mitigate risks associated with the hazards identified in paragraph (1).

(3) A description of the survey and removal activities, explosive ordnance risk education, victim assistance, and national capacity building initiatives conducted during the year preceding submission of the report, including an explanation of how those activities and initiatives aligned with the activities and initiatives of countries that are partners or allies of the United States.

(4) A description of the survey and removal activities, explosive ordnance risk education, victim assistance, and national capacity building initiatives planned for the year following the submission of the report, including budgetary and other resource requirements necessary to conduct those activities and initiatives during that year.

(5) A description of the United States support provided to nongovernmental organizations conducting survey and removal activities in Pacific Island countries.

(d) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State $10, 000,000 for each of fiscal years 2025 through 2029 to carry out this section.

SA 2357. 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 E of title X, add the following:

SEC. 1049. OVERSIGHT OF THE PROCUREMENT OF EQUIPMENT BY STATE AND LOCAL GOVERNMENTS THROUGH THE DEPARTMENT OF DEFENSE.

Section 281 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

''(d) LIMITATIONS ON PURCHASES.—(1) The Secretary shall require, as a condition of any purchase of equipment under this section, that if the Department of Justice opens an investigation into a State or unit of local government under section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), the Secretary shall pause all pending or future purchases by that State or unit of local government.

''(2) The Secretary shall prohibit the purchase of equipment by a State or unit of local government for a period of 5 years upon a finding that equipment purchased under this section by the State or unit of local government was used as part of a violation under section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601).

''(e) PUBLICLY ACCESSIBLE WEBSITE ON PURCHASED EQUIPMENT.—(1) The Secretary, in coordination with the Administrator of General Services, shall create and maintain a publicly available internet website that provides in searchable format information on the purchase of equipment under this section and the recipients of such equipment.

''(2) The internet website required under paragraph (1) shall include all publicly accessible unclassified information pertaining to the purchase of equipment under this section, including—

''(A) the catalog of equipment available for purchase under subsection (c);

''(B) the recipient state or unit of local government;

''(C) the purpose of the purchase under subsection (a)(1);

''(D) the type of equipment;

''(E) the cost of the equipment;

''(F) the administrative costs under subsection (b); and

''(G) other information the Secretary determines is necessary.

''(3) The Secretary shall update on a quarterly basis information included on the internet website required under paragraph (1).''.

SA 2358. Mr. HAGERTY (for himself and Mr. REED) 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 PRESCREENING REPORT REQUESTS.

Section 604(c) of the Fair Credit Reporting Act (15 U.S.C. 1681b(c)) is amended by adding at the end the following:

''(4) TREATMENT OF PRESCREENING REPORT REQUESTS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) CREDIT UNION.—The term 'credit union' means a Federal credit union or a State credit union, as those terms are defined in section 101 of the Federal Credit Union Act (12 U.S.C 1752).

''(ii) INSURED DEPOSITORY INSTITUTION.—The term 'insured depository institution' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)).

''(iii) RESIDENTIAL MORTGAGE LOAN.—The term 'residential mortgage loan' has the meaning given the term in section 1503 of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5102).

''(iv) SERVICER.—The term 'servicer' has the meaning given the term in section 6(i) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605(i)).

''(B) LIMITATION.—If a person requests a consumer report from a consumer reporting agency in connection with a credit transaction involving a residential mortgage loan,

that agency may not, based in whole or in part on that request, furnish a consumer report to another person under this subsection unless that other person—

''(i) has submitted documentation to that agency certifying that such other person has, pursuant to paragraph (1)(A), the authorization of the consumer to whom the consumer report relates; or

''(ii)(I) has originated a current residential mortgage loan of the consumer to whom the consumer report relates;

''(II) is the servicer of a current residential mortgage loan of the consumer to whom the consumer report relates; or

''(III)(aa) is an insured depository institution or credit union; and

''(bb) holds a current account for the consumer to whom the consumer report relates.''.

SA 2359. Mr. CRAPO (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 title X, add the following:

Subtitle I—Bring Our Heroes Home Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Bring Our Heroes Home Act''.

SEC. 1097. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) A vast number of records relating to missing Armed Forces and civilian personnel have not been identified, located, or transferred to the National Archives following review and declassification. Only in the rarest cases is there any legitimate need for continued protection of records pertaining to missing Armed Forces and civilian personnel who have been missing for decades.

(2) There has been insufficient priority placed on identifying, locating, reviewing, or declassifying records relating to missing Armed Forces and civilian personnel and then transferring the records to the National Archives for public access.

(3) Mandates for declassification set forth in multiple Executive orders have been broadly written, loosely interpreted, and often ignored by Federal agencies in possession and control of records related to missing Armed Forces and civilian personnel.

(4) No individual or entity has been tasked with oversight of the identification, collection, review, and declassification of records related to missing Armed Forces and civilian personnel.

(5) The interest, desire, workforce, and funding of Federal agencies to assemble, review, and declassify records relating to missing Armed Forces and civilian personnel have been lacking.

(6) All records of the Federal Government relating to missing Armed Forces and civilian personnel should be preserved for historical and governmental purposes and for public research.

(7) All records of the Federal Government relating to missing Armed Forces and civilian personnel should carry a presumption of declassification, and all such records should be disclosed under this subtitle to enable the fullest possible accounting for missing Armed Forces and civilian personnel.

(8) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of records relating to missing Armed Forces and civilian personnel.

(9) Legislation is necessary because section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), as implemented by Federal agencies, has prevented the timely public disclosure of records relating to missing Armed Forces and civilian personnel.

(b) PURPOSES.—The purposes of this subtitle are—

(1) to provide for the creation of the Missing Armed Forces and Civilian Personnel Records Collection at the National Archives; and

(2) to require the expeditious public transmission to the Archivist and public disclosure of missing Armed Forces and civilian personnel records, subject to narrow exceptions, as set forth in this subtitle.

SEC. 1098. DEFINITIONS.

In this subtitle:

(1) ARCHIVIST.—The term ''Archivist'' means Archivist of the United States.

(2) COLLECTION.—The term ''Collection'' means the Missing Armed Forces and Civilian Personnel Records Collection established under section 1094(a).

(3) EXECUTIVE AGENCY.—The term ''Executive agency''—

(A) means an agency, as defined in section 552(f) of title 5, United States Code;

(B) includes any Executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Federal Government, including the Executive Office of the President, any branch of the Armed Forces, and any independent regulatory agency; and

(C) does not include any non-appropriated agency, department, corporation, or establishment.

(4) EXECUTIVE BRANCH MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORD.—The term ''executive branch missing Armed Forces and civilian personnel record'' means a missing Armed Forces and civilian personnel record of an Executive agency, or information contained in such a missing Armed Forces and civilian personnel record obtained by or developed within the executive branch of the Federal Government.

(5) GOVERNMENT OFFICE.—The term ''Government office'' means an Executive agency, the Library of Congress, or the National Archives.

(6) MISSING ARMED FORCES AND CIVILIAN PERSONNEL.—

(A) DEFINITION.—The term ''missing Armed Forces and civilian personnel'' means one or more missing persons; and

(B) INCLUSIONS.—The term ''missing Armed Forces and civilian personnel'' includes an individual who was a missing person and whose status was later changed to ''missing and presumed dead''.

(7) MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORD.—The term ''missing Armed Forces and civilian personnel record'' means a record that relates, directly or indirectly, to the loss, fate, or status of missing Armed Forces and civilian personnel that—

(A) was created or made available for use by, obtained by, or otherwise came into the custody, possession, or control of—

(i) any Government office;

(ii) any Presidential library; or

(iii) any of the Armed Forces; and

(B) relates to 1 or more missing Armed Forces and civilian personnel who became missing persons during the period—

(i) beginning on December 7, 1941; and

(ii) ending on the date of enactment of this Act.

(8) MISSING PERSON.—The term ''missing person'' means—

(A) a person described in paragraph (1) of section 1513 of title 10, United States Code; and

(B) any other civilian employee of the Federal Government or an employee of a contractor of the Federal Government who serves in direct support of, or accompanies, the Armed Forces in the field under orders and who is in a missing status (as that term is defined in paragraph (2) of such section 1513).

(9) NATIONAL ARCHIVES.—The term ''National Archives''—

(A) means the National Archives and Records Administration; and

(B) includes any component of the National Archives and Records Administration (including Presidential archival depositories established under section 2112 of title 44, United States Code).

(10) OFFICIAL INVESTIGATION.—The term ''official investigation'' means a review, briefing, inquiry, or hearing relating to missing Armed Forces and civilian personnel conducted by a Presidential commission, committee of Congress, or agency, regardless of whether it is conducted independently, at the request of any Presidential commission or committee of Congress, or at the request of any official of the Federal Government.

(11) ORIGINATING BODY.—The term ''originating body'' means the Government office or other initial source that created a record or particular information within a record.

(12) PUBLIC INTEREST.—The term ''public interest'' means the compelling interest in the prompt public disclosure of missing Armed Forces and civilian personnel records for historical and governmental purposes, for public research, and for the purpose of fully informing the people of the United States, most importantly families of missing Armed Forces and civilian personnel, about the fate of the missing Armed Forces and civilian personnel and the process by which the Federal Government has sought to account for them.

(13) RECORD.—The term ''record'' has the meaning given the term ''records'' in section 3301 of title 44, United States Code.

(14) REVIEW BOARD.—The term ''Review Board'' means the Missing Armed Forces and Civilian Personnel Records Review Board established under section 1099C.

SEC. 1099. MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS COLLECTION AT THE NATIONAL ARCHIVES.

(a) ESTABLISHMENT OF COLLECTION.—Not later than 90 days after confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board established under section 1099C, the Archivist shall—

(1) commence establishment of a collection of records to be known as the ''Missing Armed Forces and Civilian Personnel Records Collection'';

(2) commence preparing the subject guidebook and index to the Collection; and

(3) establish criteria and acceptable formats for Executive agencies to follow when transmitting copies of missing Armed Forces and civilian personnel records to the Archivist, to include required metadata.

(b) REGULATIONS.—Not later than 90 days after the date of the swearing in of the Board members, the Review Board shall promulgate rules to establish guidelines and processes for the disclosure of records contained in the Collection.

SEC. 1099A. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES, AND PUBLIC DISCLOSURE OF MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS BY GOVERNMENT OFFICES.

(a) IN GENERAL.—

(1) PREPARATION.—As soon as practicable after the date of enactment of this Act, and sufficiently in advance of the deadlines established under this subtitle, each Government office shall—

(A) identify and locate any missing Armed Forces and civilian personnel records in the custody, possession, or control of the Government office, including intelligence reports, congressional inquiries, memoranda to or from the White House and other Federal departments and agencies, Prisoner of War (POW) debriefings, live sighting reports, documents relating to POW camps, movement of POWs, exploitation of POWs, experimentation on POWs, or status changes from Missing in Action (MIA) to Killed in Action (KIA); and

(B) prepare for transmission to the Archivist in accordance with the criteria and acceptable formats established by the Archivist a copy of any missing Armed Forces and civilian personnel records that have not previously been transmitted to the Archivist by the Government office.

(2) CERTIFICATION.—Each Government office shall submit to the Archivist, under penalty of perjury, a certification indicating—

(A) whether the Government office has conducted a thorough search for all missing Armed Forces and civilian personnel records in the custody, possession, or control of the Government office; and

(B) whether a copy of any missing Armed Forces and civilian personnel record has not been transmitted to the Archivist.

(3) PRESERVATION.—No missing Armed Forces and civilian personnel record shall be destroyed, altered, or mutilated in any way.

(4) EFFECT OF PREVIOUS DISCLOSURE.—Information that was made available or disclosed to the public before the date of enactment of this Act in a missing Armed Forces and civilian personnel record may not be withheld, redacted, postponed for public disclosure, or reclassified.

(5) WITHHELD AND SUBSTANTIALLY REDACTED RECORDS.—For any missing Armed Forces and civilian personnel record that is transmitted to the Archivist which a Government office proposes to substantially redact or withhold in full from public access, the head of the Government office shall submit an unclassified and publicly releasable report to the Archivist, the Review Board, and each appropriate committee of the Senate and the House of Representatives justifying the decision of the Government office to substantially redact or withhold the record by demonstrating that the release of information would clearly and demonstrably be expected to cause an articulated harm, and that the harm would be of such gravity as to outweigh the public interest in access to the information.

(b) REVIEW.—

(1) IN GENERAL.—Except as provided under paragraph (5), not later than 180 days after confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board, each Government office shall, in accordance with the criteria and acceptable formats established by the Archivist—

(A) identify, locate, copy, and review each missing Armed Forces and civilian personnel record in the custody, possession, or control of the Government office for transmission to the Archivist and disclosure to the public or, if needed, review by the Review Board; and

(B) cooperate fully, in consultation with the Archivist, in carrying out paragraph (3).

(2) REQUIREMENT.—The Review Board shall promulgate rules for the disclosure of relevant records by Government offices under paragraph (1).

(3) NATIONAL ARCHIVES RECORDS.—Not later than 180 days after confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board, the Archivist shall—

(A) locate and identify all missing Armed Forces and civilian personnel records in the custody of the National Archives as of the date of enactment of this Act that remain classified, in whole or in part;

(B) notify a Government office if the Archivist locates and identifies a record of the Government office under subparagraph (A); and

(C) make each classified missing Armed Forces and civilian personnel record located and identified under subparagraph (A) available for review by Executive agencies through the National Declassification Center established under Executive Order 13526 or any successor order.

(4) RECORDS ALREADY PUBLIC.—A missing Armed Forces and civilian personnel record that is in the custody of the National Archives on the date of enactment of this Act and that has been publicly available in its entirety without redaction shall be made available in the Collection without any additional review by the Archivist, the Review Board, or any other Government office under this subtitle.

(5) EXEMPTIONS.—

(A) DEPARTMENT OF DEFENSE POW/MIA ACCOUNTING AGENCY.—The Defense POW/MIA Accounting Agency (DPAA) is exempt from the requirement under this subsection to declassify and transmit to the Archivist documents in its custody or control that pertain to a specific case or cases that DPAA is actively investigating or developing for the purpose of locating, disinterring, or identifying a missing member of the Armed Forces

(B) DEPARTMENT OF DEFENSE MILITARY SERVICE CASUALTY OFFICES AND DEPARTMENT OF STATE SERVICE CASUALTY OFFICES.—The Department of Defense Military Service Casualty Offices and the Department of State Service Casualty Offices are exempt from the requirement to declassify and transmit to the Archivist documents in their custody or control that pertain to individual cases with respect to which the office is lending support and assistance to the families of missing individuals.

(c) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each Government office shall—

(1) not later than 180 days after confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board, commence transmission to the Archivist of copies of the missing Armed Forces and civilian personnel records in the custody, possession, or control of the Government office; and

(2) not later than 1 year after confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board, complete transmission to the Archivist of copies of all missing Armed Forces and civilian personnel records in the possession or control of the Government office.

(d) PERIODIC REVIEW OF POSTPONED MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS.—

(1) IN GENERAL.—All missing Armed Forces and civilian personnel records, or information within a missing Armed Forces and civilian personnel record, the public disclosure of which has been postponed under the standards under this subtitle shall be reviewed by the originating body—

(A)(i) periodically, but not less than every 5 years, after the date on which the Review Board terminates under section 1097(o); and

(ii) at the direction of the Archivist; and

(B) consistent with the recommendations of the Review Board under section 1099E(b)(3)(B).

(2) CONTENTS.—

(A) IN GENERAL.—A periodic review of a missing Armed Forces and civilian personnel record, or information within a missing Armed Forces and civilian personnel record, by the originating body shall address the public disclosure of the missing Armed Forces and civilian personnel record under the standards under this subtitle.

(B) CONTINUED POSTPONEMENT.—If an originating body conducting a periodic review of a missing Armed Forces and civilian personnel record, or information within a missing Armed Forces and civilian personnel record, the public disclosure of which has been postponed under the standards under this subtitle, determines that continued postponement is required, the originating body shall provide to the Archivist an unclassified written description of the reason for the continued postponement that the Archivist shall highlight and make accessible on a publicly accessible website administered by the National Archives.

(C) SCOPE.—The periodic review of postponed missing Armed Forces and civilian personnel records, or information within a missing Armed Forces and civilian personnel record, shall serve the purpose stated in section 1097(b)(2), to provide expeditious public disclosure of missing Armed Forces and civilian personnel records, to the fullest extent possible, subject only to the grounds for postponement of disclosure under section 1099B.

(D) DISCLOSURE ABSENT CERTIFICATION BY PRESIDENT.—Not later than 10 years after confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board, all missing Armed Forces and civilian personnel records, and information within a missing Armed Forces and civilian personnel record, shall be publicly disclosed in full, and available in the Collection, unless—

(i) the head of the originating body, Executive agency, or other Government office recommends in writing that continued postponement is necessary;

(ii) the written recommendation described in clause (i)—

(I) is provided to the Archivist in unclassified and publicly releasable form not later than 180 days before the date that is 10 years after confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board; and

(II) includes—

(aa) a justification of the recommendation to postpone disclosure with clear and convincing evidence that the identifiable harm is of such gravity that it outweighs the public interest in disclosure; and

(bb) a recommended specified time at which or a specified occurrence following which the material may be appropriately disclosed to the public under this subtitle;

(iii) the Archivist transmits all recommended postponements and the recommendation of the Archivist to the President not later than 90 days before the date that is 10 years after the date of confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board; and

(iv) the President transmits to the Archivist a certification indicating that continued postponement is necessary and the identifiable harm, as demonstrated by clear and convincing evidence, is of such gravity that it outweighs the public interest in disclosure not later than the date that is 10 years after confirmation of the initial members of the Missing Armed Forces and Civilian Personnel Records Review Board.

SEC. 1099B. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF RECORDS.

(a) IN GENERAL.—Disclosure to the public of a missing Armed Forces and civilian personnel record or particular information in a missing Armed Forces and civilian personnel record created after the date that is 25 years before the date of the review of the missing Armed Forces and civilian personnel record by the Archivist may be postponed subject to the limitations under this subtitle only—

(1) if it pertains to—

(A) military plans, weapons systems, or operations;

(B) foreign government information;

(C) intelligence activities (including covert action), intelligence sources or methods, or cryptology;

(D) foreign relations or foreign activities of the United States, including confidential sources;

(E) scientific, technological, or economic matters relating to the national security;

(F) United States Government programs for safeguarding nuclear materials or facilities;

(G) vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to the national security; or

(H) the development, production, or use of weapons of mass destruction; and

(2) the threat posed by the public disclosure of the missing Armed Forces and civilian personnel record or information is of such gravity that it outweighs the public interest in disclosure.

(b) OLDER RECORDS.—Disclosure to the public of a missing Armed Forces and civilian personnel record or particular information in a missing Armed Forces and civilian personnel record created on or before the date that is 25 years before the date of the review of the missing Armed Forces and civilian personnel record by the Archivist may be postponed subject to the limitations under this subtitle only if, as demonstrated by clear and convincing evidence—

(1) the release of the information would be expected to—

(A) reveal the identity of a confidential human source, a human intelligence source, a relationship with an intelligence or security service of a foreign government or international organization, or a nonhuman intelligence source, or impair the effectiveness of an intelligence method currently in use, available for use, or under development;

(B) reveal information that would impair United States cryptologic systems or activities;

(C) reveal formally named or numbered United States military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans; or

(D) reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongoing diplomatic activities of the United States; and

(2) the threat posed by the public disclosure of the missing Armed Forces and civilian personnel record or information is of such gravity that it outweighs the public interest in disclosure.

(c) EXCEPTION.—Regardless of the date on which a missing Armed Forces and civilian personnel record was created, disclosure to the public of information in the missing Armed Forces and civilian personnel record may be postponed if—

(1) the public disclosure of the information would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;

(2) the public disclosure of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest;

(3) the public disclosure of the information could reasonably be expected to cause harm to the methods currently in use or available for use by members of the Armed Forces to survive, evade, resist, or escape; or

(4) the public disclosure of such information would conflict with United States law or regulations.

SEC. 1099C. ESTABLISHMENT AND POWERS OF THE MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established as an independent establishment in the executive branch a board to be known as the ''Missing Armed Forces and Civilian Personnel Records Review Board''.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The President shall appoint, by and with the advice and consent of the Senate, 5 individuals to serve as a member of the Review Board to ensure and facilitate the review, transmission to the Archivist, and public disclosure of missing Armed Forces and civilian personnel records.

(2) QUALIFICATIONS.—The President shall appoint individuals to serve as members of the Review Board—

(A) without regard to political affiliation;

(B) who are citizens of the United States of integrity and impartiality;

(C) who are not an employee of an Executive agency on the date of the appointment;

(D) who have high national professional reputation in their fields who are capable of exercising the independent and objective judgment necessary to the fulfillment of their role in ensuring and facilitating the identification, location, review, transmission to the Archivist, and public disclosure of missing Armed Forces and civilian personnel records;

(E) who possess an appreciation of the value of missing Armed Forces and civilian personnel records to scholars, the Federal Government, and the public, particularly families of missing Armed Forces and civilian personnel;

(F) not less than 1 of whom is a professional historian; and

(G) not less than 1 of whom is an attorney.

(3) DEADLINES.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the President shall submit nominations for all members of the Review Board.

(B) CONFIRMATION REJECTED.—If the Senate votes not to confirm a nomination to serve as a member of the Review Board, not later than 90 days after the date of the vote the President shall submit the nomination of an additional individual to serve as a member of the Review Board.

(4) CONSULTATION.—The President shall make nominations to the Review Board after considering individuals recommended by the American Historical Association, the Organization of American Historians, the Society of American Archivists, the American Bar Association, veterans' organizations, and organizations representing families of missing Armed Forces and civilian personnel.

(c) SECURITY CLEARANCES.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual nominated to be a member of the Review Board, seeking security clearances necessary to carry out the duties of the Review Board, is expeditiously reviewed and granted or denied.

(d) CONFIRMATION.—

(1) HEARINGS.—Not later than 30 days on which the Senate is in session after the date on which not less than 3 individuals have been nominated to serve as members of the Review Board, the Committee on Homeland Security and Governmental Affairs of the Senate shall hold confirmation hearings on the nominations.

(2) COMMITTEE VOTE.—Not later than 14 days on which the Senate is in session after the date on which the Committee on Homeland Security and Governmental Affairs holds a confirmation hearing on the nomination of an individual to serve as a member of the Review Board, the committee shall vote on the nomination and report the results to the full Senate immediately.

(3) SENATE VOTE.—Not later than 14 days on which the Senate is in session after the date on which the Committee on Homeland Security and Governmental Affairs reports the results of a vote on a nomination of an individual to serve as a member of the Review Board, the Senate shall vote on the confirmation of the nominee.

(e) VACANCY.—Not later than 60 days after the date on which a vacancy on the Review Board occurs, the vacancy shall be filled in the same manner as specified for original appointment.

(f) CHAIRPERSON.—The members of the Review Board shall elect a member as Chairperson at the initial meeting of the Review Board.

(g) REMOVAL OF REVIEW BOARD MEMBER.—

(1) IN GENERAL.—A member of the Review Board shall not be removed from office, other than—

(A) by impeachment by Congress; or

(B) by the action of the President for inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the member's duties.

(2) JUDICIAL REVIEW.—

(A) IN GENERAL.—A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) RELIEF.—The member may be reinstated or granted other appropriate relief by order of the court.

(h) COMPENSATION OF MEMBERS.—

(1) BASIC PAY.—A member of the Review Board shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Review Board.

(i) DUTIES OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall consider and render a decision on a determination by a Government office to seek to postpone the disclosure of a missing Armed Forces and civilian personnel record, in whole or in part.

(2) RECORDS.—In carrying out paragraph (1), the Review Board shall consider and render a decision regarding—

(A) whether a record constitutes a missing Armed Forces and civilian personnel record; and

(B) whether a missing Armed Forces and civilian personnel record, or particular information in a missing Armed Forces and civilian personnel record, qualifies for postponement of disclosure under this subtitle.

(j) POWERS.—The Review Board shall have the authority to act in a manner prescribed under this subtitle, including authority to—

(1) direct Government offices to transmit to the Archivist missing Armed Forces and civilian personnel records as required under this subtitle;

(2) direct Government offices to transmit to the Archivist substitutes and summaries of missing Armed Forces and civilian personnel records that can be publicly disclosed to the fullest extent for any missing Armed Forces and civilian personnel record that is proposed for postponement in full or that is substantially redacted;

(3) obtain access to missing Armed Forces and civilian personnel records that have been identified by a Government office;

(4) direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records, or testimony from individuals, which the Review Board has reason to believe is required to fulfill its functions and responsibilities under this subtitle;

(5) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Review Board considers advisable to carry out its responsibilities under this subtitle;

(6) hold individuals in contempt for failure to comply with directives and mandates issued by the Review Board under this subtitle, which shall not include the authority to imprison or fine any individual;

(7) require any Government office to account in writing for the destruction of any records relating to the loss, fate, or status of missing Armed Forces and civilian personnel;

(8) receive information from the public regarding the identification and public disclosure of missing Armed Forces and civilian personnel records; and

(9) make a final determination regarding whether a missing Armed Forces and civilian personnel record will be disclosed to the public or disclosure of the missing Armed Forces and civilian personnel record to the public will be postponed, notwithstanding the determination of an Executive agency.

(k) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code.

(l) OVERSIGHT.—

(1) IN GENERAL.—The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives shall have—

(A) continuing oversight jurisdiction with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board; and

(B) upon request, access to any records held or created by the Review Board.

(2) DUTY OF REVIEW BOARD.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction under paragraph (1).

(m) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(n) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(o) TERMINATION AND WINDING UP.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the Review Board shall, by majority vote, determine whether all Government offices have complied with the obligations, mandates, and directives under this subtitle.

(2) TERMINATION DATE.—The Review Board shall terminate on the date that is 4 years after the date of swearing in of the Board members.

(3) REPORT.—Before the termination of the Review Board under paragraph (2), the Review Board shall submit to Congress reports, including a complete and accurate accounting of expenditures during its existence, and shall complete all other reporting requirements under this subtitle.

(4) RECORDS.—Upon termination of the Review Board, the Review Board shall transfer all records of the Review Board to the Archivist for inclusion in the Collection, and no record of the Review Board shall be destroyed.

SEC. 1099D. MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) IN GENERAL.—Not later than 45 days after the initial meeting of the Review Board, the Review Board shall appoint an individual to the position of Executive Director.

(2) QUALIFICATIONS.—The individual appointed as Executive Director of the Review Board—

(A) shall be a citizen of the United States of integrity and impartiality;

(B) shall be appointed without regard to political affiliation; and

(C) shall not have any conflict of interest with the mission of the Review Board.

(3) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as Executive Director until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROVISION.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual nominated to be Executive Director, seeking security clearances necessary to carry out the duties of the Executive Director, is expeditiously reviewed and granted or denied.

(4) DUTIES.—The Executive Director shall—

(A) serve as principal liaison to Government offices;

(B) be responsible for the administration and coordination of the review of records by the Review Board;

(C) be responsible for the administration of all official activities conducted by the Review Board; and

(D) not have the authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure.

(5) REMOVAL.—The Executive Director may be removed by a majority vote of the Review Board.

(b) STAFF.—

(1) IN GENERAL.—The Review Board may, in accordance with the civil service laws, but without regard to civil service law and regulation for competitive service as defined in subchapter I of chapter 33 of title 5, United States Code, appoint and terminate additional employees as are necessary to enable the Review Board and the Executive Director to perform their duties under this subtitle.

(2) QUALIFICATIONS.—An individual appointed to a position as an employee of the Review Board—

(A) shall be a citizen of the United States of integrity and impartiality; and

(B) shall not have had any previous involvement with any official investigation or inquiry relating to the loss, fate, or status of missing Armed Forces and civilian personnel.

(3) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as an employee of the Review Board until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROVISION.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual who is a candidate for a position with the Review Board, seeking security clearances necessary to carry out the duties of the position, is expeditiously reviewed and granted or denied.

(c) COMPENSATION.—The Review Board shall fix the compensation of the Executive Director and other employees of the Review Board without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the Executive Director and other employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Review Board may create 1 or more advisory committees to assist in fulfilling the responsibilities of the Review Board under this subtitle.

(2) APPLICABILITY OF FACA.—Any advisory committee created by the Review Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1099E. REVIEW OF RECORDS BY THE MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS REVIEW BOARD.

(a) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date on which all members are sworn in, publish an initial schedule for review of all missing Armed Forces and civilian personnel records, which the Archivist shall highlight and make available on a publicly accessible website administered by the National Archives; and

(2) not later than 180 days after the swearing in of the Board members, begin reviewing of missing Armed Forces and civilian personnel records, as necessary, under this subtitle.

(b) DETERMINATION OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all records that relate, directly or indirectly, to the loss, fate, or status of missing Armed Forces and civilian personnel be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that the record is not a missing Armed Forces and civilian personnel record.

(2) POSTPONEMENT.—In approving postponement of public disclosure of a missing Armed Forces and civilian personnel record, or information within a missing Armed Forces and civilian personnel record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of the missing Armed Forces and civilian personnel record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this subtitle, which of the following alternative forms of disclosure shall be made by the originating body:

(i) Any reasonably segregable particular information in a missing Armed Forces and civilian personnel record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a missing Armed Forces and civilian personnel record.

(3) REPORTING.—With respect to a missing Armed Forces and civilian personnel record, or information within a missing Armed Forces and civilian personnel record, the public disclosure of which is postponed under this subtitle, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall create and transmit to the Archivist an unclassified and publicly releasable report containing—

(A) a description of actions by the Review Board, the originating body, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board; and

(B) a statement, based on a review of the proceedings and in conformity with the decisions reflected therein, designating a recommended specified time at which, or a specified occurrence following which, the material may be appropriately disclosed to the public under this subtitle, which the Review Board shall disclose to the public with notice thereof, reasonably calculated to make interested members of the public aware of the existence of the statement.

(4) ACTIONS AFTER DETERMINATION.—

(A) IN GENERAL.—Not later than 30 days after the date of a determination by the Review Board that a missing Armed Forces and civilian personnel record shall be publicly disclosed in the Collection or postponed for disclosure and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination and highlight and make available the determination on a publicly accessible website reasonably calculated to make interested members of the public aware of the existence of the determination.

(B) OVERSIGHT NOTICE.—Simultaneous with notice under subparagraph (A), the Review Board shall provide notice of a determination concerning the public disclosure or postponement of disclosure of a missing Armed Forces and civilian personnel record, or information contained within a missing Armed Forces and civilian personnel record, which shall include a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards in section 1096 to the President, to the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Reform of the House of Representatives.

(5) REFERRAL AFTER TERMINATION.—A missing Armed Forces and civilian personnel record that is identified, located, or otherwise discovered after the date on which the Review Board terminates shall be transmitted to the Archivist for the Collection and referred to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives for review, ongoing oversight and, as warranted, referral for possible enforcement action relating to a violation of this subtitle and determination as to whether declassification of the missing Armed Forces and civilian personnel is warranted under this subtitle.

(c) NOTICE TO PUBLIC.—Every 30 days, beginning on the date that is 60 days after the date on which the Review Board first approves the postponement of disclosure of a missing Armed Forces and civilian personnel record, the Review Board shall highlight and make accessible on a publicly available website reasonably calculated to make interested members of the public aware of the existence of the postponement a notice that summarizes the postponements approved by the Review Board, including a description of the subject, originating body, length or other physical description, and each ground for postponement that is relied upon.

(d) REPORTS BY THE REVIEW BOARD.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until the Review Board terminates, the Review Board shall submit a report regarding the activities of the Review Board to—

(A) the Committee on Oversight and Reform of the House of Representatives;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the President;

(D) the Archivist; and

(E) the head of any Government office the records of which have been the subject of Review Board activity.

(2) CONTENTS.—Each report under paragraph (1) shall include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its employees.

(B) The progress made on review, transmission to the Archivist, and public disclosure of missing Armed Forces and civilian personnel records.

(C) The estimated time and volume of missing Armed Forces and civilian personnel records involved in the completion of the duties of the Review Board under this subtitle.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to carry out its duties under this subtitle.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorized under this subtitle, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional legislative authority needs.

(G) An appendix containing copies of reports relating to postponed records submitted to the Archivist under subsection (b)(3) since the end of the period covered by the most recent report under paragraph (1).

(3) TERMINATION NOTICE.—Not later than 90 days before the Review Board expects to complete the work of the Review Board under this subtitle, the Review Board shall provide written notice to Congress of the intent of the Review Board to terminate operations at a specified date.

SEC. 1099F. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States or of a foreign country to release any information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel that is held under seal of the court.

(2) GRAND JURY INFORMATION.—

(A) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States to release any information relevant to loss, fate, or status of missing Armed Forces and civilian personnel that is held under the injunction of secrecy of a grand jury.

(B) TREATMENT.—A request for disclosure of missing Armed Forces and civilian personnel materials under this subtitle shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(2) the Secretary of State should—

(A) contact the Governments of the Russian Federation, the People's Republic of China, and the Democratic People's Republic of Korea to seek the disclosure of all records in their respective custody, possession, or control relevant to the loss, fate, or status of missing Armed Forces and civilian personnel; and

(B) contact any other foreign government that may hold information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel, and seek disclosure of such information; and

(3) all agencies should cooperate in full with the Review Board to seek the disclosure of all information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel consistent with the public interest.

SEC. 1099G. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this subtitle requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other law (except section 6103 of the Internal Revenue Code of 1986), judicial decision construing such law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this subtitle shall be construed to eliminate or limit any right to file requests with any Executive agency or seek judicial review of the decisions under section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this subtitle shall be construed to preclude judicial review under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this subtitle.

(d) EXISTING AUTHORITY.—Nothing in this subtitle revokes or limits the existing authority of the President, any Executive agency, the Senate, or the House of Representatives, or any other entity of the Government to publicly disclose records in its custody, possession, or control.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this subtitle establishes a procedure to be followed in the Senate or the House of Representatives, such provision is adopted—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1099H. REQUESTS FOR EXTENSIONS.

The head of a Government office required to comply with a deadline under this subtitle that is based off the confirmation date of the members of the Missing Armed Forces and Civilian Personnel Records Review Board may request an extension from the Board for good cause. If the Board agrees to the request, the deadline applicable to the Government office for the purpose of such requirement shall be such later date as the Board may determine appropriate.

SEC. 1099I. TERMINATION OF EFFECT OF SUBTITLE.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this subtitle that

pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated under section 1099C(o).

(b) OTHER PROVISIONS.—The remaining provisions of this subtitle shall continue in effect until such time as the Archivist certifies to the President and Congress that all missing Armed Forces and civilian personnel records have been made available to the public in accordance with this subtitle.

SEC. 1099J. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this subtitle, to remain available until expended.

SEC. 1099K. SEVERABILITY.

If any provision of this subtitle, or the application thereof to any person or circumstance, is held invalid, the remainder of this subtitle and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

SA 2360. Mr. CRAPO (for himself, Mr. TESTER, Mr. RISCH, Mr. DAINES, Mr. HAWLEY, Ms. MURKOWSKI, Mrs. CAPITO, Mr. CRAMER, Mr. BOOZMAN, Mrs. BLACKBURN, Ms. COLLINS, Mr. COTTON, Mr. SCOTT of Florida, Mr. MORAN, Mr. BLUMENTHAL, Mr. KING, Mr. MERKLEY, Mr. WELCH, Mr. BROWN, Mr. CARDIN, Mr. FETTERMAN, Ms. SMITH, Mr. VAN HOLLEN, Mrs. MURRAY, Ms. STABENOW, Mr. WHITEHOUSE, Ms. HIRONO, Mr. PADILLA, Ms. DUCKWORTH, Mr. CASEY, Mr. HICKENLOOPER, Mr. COONS, Ms. ROSEN, Mrs. GILLIBRAND, Mr. OSSOFF, Mr. WYDEN, Mr. BENNET, Mr. WARNOCK, Ms. WARREN, Ms. KLOBUCHAR, Mr. WARNER, Mr. PETERS, Ms. CORTEZ MASTO, Ms. BALDWIN, Mr. KELLY, Mr. LUJAN, Mr. ROUNDS, Mr. CRUZ, Mr. BARRASSO, Mr. VANCE, Mr. RICKETTS, Mrs. SHAHEEN, Mrs. HYDE-SMITH, Mr. BOOKER, Mr. HOEVEN, Mr. RUBIO, and Mrs. FISCHER) 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, insert the following:

SEC. 630. ELIGIBILITY OF DISABILITY RETIREES WITH FEWER THAN 20 YEARS OF SERVICE AND A COMBAT-RELATED DISABILITY FOR CONCURRENT RECEIPT OF VETERANS' DISABILITY COMPENSATION AND RETIRED PAY.

(a) CONCURRENT RECEIPT IN CONNECTION WITH CSRC.—Section 1413a(b)(3)(B) of title 10, United States Code, is amended by striking ''creditable service,'' and all that follows and inserting the following: ''creditable service—

''(i) the retired pay of the retiree is not subject to reduction under sections 5304 and 5305 of title 38; and

''(ii) no monthly amount shall be paid the retiree under subsection (a).''.

(b) CONCURRENT RECEIPT GENERALLY.—Section 1414(b)(2) of title 10, United States Code, is amended by striking ''Subsection (a)'' and all that follows and inserting the following: ''Subsection (a)—

''(A) applies to a member described in paragraph (1) of that subsection who is retired under chapter 61 of this title with less than 20 years of service otherwise creditable under chapter 1405 of this title, or with less than 20 years of service computed under section 12732 of this title, at the time of the member's retirement if the member has a combat-related disability (as that term is defined in section 1413a(e) of this title), except that in the application of subsection (a) to such a member, any reference in that subsection to a qualifying service-connected disability shall be deemed to be a reference to that combat-related disability; but

''(B) does not apply to any member so retired if the member does not have a combat-related disability.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AMENDMENTS REFLECTING END OF CONCURRENT RECEIPT PHASE-IN PERIOD.—Section 1414 of title 10, United States Code, is further amended—

(A) in subsection (a)(1)—

(i) by striking the second sentence; and

(ii) by striking subparagraphs (A) and (B);

(B) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(C) in subsection (d), as redesignated, by striking paragraphs (3) and (4).

(2) SECTION HEADING.—The heading of such section 1414 is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent receipt''.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 1414 and inserting the following new item:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent receipt.''.

(4) CONFORMING AMENDMENT.—Section 1413a(f) of such title is amended by striking ''Subsection (d)'' and inserting ''Subsection (c)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month beginning after the date of the enactment of this Act and shall apply to payments for months beginning on or after that date.

SA 2361. Mr. CRAPO (for himself and Mr. WARNER) 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. _____. CAPITALIZATION ASSISTANCE TO ENHANCE LIQUIDITY.

(a) IN GENERAL.—Section 113 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4712) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ASSISTANCE.—

''(1) IN GENERAL.—The Fund may provide funds to organizations for the purpose of—

''(A) purchasing loans, loan participations, or interests therein from community development financial institutions;

''(B) providing guarantees, loan loss reserves, or other forms of credit enhancement to promote liquidity for community development financial institutions; and

''(C) otherwise enhancing the liquidity of community development financial institutions.

''(2) CONSTRUCTION OF FEDERAL GOVERNMENT FUNDS.—For purposes of this subsection, notwithstanding section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)), funds provided pursuant to such Act shall be considered to be Federal Government funds.'';

(2) by striking subsection (b) and inserting the following:

''(b) SELECTION.—

''(1) IN GENERAL.—The selection of organizations to receive assistance and the amount of assistance to be provided to any organization under this section shall be at the discretion of the Fund and in accordance with criteria established by the Fund.

''(2) ELIGIBILITY.—Organizations eligible to receive assistance under this section—

''(A) shall have a primary purpose of promoting community development; and

''(B) are not required to be community development financial institutions.

''(3) PRIORITIZATION.—For the purpose of making an award of funds under this section, the Fund shall prioritize the selection of organizations that—

''(A) demonstrate relevant experience or an ability to carry out the activities under this section, including experience leading or participating in loan purchase structures or purchasing or participating in the purchase of, assigning, or otherwise transferring, assets from community development financial institutions;

''(B) demonstrate the capacity to increase the number or dollar volume of loan originations or expand the products or services of community development financial institutions, including by leveraging the award with private capital; and

''(C) will use the funds to support community development financial institutions that represent broad geographic coverage or that serve borrowers that have experienced significant unmet capital or financial services needs.'';

(3) in subsection (c), in the first sentence—

(A) by striking ''$5,000,000'' and inserting ''$20,000,000''; and

(B) by striking ''during any 3-year period''; and

(4) by adding at the end the following:

''(g) REGULATIONS.—The Secretary may promulgate such regulations as may be necessary or appropriate to carry out the authorities or purposes of this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $100,000,000 to carry out this section, including to carry out a study on the options to increase community development financial institution liquidity and secondary market opportunities.''.

(b) EMERGENCY CAPITAL INVESTMENT FUNDS.—Section 104A of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4703a) is amended by striking subsection (l) and inserting the following:

''(l) DEPOSIT OF FUNDS.—All funds received by the Secretary in connection with purchases made pursuant this section, including interest payments, dividend payments, and proceeds from the sale of any financial instrument, shall be deposited into the Fund and used—

''(1) to provide financial assistance to organizations pursuant to section 113; and

''(2) to provide financial and technical assistance pursuant to section 108, except that subsection (e) of that section shall be waived.''.

(c) ANNUAL REPORTS.—

(1) DEFINITIONS.—In this subsection, the terms ''community development financial institution'' and ''Fund'' have the meanings given the terms in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702).

(2) REQUIREMENTS.—Not later than 1 year after the date on which assistance is first provided under section 113 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4712) pursuant to the amendments made by subsection (a) of this section, and annually thereafter through 2028, the Secretary of the Treasury shall submit to Congress a written report describing the use of the Fund for the 1-year period preceding the submission of the report for the purposes described in subsection (a)(1) of such section 113, as amended by subsection (a) of this section, which shall include, with respect to the period covered by the report—

(A) the total amount of—

(i) loans, loan participations, and interests therein purchased from community development financial institutions; and

(ii) guarantees, loan loss reserves, and other forms of credit enhancement provided to community development financial institutions;

(B) the effect of the purchases and guarantees made by the Fund on the overall competitiveness of community development financial institutions; and

(C) the impact of the purchases and guarantees made by the Fund on the liquidity of community development financial institutions.

SA 2362. Mr. CRAMER (for himself and Mr. WARNER) 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. _____. SECURE NOTARIZATIONS.

(a) SHORT TITLE.—This section may be cited as the ''Securing and Enabling Commerce Using Remote and Electronic Notarization Act of 2024''.

(b) DEFINITIONS.—In this section:

(1) COMMUNICATION TECHNOLOGY.—The term ''communication technology'', with respect to a notarization, means an electronic device or process that allows the notary public performing the notarization and a remotely located individual to communicate with each other simultaneously by sight and sound during the notarization.

(2) ELECTRONIC; ELECTRONIC RECORD; ELECTRONIC SIGNATURE; INFORMATION; PERSON; RECORD.—The terms ''electronic'', ''electronic record'', ''electronic signature'', ''information'', ''person'', and ''record'' have the meanings given those terms in section 106 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006).

(3) LAW.—The term ''law'' includes any statute, regulation, rule, or rule of law.

(4) NOTARIAL OFFICER.—The term ''notarial officer'' means—

(A) a notary public; or

(B) any other individual authorized to perform a notarization under the laws of a State without a commission or appointment as a notary public.

(5) NOTARIAL OFFICER'S STATE; NOTARY PUBLIC'S STATE.—The term ''notarial officer's State'' or ''notary public's State'' means the State in which a notarial officer, or a notary public, as applicable, is authorized to perform a notarization.

(6) NOTARIZATION.—The term ''notarization''—

(A) means any act that a notarial officer may perform under—

(i) Federal law, including this section; or

(ii) the laws of the notarial officer's State; and

(B) includes any act described in subparagraph (A) and performed by a notarial officer—

(i) with respect to—

(I) a tangible record; or

(II) an electronic record; and

(ii) for—

(I) an individual in the physical presence of the notarial officer; or

(II) a remotely located individual.

(7) NOTARY PUBLIC.—The term ''notary public'' means an individual commissioned or appointed as a notary public to perform a notarization under the laws of a State.

(8) PERSONAL KNOWLEDGE.—The term ''personal knowledge'', with respect to the identity of an individual, means knowledge of the identity of the individual through dealings sufficient to provide reasonable certainty that the individual has the identity claimed.

(9) REMOTELY LOCATED INDIVIDUAL.—The term ''remotely located individual'', with respect to a notarization, means an individual who is not in the physical presence of the notarial officer performing the notarization.

(10) REQUIREMENT.—The term ''requirement'' includes a duty, a standard of care, and a prohibition.

(11) SIGNATURE.—The term ''signature'' means—

(A) an electronic signature; or

(B) a tangible symbol executed or adopted by a person and evidencing the present intent to authenticate or adopt a record.

(12) SIMULTANEOUSLY.—The term ''simultaneously'', with respect to a communication between parties—

(A) means that each party communicates substantially simultaneously and without unreasonable interruption or disconnection; and

(B) includes any reasonably short delay that is inherent in, or common with respect to, the method used for the communication.

(13) STATE.—The term ''State''—

(A) means—

(i) any State of the United States;

(ii) the District of Columbia;

(iii) the Commonwealth of Puerto Rico;

(iv) any territory or possession of the United States; and

(v) any federally recognized Indian Tribe; and

(B) includes any executive, legislative, or judicial agency, court, department, board, office, clerk, recorder, register, registrar, commission, authority, institution, instrumentality, county, municipality, or other political subdivision of an entity described in any of clauses (i) through (v) of subparagraph (A).

(c) AUTHORIZATION TO PERFORM AND MINIMUM STANDARDS FOR ELECTRONIC NOTARIZATION.—

(1) AUTHORIZATION.—Unless prohibited under subsection (j), and subject to paragraph (2), a notary public may perform a notarization that occurs in or affects interstate commerce with respect to an electronic record.

(2) REQUIREMENTS OF ELECTRONIC NOTARIZATION.—If a notary public performs a notarization under paragraph (1), the following requirements shall apply with respect to the notarization:

(A) The electronic signature of the notary public, and all other information required to be included under other applicable law, shall be attached to or logically associated with the electronic record.

(B) The electronic signature and other information described in subparagraph (A) shall be bound to the electronic record in a manner that renders any subsequent change or modification to the electronic record evident.

(d) AUTHORIZATION TO PERFORM AND MINIMUM STANDARDS FOR REMOTE NOTARIZATION.—

(1) AUTHORIZATION.—Unless prohibited under subsection (j), and subject to paragraph (2), a notary public may perform a notarization that occurs in or affects interstate commerce for a remotely located individual.

(2) REQUIREMENTS OF REMOTE NOTARIZATION.—If a notary public performs a notarization under paragraph (1), the following requirements shall apply with respect to the notarization:

(A) The remotely located individual shall appear personally before the notary public at the time of the notarization by using communication technology.

(B) The notary public shall—

(i) reasonably identify the remotely located individual—

(I) through personal knowledge of the identity of the remotely located individual; or

(II) by obtaining satisfactory evidence of the identity of the remotely located individual by—

(aa) using not fewer than 2 distinct types of processes or services through which a third person provides a means to verify the identity of the remotely located individual through a review of public or private data sources; or

(bb) oath or affirmation of a credible witness who either is in the physical presence of the notary public or the remotely located individual or appears personally before the notary public and the remotely located individual by using communication technology, has personal knowledge of the identity of the remotely located individual, and has been identified by the notary public under subclause (I) or item (aa) of this subclause;

(ii) either directly or through an agent—

(I) create an audio and visual recording of the performance of the notarization; and

(II) notwithstanding any resignation from, or revocation, suspension, or termination of, the notary public's commission or appointment, retain the recording created under subclause (I) as a notarial record—

(aa) for a period of not less than—

(AA) if an applicable law of the notary public's State specifies a period of retention, the greater of—

(BB) that specified period; or

(CC) 5 years after the date on which the recording is created; or

(DD) if no applicable law of the notary public's State specifies a period of retention, 10 years after the date on which the recording is created; and

(bb) if any applicable law of the notary public's State govern the content, manner or place of retention, security, use, effect, or disclosure of such recording or any information contained in the recording, in accordance with those laws; and

(iii) if the notarization is performed with respect to a tangible or electronic record, take reasonable steps to confirm that the record before the notary public is the same record with respect to which the remotely located individual made a statement or on which the individual executed a signature.

(C) If a guardian, conservator, executor, personal representative, administrator, or similar fiduciary or successor is appointed

for or on behalf of a notary public or a deceased notary public under applicable law, that person shall retain the recording under subparagraph (B)(ii)(II), unless—

(i) another person is obligated to retain the recording under applicable law of the notary public's State; or

(ii)(I) under applicable law of the notary public's State, that person may transmit the recording to an office, archive, or repository approved or designated by the State; and

(II) that person transmits the recording to the office, archive, or repository described in subclause (I) in accordance with applicable law of the notary public's State.

(D) If the remotely located individual is physically located outside the geographic boundaries of a State, or is otherwise physically located in a location that is not subject to the jurisdiction of the United States, at the time of the notarization—

(i) the record shall—

(I) be intended for filing with, or relate to a matter before, a court, governmental entity, public official, or other entity that is subject to the jurisdiction of the United States; or

(II) involve property located in the territorial jurisdiction of the United States or a transaction substantially connected to the United States; and

(ii) the act of making the statement or signing the record may not be prohibited by a law of the jurisdiction in which the individual is physically located.

(3) PERSONAL APPEARANCE SATISFIED.—If a State or Federal law requires an individual to appear personally before or be in the physical presence of a notary public at the time of a notarization, that requirement shall be considered to be satisfied if—

(A) the individual—

(i) is a remotely located individual; and

(ii) appears personally before the notary public at the time of the notarization by using communication technology; and

(B)(i) the notarization was performed under or relates to a public act, record, or judicial proceeding of the notary public's State; or

(ii) the notarization occurs in or affects interstate commerce.

(e) RECOGNITION OF NOTARIZATIONS IN FEDERAL COURT.—

(1) RECOGNITION OF VALIDITY.—Each court of the United States shall recognize as valid under the State or Federal law applicable in a judicial proceeding before the court any notarization performed by a notarial officer of any State if the notarization is valid under the laws of the notarial officer's State or under this section.

(2) LEGAL EFFECT OF RECOGNIZED NOTARIZATION.—A notarization recognized under paragraph (1) shall have the same effect under the State or Federal law applicable in the applicable judicial proceeding as if that notarization was validly performed—

(A)(i) by a notarial officer of the State, the law of which is applicable in the proceeding; or

(ii) under this section or other Federal law; and

(B) without regard to whether the notarization was performed—

(i) with respect to—

(I) a tangible record; or

(II) an electronic record; or

(ii) for—

(I) an individual in the physical presence of the notarial officer; or

(II) a remotely located individual.

(3) PRESUMPTION OF GENUINENESS.—In a determination of the validity of a notarization for the purposes of paragraph (1), the signature and title of an individual performing the notarization shall be prima facie evidence in any court of the United States that the signature of the individual is genuine and that the individual holds the designated title.

(4) CONCLUSIVE EVIDENCE OF AUTHORITY.—In a determination of the validity of a notarization for the purposes of paragraph (1), the signature and title of the following notarial officers of a State shall conclusively establish the authority of the officer to perform the notarization:

(A) A notary public of that State.

(B) A judge, clerk, or deputy clerk of a court of that State.

(f) RECOGNITION BY STATE OF NOTARIZATIONS PERFORMED UNDER AUTHORITY OF ANOTHER STATE.—

(1) RECOGNITION OF VALIDITY.—Each State shall recognize as valid under the laws of that State any notarization performed by a notarial officer of any other State if—

(A) the notarization is valid under the laws of the notarial officer's State or under this section; and

(B)(i) the notarization was performed under or relates to a public act, record, or judicial proceeding of the notarial officer's State; or

(ii) the notarization occurs in or affects interstate commerce.

(2) LEGAL EFFECT OF RECOGNIZED NOTARIZATION.—A notarization recognized under paragraph (1) shall have the same effect under the laws of the recognizing State as if that notarization was validly performed by a notarial officer of the recognizing State, without regard to whether the notarization was performed—

(A) with respect to—

(i) a tangible record; or

(ii) an electronic record; or

(B) for—

(i) an individual in the physical presence of the notarial officer; or

(ii) a remotely located individual.

(3) PRESUMPTION OF GENUINENESS.—In a determination of the validity of a notarization for the purposes of paragraph (1), the signature and title of an individual performing a notarization shall be prima facie evidence in any State court or judicial proceeding that the signature is genuine and that the individual holds the designated title.

(4) CONCLUSIVE EVIDENCE OF AUTHORITY.—In a determination of the validity of a notarization for the purposes of paragraph (1), the signature and title of the following notarial officers of a State conclusively establish the authority of the officer to perform the notarization:

(A) A notary public of that State.

(B) A judge, clerk, or deputy clerk of a court of that State.

(g) ELECTRONIC AND REMOTE NOTARIZATION NOT REQUIRED.—Nothing in this section may be construed to require a notary public to perform a notarization—

(1) with respect to an electronic record;

(2) for a remotely located individual; or

(3) using a technology that the notary public has not selected.

(h) VALIDITY OF NOTARIZATIONS; RIGHTS OF AGGRIEVED PERSONS NOT AFFECTED; STATE LAWS ON THE PRACTICE OF LAW NOT AFFECTED.—

(1) VALIDITY NOT AFFECTED.—The failure of a notary public to meet a requirement under subsection (c) or (d) in the performance of a notarization, or the failure of a notarization to conform to a requirement under subsection (c) or (d), shall not invalidate or impair the recognition of the notarization.

(2) RIGHTS OF AGGRIEVED PERSONS.—The validity and recognition of a notarization under this section may not be construed to prevent an aggrieved person from seeking to invalidate a record or transaction that is the subject of a notarization or from seeking other remedies based on State or Federal law other than this section for any reason not specified in this section, including on the basis—

(A) that a person did not, with present intent to authenticate or adopt a record, execute a signature on the record;

(B) that an individual was incompetent, lacked authority or capacity to authenticate or adopt a record, or did not knowingly and voluntarily authenticate or adopt a record; or

(C) of fraud, forgery, mistake, misrepresentation, impersonation, duress, undue influence, or other invalidating cause.

(3) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect a State law governing, authorizing, or prohibiting the practice of law.

(i) EXCEPTION TO PREEMPTION.—

(1) IN GENERAL.—A State law may modify, limit, or supersede the provisions of subsection (c), or paragraph (1) or (2) of subsection (d), with respect to State law only if that State law—

(A) either—

(i) constitutes an enactment or adoption of the Revised Uniform Law on Notarial Acts, as approved and recommended for enactment in all the States by the National Conference of Commissioners on Uniform State Laws in 2018, except that a modification to such Law enacted or adopted by a State shall be preempted to the extent such modification—

(I) is inconsistent with a provision of subsection (c), or paragraph (1) or (2) of subsection (d), as applicable; or

(II) would not be permitted under clause (ii); or

(ii) specifies additional or alternative procedures or requirements for the performance of notarizations with respect to electronic records or for remotely located individuals, if those additional or alternative procedures or requirements—

(I) are consistent with subsection (c), or paragraph (1) or (2) of subsection (d); and

(II) do not accord greater legal effect to the implementation or application of a specific technology or technical specification for performing those notarizations; and

(B) requires the retention of an audio and visual recording of the performance of a notarization for a remotely located individual for a period of not less than 5 years after the recording is created.

(2) RULE OF CONSTRUCTION.—Nothing in subsection (e) or (f) may be construed to preclude the recognition of a notarization under applicable State law, regardless of whether such State law is consistent with subsection (e) or (f).

(j) STANDARD OF CARE; SPECIAL NOTARIAL COMMISSIONS; FALSE ADVERTISING.—

(1) STATE STANDARDS OF CARE; AUTHORITY OF STATE REGULATORY OFFICIALS.—Nothing in this section may be construed to prevent a State, or a notarial regulatory official of a State, from—

(A) adopting a requirement in this section as a duty or standard of care under the laws of that State or sanctioning a notary public for breach of such a duty or standard of care;

(B) establishing requirements and qualifications for, or denying, refusing to renew, revoking, suspending, or imposing a condition on, a commission or appointment as a notary public;

(C) creating or designating a class or type of commission or appointment, or requiring an endorsement or other authorization to be received by a notary public, as a condition on the authority to perform notarizations with respect to electronic records or for remotely located individuals; or

(D) prohibiting a notary public from performing a notarization under subsection (c) or (d) as a sanction for a breach of duty or standard of care or for official misconduct.

(2) SPECIAL COMMISSIONS OR AUTHORIZATIONS CREATED BY A STATE; SANCTION FOR BREACH OR OFFICIAL MISCONDUCT; FALSE ADVERTISING.—A notary public may not perform a notarization under subsection (c) or (d) if any of the following applies:

(A) The notary public's State has enacted a law that creates or designates a class or type of commission or appointment, or requires an endorsement or other authorization to be received by a notary public, as a condition on the authority to perform notarizations with respect to electronic records or for remotely located individuals, and—

(i) the commission or appointment of the notary public is not of that class or type; or

(ii) the notary public has not received the endorsement or other authorization.

(B) The notarial regulatory official of the notary public's State has prohibited the notary public from performing the notarization as a sanction for a breach of duty or standard of care or for official misconduct.

(C)(i) The notary public has engaged in false or deceptive advertising.

(ii) For the purposes of clause (i), a notary public shall be considered to have engaged in false or deceptive advertising if the notary public (unless the notary public is an attorney licensed to practice law in a State)—

(I) uses the term ''notario'' or ''notario publico''; or

(II) states or represents in a record offering commercial notarial services that the notary public is authorized to—

(aa) assist in drafting legal records, give legal advice, or otherwise practice law;

(bb) act as an immigration consultant or an expert on matters pertaining to immigration;

(cc) represent a person in a judicial or administrative proceeding relating to immigration to the United States, United States citizenship, or related matters; or

(dd) receive compensation for performing any activity described in this clause.

(iii) For the purposes of a notarization performed by a notary public under subsection (d) for a remotely located individual, if a record executed by the remotely located individual attests that the notary public disclosed to the individual the prohibitions under this subparagraph, and that the notary public did not make any statement or representation in violation of this subparagraph, that record shall conclusively establish compliance by the notary public with the requirements of this subparagraph, as of the date on which the individual executes that record.

(k) SEVERABILITY.—If any provision of this section or the application of such provision to any person or circumstance is held to be invalid or unconstitutional, the remainder of this section and the application of the provisions thereof to other persons or circumstances shall not be affected by that holding.

SA 2363. Mr. ROUNDS (for himself, Mr. MANCHIN, and Mrs. GILLIBRAND) 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 1085 and insert the following:

SEC. 1085. HOMELAND DEFENSE PLANNING REQUIREMENTS.

(a) REPORT ON AT-RISK CRITICAL INFRASTRUCTURE AND ASSETS.—Not later than February 15, 2025, the Assistant Secretary of Defense for Strategy, Plans, and Capabilities, in consultation with the Commander of the United States Cyber Command, the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, the Director of the Defense Intelligence Agency, and the heads of relevant civilian agencies, shall submit to the designated recipients and the Commander of the United States Northern Command a detailed list of the critical infrastructure and assets in the United States that are assessed to be likely targets of an attack, including kinetic and non-kinetic attacks, in a major conflict with an adversary.

(b) REPORT ON LIKELY REQUESTS FOR SUPPORT.—Not later than April 15, 2025, in consultation with relevant civilian agencies, the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, and the Assistant Secretary of Defense for Strategy, Plans, and Capabilities shall submit to the designated recipients a report identifying and assessing the foreseeable requests for support from civilian agencies responsible for the defense of the critical infrastructure and assets detailed in the report submitted under subsection (a). The report shall include—

(1) each agency likely to request support;

(2) the existing capabilities of each agency to respond to and defend against a prospective attack;

(3) the specific capabilities requested, and an estimate of the number of Department of Defense personnel that would be required to provide those capabilities;

(4) an estimate of the cost for providing the requested Department of Defense support; and

(5) an estimate of the duration of support that could be provided in response to such requests, and an assessment of whether such support could be provided in a protracted scenario extending beyond 180 days.

(c) FEASIBILITY ASSESSMENT.—Not later than June 1, 2025, the Assistant Secretary of Defense for Strategy, Plans, and Capabilities, in consultation with the Commander of the United States Cyber Command, the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, the Commander of the United States Northern Command, and the heads of relevant civilian agencies, shall submit to the designated recipients a report assessing the feasibility of providing support to the requests identified in the report submitted under subsection (b). The assessment shall address providing support to a request independently, concurrent with other related requests, and consecutive with other requests.

(d) DESIGNATED RECIPIENTS DEFINED.—In this section, the term ''designated recipients'' means—

(1) the Secretary of Defense;

(2) the Secretaries of the military departments;

(3) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(4) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

SA 2364. Mr. ROUNDS (for himself and Mr. KING) 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 V, add the following:

SEC. 529C. QUALIFICATIONS FOR ENLISTMENT IN THE ARMED FORCES.

(a) ADDITIONAL QUALIFIED PERSONS.—Section 504(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by adding at the end the following:

''(D) A Dreamer student.''; and

(2) by adding at the end the following:

''(4) In this subsection, the term 'Dreamer student' means an individual who—

''(A) is not a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(22)));

''(B) has continuously resided in the United States since June 15, 2007; and

''(C)(i) has been granted Deferred Action Deferred Action for Childhood Arrivals under the policy announced by the Secretary of Homeland Security on June 15, 2012, or any successor policy or regulation, and has not had such grant terminated; and

''(ii) was younger than 17 years of age on the date on which such individual initially entered the United States and meets the minimum fitness and educational requirements established by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force to become an enlisted soldier, sailor, marine, airman, or guardian.''.

(b) ADMISSION TO PERMANENT RESIDENCE OF ENLISTEES.—Section 504 of title 10, United States Code, as amended by subsection (a), is further amended by adding at the end the following:

''(c) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—(1) A person described in subsection (b)(1)(D) who, at the time of enlistment in an armed force, is not a citizen or other national of the United States or lawfully admitted for permanent residence shall be adjusted to the status of an alien lawfully admitted for permanent residence under section 249 of the Immigration and Nationality Act (8 U.S.C. 1259), except that the alien need not—

''(A) establish that he or she entered the United States prior to January 1, 1972; or

''(B) comply with section 212(e) of that Act (8 U.S.C. 1182(e)).

''(2) The Secretary of Homeland Security shall rescind the lawful permanent resident status of a person whose status was adjusted under paragraph (1) if the person is separated from the armed forces under other than honorable conditions or under an uncharacterized discharge before the person has completed a first term of contracted service.

''(3) Nothing in this subsection may be construed to alter the process prescribed by sections 328, 329, and 329A of the Immigration and Nationality Act (8 U.S.C. 1439, 1440, 1440–1) by which a person may naturalize through service in the armed forces.''.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—Section 504 of title 10, United States Code, as amended by this section, is further amended in the section heading by inserting ''**: citizenship or residency requirements; exceptions**'' after ''**qualified**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of title 10, United States Code, is amended by striking the item relating to section 504 and inserting the following:

''504. Persons not qualified: citizenship or residency requirements; exceptions.''.

SA 2365. Mr. PETERS (for himself 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:

TITLE ____—PREPARED FOR AI

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Promoting Responsible Evaluation and Procurement to Advance Readiness for Enterprise-wide Deployment for Artificial Intelligence Act'' or the ''PREPARED for AI Act''.

SEC. ___02. DEFINITIONS.

In this title:

(1) ADVERSE INCIDENT.—The term ''adverse incident'' means any incident or malfunction of artificial intelligence that directly or indirectly leads to—

(A) harm impacting rights or safety, as described in section ___07(a)(2)(D);

(B) the death of an individual or damage to the health of an individual;

(C) material or irreversible disruption of the management and operation of critical infrastructure, as described in section ___07(a)(2)(D)(i)(II)(cc);

(D) material damage to property or the environment;

(E) loss of a mission-critical system or equipment;

(F) failure of the mission of an agency;

(G) the denial of a benefit, payment, or other service to an individual or group of individuals who would have otherwise been eligible;

(H) the denial of an employment, contract, grant, or similar opportunity that would have otherwise been offered; or

(I) another consequence, as determined by the Director with public notice.

(2) AGENCY.—The term ''agency''—

(A) has the meaning given that term in section 3502(1) of title 44, United States Code; and

(B) includes each of the independent regulatory agencies described in section 3502(5) of title 44, United States Code.

(3) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence''—

(A) has the meaning given that term in section 5002 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401); and

(B) includes the artificial systems and techniques described in paragraphs (1) through (5) of section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4061 note prec.).

(4) BIOMETRIC DATA.—The term ''biometric data'' means data resulting from specific technical processing relating to the unique physical, physiological, or behavioral characteristics of an individual, including facial images, dactyloscopic data, physical movement and gait, breath, voice, DNA, blood type, and expression of emotion, thought, or feeling.

(5) COMMERCIAL TECHNOLOGY.—The term ''commercial technology''—

(A) means a technology, process, or method, including research or development; and

(B) includes commercial products, commercial services, and other commercial items, as defined in the Federal Acquisition Regulation, including any addition or update thereto by the Federal Acquisition Regulatory Council.

(6) COUNCIL.—The term ''Council'' means the Chief Artificial Intelligence Officers Council established under section ___05(a).

(7) DEPLOYER.—The term ''deployer'' means an entity that operates or provides artificial intelligence, whether developed internally or by a third-party developer.

(8) DEVELOPER.—The term ''developer'' means an entity that designs, codes, produces, or owns artificial intelligence.

(9) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(10) IMPACT ASSESSMENT.—The term ''impact assessment'' means a structured process for considering the implications of a proposed artificial intelligence use case.

(11) OPERATIONAL DESIGN DOMAIN.—The term ''operational design domain'' means a set of operating conditions for an automated system.

(12) PROCURE OR OBTAIN.—The term ''procure or obtain'' means—

(A) to acquire through contract actions awarded pursuant to the Federal Acquisition Regulation, including through interagency agreements, multi-agency use, and purchase card transactions;

(B) to acquire through contracts and agreements awarded through other special procurement authorities, including through other transactions and commercial solutions opening authorities; or

(C) to obtain through other means, including through open source platforms or freeware.

(13) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant 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.

(14) RISK.—The term ''risk'' means the combination of the probability of an occurrence of harm and the potential severity of that harm.

(15) USE CASE.—The term ''use case'' means the ways and context in which artificial intelligence is operated to perform a specific function.

SEC. ___03. IMPLEMENTATION OF REQUIREMENTS.

(a) AGENCY IMPLEMENTATION.—Not later than 1 year after the date of enactment of this title, the Director shall ensure that agencies have implemented the requirements of this title.

(b) ANNUAL BRIEFING.—Not later than 180 days after the date of enactment of this title, and annually thereafter, the Director shall brief the appropriate Congressional committees on implementation of this title and related considerations.

SEC. ___04. PROCUREMENT OF ARTIFICIAL INTELLIGENCE.

(a) GOVERNMENT-WIDE REQUIREMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Federal Acquisition Regulatory Council shall review Federal Acquisition Regulation acquisition planning, source selection, and other requirements and update the Federal Acquisition Regulation as needed to ensure that agency procurement of artificial intelligence includes—

(A) a requirement to address the outcomes of the risk evaluation and impact assessments required under section ___08(a);

(B) a requirement for consultation with an interdisciplinary team of agency experts prior to, and throughout, as necessary, procuring or obtaining artificial intelligence; and

(C) any other considerations determined relevant by the Federal Acquisition Regulatory Council.

(2) INTERDISCIPLINARY TEAM OF EXPERTS.—The interdisciplinary team of experts described in paragraph (1)(B) may—

(A) vary depending on the use case and the risks determined to be associated with the use case; and

(B) include technologists, information security personnel, domain experts, privacy officers, data officers, civil rights and civil liberties officers, contracting officials, legal counsel, customer experience professionals, and others.

(3) ACQUISITION PLANNING.—The acquisition planning updates described in paragraph (1) shall include considerations for, at minimum, as appropriate depending on the use case—

(A) data ownership and privacy;

(B) data information security;

(C) interoperability requirements;

(D) data and model assessment processes;

(E) scope of use;

(F) ongoing monitoring techniques;

(G) type and scope of artificial intelligence audits;

(H) environmental impact; and

(I) safety and security risk mitigation techniques, including a plan for how adverse event reporting can be incorporated, pursuant to section ___05(g).

(b) REQUIREMENTS FOR HIGH RISK USE CASES.—

(1) IN GENERAL.—

(A) ESTABLISHMENT.—Beginning on the date that is 1 year after the date of enactment of this title, the head of an agency may not procure or obtain artificial intelligence for a high risk use case, as defined in section ___07(a)(2)(D), prior to establishing and incorporating certain terms into relevant contracts, agreements, and employee guidelines for artificial intelligence, including—

(i) a requirement that the use of the artificial intelligence be limited to its operational design domain;

(ii) requirements for safety, security, and trustworthiness, including—

(I) a reporting mechanism through which agency personnel are notified by the deployer of any adverse incident;

(II) a requirement, in accordance with section ___05(g), that agency personnel receive from the deployer a notification of any adverse incident, an explanation of the cause of the adverse incident, and any data directly connected to the adverse incident in order to address and mitigate the harm; and

(III) that the agency has the right to temporarily or permanently suspend use of the artificial intelligence if—

(aa) the risks of the artificial intelligence to rights or safety become unacceptable, as determined under the agency risk classification system pursuant to section ___07; or

(bb) on or after the date that is 180 days after the publication of the most recently updated version of the framework developed and updated pursuant to section 22(A)(c) of the National Institute of Standards and Technology Act (15 U.S.C. 278h-1(c)), the deployer is found not to comply with such most recent update;

(iii) requirements for quality, relevance, sourcing and ownership of data, as appropriate by use case, and applicable unless the head of the agency waives such requirements in writing, including—

(I) retention of rights to Government data and any modification to the data including to protect the data from unauthorized disclosure and use to subsequently train or improve the functionality of commercial products offered by the deployer, any relevant developers, or others; and

(II) a requirement that the deployer and any relevant developers or other parties isolate Government data from all other data, through physical separation, electronic separation via secure copies with strict access controls, or other computational isolation mechanisms;

(iv) requirements for evaluation and testing of artificial intelligence based on use case, to be performed on an ongoing basis; and

(v) requirements that the deployer and any relevant developers provide documentation, as determined necessary and requested by the agency, in accordance with section ___08(b).

(B) REVIEW.—The Senior Procurement Executive, in coordination with the Chief Artificial Intelligence Officer, shall consult with technologists, information security personnel, domain experts, privacy officers, data officers, civil rights and civil liberties officers, contracting officials, legal counsel, customer experience professionals, and other relevant agency officials to review the requirements described in clauses (i) through (v) of subparagraph (A) and determine whether it may be necessary to incorporate additional requirements into relevant contracts or agreements.

(C) REGULATION.—The Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation as necessary to implement the requirements of this subsection.

(2) RULES OF CONSTRUCTION.—This title shall supersede any requirements that conflict with this title under the guidance required to be produced by the Director pursuant to section 7224(d) of the Advancing American AI Act (40 U.S.C. 11301 note).

SEC. ___05. INTERAGENCY GOVERNANCE OF ARTIFICIAL INTELLIGENCE.

(a) CHIEF ARTIFICIAL INTELLIGENCE OFFICERS COUNCIL.—Not later than 60 days after the date of enactment of this title, the Director shall establish a Chief Artificial Intelligence Officers Council.

(b) DUTIES.—The duties of the Council shall include—

(1) coordinating agency development and use of artificial intelligence in agency programs and operations, including practices relating to the design, operation, risk management, and performance of artificial intelligence;

(2) sharing experiences, ideas, best practices, and innovative approaches relating to artificial intelligence; and

(3) assisting the Director, as necessary, with respect to—

(A) the identification, development, and coordination of multi-agency projects and other initiatives, including initiatives to improve Government performance;

(B) the management of risks relating to developing, obtaining, or using artificial intelligence, including by developing a common template to guide agency Chief Artificial Intelligence Officers in implementing a risk classification system that may incorporate best practices, such as those from—

(i) the most recently updated version of the framework developed and updated pursuant to section 22A(c) of the National Institute of Standards and Technology Act (15 U.S.C. 278h–1(c)); and

(ii) the report published by the Government Accountability Office entitled ''Artificial Intelligence: An Accountability Framework for Federal Agencies and Other Entities'' (GAO-21-519SP), published on June 30, 2021;

(C) promoting the development and use of efficient, effective, common, shared, or other approaches to key processes that improve the delivery of services for the public; and

(D) soliciting and providing perspectives on matters of concern, including from and to—

(i) interagency councils;

(ii) Federal Government entities;

(iii) private sector, public sector, nonprofit, and academic experts;

(iv) State, local, Tribal, territorial, and international governments; and

(v) other individuals and entities, as determined relevant by the Council.

(c) MEMBERSHIP OF THE COUNCIL.—

(1) CO-CHAIRS.—The Council shall have 2 co-chairs, which shall be—

(A) the Director; and

(B) an individual selected by a majority of the members of the Council.

(2) MEMBERS.—Other members of the Council shall include—

(A) the Chief Artificial Intelligence Officer of each agency; and

(B) the senior official for artificial intelligence of the Office of Management and Budget.

(d) STANDING COMMITTEES; WORKING GROUPS.—The Council shall have the authority to establish standing committees, including an executive committee, and working groups.

(e) COUNCIL STAFF.—The Council may enter into an interagency agreement with the Administrator of General Services for shared services for the purpose of staffing the Council.

(f) DEVELOPMENT, ADAPTATION, AND DOCUMENTATION.—

(1) GUIDANCE.—Not later than 90 days after the date of enactment of this title, the Director, in consultation with the Council, shall issue guidance relating to—

(A) developments in artificial intelligence and implications for management of agency programs;

(B) the agency impact assessments described in section ___08(a) and other relevant impact assessments as determined appropriate by the Director, including the appropriateness of substituting pre-existing assessments, including privacy impact assessments, for purposes of an artificial intelligence impact assessment;

(C) documentation for agencies to require from deployers of artificial intelligence;

(D) a model template for the explanations for use case risk classifications that each agency must provide under section ___08(a)(4); and

(E) other matters, as determined relevant by the Director.

(2) ANNUAL REVIEW.—The Director, in consultation with the Council, shall periodically, but not less frequently than annually, review and update, as needed, the guidelines issued under paragraph (1).

(g) INCIDENT REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this title, the Director, in consultation with the Council, shall develop procedures for ensuring that—

(A) adverse incidents involving artificial intelligence procured, obtained, or used by agencies are reported promptly to the agency by the developer or deployer, or to the developer or deployer by the agency, whichever first becomes aware of the adverse incident; and

(B) information relating to an adverse incident described in subparagraph (A) is appropriately shared among agencies.

(2) SINGLE REPORT.—Adverse incidents also qualifying for incident reporting under section 3554 of title 44, United States Code, or other relevant laws or policies, may be reported under such other reporting requirement and are not required to be additionally reported under this subsection.

(3) NOTICE TO DEPLOYER.—

(A) IN GENERAL.—If an adverse incident is discovered by an agency, the agency shall report the adverse incident to the deployer and the deployer, in consultation with any relevant developers, shall take immediate action to resolve the adverse incident and mitigate the potential for future adverse incidents.

(B) WAIVER.—

(i) IN GENERAL.—Unless otherwise required by law, the head of an agency may issue a written waiver that waives the applicability of some or all of the requirements under subparagraph (A), with respect to a specific adverse incident.

(ii) WRITTEN WAIVER CONTENTS.—A written waiver under clause (i) shall include justification for the waiver.

(iii) NOTICE.—The head of an agency shall forward advance notice of any waiver under this subparagraph to the Director, or the designee of the Director.

SEC. ___06. AGENCY GOVERNANCE OF ARTIFICIAL INTELLIGENCE.

(a) IN GENERAL.—The head of an agency shall—

(1) ensure the responsible adoption of artificial intelligence, including by—

(A) articulating a clear vision of what the head of the agency wants to achieve by developing, procuring or obtaining, or using artificial intelligence;

(B) ensuring the agency develops, procures, obtains, or uses artificial intelligence that follows the principles of trustworthy artificial intelligence in government set forth under Executive Order 13960 (85 Fed. Reg. 78939; relating to promoting the use of trustworthy artificial intelligence in Federal Government) and the principles for safe, secure, and trustworthy artificial intelligence in government set forth under section 2 of Executive Order 14110 (88 Fed. Reg. 75191; relating to the safe, secure, and trustworthy development and use of artificial intelligence);

(C) testing, validating, and monitoring artificial intelligence and the use case-specific performance of artificial intelligence, among others, to—

(i) ensure all use of artificial intelligence is appropriate to and improves the effectiveness of the mission of the agency;

(ii) guard against bias in data collection, use, and dissemination;

(iii) ensure reliability, fairness, and transparency; and

(iv) protect against impermissible discrimination;

(D) developing, adopting, and applying a suitable enterprise risk management framework approach to artificial intelligence, incorporating the requirements under this title;

(E) continuing to develop a workforce that—

(i) understands the strengths and weaknesses of artificial intelligence, including artificial intelligence embedded in agency data systems and operations;

(ii) is aware of the benefits and risk of artificial intelligence; and

(iii) is able to provide human oversight for the design, implementation, and end uses of artificial intelligence; and

(iv) is able to review and provide redress for erroneous decisions made in the course of artificial intelligence-assisted processes; and

(F) ensuring implementation of the requirements under section ___08(a) for the identification and evaluation of risks posed by the deployment of artificial intelligence in agency use cases;

(2) designate a Chief Artificial Intelligence Officer, whose duties shall include—

(A) ensuring appropriate use of artificial intelligence;

(B) coordinating agency use of artificial intelligence;

(C) promoting artificial intelligence innovation;

(D) managing the risks of use of artificial intelligence;

(E) supporting the head of the agency with developing the risk classification system required under section ___07(a) and complying with other requirements of this title; and

(F) supporting agency personnel leading the procurement and deployment of artificial intelligence to comply with the requirements under this title; and

(3) form and convene an Artificial Intelligence Governance Board, as described in subsection (b), which shall coordinate and govern artificial intelligence issues across the agency.

(b) ARTIFICIAL INTELLIGENCE GOVERNANCE BOARD.—

(1) LEADERSHIP.—Each Artificial Intelligence Governance Board (referred to in this subsection as ''Board'') of an agency shall be chaired by the Deputy Secretary of the agency or equivalent official and vice-chaired by the Chief Artificial Intelligence Officer of the agency. Neither the chair nor the vice-chair may assign or delegate these roles to other officials.

(2) REPRESENTATION.—The Board shall, at a minimum, include representatives comprised of senior agency officials from operational components, if relevant, program officials responsible for implementing artificial intelligence, and officials responsible for information technology, data, privacy, civil rights and civil liberties, human capital, procurement, finance, legal counsel, and customer experience.

(3) EXISTING BODIES.—An agency may rely on an existing governance body to fulfill the requirements of this subsection if the body satisfies or is adjusted to satisfy the leadership and representation requirements of paragraphs (1) and (2).

(c) DESIGNATION OF CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—The head of an agency may designate as Chief Artificial Intelligence Officer an existing official within the agency, including the Chief Technology Officer, Chief Data Officer, Chief Information Officer, or other official with relevant or complementary authorities and responsibilities, if such existing official has expertise in artificial intelligence and meets the requirements of this section.

(d) EFFECTIVE DATE.—Beginning on the date that is 120 days after the date of enactment of this title, an agency shall not develop or procure or obtain artificial intelligence prior to completing the requirements under paragraphs (2) and (3) of subsection (a).

SEC. ___07. AGENCY RISK CLASSIFICATION OF ARTIFICIAL INTELLIGENCE USE CASES FOR PROCUREMENT AND USE.

(a) RISK CLASSIFICATION SYSTEM.—

(1) DEVELOPMENT.—The head of each agency shall be responsible for developing, not later than 1 year after the date of enactment of this title, a risk classification system for agency use cases of artificial intelligence, without respect to whether artificial intelligence is embedded in a commercial product.

(2) REQUIREMENTS.—

(A) RISK CLASSIFICATIONS.—The risk classification system under paragraph (1) shall, at a minimum, include unacceptable, high, medium, and low risk classifications.

(B) FACTORS FOR RISK CLASSIFICATIONS.—In developing the risk classifications under subparagraph (A), the head of the agency shall consider the following:

(i) MISSION AND OPERATION.—The mission and operations of the agency.

(ii) SCALE.—The seriousness and probability of adverse impacts.

(iii) SCOPE.—The breadth of application, such as the number of individuals affected.

(iv) OPTIONALITY.—The degree of choice that an individual, group, or entity has as to whether to be subject to the effects of artificial intelligence.

(v) STANDARDS AND FRAMEWORKS.—Standards and frameworks for risk classification of use cases that support democratic values, such as the standards and frameworks developed by the National Institute of Standards and Technology, the International Standards Organization, and the Institute of Electrical and Electronics Engineers.

(C) CLASSIFICATION VARIANCE.—

(i) CERTAIN LOWER RISK USE CASES.—The risk classification system may allow for an operational use case to be categorized under a lower risk classification, even if the use case is a part of a larger area of the mission of the agency that is categorized under a higher risk classification.

(ii) CHANGES BASED ON TESTING OR NEW INFORMATION.—The risk classification system may allow for changes to the risk classification of an artificial intelligence use case based on the results from procurement process testing or other information that becomes available.

(D) HIGH RISK USE CASES.—

(i) IN GENERAL.—High risk classification shall, at a minimum, apply to use cases for which the outputs of the system—

(I) are presumed to serve as a principal basis for a decision or action that has a legal, material, binding, or similarly significant effect, with respect to an individual or community, on—

(aa) civil rights, civil liberties, or privacy;

(bb) equal opportunities, including in access to education, housing, insurance, credit, employment, and other programs where civil rights and equal opportunity protections apply; or

(cc) access to or the ability to apply for critical government resources or services, including healthcare, financial services, public housing, social services, transportation, and essential goods and services; or

(II) are presumed to serve as a principal basis for a decision that substantially impacts the safety of, or has the potential to substantially impact the safety of—

(aa) the well-being of an individual or community, including loss of life, serious injury, bodily harm, biological or chemical harms, occupational hazards, harassment or abuse, or mental health;

(bb) the environment, including irreversible or significant environmental damage;

(cc) critical infrastructure, including the critical infrastructure sectors defined in Presidential Policy Directive 21, entitled ''Critical Infrastructure Security and Resilience'' (dated February 12, 2013) (or any successor directive) and the infrastructure for voting and protecting the integrity of elections; or

(dd) strategic assets or resources, including high-value property and information marked as sensitive or classified by the Federal Government and controlled unclassified information.

(ii) ADDITIONS.—The head of each agency shall add other use cases to the high risk category, as appropriate.

(E) MEDIUM AND LOW RISK USE CASES.—If a use case is not high risk, as described in subparagraph (D), the head of an agency shall have the discretion to define the risk classification.

(F) UNACCEPTABLE RISK.—If an agency identifies, through testing, adverse incident, or other means or information available to the agency, that a use or outcome of an artificial intelligence use case is a clear threat to human safety or rights that cannot be adequately or practicably mitigated, the agency shall identify the risk classification of that use case as unacceptable risk.

(3) TRANSPARENCY.—The risk classification system under paragraph (1) shall be published on a public-facing website, with the methodology used to determine different risk levels and examples of particular use cases for each category in language that is easy to understand to the people affected by the decisions and outcomes of artificial intelligence.

(b) EFFECTIVE DATE.—This section shall take effect on the date that is 180 days after the date of enactment of this title, on and after which an agency that has not complied with the requirements of this section may not develop, procure or obtain, or use artificial intelligence until the agency complies with such requirements.

SEC. ___08. AGENCY REQUIREMENTS FOR USE OF ARTIFICIAL INTELLIGENCE.

(a) RISK EVALUATION PROCESS.—

(1) IN GENERAL.—Not later than 180 days after the effective date in section ___07(b), the Chief Artificial Intelligence Officer of each agency, in coordination with the Artificial Intelligence Governance Board of the agency, shall develop and implement a process for the identification and evaluation of risks posed by the deployment of artificial intelligence in agency use cases to ensure an interdisciplinary and comprehensive evaluation of potential risks and determination of risk classifications under such section.

(2) PROCESS REQUIREMENTS.—The risk evaluation process described in paragraph (1), shall include, for each artificial intelligence use case—

(A) identification of the risks and benefits of the artificial intelligence use case;

(B) a plan to periodically review the artificial intelligence use case to examine whether risks have changed or evolved and to update the corresponding risk classification as necessary;

(C) a determination of the need for targeted impact assessments to further evaluate specific risks of the artificial intelligence use case within certain impact areas, which shall include privacy, security, civil rights and civil liberties, accessibility, environmental impact, health and safety, and any other impact area relating to high risk classification under section ___07(a)(2)(D) as determined appropriate by the Chief Artificial Intelligence Officer; and

(D) if appropriate, consultation with and feedback from affected communities and the public on the design, development, and use of the artificial intelligence use case.

(3) REVIEW.—

(A) EXISTING USE CASES.—With respect to each use case that an agency is planning, developing, or using on the date of enactment of this title, not later than 1 year after such date, the Chief Artificial Intelligence Officer of the agency shall identify and review the use case to determine the risk classification of the use case, pursuant to the risk evaluation process under paragraphs (1) and (2).

(B) NEW USE CASES.—

(i) IN GENERAL.—Beginning on the date of enactment of this title, the Chief Artificial Intelligence Officer of an agency shall identify and review any artificial intelligence use case that the agency will plan, develop, or use and determine the risk classification of the use case, pursuant to the risk evaluation process under paragraphs (1) and (2), before procuring or obtaining, developing, or using the use case.

(ii) DEVELOPMENT.—For any use case described in clause (i) that is developed by the agency, the agency shall perform an additional risk evaluation prior to deployment in a production or operational environment.

(4) RATIONALE FOR RISK CLASSIFICATION.—Risk classification of an artificial intelligence use case shall be accompanied by an explanation from the agency of how the risk classification was determined, which shall be included in the artificial intelligence use case inventory of the agency, and written referencing the model template developed by the Director under section ____05(f)(1)(D).

(b) MODEL CARD DOCUMENTATION REQUIREMENTS.—

(1) IN GENERAL.—Beginning on the date that is 180 days after the date of enactment of this title, any time during developing, procuring or obtaining, or using artificial intelligence, an agency shall require, as determined necessary by the Chief Artificial Intelligence Officer, that the deployer and any relevant developer submit documentation about the artificial intelligence, including—

(A) a description of the architecture of the artificial intelligence, highlighting key parameters, design choices, and the machine learning techniques employed;

(B) information on the training of the artificial intelligence, including computational resources utilized;

(C) an account of the source of the data, size of the data, any licenses under which the data is used, collection methods and dates of the data, and any preprocessing of the data undertaken, including human or automated refinement, review, or feedback;

(D) information on the management and collection of personal data, outlining data protection and privacy measures adhered to in compliance with applicable laws;

(E) a description of the methodologies used to evaluate the performance of the artificial intelligence, including key metrics and outcomes; and

(F) an estimate of the energy consumed by the artificial intelligence during training and inference.

(2) ADDITIONAL DOCUMENTATION FOR MEDIUM AND HIGH RISK USE CASES.—Beginning on the date that is 270 days after the date of enactment of this title, with respect to use cases categorized as medium risk or higher, an agency shall require that the deployer of artificial intelligence, in consultation with any relevant developers, submit (including proactively, as material updates of the artificial intelligence occur) the following documentation:

(A) MODEL ARCHITECTURE.—Detailed information on the model or models used in the artificial intelligence, including model date, model version, model type, key parameters (including number of parameters), interpretability measures, and maintenance and updating policies.

(B) ADVANCED TRAINING DETAILS.—A detailed description of training algorithms, methodologies, optimization techniques, computational resources, and the environmental impact of the training process.

(C) DATA PROVENANCE AND INTEGRITY.—A detailed description of the training and testing data, including the origins, collection methods, preprocessing steps, and demographic distribution of the data, and known discriminatory impacts and mitigation measures with respect to the data.

(D) PRIVACY AND DATA PROTECTION.—Detailed information on data handling practices, including compliance with legal standards, anonymization techniques, data security measures, and whether and how permission for use of data is obtained.

(E) RIGOROUS TESTING AND OVERSIGHT.—A comprehensive disclosure of performance evaluation metrics, including accuracy, precision, recall, and fairness metrics, and test dataset results.

(F) NIST ARTIFICIAL INTELLIGENCE RISK MANAGEMENT FRAMEWORK.—Documentation demonstrating compliance with the most recently updated version of the framework developed and updated pursuant to section 22A(c) of the National Institute of Standards and Technology Act (15 U.S.C. 278h–1(c)).

(3) REVIEW OF REQUIREMENTS.—Not later than 1 year after the date of enactment of this title, the Comptroller General shall conduct a review of the documentation requirements under paragraphs (1) and (2) to—

(A) examine whether agencies and deployers are complying with the requirements under those paragraphs; and

(B) make findings and recommendations to further assist in ensuring safe, responsible, and efficient artificial intelligence.

(4) SECURITY OF PROVIDED DOCUMENTATION.—The head of each agency shall ensure that appropriate security measures and access controls are in place to protect documentation provided pursuant to this section.

(c) INFORMATION AND USE PROTECTIONS.—Information provided to an agency under subsection (b)(3) is exempt from disclosure under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') and may be used by the agency, consistent with otherwise applicable provisions of Federal law, solely for—

(1) assessing the ability of artificial intelligence to achieve the requirements and objectives of the agency and the requirements of this title; and

(2) identifying—

(A) adverse effects of artificial intelligence on the rights or safety factors identified in section ____07(a)(2)(D);

(B) cyber threats, including the sources of the cyber threats; and

(C) security vulnerabilities.

(d) PRE-DEPLOYMENT REQUIREMENTS FOR HIGH RISK USE CASES.—Beginning on the date that is 1 year after the date of enactment of this title, the head of an agency shall not deploy or use artificial intelligence for a high risk use case prior to—

(1) collecting documentation of the artificial intelligence, source, and use case in agency software and use case inventories;

(2) testing of the artificial intelligence in an operational, real-world setting with privacy, civil rights, and civil liberty safeguards to ensure the artificial intelligence is capable of meeting its objectives;

(3) establishing appropriate agency rules of behavior for the use case, including required human involvement in, and user-facing explainability of, decisions made in whole or part by the artificial intelligence, as determined by the Chief Artificial Intelligence Officer in coordination with the program manager or equivalent agency personnel; and

(4) establishing appropriate agency training programs, including documentation of completion of training prior to use of artificial intelligence, that educate agency personnel involved with the application of artificial intelligence in high risk use cases on the capacities and limitations of artificial intelligence, including training on—

(A) monitoring the operation of artificial intelligence in high risk use cases to detect and address anomalies, dysfunctions, and unexpected performance in a timely manner to mitigate harm;

(B) lessening reliance or over-reliance on the output produced by artificial intelligence in a high risk use case, particularly if artificial intelligence is used to make decisions impacting individuals;

(C) accurately interpreting the output of artificial intelligence, particularly considering the characteristics of the system and the interpretation tools and methods available;

(D) when to not use, disregard, override, or reverse the output of artificial intelligence;

(E) how to intervene or interrupt the operation of artificial intelligence;

(F) limiting the use of artificial intelligence to its operational design domain; and

(G) procedures for reporting incidents involving misuse, faulty results, safety and security issues, and other problems with use of artificial intelligence that does not function as intended.

(e) ONGOING MONITORING OF ARTIFICIAL INTELLIGENCE IN HIGH RISK USE CASES.—The Chief Artificial Intelligence Officer of each agency shall—

(1) establish a reporting system, consistent with section ____05(g), and suspension and shut-down protocols for defects or adverse impacts of artificial intelligence, and conduct ongoing monitoring, as determined necessary by use case;

(2) oversee the development and implementation of ongoing testing and evaluation processes for artificial intelligence in high risk use cases to ensure continued mitigation of the potential risks identified in the risk evaluation process;

(3) implement a process to ensure that risk mitigation efforts for artificial intelligence are reviewed not less than annually and updated as necessary to account for the development of new versions of artificial intelligence and changes to the risk profile; and

(4) adhere to pre-deployment requirements under subsection (d) in each case in which a low or medium risk artificial intelligence use case becomes a high risk artificial intelligence use case.

(f) EXEMPTION FROM REQUIREMENTS FOR SELECT USE CASES.—The Chief Artificial Intelligence Officer of each agency—

(1) may designate select, low risk use cases, including current and future use cases, that do not have to comply with all or some of the requirements in this title; and

(2) shall publicly disclose all use cases exempted under paragraph (1) with a justification for each exempted use case.

(g) EXCEPTION.—The requirements under subsections (a) and (b) shall not apply to an algorithm software update, enhancement, derivative, correction, defect, or fix for artificial intelligence that does not materially change the compliance of the deployer with the requirements of those subsections, unless determined otherwise by the agency Chief Artificial Intelligence Officer.

(h) WAIVERS.—

(1) IN GENERAL.—The head of an agency, on a case by case basis, may waive 1 or more requirements under subsection (d) for a specific use case after making a written determination, based upon a risk assessment conducted by a human with respect to the specific use case, that fulfilling the requirement or requirements prior to procuring or obtaining, developing, or using artificial intelligence would increase risks to safety or rights overall or would create an unacceptable impediment to critical agency operations.

(2) REQUIREMENTS; LIMITATIONS.—A waiver under this subsection shall be—

(A) in the national security interests of the United States, as determined by the head of the agency;

(B) submitted to the relevant congressional committees not later than 15 days after the head of the agency grants the waiver; and

(C) limited to a duration of 1 year, at which time the head of the agency may renew the waiver and submit the renewed waiver to the relevant congressional committees.

(i) INFRASTRUCTURE SECURITY.—The head of an agency, in consultation with the agency Chief Artificial Intelligence Officer, Chief Information Officer, Chief Data Officer, and other relevant agency officials, shall reevaluate infrastructure security protocols based on the artificial intelligence use cases

and associated risks to infrastructure security of the agency.

(j) COMPLIANCE DEADLINE.—Not later than 270 days after the date of enactment of this title, the requirements of subsections (a) through (i) of this section shall apply with respect to artificial intelligence that is already in use on the date of enactment of this title.

SEC. ___09. PROHIBITION ON SELECT ARTIFICIAL INTELLIGENCE USE CASES.

No agency may develop, procure or obtain, or use artificial intelligence for—

(1) mapping facial biometric features of an individual to assign corresponding emotion and potentially take action against the individual;

(2) categorizing and taking action against an individual based on biometric data of the individual to deduce or infer race, political opinion, religious or philosophical beliefs, trade union status, sexual orientation, or other personal trait;

(3) evaluating, classifying, rating, or scoring the trustworthiness or social standing of an individual based on multiple data points and time occurrences related to the social behavior of the individual in multiple contexts or known or predicted personal or personality characteristics in a manner that may lead to discriminatory outcomes; or

(4) any other use found by the agency to pose an unacceptable risk under the risk classification system of the agency, pursuant to section ___07.

SEC. ___10. AGENCY PROCUREMENT INNOVATION LABS.

(a) IN GENERAL.—An agency subject to the Chief Financial Officers Act of 1990 (31 U.S.C. 901 note; Public Law 101–576) that does not have a Procurement Innovation Lab on the date of enactment of this title should consider establishing a lab or similar mechanism to test new approaches, share lessons learned, and promote best practices in procurement, including for commercial technology, such as artificial intelligence, that is trustworthy and best-suited for the needs of the agency.

(b) FUNCTIONS.—The functions of the Procurement Innovation Lab or similar mechanism should include—

(1) providing leadership support as well as capability and capacity to test, document, and help agency programs adopt new and better practices through all stages of the acquisition lifecycle, beginning with project definition and requirements development;

(2) providing the workforce of the agency with a clear pathway to test and document new acquisition practices and facilitate fresh perspectives on existing practices;

(3) helping programs and integrated project teams successfully execute emerging and well-established acquisition practices to achieve better results; and

(4) promoting meaningful collaboration among offices that are responsible for requirements development, contracting officers, and others, including financial and legal experts, that share in the responsibility for making a successful procurement.

(c) STRUCTURE.—An agency should consider placing the Procurement Innovation Lab or similar mechanism as a supporting arm of the Chief Acquisition Officer or Senior Procurement Executive of the agency and shall have wide latitude in structuring the Procurement Innovation Lab or similar mechanism and in addressing associated personnel staffing issues.

SEC. ___11. MULTI-PHASE COMMERCIAL TECHNOLOGY TEST PROGRAM.

(a) TEST PROGRAM.—The head of an agency may procure commercial technology through a multi-phase test program of contracts in accordance with this section.

(b) PURPOSE.—A test program established under this section shall—

(1) provide a means by which an agency may post a solicitation, including for a general need or area of interest, for which the agency intends to explore commercial technology solutions and for which an offeror may submit a bid based on existing commercial capabilities of the offeror with minimal modifications or a technology that the offeror is developing for commercial purposes; and

(2) use phases, as described in subsection (c), to minimize government risk and incentivize competition.

(c) CONTRACTING PROCEDURES.—Under a test program established under this section, the head of an agency may acquire commercial technology through a competitive evaluation of proposals resulting from general solicitation in the following phases:

(1) PHASE 1 (VIABILITY OF POTENTIAL SOLUTION).—Selectees may be awarded a portion of the total contract award and have a period of performance of not longer than 1 year to prove the merits, feasibility, and technological benefit the proposal would achieve for the agency.

(2) PHASE 2 (MAJOR DETAILS AND SCALED TEST).—Selectees may be awarded a portion of the total contract award and have a period of performance of not longer than 1 year to create a detailed timeline, establish an agreeable intellectual property ownership agreement, and implement the proposal on a small scale.

(3) PHASE 3 (IMPLEMENTATION OR RECYCLE).—

(A) IN GENERAL.—Following successful performance on phase 1 and 2, selectees may be awarded up to the full remainder of the total contract award to implement the proposal, depending on the agreed upon costs and the number of contractors selected.

(B) FAILURE TO FIND SUITABLE SELECTEES.—If no selectees are found suitable for phase 3, the agency head may determine not to make any selections for phase 3, terminate the solicitation and utilize any remaining funds to issue a modified general solicitation for the same area of interest.

(d) TREATMENT AS COMPETITIVE PROCEDURES.—The use of general solicitation competitive procedures for a test program under this section shall be considered to be use of competitive procedures as defined in section 152 of title 41, United States Code.

(e) LIMITATION.—The head of an agency shall not enter into a contract under the test program for an amount in excess of $25,000,000.

(f) GUIDANCE.—

(1) FEDERAL ACQUISITION REGULATORY COUNCIL.—The Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation as necessary to implement this section, including requirements for each general solicitation under a test program to be made publicly available through a means that provides access to the notice of the general solicitation through the System for Award Management or subsequent government-wide point of entry, with classified solicitations posted to the appropriate government portal.

(2) AGENCY PROCEDURES.—The head of an agency may not award contracts under a test program until the agency issues guidance with procedures for use of the authority. The guidance shall be issued in consultation with the relevant Acquisition Regulatory Council and shall be publicly available.

(g) SUNSET.—The authority for a test program under this section shall terminate on the date that is 5 years after the date the Federal Acquisition Regulation is revised pursuant to subsection (f)(1) to implement the program.

SEC. ___12. RESEARCH AND DEVELOPMENT PROJECT PILOT PROGRAM.

(a) PILOT PROGRAM.—The head of an agency may carry out research and prototype projects in accordance with this section.

(b) PURPOSE.—A pilot program established under this section shall provide a means by which an agency may—

(1) carry out basic, applied, and advanced research and development projects; and

(2) carry out prototype projects that address—

(A) a proof of concept, model, or process, including a business process;

(B) reverse engineering to address obsolescence;

(C) a pilot or novel application of commercial technologies for agency mission purposes;

(D) agile development activity;

(E) the creation, design, development, or demonstration of operational utility; or

(F) any combination of items described in subparagraphs (A) through (E).

(c) CONTRACTING PROCEDURES.—Under a pilot program established under this section, the head of an agency may carry out research and prototype projects—

(1) using small businesses to the maximum extent practicable;

(2) using cost sharing arrangements where practicable;

(3) tailoring intellectual property terms and conditions relevant to the project and commercialization opportunities; and

(4) ensuring that such projects do not duplicate research being conducted under existing agency programs.

(d) TREATMENT AS COMPETITIVE PROCEDURES.—The use of research and development contracting procedures under this section shall be considered to be use of competitive procedures, as defined in section 152 of title 41, United States Code.

(e) TREATMENT AS COMMERCIAL TECHNOLOGY.—The use of research and development contracting procedures under this section shall be considered to be use of commercial technology, as defined in section ___02.

(f) FOLLOW-ON PROJECTS OR PHASES.—A follow-on contract provided for in a contract opportunity announced under this section may, at the discretion of the head of the agency, be awarded to a participant in the original project or phase if the original project or phase was successfully completed.

(g) LIMITATION.—The head of an agency shall not enter into a contract under the pilot program for an amount in excess of $10,000,000.

(h) GUIDANCE.—

(1) FEDERAL ACQUISITION REGULATORY COUNCIL.—The Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation research and development contracting procedures as necessary to implement this section, including requirements for each research and development project under a pilot program to be made publicly available through a means that provides access to the notice of the opportunity through the System for Award Management or subsequent government-wide point of entry, with classified solicitations posted to the appropriate government portal.

(2) AGENCY PROCEDURES.—The head of an agency may not award contracts under a pilot program until the agency, in consultation with the relevant Acquisition Regulatory Council issues and makes publicly available guidance on procedures for use of the authority.

(i) REPORTING.—Contract actions entered into under this section shall be reported to the Federal Procurement Data System, or any successor system.

(j) SUNSET.—The authority for a pilot program under this section shall terminate on

the date that is 5 years from the date the Federal Acquisition Regulation is revised pursuant to subsection (h)(1) to implement the program.

SEC. ___13. DEVELOPMENT OF TOOLS AND GUIDANCE FOR TESTING AND EVALUATING ARTIFICIAL INTELLIGENCE.

(a) AGENCY REPORT REQUIREMENTS.—In a manner specified by the Director, the Chief Artificial Intelligence Officer shall identify and annually submit to the Council a report on obstacles encountered in the testing and evaluation of artificial intelligence, specifying—

(1) the nature of the obstacles;

(2) the impact of the obstacles on agency operations, mission achievement, and artificial intelligence adoption;

(3) recommendations for addressing the identified obstacles, including the need for particular resources or guidance to address certain obstacles; and

(4) a timeline that would be needed to implement proposed solutions.

(b) COUNCIL REVIEW AND COLLABORATION.—

(1) ANNUAL REVIEW.—Not less frequently than annually, the Council shall conduct a review of agency reports under subsection (a) to identify common challenges and opportunities for cross-agency collaboration.

(2) DEVELOPMENT OF TOOLS AND GUIDANCE.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this title, the Director, in consultation with the Council, shall convene a working group to—

(i) develop tools and guidance to assist agencies in addressing the obstacles that agencies identify in the reports under subsection (a);

(ii) support interagency coordination to facilitate the identification and use of relevant voluntary standards, guidelines, and other consensus-based approaches for testing and evaluation and other relevant areas; and

(iii) address any additional matters determined appropriate by the Director.

(B) WORKING GROUP MEMBERSHIP.—The working group described in subparagraph (A) shall include Federal interdisciplinary personnel, such as technologists, information security personnel, domain experts, privacy officers, data officers, civil rights and civil liberties officers, contracting officials, legal counsel, customer experience professionals, and others, as determined by the Director.

(3) INFORMATION SHARING.—The Director, in consultation with the Council, shall establish a mechanism for sharing tools and guidance developed under paragraph (2) across agencies.

(c) CONGRESSIONAL REPORTING.—

(1) IN GENERAL.—Each agency shall submit the annual report under subsection (a) to relevant congressional committees.

(2) CONSOLIDATED REPORT.—The Director, in consultation with the Council, may suspend the requirement under paragraph (1) and submit to the relevant congressional committees a consolidated report that conveys government-wide testing and evaluation challenges, recommended solutions, and progress toward implementing recommendations from prior reports developed in fulfillment of this subsection.

(d) SUNSET.—The requirements under this section shall terminate on the date that is 10 years after the date of enactment of this title.

SEC. ___14. UPDATES TO ARTIFICIAL INTELLIGENCE USE CASE INVENTORIES.

(a) AMENDMENTS.—

(1) ADVANCING AMERICAN AI ACT.—The Advancing American AI Act (Public Law 117–263; 40 U.S.C. 11301 note) is amended—

(A) in section 7223(3), by striking the period and inserting ''and in section 5002 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401).''; and

(B) in section 7225, by striking subsection (d).

(2) EXECUTIVE ORDER 13960.—The provisions of section 5 of Executive Order 13960 (85 Fed. Reg. 78939; relating to promoting the use of trustworthy artificial intelligence in Federal Government) that exempt classified and sensitive use cases from agency inventories of artificial intelligence use cases shall cease to have legal effect.

(b) COMPLIANCE.—

(1) IN GENERAL.—The Director shall ensure that agencies submit artificial intelligence use case inventories and that the inventories comply with applicable artificial intelligence inventory guidance.

(2) ANNUAL REPORT.—The Director shall submit to the relevant congressional committees an annual report on agency compliance with artificial intelligence inventory guidance.

(c) DISCLOSURE.—

(1) IN GENERAL.—The artificial intelligence inventory of each agency shall publicly disclose—

(A) whether artificial intelligence was developed internally by the agency or procured externally, without excluding any use case on basis that the use case is ''sensitive'' solely because it was externally procured;

(B) data provenance information, including identifying the source of the training data of the artificial intelligence, including internal government data, public data, commercially held data, or similar data;

(C) the level of risk at which the agency has classified the artificial intelligence use case and a brief explanation for how the determination was made;

(D) a list of targeted impact assessments conducted pursuant to section ___07(a)(2)(C); and

(E) the number of artificial intelligence use cases excluded from public reporting as being ''sensitive.''

(2) UPDATES.—

(A) IN GENERAL.—When an agency updates the public artificial intelligence use case inventory of the agency, the agency shall disclose the date of the modification and make change logs publicly available and accessible.

(B) GUIDANCE.—The Director shall issue guidance to agencies that describes how to appropriately update artificial intelligence use case inventories and clarifies how subagencies and regulatory agencies should participate in the artificial intelligence use case inventorying process.

(d) CONGRESSIONAL REPORTING.—The head of each agency shall submit to the relevant congressional committees a copy of the annual artificial intelligence use case inventory of the agency, including—

(1) the use cases that have been identified as ''sensitive'' and not for public disclosure; and

(2) a classified annex of classified use cases.

(e) GOVERNMENT TRENDS REPORT.—Beginning 1 year after the date of enactment of this title, and annually thereafter, the Director, in coordination with the Council, shall issue a report, based on the artificial intelligence use cases reported in use case inventories, that describes trends in the use of artificial intelligence in the Federal Government.

(f) COMPTROLLER GENERAL.—

(1) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Comptroller General of the United States shall submit to relevant congressional committees a report on whether agencies are appropriately classifying use cases.

(2) APPROPRIATE CLASSIFICATION.—The Comptroller General of the United States shall examine whether the appropriate level of disclosure of artificial intelligence use cases by agencies should be included on the High Risk List of the Government Accountability Office.

SA 2366. Mr. KELLY (for himself and Mrs. BLACKBURN) 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. CHIP EQUIP ACT.

(a) SHORT TITLE.—This section may be cited as the ''The Chip Equipment Quality, Usefulness, and Integrity Protection Act of 2024'' or the ''Chip EQUIP Act''.

(b) PURCHASES OF SEMICONDUCTOR MANUFACTURING EQUIPMENT.—

(1) DEFINITIONS.—Section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651) is amended by inserting after paragraph (13) the following:

''(14) The term 'completed, fully assembled' means the state in which all (or substantially all) necessary parts, chambers, subsystems, and subcomponents have been put together, resulting in a ready-to-use or ready-to-install item to be directly purchased from an entity.

''(15) The term 'ineligible equipment'—

''(A) means completed, fully assembled semiconductor manufacturing equipment that is manufactured or assembled by a foreign entity of concern or subsidiary of a foreign entity of concern and used in the fabrication, assembly, testing, advanced packaging, production, or research and development of semiconductors;

''(B) includes—

''(i) deposition equipment;

''(ii) etching equipment;

''(iii) lithography equipment;

''(iv) inspection and measuring equipment;

''(v) wafer slicing equipment;

''(vi) wafer dicing equipment;

''(vii) wire bonders;

''(viii) ion implantation equipment;

''(ix) chemical mechanical polishing; and

''(x) diffusion or oxidation furnaces; and

''(C) does not include any part, chamber, subsystem, or subcomponent that enables or is incorporated into such equipment.''.

(2) INELIGIBLE USE OF FUNDS.—Section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) is amended by adding at the end the following:

''(j) INELIGIBLE USE OF FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall include in the terms of each agreement with a covered entity for the award of Federal financial assistance under this section prohibitions with respect to a project relating to the procurement, installation, or use of ineligible equipment, to be effective for the duration of the agreement.

''(2) WAIVER.—The Secretary may waive the prohibitions described in paragraph (1) if—

''(A) the ineligible equipment to be purchased by the applicable covered entity is not produced in the United States or an allied or partner country in sufficient and reasonably available quantities or of a satisfactory quality to support established or expected production capabilities; or

''(B)(i) the use of the ineligible equipment complies with the requirements set forth in the Export Administration Regulations, as defined in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801); and

''(ii) the Secretary, in consultation with the Director of National Intelligence or the Secretary of Defense, determines the waiver is in the national security interest of the United States.

''(3) FOREIGN ENTITIES OF CONCERN.—Nothing in this subsection shall be construed to waive the application of section 9907.''.

SA 2367. Mr. KELLY (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 title X, insert the following:

Subtitle I—CHIPS Training in America Act of 2024

SEC. 1099. SHORT TITLE.

This subtitle may be cited as the ''CHIPS Training in America Act of 2024''.

SEC. 1099A. AUTHORIZATION FOR THE CREATING HELPFUL INCENTIVES TO PRODUCE SEMICONDUCTORS (CHIPS) FOR AMERICA WORKFORCE AND EDUCATION FUND.

Section 102(d) of Public Law 117–167 (commonly known as the ''CHIPS and Science Act of 2022'') is amended—

(1) in paragraph (1)—

(A) by inserting '', in consultation with the Department of Commerce,'' after ''National Science Foundation''; and

(B) by inserting '', including establishment and maintenance of a single publicly accessible online clearinghouse of microelectronics education and workforce development information'' before the period at the end of the paragraph;

(2) by redesignating paragraph (3) as paragraph (6); and

(3) by inserting after paragraph (2) the following:

''(3) EVALUATION.—Not later than 90 days after the date of enactment of the CHIPS Training in America Act of 2024, the Director of the National Science Foundation shall establish key performance indicators to measure and monitor the impact of Fund allocations on growing the microelectronics workforce.

''(4) WORKFORCE GOALS.—

''(A) GOALS ESTABLISHED.—Not later than 90 days after the date of enactment of the CHIPS Training in America Act of 2024, the Director of the National Science Foundation and the Secretary of Commerce shall jointly develop quantitative goals for growing the domestic semiconductor workforce.

''(B) SUBMISSION OF GOALS.—Such goals shall be submitted to—

''(i) the Committee on Appropriations of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Health, Education, Labor, and Pensions of the Senate; and

''(ii) the Committee on Appropriations of the House of Representatives, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Education and the Workforce of the House of Representatives.

''(5) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—In this subsection, the term 'National Semiconductor Technology Center' means the entity established under section 9906(c) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4656(c)).''.

SEC. 1099B. AUTHORIZATION OF NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER ACTIVITIES.

Section 9906(c)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4656(c)(2)) is amended—

(1) in subparagraph (C)—

(A) in clause (i), by striking ''and'' after the semicolon;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) the development of competency-based degree, credentialing, and certificate frameworks to increase standardization within semiconductor and microelectronics workforce development programs.''; and

(2) by inserting the following after subparagraph (C):

''(D)(i) Subject to clause (ii), in coordination with the National Science Foundation, assist in the management and maintenance of the single publicly accessible online clearinghouse authorized in section 102(d) of Public Law 117–167.

''(ii) If the National Science Foundation and the National Semiconductor Technology Center agree, the National Semiconductor Technology Center may take over primary management and maintenance of such single publicly accessible online clearinghouse, with support from the National Science Foundation.''.

SEC. 1099C. NATIONAL STRATEGY ON MICROELECTRONICS WORKFORCE.

Section 9906(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4656(a)) is amended—

(1) in paragraph (2)—

(A) by redesignating subparagraph (I) as subparagraph (J); and

(B) by inserting after subparagraph (H) the following:

''(I) For purposes of the duties described in subparagraph (D) of paragraph (3) only, the Secretary of Labor, the Secretary of Education, and the Secretary of Veterans Affairs.''.

(2) in paragraph (3), by inserting after subparagraph (C) the following:

''(D) NATIONAL STRATEGY ON MICROELECTRONICS WORKFORCE.—

''(i) IN GENERAL.—

''(I) NATIONAL STRATEGY ON MICROELECTRONICS WORKFORCE DEVELOPMENT.—Not later than 1 year after the date of enactment of the CHIPS Training in America Act of 2024, in consultation with appropriate stakeholders in the microelectronics industry, relevant researchers or experts at institutions of higher education, economic development organizations, and other apposite stakeholders, the Subcommittee shall develop a 5-year national strategy on microelectronics workforce development.

''(II) ADDITIONAL SUBCOMMITTEE MEMBERS.—For the purposes of this subparagraph only such Subcommittee shall also include the Secretary of Labor, the Secretary of Education, and the Secretary of Veterans Affairs.

''(ii) ELEMENTS.—The strategy developed under this subparagraph shall—

''(I) specify and prioritize annual and long-term objectives, including the role of each agency in supporting programs and activities designed to meet the objectives, to ensure a robust, skilled domestic microelectronics workforce;

''(II) specify the common metrics that will be used to assess progress toward achieving the objectives;

''(III) describe the roles of and means of coordination with elementary and secondary, and postsecondary, education systems in achieving the objectives;

''(IV) describe how Federal funding will be used to support the strategy's microelectronics workforce initiatives;

''(V) describe the approaches to be taken by each participating agency to assess the effectiveness of the agency's microelectronics workforce programs and activities;

''(VI) describe how objectives outlined in the strategic plan will align with investments made using funds from divisions A and B of Public Law 117–167 (commonly known as the 'CHIPS and Science Act of 2022');

''(VII) describe how objectives outlined in the strategic plan will align with the objectives of the 5-year STEM education strategic plan required under section 101 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621);

''(VIII) describe how objectives outlined in the strategic plan will align with the objectives of the national strategy on microelectronics research, as required under subparagraph (A), as applicable; and

''(IX) be made publicly available through the online clearinghouse authorized in section 102(d) of Public Law 117–167.

''(iii) FOSTERING COORDINATION OF WORKFORCE PROGRAMS.—The Subcommittee shall coordinate programs and activities of Federal agencies relating to microelectronics workforce development, and ensure such programs and activities are consistent with the strategy required under this subparagraph.

''(iv) REPORTING AND UPDATES .—Not less frequently than once every 5 years, the Subcommittee shall—

''(I) update the strategy under this subparagraph;

''(II) submit the revised strategy to the appropriate committees of Congress; and

''(III) make such strategy publicly available through the online clearinghouse authorized in section 102(d) of Public Law 117–167.''.

SEC. 1099D. GRANT PROGRAM FOR EDUCATION RELATED TO SEMICONDUCTOR MANUFACTURING AND RELATED INDUSTRIES.

Division H of title XCIX of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended by inserting after section 9906 the following:

''SEC. 9906A. WORKFORCE DEVELOPMENT ACTIVITIES.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE INSTITUTION.—The term 'eligible institution' means—

''(A) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), at which the highest degree predominantly awarded to students is not a baccalaureate degree or higher degree;

''(B) a postsecondary vocational institution, as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c)); and

''(C) an area career and technical education school, as defined in subparagraphs (A) or (B) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3)).

''(2) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership that—

''(A) includes—

''(i) an eligible institution;

''(ii) a covered entity; and

''(iii) a State, Indian Tribe, or political subdivision thereof; and

''(B) may include other entities.

''(3) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—The term 'National Semiconductor

Technology Center' means the entity established under section 9906(c).

''(b) GRANTS AUTHORIZED.—The National Semiconductor Technology Center shall make awards, on a competitive basis, to eligible partnerships to establish or expand workforce development and academic programs offered by an eligible institution (which may include short-term programs or non-credit programs offered by that eligible institution), related to semiconductor manufacturing and related equipment, materials, advanced packaging, microelectronics, computer science, engineering, and related industries.

''(c) APPLICATION.—An eligible partnership desiring a grant under this section shall submit an application to the National Semiconductor Technology Center at such time, in such manner, and containing such information as the National Semiconductor Technology Center may require. The application shall require—

''(1) a description of the eligible partnership;

''(2) a description of the workforce needs that will be addressed through the activities funded by the grant;

''(3) a description of the eligible partnership's strategy to sustain such activities after the grant period;

''(4) a description of how the eligible partnership will recruit and retain individuals with barriers to employment (as defined in section 3 of the Workforce Innovation and Opportunity Act definition (29 U.S.C. 3102)) in programs that receive grant funding; and

''(5) a description of how programs supported by grants under this subsection align with the workforce pathways and credential frameworks established by the National Semiconductor Technology Center or the National Science Foundation.

''(d) SELECTION.—In selecting eligible partnerships to receive a grant under this section, the National Semiconductor Technology Center shall give priority to eligible partnerships located in areas with growing microelectronics ecosystems, as determined by the National Semiconductor Technology Center, that serve or intend to serve as members of broader sectoral partnerships and coordinate with State and local workforce development boards (as established under sections 101 and 107 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111; 29 U.S.C. 3122)), respectively.

''(e) AMOUNT; DURATION.—

''(1) AMOUNT.—A grant awarded under this section shall be for an amount equal to or less than $7,000,000.

''(2) DURATION.—A grant awarded under this section shall be for a period not to exceed 5 years.

''(f) FEDERAL COST SHARE.—

''(1) MAXIMUM FEDERAL SHARE.—The Federal share of the costs of a grant under this section shall not exceed 50 percent of such costs.

''(2) REQUIRED WORKER AND COMMUNITY INVESTMENTS.—Non-Federal costs contributed by a covered entity under this section shall be considered as part of an eligible entity's commitments to worker and community investments as required under section 9902(a)(2)(B)(ii)(II).

''(g) REPORT.—

''(1) REPORT TO THE NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—Each eligible partnership receiving a grant under this section shall prepare and submit an annual report to the National Semiconductor Technology Center that contains information about each of the following with respect to individuals participating in a program funded by a grant under this section:

''(A) The total number of participants, disaggregated by sex, race, and ethnicity.

''(B) The total number of participants who completed the program.

''(C) The indicators required by section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i)).

''(2) REPORT TO CONGRESS.—Not later than 180 days of receiving the annual report under paragraph (1), the National Semiconductor Technology Center shall—

''(A) prepare and submit a report containing a summary of the information described in paragraph (1) to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Science, Space, and Technology and the Committee on Education and the Workforce of the House of Representatives; and

''(B) make such report publicly available.

''(h) AUTHORIZATION OF APPROPRIATIONS .—There are authorized to carry out this section $50,000,000 for each of fiscal years 2025, 2026, and 2027.''.

SEC. 1099E. PROHIBITION ON ADDITIONAL MICROELECTRONICS EDUCATION AND WORKFORCE CLEARINGHOUSE.

A Federal agency shall not establish a microelectronics education and workforce clearinghouse that is duplicative or alternative to the online clearinghouse authorized in section 102(d) of Public Law 117–167 (commonly known as the ''CHIPS and Science Act of 2022'').

SA 2368. Mr. OSSOFF (for himself, Mr. ROUNDS, 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, insert the following:

SEC. ___. ELIGIBILITY OF DEPENDENTS OF CERTAIN DECEASED MEMBERS OF THE ARMED FORCES FOR ENROLLMENT IN DEPARTMENT OF DEFENSE EDUCATION ACTIVITY SCHOOLS.

(a) IN GENERAL.—Chapter 108 of title 10, United States Code, is amended by inserting after the item relating to section 2164a the following new section:

''§ 2164b. Eligibility of dependents of certain deceased members for enrollment in schools operated by Department of Defense Education Activity

''(a) IN GENERAL.—A dependent of a covered member is eligible to enroll in a school operated by the Department of Defense Education Activity without regard to—

''(1) whether the dependent was enrolled in such a school on the date of the death of the member; or

''(2) the proximity of the school in which the dependent seeks enrollment to the location where the dependent resided on the date of the death of the member.

''(b) TUITION-FREE, SPACE-AVAILABLE ENROLLMENT.—Enrollment of a dependent of a covered member in a school operated by the Department of Defense Education Activity shall be on a tuition-free and space-available basis.

''(c) DEFINITIONS.—In this section:

''(1) COVERED MEMBER.—The term 'covered member' means a member of the armed forces who died while serving on active duty or active Guard and Reserve duty.

''(2) SCHOOL OPERATED BY THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.—The term 'school operated by the Department of Defense Education Activity' means—

''(A) a Department of Defense domestic dependent elementary or secondary school established under section 2164 of this title; or

''(B) any elementary or secondary school for dependents of members of the armed forces operated by the Department of Defense Education Activity.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 108 of such title is amended by inserting after the item relating to section 2164a the following new item:

''2164b. Eligibility of dependents of certain deceased members for enrollment in schools operated by Department of Defense Education Activity.''.

(c) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section may be construed to affect the eligibility of dependents of individuals described in subsection (j)(2) of section 2164 of title 10, United States Code, for enrollment in a Department of Defense education program provided by the Secretary of Defense pursuant to subsection (a) of that section.

SA 2369. Mr. OSSOFF (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 E of title V, add the following:

SEC. 562. PROVISION OF FOOD ASSISTANCE PROGRAM INFORMATION AS PART OF TRANSITION ASSISTANCE PROGRAM.

Section 1142(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(20) Information and counseling developed and provided in consultation with the Secretary of Agriculture, regarding Federal food and nutrition assistance programs, including the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) and the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).''.

SA 2370. Mr. OSSOFF 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. MODIFICATION OF SUBMISSION OF REPORT IDENTIFYING FOREIGN OPIOID TRAFFICKERS.

Section 7211(c) of the Fentanyl Sanctions Act (21 U.S.C. 2311(c)) is amended—

(1) by striking ''Not later than'' and all that follows through ''the President'' and inserting ''The President'';

(2) by striking ''leadership.'' and inserting ''leadership—''; and

(3) by adding at the end the following:

''(1) not later than 180 days after the date of the enactment of this Act;

''(2) annually thereafter during the 5-year period beginning on such date of enactment; and

''(3) every 180 days thereafter during the 10-year period beginning after the end of the 5-year period described in paragraph (2).''.

SA 2371. Mr. OSSOFF 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. ___. OPERATIONAL AND TRAINING DEFERMENT FOR PARENTS.

(a) IN GENERAL.—Chapter 39 of title 10, United States Code, is amended by inserting after section 674 the following new section:

''§ 675. Operational and training deferment for parents

''(a) IN GENERAL.—A member of the armed forces who physically gives birth to a child (in this section referred to as a 'birthparent') shall receive a deferment, for a period of 365 days beginning on the date of the birth of the child, from all continuous duty events that are in excess of 1 normal duty day or shift, including from the following:

''(1) Deployment.

''(2) Mobilization.

''(3) Field training.

''(4) Combat Training Center program rotations.

''(5) Collective training events away from the permanent duty station of the member.

''(6) Pre-mobilization training.

''(7) Unit training assembly away from the permanent duty station of the member.

''(8) Temporary duty.

''(b) ADOPTIONS.—

''(1) IN GENERAL.—A member of the armed forces who adopts a minor child or has a minor child placed with the member long term shall receive a deferment described in subsection (a) for a period of 365 days beginning on the date of the adoption or placement.

''(2) STEPPARENT OR SIBLING ADOPTIONS.—Paragraph (1) does not apply in the case of the adoption of a child by, or placement of a child with, a stepparent or sibling of the child.

''(3) SURROGACY.—If a member of the armed forces uses a surrogate to bear a child, and the member becomes the legal parent or guardian of the child, the member shall be treated as adopting the child for purposes of paragraph (1).

''(c) NON-BIRTHPARENTS.—A member of the armed forces who is not the birthparent of a child shall receive a deferment described in subsection (a) if the deferment—

''(1) is necessary to ensure that at least one parent is home with the child for a period of 365 days beginning on the date of the birth of the child; and

''(2) is approved by the special court-martial convening authority of the member specified in section 823.

''(d) DUAL-MILITARY PARENTS.—A member of the armed forces who is the birthparent of a child and is married to or co-parenting with another member of the armed forces may transfer all or part of the 365-day deferment period under subsection (a) to the spouse or co-parent.

''(e) FERTILITY TREATMENTS.—

''(1) IN GENERAL.—A member of the armed forces who receives, or whose spouse receives, a referral from a gynecologic surgeon or obstetrician to a healthcare provider with credentials in fertility treatment shall receive a deferment described in subsection (a) for a period of 365 days beginning on the date of the first appointment of the member or spouse, as applicable, with the healthcare provider.

''(2) EXTENSIONS.—A member described in paragraph (1) who receives, or whose spouse receives, assisted reproductive technology procedures is eligible for an extension of the deferment period described in subsection (a) for not more than an additional 365 days.

''(3) CONDITIONS.—

''(A) MEMBERS ASSIGNED OUTSIDE CONTINENTAL UNITED STATES.—A member assigned to a duty location outside the continental United States who requests a deferment under paragraph (1) shall also request an extension of the assignment of the member to that duty location if the deferment period would otherwise exceed the term of the assignment.

''(B) MEMBERS WHO HAVE RECEIVED RELOCATION ORDERS.—A member who has orders for a temporary or permanent change of station pending—

''(i) is not eligible for a deferment under paragraph (1); and

''(ii) may be eligible for an extension under paragraph (2).

''(C) VOLUNTARY EARLY TERMINATION OF DEFERMENT.—A member who receives a deferment under paragraph (1) or an extension of such a deferment under paragraph (2) may elect to end the deferment of the member before the expiration of the deferment.

''(f) MEMBERS IN DEPLOYMENT DEFERMENT STATUS.—A member of the armed forces who is in a deployment deferment status on the date of the birth, adoption, or other event qualifying the member for a deferment under this section shall have the deployment deferment status of the member extended to a date that is not later than 365 days after the date of the birth, adoption, or other event, unless the member is eligible for an extension.

''(g) WAIVERS OF DEFERMENT PERIOD.—At any time, a member of the armed forces who receives a deferment under this section may waive any portion of the 365-day deferment period without ending the period early.

''(h) RESERVES.—Other than any rescheduled or excused absences relating to approved parental leave, this section does not exempt a member of a reserve component from attending—

''(1) a unit training assembly at the permanent duty station of the member;

''(2) a medical readiness appointment; or

''(3) annual training within commuting distance of the permanent duty station of the member.

''(i) EXTENSIONS.—

''(1) IN GENERAL.—In accordance with prevailing medical guidance, a member of the armed forces who is still lactating after the end of the 365-day deferment period described in subsection (a) may be granted an extension of the deferment period and be excused from the following:

''(A) Deployment.

''(B) Mobilization.

''(C) Combat Training Center program rotations.

''(D) Any training events where lactation accommodations cannot be provided as described in subsection (j).

''(2) TERM OF EXTENSIONS.—Extensions under paragraph (1) for a member shall be granted in 90-day increments for such period as the member is lactating, for up to 730 days after the date of the birth of the child of the member.

''(3) VERIFICATION.—The commander of a member seeking an extension under paragraph (1) may verify that the member is lactating through a healthcare provider of the member.

''(4) OTHER DUTY.—This subsection does not excuse a member described in paragraph (1) from any duty away from the permanent duty station of the member other than duty described in that paragraph and where lactation accommodations can be provided as described in subsection (j).

''(j) LACTATION ACCOMMODATIONS.—

''(1) IN GENERAL.—The commander of a member who is lactating shall provide the member with lactation breaks and a designated lactation area, without regard to the amount of time that has elapsed after the birth of the child of the member or whether the child is beginning to eat solid foods.

''(2) LACTATION BREAKS.—The commander of a member who is lactating shall—

''(A) ensure that the member has adequate time to express milk and shall be aware that, in determining how much time is adequate, each member's situation is unique; and

''(B) allow lactation breaks not less frequently than every 3 hours and for not less than 30 minutes for each break.

''(3) LACTATION AREAS.—The commander of a member who is lactating shall designate a private space, other than a restroom, for the member to breastfeed or express milk that includes the following:

''(A) Locking capabilities.

''(B) A place to sit.

''(C) A flat surface (other than the floor) to place the pump on.

''(D) An electrical outlet.

''(E) A refrigerator to store expressed milk.

''(F) Access to a safe water source within reasonable distance from the lactation area.

''(k) WAIVER OF DEFERMENTS FOR WAR OR NATIONAL EMERGENCY.—In time of war or during a national emergency declared by Congress or the President, the Secretary of Defense may waive the requirements of this section and terminate any deferments granted under this section before the declaration of the war or national emergency.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 39 of such title is amended by inserting after the item relating to section 674 the following new item:

''675. Operational and training deferment for parents.''.

SA 2372. Mr. OSSOFF (for himself and Mr. SCOTT of Florida) 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. ____. IMPROVEMENTS RELATING TO ADMINISTRATION OF FINANCIAL PROTECTIONS UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) FINANCIAL LITERACY TRAINING REGARDING THE SERVICEMEMBERS CIVIL RELIEF ACT.—Section 992 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting, after subparagraph (C), the following new subparagraph (D):

''(D) consumer financial protections afforded to members and their dependents under the law, including protections regarding interest rate limits under section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937);''; and

(2) in subsection (d)(1), by inserting ''(including with regards to knowledge and use of protections regarding interest rates under section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937))'' after ''preparedness''.

(b) NOTIFICATION OF BENEFITS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT TO SERVICEMEMBERS CALLED OR ORDERED TO ACTIVE DUTY OR TO ACTIVE SERVICE.—Section 105 of the Servicemembers Civil Relief Act (50 U.S.C. 3915) is amended—

(1) by striking the period at the end and inserting '', including—''; and

(2) by adding at the end the following new paragraphs:

''(1) at the time a person first enters military service; and

''(2) in the case of a person who is a member of a reserve component—

''(A) at the time the person first enters service in the reserve component; and

''(B) at any time when the person is mobilized or otherwise individually called or ordered to active duty for a period of more than 30 days.''.

(c) FINANCIAL INSTITUTION OBLIGATION TO APPLY MAXIMUM RATE OF INTEREST ON ALL SERVICEMEMBER DEBTS INCURRED BEFORE MILITARY SERVICE.—Section 207(b) of the Servicemembers Civil Relief Act (50 U.S.C. 3937) is amended—

(1) in paragraph (2)—

(A) by striking ''the creditor shall treat the debt in accordance with subsection (a), effective as of the date on which the servicemember is called to military service.'' and inserting ''the creditor shall—''; and

(B) by adding at the end the following new subparagraphs:

''(A) treat the debt in accordance with subsection (a), effective as of the date on which the servicemember is called to military service; and

''(B) treat any other obligation or liability of the servicemember to the creditor in accordance with subsection (a), whether or not such obligation or liability was specifically mentioned in a notice provided by the servicemember under paragraph (1)(A).''; and

(2) by adding at the end the following new paragraph:

''(3) SUBMISSION OF DOCUMENTS.—A creditor shall provide all necessary mechanisms to ensure that a servicemember is able to submit any documents required in order for an obligation or liability of the servicemember to be subject to the interest rate limitation in subsection (a) either online, by mail, or by fax, at the election of the servicemember.''.

SA 2373. Mr. OSSOFF (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. ____. PREVENTING CHILD TRAFFICKING.

(a) DEFINITION.—In this section, the term ''anti-trafficking recommendations'' means the recommendations set forth in the report of the Government Accountability Office entitled ''Child Trafficking: Addressing Challenges to Public Awareness and Survivor Support'', which was published on December 11, 2023.

(b) IMPLEMENTATION OF ANTI-TRAFFICKING PROGRAMS FOR CHILDREN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Office for Victims of Crime of the Department of Justice, in coordination with the Office on Trafficking in Persons of the Administration for Children and Families, shall implement the anti-trafficking recommendations.

(2) REPORT.—Not later than 60 days after the date on which the Office for Victims of Crime implements the anti-trafficking recommendations pursuant to subsection (a), the Director of the Office for Victims of Crime shall submit to the Committee on the Judiciary of the Senate and Committee on the Judiciary of the House of Representatives a report that explicitly describes the steps taken by the Office to complete such implementation.

SA 2374. Mr. OSSOFF (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, insert the following:

SEC. ___. PERMANENT AUTHORITY TO REIMBURSE A MEMBER OF THE UNIFORMED SERVICES FOR SPOUSE RELICENSING AND BUSINESS COSTS FOLLOWING MEMBER'S RELOCATION.

Section 453(g) of title 37, United States Code, is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SA 2375. Ms. BALDWIN 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. 865. REPORT ON LIMITATION ON CERTAIN PROCUREMENTS APPLICATION PROCESS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that provides an update on the implementation of the limitation on certain procurements application process, as described in subsection (j)(1) of section 4864 of title 10, United States Code.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum—

(1) a description of the process used by the Department of Defense to analyze and assess potential items for consideration to be required to be procured from a manufacturer that is part of the national technology and industrial base;

(2) the name and title of the individual designated by the Secretary under subsection (j)(2)(A) of section 4864 of title 10, United States Code, to administer the limitation on certain procurements application process;

(3) a description of the application process for a person or organization that meets the definition of national technology and industrial base under section 4801(1) of title 10, United States Code, to apply for status as an item required to be procured from a manufacturer that is part of the national technology and industrial base;

(4) the number of persons or organizations that have applied under the such application process;

(5) an identification of any person or organization that has had an item approved by the component acquisition executive under such application process; and

(6) recommendations on modifications to the application process that would facilitating easier accessibility for applications from such persons and organizations.

SA 2376. Ms. BALDWIN 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. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR NAVY SHIPBUILDING PROGRAMS.

(a) ENHANCED DOMESTIC CONTENT REQUIREMENT.—

(1) CONTRACTING REQUIREMENTS.—Except as provided in paragraph (2), for purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured as part of a Navy shipbuilding program are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if the cost of such component articles, materials, or supplies—

(A) supplied during the period beginning January 1, 2027, and ending December 31, 2028, exceeds 65 percent of the cost of the manufactured articles, materials, or supplies;

(B) supplied during the period beginning January 1, 2029, and ending December 31, 2033, exceeds 75 percent of the cost of the manufactured articles, materials, or supplies; and

(C) supplied on or after January 1, 2034, equals 100 percent of the cost of the manufactured articles, materials, or supplies.

(2) APPLICABILITY TO RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACTIVITIES.—Contracts related to shipbuilding programs entered into under paragraph (1) to carry out research, development, test, and evaluation activities shall require that these activities and the components specified during these activities must meet the domestic content requirements delineated under paragraph (1).

(3) EXCLUSION FOR CERTAIN MANUFACTURED ARTICLES.—Paragraph (1) shall not apply to manufactured articles that consist wholly or predominantly of iron, steel, or a combination of iron and steel.

(4) WAIVER.—The Secretary of Defense may request a waiver from the requirements

under paragraph (1) in order to expand sourcing to members of the national technical industrial base (as that term is defined in section 4801 of title 10, United States Code). Any such waiver shall be subject to the approval of the Director of the Made in America Office and may only be requested if it is determined that any of the following apply:

(A) Application of the limitation would increase the cost of the overall acquisition by more than 25 percent or cause unreasonable delays to be incurred.

(B) Satisfactory quality items manufactured by a domestic entity are not available or domestic production of such items cannot be initiated without significantly delaying the project for which the item is to be acquired.

(C) It is inconsistent with the public interest.

(5) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in concurrence with the Director of the Made in America Office, shall issue rules to determine the treatment of the lowest price offered for a foreign end product for which 55 percent or more of the component articles, materials, or supplies of such foreign end product are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if—

(A) the application of paragraph (1) results in an unreasonable cost; or

(B) no offers are submitted to supply manufactured articles, materials, or supplies manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

(6) APPLICABILITY.—The requirements of this subsection shall apply to contracts entered into on or after January 1, 2027.

(b) REPORTING ON COUNTRY OF ORIGIN MANUFACTURING.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to Congress a report on country of origin tracking and reporting as it relates to manufactured content procured as part of Navy shipbuilding programs, including through primary contracts and subcontracts at the second and third tiers. The report shall describe measures taken to ensure that the country of origin information pertaining to such content is reported accurately in terms of the location of manufacture and not determined by the location of sale.

SA 2377. Ms. BALDWIN (for herself, Mrs. CAPITO, Ms. COLLINS, and Mr. BLUMENTHAL) 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 A of title VII, add the following:

SEC. 710. TRICARE DENTAL FOR MEMBERS OF THE SELECTED RESERVE.

Section 1076a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the paragraph header, by striking ''SELECTED RESERVE AND''; and

(ii) by striking ''for members of the Selected Reserve of the Ready Reserve and'';

(B) in paragraph (2), in the header, by inserting ''individual ready'' after ''other''; and

(C) by adding at the end the following new paragraph:

''(5) PLAN FOR SELECTED RESERVE.—A dental benefits plan for members of the Selected Reserve of the Ready Reserve.'';

(2) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following new paragraph (3):

''(3) NO PREMIUM PLANS.—(A) The dental benefits plan established under subsection (a)(5) is a no premium plan.

''(B) Members enrolled in a no premium plan may not be charged a premium for benefits provided under the plan.'';

(3) in subsection (e)(2)(A), by striking ''a member of the Selected Reserve of the Ready Reserve or'';

(4) by redesignating subsections (f) through (l) as subsections (g) through (m), respectively;

(5) by inserting after subsection (e) the following new subsection (f):

''(f) COPAYMENTS UNDER NO PREMIUM PLANS.—A member who receives dental care under a no premium plan described in subsection (d)(3) shall pay no charge for any care described in subsection (c).''; and

(6) in subsection (i), as redesignated by paragraph (4), by striking ''subsection (k)(2)'' and inserting ''subsection (l)(2)''.

SA 2378. Ms. BALDWIN (for herself, Mr. BRAUN, Mr. BROWN, and Mr. SCOTT of Florida) 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 subtitle H of title X, insert the following:

SEC. ___. MANDATORY ORIGIN DISCLOSURE FOR NEW PRODUCTS OF FOREIGN ORIGIN OFFERED FOR SALE ON THE INTERNET.

(a) MANDATORY DISCLOSURE.—

(1) IN GENERAL.—

(A) DISCLOSURE.—Subject to the succeeding provisions of this paragraph, it shall be unlawful for an online store, an online marketplace, or a seller to introduce, sell, or offer for sale on an internet website a product that is marked or required to be marked under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) unless the country of origin is disclosed in a conspicuous manner on the online store or online marketplace's online description of the product and in a manner consistent with the regulations prescribed under such section 304 at the time of the product's importation, or anticipated importation, into the customs territory of the United States.

(B) EXCLUSIONS.—

(i) AGRICULTURAL PRODUCTS.—The disclosure requirements under subparagraph (A) shall not apply to—

(I) a covered commodity (as defined in section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638));

(II) a meat or meat food product subject to inspection under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.);

(III) a poultry or poultry product subject to inspection under the Poultry Products Inspection Act (21 U.S.C. 451 et seq.); or

(IV) an egg product subject to regulation under the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

(ii) FOOD AND DRUGS.—The disclosure requirements under subparagraph (A) shall not apply to a food or drug (as those terms are defined in paragraphs (f) and (g), respectively, of section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that is subject to the jurisdiction of the Food and Drug Administration.

(iii) USED OR PREVIOUSLY OWNED PRODUCTS.—The disclosure requirements under subparagraph (A) shall not apply to any used or previously owned products sold in interstate commerce.

(iv) SMALL SELLER.—The disclosure requirements under subparagraph (A) shall not apply to goods listed by a small seller.

(C) LIMITATION OF LIABILITY.—

(i) ONLINE STORE.—An online store is not in violation of the requirements under subparagraph (A) if the online store provided its third party manufacturer, distributor, supplier, or private labeler with—

(I) a notice of their obligation to provide the country of origin to the store, if applicable; and

(II) the means to list directly, or provide to the online store for listing, the country of origin of the product.

(ii) ONLINE MARKETPLACE.—

(I) IN GENERAL.—Subject to subclause (II), an online marketplace is not in violation of the requirements under subparagraph (A) if the online marketplace provided its sellers with—

(aa) a notice of the seller's obligation to provide country of origin information when selling a product; and

(bb) the means to list the country of origin in the product's description.

(II) EXCEPTION.—Subclause (I) shall not apply when the online marketplace is selling the product itself, rather than only facilitating a sale by a seller and relying on a seller for that product's information.

(iii) SELLER.—A seller is not in violation of the requirements under subparagraph (A) if the online marketplace did not provide the seller with—

(I) the notice described in clause (ii)(I)(aa); or

(II) the means to list the county of origin in the product's description as described in clause (ii)(I)(bb).

(D) FUNGIBLE GOODS OR MATERIALS.—For the purposes of subparagraph (A) and in accordance with section 102.12(f) of title 19, Code of Federal Regulations, an online store, an online marketplace, or a seller is in compliance with the disclosure requirements under subparagraph (A) if it lists multiple countries of origin for products that are fungible goods or materials. Products shall be considered to be ''fungible goods or materials'' if the goods or materials, as the case may be, are interchangeable for commercial purposes and have properties which are essentially identical.

(E) SAFE HARBOR.—An online store, an online marketplace, or a seller satisfies the disclosure requirements under subparagraph (A) if the online store, online marketplace, or seller relies on the country of origin representation provided by a third party manufacturer, importer, distributor, supplier, or private labeler of the product.

(2) CERTAIN DRUG PRODUCTS.—It shall be unlawful for an online store, an online marketplace, or a seller to offer for sale in commerce to consumers on an internet website a drug that is not subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)) and that is required to be marked under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) unless the internet website description of the drug indicates in a

conspicuous place the name and place of business of the manufacturer, packer, or distributor that is required to appear on the label of the drug in accordance with section 502(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(b)).

(3) OBLIGATION TO PROVIDE.—A manufacturer, importer, distributor, supplier, or private labeler seeking to have a product introduced, sold, advertised, or offered for sale in commerce shall provide the marking information required by section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) to the relevant online store, an online marketplace, or a seller who wishes to offer the product for sale on an internet website.

(b) ENFORCEMENT BY THE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) or a regulation promulgated thereunder shall be treated as a violation of a rule defining an unfair or deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates subsection (a) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.) as though all applicable terms and provisions of that Act were incorporated and made part of this section.

(C) AUTHORITY PRESERVED.—Nothing in this section may be construed to limit the authority of the Commission under any other provision of law.

(D) RULEMAKING.—

(i) IN GENERAL.—The Commission shall promulgate in accordance with section 553 of title 5, United States Code, such rules as may be necessary to carry out this section.

(ii) CONSULTATION.—In promulgating any regulations under clause (i), the Commission shall consult with U.S. Customs and Border Protection.

(3) INTERAGENCY AGREEMENT.—Not later than 6 months after the date of enactment of this section, the Commission, the Commissioner for U.S. Customs and Border Protection, the Commissioner of Food and Drugs, the United States Trade Representative, and the Secretary of Agriculture shall—

(A) enter into a Memorandum of Understanding or other appropriate agreement for the purpose of providing consistent implementation of this section; and

(B) publish such Memorandum of Understanding or other agreement in order to provide public guidance.

(c) AUTHORITY PRESERVED.—Nothing in this section may be construed to—

(1) limit the authority of the Department of Agriculture, the Food and Drug Administration, or U.S. Customs and Border Protection under any other provision of law; or

(2) require the Commission to interpret, modify, or enforce regulations promulgated by such agencies unless as provided by the Memorandum of Understanding or other agreement entered into under subsection (b)(3)(A).

(d) EFFECTIVE DATE.—This section shall take effect 1 year after the date of the publication of the Memorandum of Understanding or other agreement under subsection (b)(3)(B).

(e) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require an online store, an online marketplace, or a seller to include a description of a product introduced, sold, or offered for sale in interstate commerce other than a notice of the country of origin as required by subsection (a).

(f) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) ONLINE MARKETPLACE.—The term ''online marketplace'' has the meaning given such term in section 301(f) of the Consolidated Appropriations Act, 2023 (15 U.S.C. 45f(f)).

(3) ONLINE STORE.—The term ''online store'' means a person or entity that operates a consumer-directed, electronically based or accessed website that sells products to consumers over the internet for itself or on behalf of third party sellers.

(4) PRODUCT.—The term ''product'' has the meaning given the term ''article of foreign origin'' in section 304 of the Tariff Act of 1930 (19 U.S.C. 1304).

(5) SELLER.—The term ''seller'' has the meaning given such term in section 301(f) of the Consolidated Appropriations Act, 2023 (15 U.S.C. 45f(f)).

(6) SMALL SELLER.—

(A) IN GENERAL.—The term ''small seller'' means a seller on an online marketplace that, in any consecutive 12-month period during the previous 24 months, has—

(i) annual sales of less than an aggregate total of $20,000 in gross revenues; and

(ii) fewer than 200 discrete sales or transactions (excluding sales of used or previously owned products).

(B) CLARIFICATION.—For the purposes of calculating the number of discrete sales or transactions or the aggregate gross revenues under subparagraph (A), a seller shall only be required to count sales or transactions made through the online marketplace and for which payment was processed by the online marketplace, either directly of through its payment processor.

(7) USED OR PREVIOUSLY OWNED PRODUCT.—The term ''used or previously owned product'' means a product that was previously sold or offered for sale in interstate commerce.

SEC. ___. COUNTRY OF ORIGIN LABELING FOR COOKED KING CRAB AND TANNER CRAB AND COOKED AND CANNED SALMON.

Section 281(7)(B) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638(7)(B)) is amended—

(1) by striking the period at the end and inserting a semicolon;

(2) by striking ''includes a fillet'' and inserting the following: ''includes—

''(i) a fillet''; and

(3) by adding at the end the following:

''(ii) whole cooked king crab and tanner crab and cooked king crab and tanner crab sections; and

''(iii) cooked and canned salmon.''.

SA 2379. Ms. BALDWIN 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. _____. IMPROVING THE COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.

(a) SHORT TITLE.—This section may be cited as the ''Invent Here, Make Here Act of 2024''.

(b) IMPROVEMENT OF COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.—Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended by adding at the end the following:

''(f) COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.—In order for the Institute to meet the need described in section 1(a)(1) and most effectively carry out the activities under subsection (c)(1) of this section, the Director shall—

''(1) coordinate with the Secretary of Defense, the Secretary of Energy, the Director of the National Science Foundation, and industry organizations to identify domestic manufacturers that can develop commercial products based on completed research conducted by Federal agencies;

''(2) work with the Administrator of the Small Business Administration to identify domestic investors to support the development of commercial products based on research conducted by Federal agencies; and

''(3) maintain a publicly accessible and searchable database of domestic manufacturers and their capabilities with respect to commercialization of federally funded research.''.

(c) STUDY AND COMPREHENSIVE REVIEW OF COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.—Not later than 540 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall—

(1) complete a study and comprehensive review of the commercialization of Federal research by domestic manufacturers that—

(A) addresses—

(i) what barriers currently (as of the date on which the study is completed) exist for domestic manufacturers to commercialize Federal research; and

(ii) what role investment and the availability of investors plays in the encouragement or discouragement of the commercialization of Federal research by domestic manufacturers; and

(B) provides recommendations for modifications to the comprehensive strategic plan developed and implemented pursuant to section 107 of the American Innovation and Competitiveness Act (15 U.S.C. 272 note) to ensure that Federal science, engineering, and technology research is being transferred to domestic manufacturers to modernize manufacturing processes in accordance with section 2(b)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 272(b)(1)); and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on the Judiciary of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a report on the findings of the Director with respect to the study and review completed under paragraph (1).

(d) PREFERENCE FOR UNITED STATES INDUSTRY.—Section 204 of title 35, United States Code, is amended to read as follows:

''§ 204. Preference for United States industry

''(a) DEFINITIONS.—In this section:

''(1) COUNTRY OF CONCERN.—The term 'country of concern' has the meaning given the term 'covered nation' in section 4872(d) of title 10.

''(2) RELEVANT CONGRESSIONAL COMMITTEES.—The term 'relevant congressional committees' means—

''(A) the Committee on Commerce, Science, and Transportation of the Senate;

''(B) the Committee on the Judiciary of the Senate;

''(C) the Committee on Science, Space, and Technology of the House of Representatives; and

''(D) the Committee on the Judiciary of the House of Representatives.

''(b) GENERAL PREFERENCE.—Notwithstanding any other provision of this chapter, and subject to subsection (c), no small business firm or nonprofit organization which receives title to any subject invention and no assignee of any such small business firm or nonprofit organization shall grant to any person the exclusive right to use or sell any subject invention in the United States unless such person agrees that any products embodying the subject invention or produced through the use of the subject invention will be manufactured substantially in the United States.

''(c) WAIVERS.—

''(1) IN GENERAL.—In individual cases, subject to paragraphs (2) and (3), the Federal agency under whose funding agreement the applicable subject invention was made may waive the requirement for an agreement described in subsection (b) upon a showing by the applicable small business firm, nonprofit organization, or assignee that reasonable but unsuccessful efforts have been made to grant licenses on similar terms to potential licensees that would be likely to manufacture substantially in the United States or that under the circumstances domestic manufacture is not commercially feasible.

''(2) REVIEW TIMELINE.—Not later than 90 days after the date on which a Federal agency receives a request for a waiver described in paragraph (1) and with respect to which paragraph (3) does not apply, the Federal agency shall issue a decision regarding whether to grant the request.

''(3) PROHIBITION ON GRANTING CERTAIN WAIVERS WITHOUT PRESIDENTIAL AUTHORIZATION.—If granting a waiver under paragraph (1) would result in products embodying the applicable subject invention or produced through the use of the applicable subject invention being manufactured substantially in a country of concern, the applicable Federal agency may not grant the waiver without the written authorization of the President (or a designee of the President).

''(4) ANNUAL REPORT TO CONGRESSIONAL COMMITTEES.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Invent Here, Make Here Act of 2024, and annually thereafter, each Federal agency with respect to which, during the preceding year, a nonprofit organization or small business firm that is a party to a funding agreement with the Federal agency elected to retain title under section 202 to the subject invention that was the subject of that funding agreement shall submit to the relevant congressional committees a report that includes the information described in subparagraph (B).

''(B) CONTENTS.—Each report required under subparagraph (A) shall include, for the period covered by the report—

''(i) with respect to each request received by the applicable Federal agency for a waiver under this subsection, information regarding—

''(I) the subject invention that is the subject of the request;

''(II) the efforts made by the entity seeking the waiver to grant the exclusive right to use or sell the applicable subject invention to a person that would agree that any products embodying the subject invention or produced through the use of the subject invention would be manufactured substantially in the United States; and

''(III) in which markets the products embodying the applicable subject invention or produced through the use of the applicable subject invention will be sold; and

''(ii) with respect to a small business firm or nonprofit organization that is based in the United States and has elected to retain title to a subject invention pursuant to section 202, whether that firm or organization intends to manufacture that subject invention in a foreign country for a foreign market.

''(C) PRESERVATION OF CONFIDENTIALITY.—Each Federal agency that is required to submit a report under this paragraph shall preserve the confidentiality or trade sensitive nature of all information included in each such report.''.

(e) AMENDMENTS TO THE DIRECTORATE FOR TECHNOLOGY, INNOVATION, AND PARTNERSHIPS.—Subtitle G of title III of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19101 et seq.) is amended—

(1) in section 10382—

(A) in paragraph (2), by striking ''and'' after the semicolon;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(4) strongly encourage that products developed through research funded by the Directorate will be manufactured in the United States.'';

(2) in section 10383—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking ''products,'' and inserting ''products that will be manufactured in the United States,'';

(B) in paragraph (4)(C), by inserting ''producing,'' after ''capable of'';

(C) in paragraph (6), by striking ''and'' after the semicolon;

(D) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(8) develop industrial capacity to produce innovations competitively in the United States for the global marketplace.'';

(3) in section 10384—

(A) in paragraph (1), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) maximizes economic benefits by ensuring that innovations developed from research awards are produced in the United States.'';

(4) in section 10385—

(A) in subsection (b)(1), by striking ''and commercialization'' and inserting ''commercialization, and domestic production''; and

(B) in subsection (c)(2), by striking ''and commercialization'' and inserting ''commercialization, and domestic production'';

(5) in section 10386(b)(2), by inserting ''with domestic manufacturing operations'' after ''private sector'';

(6) in section 10389(a), by striking ''and commercialization'' and inserting ''commercialization, and domestic production'';

(7) in section 10391(a), by striking ''and commercialization'' and inserting ''commercialization, and domestic production''; and

(8) in section 10394(f)(5), by striking ''and, as appropriate, commercializing'' and inserting '', commercializing, and producing''.

SA 2380. Ms. BALDWIN 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. AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO AWARD GRANTS TO STATES AND INDIAN TRIBES TO IMPROVE OUTREACH TO VETERANS.

(a) IN GENERAL.—Subchapter II of chapter 63 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 6321. Grants to States and Indian Tribes to improve outreach to veterans

''(a) PURPOSE.—It is the purpose of this section to provide for assistance by the Secretary to States and Indian Tribes to carry out programs that improve covered outreach and assistance to veterans and the spouses, children, and parents of veterans—

''(1) to ensure that such individuals are fully informed about, and assisted in applying for, any veterans and veterans-related benefits and programs (including veterans programs of a State or Indian Tribe) for which they may be eligible; and

''(2) to facilitate opportunities for such individuals to receive competent, qualified services in the preparation, presentation, and prosecution of claims for such benefits.

''(b) AUTHORITY.—The Secretary may award grants to States and Indian Tribes—

''(1) to carry out, coordinate, improve, or otherwise enhance—

''(A) covered outreach activities; or

''(B) activities to assist in the development and submittal of claims for veterans and veterans-related benefits; or

''(2) to increase the number of county or Tribal veterans service officers serving in a State by hiring new, additional such officers.

''(c) APPLICATION.—(1) To be eligible for a grant under this section, a State or Indian Tribe shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require.

''(2) Each application submitted under paragraph (1) shall include the following:

''(A) A detailed plan for the use of the grant.

''(B) A description of the programs through which the State or Indian Tribe will meet the outcome measures developed by the Secretary under subsection (j).

''(C) A description of how the State or Indian Tribe will distribute grant amounts equitably among counties or Tribal lands with varying levels of urbanization.

''(D) A plan for how the grant will be used to meet the unique needs of American Indian veterans, Alaska Native veterans, or Native Hawaiian veterans, elderly veterans, and veterans from other underserved communities.

''(d) DISTRIBUTION.—The Secretary shall seek to ensure that grants awarded under this section are equitably distributed among States and Indian Tribes with varying levels of urbanization.

''(e) SET-ASIDE.—Of the amounts authorized to be appropriated or otherwise made available for grants under this section for any fiscal year, the Secretary shall use not less than five percent to make grants to Indian Tribes.

''(f) PRIORITY.—The Secretary shall prioritize awarding grants under this section that will serve the following areas:

''(1) Areas with a critical shortage of county or Tribal veterans service officers.

''(2) Areas with high rates of—

''(A) suicide among veterans; or

''(B) referrals to the Veterans Crisis Line.

''(g) USE OF COUNTY OR TRIBAL VETERANS SERVICE OFFICERS.—A State or Indian Tribe that receives a grant under this section to carry out an activity described in subsection (b)(1) shall carry out the activity through—

''(1) a county or Tribal veterans service officer of the State or Indian Tribe; or

''(2) if the State or Indian Tribe does not have a county or Tribal veterans service officer, or if the county or Tribal veterans service officers of the State or Indian Tribe cover only a portion of that State or Indian Tribe, an appropriate entity of a State, local, or Tribal government, as determined by the Secretary.

''(h) REQUIRED ACTIVITIES.—Any grant awarded under this section shall be used—

''(1) to expand existing programs, activities, and services;

''(2) to hire new, additional county or Tribal veterans service officers; or

''(3) for travel and transportation to facilitate carrying out paragraph (1) or (2).

''(i) AUTHORIZED ACTIVITIES.—A grant under this section may be used to provide education and training, including on-the-job training, for State, county, local, and Tribal government employees who provide (or when trained will provide) covered outreach services in order for those employees to obtain accreditation in accordance with procedures approved by the Secretary.

''(j) OUTCOME MEASURES.—(1) The Secretary shall develop and provide to each State or Indian Tribe that receives a grant under this section written guidance on the following:

''(A) Outcome measures.

''(B) Policies of the Department.

''(2) In developing outcome measures under paragraph (1), the Secretary shall consider the following goals:

''(A) Increasing the use of veterans and veterans-related benefits, particularly among vulnerable populations.

''(B) Increasing the number of county and Tribal veterans service officers recognized by the Secretary for the representation of veterans under chapter 59 of this title.

''(k) TRACKING REQUIREMENTS.—(1) With respect to each grant awarded under this section, the Secretary shall track the use of veterans and veterans-related benefits among the population served by the grant, including the average period of time between the date on which a veteran applies for such a benefit and the date on which the veteran receives the benefit, disaggregated by type of benefit.

''(2) Not less frequently than annually during the duration of the grant program under this section, the Secretary shall submit to Congress a report on—

''(A) information tracked under paragraph (1);

''(B) how the grants awarded under this section serve the unique needs of American Indian veterans, Alaska Native veterans, or Native Hawaiian veterans, elderly veterans, and veterans from other underserved communities; and

''(C) other information provided by States and Indian Tribes pursuant to grant reporting requirements.

''(l) PERFORMANCE REVIEW.—(1) The Secretary shall—

''(A) review the performance of each State and Indian Tribe that receives a grant under this section; and

''(B) make information regarding such performance publicly available.

''(m) REMEDIATION PLAN.—(1) In the case of a State or Indian Tribe that receives a grant under this section and does not meet the outcome measures developed by the Secretary under subsection (j), the Secretary shall require the State or Indian Tribe to submit a remediation plan under which the State or Indian Tribe shall describe how and when it plans to meet such outcome measures.

''(2) The Secretary may not award a subsequent grant under this section to a State or Indian Tribe described in paragraph (1) unless the Secretary approves the remediation plan submitted by the State or Indian Tribe.

''(n) DEFINITIONS.—In this section:

''(1) The term 'county or Tribal veterans service officer' includes a local equivalent veterans service officer.

''(2) The term 'covered outreach' means outreach with respect to—

''(A) benefits administered by the Under Secretary for Benefits; or

''(B) similar benefits administered by a State or Indian Tribe.

''(3) The term 'Indian Tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(4) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.

''(5) The term 'Veterans Crisis Line' means the toll-free hotline for veterans established under section 1720F(h) of this title.

''(o) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000 for each of fiscal years 2025 and 2026.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of such title is amended by adding at the end the following new item:

''6321. Grants to States and Indian Tribes to improve outreach to veterans.''.

SA 2381. Ms. BALDWIN (for herself, Mr. VANCE, and Mr. BROWN) 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 VIII, insert the following:

SEC. 8____. REQUIREMENT THAT CERTAIN DIESEL ENGINES FOR NAVAL VESSELS BE PURCHASED FROM NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 4864(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Diesel engines that operate at a maximum of not greater than 1200 revolutions per minute and are capable of generating a power output of greater than 3500 kilowatts.''.

SA 2382. Mr. DURBIN (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 title X, add the following:

Subtitle I—STOP CSAM Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Strengthening Transparency and Obligations to Protect Children Suffering from Abuse and Mistreatment Act of 2024'' or the ''STOP CSAM Act of 2024''.

SEC. 1097. PROTECTING CHILD VICTIMS AND WITNESSES IN FEDERAL COURT.

(a) IN GENERAL.—Section 3509 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking ''or exploitation'' and inserting ''exploitation, or kidnapping, including international parental kidnapping'';

(B) in paragraph (3), by striking ''physical or mental injury'' and inserting ''physical injury, psychological abuse'';

(C) by striking paragraph (5) and inserting the following:

''(5) the term 'psychological abuse' includes—

''(A) a pattern of acts, threats of acts, or coercive tactics intended to degrade, humiliate, intimidate, or terrorize a child; and

''(B) the infliction of trauma on a child through—

''(i) isolation;

''(ii) the withholding of food or other necessities in order to control behavior;

''(iii) physical restraint; or

''(iv) the confinement of the child without the child's consent and in degrading conditions;'';

(D) in paragraph (6), by striking ''child prostitution'' and inserting ''child sex trafficking'';

(E) by striking paragraph (7) and inserting the following:

''(7) the term 'multidisciplinary child abuse team' means a professional unit of individuals working together to investigate child abuse and provide assistance and support to a victim of child abuse, composed of representatives from—

''(A) health, social service, and legal service agencies that represent the child;

''(B) law enforcement agencies and prosecutorial offices; and

''(C) children's advocacy centers;'';

(F) in paragraph (9)(D)—

(i) by striking ''genitals'' and inserting ''anus, genitals,''; and

(ii) by striking ''or animal'';

(G) in paragraph (11), by striking ''and'' at the end;

(H) in paragraph (12)—

(i) by striking ''the term 'child abuse' does not'' and inserting ''the terms 'physical injury' and 'psychological abuse' do not''; and

(ii) by striking the period and inserting a semicolon; and

(I) by adding at the end the following:

''(13) the term 'covered person' means a person of any age who—

''(A) is or is alleged to be—

''(i) a victim of a crime of physical abuse, sexual abuse, exploitation, or kidnapping, including international parental kidnapping; or

''(ii) a witness to a crime committed against another person; and

''(B) was under the age of 18 when the crime described in subparagraph (A) was committed;

''(14) the term 'protected information', with respect to a covered person, includes—

''(A) personally identifiable information of the covered person, including—

''(i) the name of the covered person;

''(ii) an address;

''(iii) a phone number;

''(iv) a user name or identifying information for an online, social media, or email account; and

''(v) any information that can be used to distinguish or trace the identity of the covered person, either alone or when combined with other information that is linked or linkable to the covered person;

''(B) medical, dental, behavioral, psychiatric, or psychological information of the covered person;

''(C) educational or juvenile justice records of the covered person; and

''(D) any other information concerning the covered person that is deemed 'protected information' by order of the court under subsection (d)(5); and

''(15) the term 'child pornography' has the meaning given the term in section 2256(8).'';

(2) in subsection (b)—

(A) in paragraph (1)(C), by striking ''minor'' and inserting ''child''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''VIDEOTAPED'' and inserting ''RECORDED'';

(ii) in subparagraph (A), by striking ''that the deposition be recorded and preserved on videotape'' and inserting ''that a video recording of the deposition be made and preserved'';

(iii) in subparagraph (B)—

(I) in clause (ii), by striking ''that the child's deposition be taken and preserved by videotape'' and inserting ''that a video recording of the child's deposition be made and preserved'';

(II) in clause (iii)—

(aa) in the matter preceding subclause (I), by striking ''videotape'' and inserting ''recorded''; and

(bb) in subclause (IV), by striking ''videotape'' and inserting ''recording''; and

(III) in clause (v)—

(aa) in the heading, by striking ''VIDEOTAPE'' and inserting ''VIDEO RECORDING'';

(bb) in the first sentence, by striking ''made and preserved on video tape'' and inserting ''recorded and preserved''; and

(cc) in the second sentence, by striking ''videotape'' and inserting ''video recording'';

(iv) in subparagraph (C), by striking ''child's videotaped'' and inserting ''video recording of the child's'';

(v) in subparagraph (D)—

(I) by striking ''videotaping'' and inserting ''deposition''; and

(II) by striking ''videotaped'' and inserting ''recorded'';

(vi) in subparagraph (E), by striking ''videotaped'' and inserting ''recorded''; and

(vii) in subparagraph (F), by striking ''videotape'' each place the term appears and inserting ''video recording'';

(3) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in clause (i), by striking ''the name of or any other information concerning a child'' and inserting ''a covered person's protected information''; and

(ii) in clause (ii)—

(I) by striking ''documents described in clause (i) or the information in them that concerns a child'' and inserting ''a covered person's protected information''; and

(II) by striking '', have reason to know such information'' and inserting ''(including witnesses or potential witnesses), have reason to know each item of protected information to be disclosed'';

(B) in paragraph (2)—

(i) by striking ''the name of or any other information concerning a child'' each place the term appears and inserting ''a covered person's protected information'';

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(iii) by striking ''All papers'' and inserting the following:

''(A) IN GENERAL.—All papers''; and

(iv) by adding at the end the following:

''(B) ENFORCEMENT OF VIOLATIONS.—The court may address a violation of subparagraph (A) in the same manner as disobedience or resistance to a lawful court order under section 401(3).'';

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking ''a child from public disclosure of the name of or any other information concerning the child'' and inserting ''a covered person's protected information from public disclosure''; and

(II) by striking '', if the court determines that there is a significant possibility that such disclosure would be detrimental to the child'';

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking ''a child witness, and the testimony of any other witness'' and inserting ''any witness''; and

(bb) by striking ''the name of or any other information concerning a child'' and inserting ''a covered person's protected information''; and

(II) in clause (ii), by striking ''child'' and inserting ''covered person''; and

(iii) by adding at the end the following:

''(C)(i) For purposes of this paragraph, there shall be a presumption that public disclosure of a covered person's protected information would be detrimental to the covered person.

''(ii) The court shall deny a motion for a protective order under subparagraph (A) only if the court finds that the party opposing the motion has rebutted the presumption under clause (i) of this subparagraph.'';

(D) in paragraph (4)—

(i) by striking ''This subsection'' and inserting the following:

''(A) DISCLOSURE TO CERTAIN PARTIES.—This subsection'';

(ii) in subparagraph (A), as so designated—

(I) by striking ''the name of or other information concerning a child'' and inserting ''a covered person's protected information''; and

(II) by striking ''or an adult attendant, or to'' and inserting ''an adult attendant, a law enforcement agency for any intelligence or investigative purpose, or''; and

(iii) by adding at the end the following:

''(B) REQUEST FOR PUBLIC DISCLOSURE.—If any party requests public disclosure of a covered person's protected information to further a public interest, the court shall deny the request unless the court finds that—

''(i) the party seeking disclosure has established that there is a compelling public interest in publicly disclosing the covered person's protected information;

''(ii) there is a substantial probability that the public interest would be harmed if the covered person's protected information is not disclosed;

''(iii) the substantial probability of harm to the public interest outweighs the harm to the covered person from public disclosure of the covered person's protected information; and

''(iv) there is no alternative to public disclosure of the covered person's protected information that would adequately protect the public interest.''; and

(E) by adding at the end the following:

''(5) OTHER PROTECTED INFORMATION.—The court may order that information shall be considered to be 'protected information' for purposes of this subsection if the court finds that the information is sufficiently personal, sensitive, or identifying that it should be subject to the protections and presumptions under this subsection.'';

(4) by striking subsection (f) and inserting the following:

''(f) VICTIM IMPACT STATEMENT.—

''(1) PROBATION OFFICER.—In preparing the presentence report pursuant to rule 32(c) of the Federal Rules of Criminal Procedure, the probation officer shall request information from the multidisciplinary child abuse team, if applicable, or other appropriate sources to determine the impact of the offense on a child victim and any other children who may have been affected by the offense.

''(2) GUARDIAN AD LITEM.—A guardian ad litem appointed under subsection (h) shall—

''(A) make every effort to obtain and report information that accurately expresses the views of a child victim, and the views of family members as appropriate, concerning the impact of the offense; and

''(B) use forms that permit a child victim to express the child's views concerning the personal consequences of the offense, at a level and in a form of communication commensurate with the child's age and ability.'';

(5) in subsection (h), by adding at the end the following:

''(4) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection $25,000,000 for each fiscal year.

''(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.'';

(6) in subsection (i)—

(A) by striking ''A child testifying at or attending a judicial proceeding'' and inserting the following:

''(1) IN GENERAL.—A child testifying at a judicial proceeding, including in a manner described in subsection (b),'';

(B) in paragraph (1), as so designated—

(i) in the third sentence, by striking ''proceeding'' and inserting ''testimony''; and

(ii) by striking the fifth sentence; and

(C) by adding at the end the following:

''(2) RECORDING.—If the adult attendant is in close physical proximity to or in contact with the child while the child testifies—

''(A) at a judicial proceeding, a video recording of the adult attendant shall be made and shall become part of the court record; or

''(B) in a manner described in subsection (b), the adult attendant shall be visible on the closed-circuit television or in the recorded deposition.

''(3) COVERED PERSONS ATTENDING PROCEEDING.—A covered person shall have the right to be accompanied by an adult attendant when attending any judicial proceeding.'';

(7) in subsection (j)—

(A) by striking ''child'' each place the term appears and inserting ''covered person''; and

(B) in the fourth sentence—

(i) by striking ''and the potential'' and inserting '', the potential'';

(ii) by striking ''child's'' and inserting ''covered person's''; and

(iii) by inserting before the period at the end the following: '', and the necessity of the continuance to protect the defendant's rights'';

(8) in subsection (k), by striking ''child'' each place the term appears and inserting ''covered person'';

(9) in subsection (l), by striking ''child'' each place the term appears and inserting ''covered person''; and

(10) in subsection (m)—

(A) by striking ''(as defined by section 2256 of this title)'' each place it appears;

(B) in paragraph (1), by inserting ''and any civil action brought under section 2255 or 2255A'' after ''any criminal proceeding'';

(C) in paragraph (2), by adding at the end the following:

''(C)(i) Notwithstanding Rule 26 of the Federal Rules of Civil Procedure, a court shall deny, in any civil action brought under section 2255 or 2255A, any request by any party to copy, photograph, duplicate, or otherwise reproduce any property or material that constitutes child pornography.

''(ii) In a civil action brought under section 2255 or 2255A, for purposes of paragraph (1), the court may—

''(I) order the plaintiff or defendant to provide to the court or the Government, as applicable, any equipment necessary to maintain care, custody, and control of such property or material; and

''(II) take reasonable measures, and may order the Government (if such property or material is in the care, custody, and control of the Government) to take reasonable measures, to provide each party to the action, the attorney of each party, and any individual a party may seek to qualify as an expert, with ample opportunity to inspect, view, and examine such property or material at the court or a Government facility, as applicable.''; and

(D) in paragraph (3)—

(i) by inserting ''and during the 1-year period following the date on which the criminal proceeding becomes final or is terminated'' after ''any criminal proceeding''; and

(ii) by striking '', as defined under section 2256(8),''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to conduct that occurs before, on, or after the date of enactment of this Act.

SEC. 1098. FACILITATING PAYMENT OF RESTITUTION; TECHNICAL AMENDMENTS TO RESTITUTION STATUTES.

Title 18, United States Code, is amended—

(1) in section 1593(c)—

(A) by inserting ''(1)'' after ''(c)'';

(B) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) In''; and

(C) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court'';

(2) in section 2248(c)—

(A) by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes'';

(B) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) ASSUMPTION OF CRIME VICTIM'S RIGHTS.—In''; and

(C) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court'';

(3) in section 2259—

(A) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under—

''(1) section 1466A, to the extent the conduct involves a visual depiction of an identifiable minor; or

''(2) this chapter.'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''DIRECTIONS.—Except as provided in paragraph (2), the'' and inserting ''RESTITUTION FOR CHILD PORNOGRAPHY PRODUCTION.—If the defendant was convicted of child pornography production, the''; and

(ii) in paragraph (2)(B), by striking ''$3,000.'' and inserting the following: ''—

''(i) $3,000; or

''(ii) 10 percent of the full amount of the victim's losses, if the full amount of the victim's losses is less than $3,000.''; and

(C) in subsection (c)—

(i) by striking paragraph (1) and inserting the following:

''(1) CHILD PORNOGRAPHY PRODUCTION.—For purposes of this section and section 2259A, the term 'child pornography production' means—

''(A) a violation of, attempted violation of, or conspiracy to violate section 1466A(a) to the extent the conduct involves production of a visual depiction of an identifiable minor;

''(B) a violation of, attempted violation of, or conspiracy to violate section 1466A(a) involving possession with intent to distribute, or section 1466A(b), to the extent the conduct involves a visual depiction of an identifiable minor—

''(i) produced by the defendant; or

''(ii) that the defendant attempted or conspired to produce;

''(C) a violation of subsection (a), (b), or (c) of section 2251, or an attempt or conspiracy to violate any of those subsections under subsection (e) of that section;

''(D) a violation of section 2251A;

''(E) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

''(i) produced by the defendant; or

''(ii) that the defendant attempted or conspired to produce;

''(F) a violation of subsection (a)(7) of section 2252A, or an attempt or conspiracy to violate that subsection under subsection (b)(3) of that section, to the extent the conduct involves production with intent to distribute;

''(G) a violation of section 2252A(g) if the series of felony violations involves not fewer than 1 violation—

''(i) described in subparagraph (A), (B), (E), or (F) of this paragraph;

''(ii) of section 1591; or

''(iii) of section 1201, chapter 109A, or chapter 117, if the victim is a minor;

''(H) a violation of subsection (a) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(1) of that section;

''(I) a violation of section 2260B(a)(2) for promoting or facilitating an offense—

''(i) described in subparagraph (A), (B), (D), or (E) of this paragraph; or

''(ii) under section 2422(b); and

''(J) a violation of chapter 109A or chapter 117, if the offense involves the production or attempted production of, or conspiracy to produce, child pornography.'';

(ii) by striking paragraph (3) and inserting the following:

''(3) TRAFFICKING IN CHILD PORNOGRAPHY.—For purposes of this section and section 2259A, the term 'trafficking in child pornography' means—

''(A) a violation of, attempted violation of, or conspiracy to violate section 1466A(a) to the extent the conduct involves distribution or receipt of a visual depiction of an identifiable minor;

''(B) a violation of, attempted violation of, or conspiracy to violate section 1466A(a) involving possession with intent to distribute, or section 1466A(b), to the extent the conduct involves a visual depiction of an identifiable minor—

''(i) not produced by the defendant; or

''(ii) that the defendant did not attempt or conspire to produce;

''(C) a violation of subsection (d) of section 2251 or an attempt or conspiracy to violate that subsection under subsection (e) of that section;

''(D) a violation of paragraph (1), (2), or (3) of subsection (a) of section 2252, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

''(E) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

''(i) not produced by the defendant; or

''(ii) that the defendant did not attempt or conspire to produce;

''(F) a violation of paragraph (1), (2), (3), (4), or (6) of subsection (a) of section 2252A, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

''(G) a violation of subsection (a)(7) of section 2252A, or an attempt or conspiracy to violate that subsection under subsection (b)(3) of that section, to the extent the conduct involves distribution;

''(H) a violation of section 2252A(g) if the series of felony violations exclusively involves violations described in this paragraph (except subparagraphs (A) and (B));

''(I) a violation of subsection (b) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(2) of that section; and

''(J) a violation of subsection (a)(1) of section 2260B, or a violation of subsection (a)(2) of that section for promoting or facilitating an offense described in this paragraph (except subparagraphs (A) and (B)).''; and

(iii) in paragraph (4), in the first sentence, by inserting ''or an identifiable minor harmed as a result of the commission of a crime under section 1466A'' after ''under this chapter'';

(4) in section 2259A(a)—

(A) in paragraph (1), by striking ''under section 2252(a)(4) or 2252A(a)(5)'' and inserting ''described in subparagraph (B) or (E) of section 2259(c)(3)''; and

(B) in paragraph (2), by striking ''any other offense for trafficking in child pornography'' and inserting ''any offense for trafficking in child pornography other than an offense described in subparagraph (B) or (E) of section 2259(c)(3)'';

(5) in section 2429—

(A) in subsection (b)(3), by striking ''2259(b)(3)'' and inserting ''2259(c)(2)''; and

(B) in subsection (d)—

(i) by inserting ''(1)'' after ''(d)'';

(ii) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) In''; and

(iii) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court''; and

(6) in section 3664, by adding at the end the following:

''(q) TRUSTEE OR OTHER FIDUCIARY.—

''(1) IN GENERAL.—

''(A) APPOINTMENT OF TRUSTEE OR OTHER FIDUCIARY.—When the court issues an order of restitution under section 1593, 2248, 2259, 2429, or 3663, or subparagraphs (A)(i) and (B) of section 3663A(c)(1), for a victim described in subparagraph (B) of this paragraph, the court, at its own discretion or upon motion by the Government, may appoint a trustee or other fiduciary to hold any amount paid for restitution in a trust or other official account for the benefit of the victim.

''(B) COVERED VICTIMS.—A victim referred to in subparagraph (A) is a victim who is—

''(i) under the age of 18 at the time of the proceeding;

''(ii) incompetent or incapacitated; or

''(iii) subject to paragraph (3), a foreign citizen or stateless person residing outside the United States.

''(2) ORDER.—When the court appoints a trustee or other fiduciary under paragraph (1), the court shall issue an order specifying—

''(A) the duties of the trustee or other fiduciary, which shall require—

''(i) the administration of the trust or maintaining an official account in the best interests of the victim; and

''(ii) disbursing payments from the trust or account—

''(I) to the victim; or

''(II) to any individual or entity on behalf of the victim;

''(B) that the trustee or other fiduciary—

''(i) shall avoid any conflict of interest;

''(ii) may not profit from the administration of the trust or maintaining an official account for the benefit of the victim other than as specified in the order; and

''(iii) may not delegate administration of the trust or maintaining the official account to any other person;

''(C) if and when the trust or the duties of the other fiduciary will expire; and

''(D) the fees payable to the trustee or other fiduciary to cover expenses of administering the trust or maintaining the official account for the benefit of the victim, and the schedule for payment of those fees.

''(3) FACT-FINDING REGARDING FOREIGN CITIZENS AND STATELESS PERSON.—In the case of a victim who is a foreign citizen or stateless person residing outside the United States and is not under the age of 18 at the time of the proceeding or incompetent or incapacitated, the court may appoint a trustee or other fiduciary under paragraph (1) only if the court finds it necessary to—

''(A) protect the safety or security of the victim; or

''(B) provide a reliable means for the victim to access or benefit from the restitution payments.

''(4) PAYMENT OF FEES.—

''(A) IN GENERAL.—The court may, with respect to the fees of the trustee or other fiduciary—

''(i) pay the fees in whole or in part; or

''(ii) order the defendant to pay the fees in whole or in part.

''(B) APPLICABILITY OF OTHER PROVISIONS.—With respect to a court order under subparagraph (A)(ii) requiring a defendant to pay fees—

''(i) subsection (f)(3) shall apply to the court order in the same manner as that subsection applies to a restitution order;

''(ii) subchapter C of chapter 227 (other than section 3571) shall apply to the court order in the same manner as that subchapter applies to a sentence of a fine; and

''(iii) subchapter B of chapter 229 shall apply to the court order in the same manner as that subchapter applies to the implementation of a sentence of a fine.

''(C) EFFECT ON OTHER PENALTIES.—Imposition of payment under subparagraph (A)(ii) shall not relieve a defendant of, or entitle a defendant to a reduction in the amount of, any special assessment, restitution, other fines, penalties, or costs, or other payments required under the defendant's sentence.

''(D) SCHEDULE.—Notwithstanding any other provision of law, if the court orders the defendant to make any payment under subparagraph (A)(ii), the court may provide a payment schedule that is concurrent with the payment of any other financial obligation described in subparagraph (C).

''(5) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection $15,000,000 for each fiscal year.

''(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.''.

SEC. 1099. CYBERTIPLINE IMPROVEMENTS, AND ACCOUNTABILITY AND TRANSPARENCY BY THE TECH INDUSTRY.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended—

(1) in section 2258A—

(A) by striking subsections (a), (b), and (c) and inserting the following:

''(a) DUTY TO REPORT.—

''(1) DUTY.—In order to reduce the proliferation of online child sexual exploitation and to prevent the online sexual exploitation of children, as soon as reasonably possible after obtaining actual knowledge of any facts or circumstances described in paragraph (2) or any apparent child pornography on the provider's service, and in any event not later than 60 days after obtaining such knowledge, a provider shall submit to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, a report that—

''(A) shall contain—

''(i) the mailing address, telephone number, facsimile number, electronic mailing address of, and individual point of contact for, such provider; and

''(ii) information described in subsection (b)(1)(A) concerning such facts or circumstances or apparent child pornography; and

''(B) may contain information described in subsection (b)(2), including any available information to identify or locate any involved minor.

''(2) FACTS OR CIRCUMSTANCES.—The facts or circumstances described in this paragraph are any facts or circumstances indicating an apparent, planned, or imminent violation of section 1591 (if the violation involves a minor), 2251, 2251A, 2252, 2252A, 2252B, 2260, or 2422(b).

''(b) CONTENTS OF REPORT.—

''(1) IN GENERAL.—In an effort to prevent the future sexual victimization of children, and to the extent the information is within the custody or control of a provider, each report provided under subsection (a)(1)—

''(A) shall include, to the extent that it is applicable and reasonably available—

''(i) the name, address, electronic mail address, user or account identification, Internet Protocol address, and uniform resource locator of any individual who is a subject of the report;

''(ii) the terms of service in effect at the time of—

''(I) the apparent violation; or

''(II) the detection of apparent child pornography or a planned or imminent violation;

''(iii) a copy of any apparent child pornography that is the subject of the report that was identified in a publicly available location;

''(iv) for each item of apparent child pornography included in the report under clause (iii) or paragraph (2)(E), information indicating whether—

''(I) the apparent child pornography was publicly available; or

''(II) the provider, in its sole discretion, viewed the apparent child pornography, or any copy thereof, at any point concurrent with or prior to the submission of the report; and

''(v) for each item of apparent child pornography that is the subject of the report, an indication as to whether the apparent child pornography—

''(I) has previously been the subject of a report under subsection (a)(1); or

''(II) is the subject of multiple contemporaneous reports due to rapid and widespread distribution; and

''(B) may, at the sole discretion of the provider, include the information described in paragraph (2) of this subsection.

''(2) OTHER INFORMATION.—The information referred to in paragraph (1)(B) is the following:

''(A) INFORMATION ABOUT ANY INVOLVED INDIVIDUAL.—Any information relating to the identity or location of any individual who is a subject of the report, including payment information (excluding personally identifiable information) and self-reported identifying or locating information.

''(B) INFORMATION ABOUT ANY INVOLVED MINOR.—Information relating to the identity or location of any involved minor, which may include an address, electronic mail address, Internet Protocol address, uniform resource locator, or any other information that may identify or locate any involved minor, including self-reported identifying or locating information.

''(C) HISTORICAL REFERENCE.—Information relating to when and how a customer or subscriber of a provider uploaded, transmitted, or received content relating to the report or when and how content relating to the report was reported to, or discovered by the provider, including a date and time stamp and time zone.

''(D) GEOGRAPHIC LOCATION INFORMATION.—Information relating to the geographic location of the involved individual or website, which may include the Internet Protocol address or verified address, or, if not reasonably available, at least one form of geographic identifying information, including area code or zip code, provided by the customer or subscriber, or stored or obtained by the provider.

''(E) APPARENT CHILD PORNOGRAPHY.—Any apparent child pornography not described in paragraph (1)(A)(iii), or other content related to the subject of the report.

''(F) COMPLETE COMMUNICATION.—The complete communication containing any apparent child pornography or other content, including—

''(i) any data or information regarding the transmission of the communication; and

''(ii) any visual depictions, data, or other digital files contained in, or attached to, the communication.

''(G) TECHNICAL IDENTIFIER.—An industry-standard hash value or other similar industry-standard technical identifier for any reported visual depiction as it existed on the provider's service.

''(H) DESCRIPTION.—For any item of apparent child pornography that is the subject of the report, an indication of whether—

''(i) the depicted sexually explicit conduct involves—

''(I) genital, oral, or anal sexual intercourse;

''(II) bestiality;

''(III) masturbation;

''(IV) sadistic or masochistic abuse; or

''(V) lascivious exhibition of the anus, genitals, or pubic area of any person; and

''(ii) the depicted minor is—

''(I) an infant or toddler;

''(II) prepubescent;

''(III) pubescent;

''(IV) post-pubescent; or

''(V) of an indeterminate age or developmental stage

''(3) FORMATTING OF REPORTS.—When a provider includes any information described in paragraph (1) or, at its sole discretion, any information described in paragraph (2) in a report to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, the provider shall use best efforts to ensure that the report conforms with the structure of the CyberTipline or the successor, as applicable.

''(c) FORWARDING OF REPORT AND OTHER INFORMATION TO LAW ENFORCEMENT.—

''(1) IN GENERAL.—Pursuant to its clearinghouse role as a private, nonprofit organization, and at the conclusion of its review in furtherance of its nonprofit mission, NCMEC shall make available each report submitted under subsection (a)(1) to one or more of the following law enforcement agencies:

''(A) Any Federal law enforcement agency that is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

''(B) Any State or local law enforcement agency that is involved in the investigation of child sexual exploitation.

''(C) A foreign law enforcement agency designated by the Attorney General under subsection (d)(3) or a foreign law enforcement agency that has an established relationship with the Federal Bureau of Investigation, Immigration and Customs Enforcement, or INTERPOL, and is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

''(2) TECHNICAL IDENTIFIERS.—If a report submitted under subsection (a)(1) contains an industry-standard hash value or other similar industry-standard technical identifier—

''(A) NCMEC may compare that hash value or identifier with any database or repository of visual depictions owned or operated by NCMEC; and

''(B) if the comparison under subparagraph (A) results in a match, NCMEC may include the matching visual depiction from its database or repository when forwarding the report to an agency described in subparagraph (A) or (B) of paragraph (1).'';

(B) in subsection (d)—

(i) in paragraph (2), by striking ''subsection (c)(1)'' and inserting ''subsection (c)(1)(A)'';

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(1)(C)''; and

(II) in subparagraph (C), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(1)(C)''; and

(iii) in paragraph (5)(B)—

(I) in clause (i), by striking ''forwarded'' and inserting ''made available''; and

(II) in clause (ii), by striking ''forwarded'' and inserting ''made available'';

(C) by striking subsection (e) and inserting the following:

''(e) FAILURE TO COMPLY WITH REQUIREMENTS.—

''(1) CRIMINAL PENALTY.—

''(A) OFFENSE.—It shall be unlawful for a provider to knowingly—

''(i) fail to submit a report under subsection (a)(1) within the time period required by that subsection; or

''(ii) fail to preserve material as required under subsection (h).

''(B) PENALTY.—

''(i) IN GENERAL.—A provider that violates subparagraph (A) shall be fined—

''(I) in the case of an initial violation, not more than—

''(aa) $850,000 if the provider has not fewer than 100,000,000 monthly active users; or

''(bb) $600,000 if the provider has fewer than 100,000,000 monthly active users; and

''(II) in the case of any second or subsequent violation, not more than—

''(aa) $1,000,000 if the provider has not fewer than 100,000,000 monthly active users; or

''(bb) $850,000 if the provider has fewer than 100,000,000 monthly active users.

''(ii) HARM TO INDIVIDUALS.—The maximum fine under clause (i) shall be doubled if an individual is harmed as a direct and proximate result of the applicable violation.

''(2) CIVIL PENALTY.—

''(A) VIOLATIONS RELATING TO CYBERTIPLINE REPORTS AND MATERIAL PRESERVATION.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than $50,000 and not more than $250,000 if the provider knowingly—

''(i) fails to submit a report under subsection (a)(1) within the time period required by that subsection;

''(ii) fails to preserve material as required under subsection (h); or

''(iii) submits a report under subsection (a)(1) that—

''(I) contains materially false or fraudulent information; or

''(II) omits information described in subsection (b)(1)(A) that is reasonably available.

''(B) ANNUAL REPORT VIOLATIONS.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than $100,000 and not more than $1,000,000 if the provider knowingly—

''(i) fails to submit an annual report as required under subsection (i); or

''(ii) submits an annual report under subsection (i) that—

''(I) contains a materially false, fraudulent, or misleading statement; or

''(II) omits information described in subsection (i)(1) that is reasonably available.

''(C) HARM TO INDIVIDUALS.—The amount of a civil penalty under subparagraph (A) or (B) shall be tripled if an individual is harmed as a direct and proximate result of the applicable violation.

''(D) COSTS OF CIVIL ACTIONS.—A provider that commits a violation described in subparagraph (A) or (B) shall be liable to the United States Government for the costs of a civil action brought to recover a civil penalty under that subparagraph.

''(E) ENFORCEMENT.—This paragraph shall be enforced in accordance with sections 3731, 3732, and 3733 of title 31, except that a civil action to recover a civil penalty under subparagraph (A) or (B) of this paragraph may only be brought by the United States Government.

''(3) DEPOSIT OF FINES AND PENALTIES.—Notwithstanding any other provision of law, any criminal fine or civil penalty collected under this subsection shall be deposited into the Child Pornography Victims Reserve as provided in section 2259B.'';

(D) in subsection (f), by striking paragraph (3) and inserting the following:

''(3) affirmatively search, screen, or scan for—

''(A) facts or circumstances described in subsection (a)(2);

''(B) information described in subsection (b)(2); or

''(C) any apparent child pornography.'';

(E) in subsection (g)—

(i) in paragraph (2)(A)—

(I) in clause (iii), by inserting ''or personnel at a children's advocacy center'' after ''State)''; and

(II) in clause (iv), by striking ''State or subdivision of a State'' and inserting ''State, subdivision of a State, or children's advocacy center''; and

(ii) in paragraph (3), in the matter preceding subparagraph (A), by striking ''subsection (a)'' and inserting ''subsection (a)(1)'';

(F) in subsection (h), by adding at the end the following:

''(7) RELATION TO REPORTING REQUIREMENT.—Submission of a report as described in subsection (a)(1) does not satisfy the obligations under this subsection.''; and

(G) by adding at the end the following:

''(i) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than March 31 of the second year beginning after the date of enactment of the STOP CSAM Act of 2024, and of each year thereafter, a provider that had more than 1,000,000 unique monthly visitors or users during each month of the preceding year and accrued revenue of more than $50,000,000 during the preceding year shall submit to the Attorney General and the Chair of the Federal Trade Commission a report, disaggregated by subsidiary, that provides the following information for the preceding year to the extent such information is applicable and reasonably available:

''(A) CYBERTIPLINE DATA.—

''(i) The total number of reports that the provider submitted under subsection (a)(1).

''(ii) Which items of information described in subsection (b)(2) are routinely included in the reports submitted by the provider under subsection (a)(1).

''(B) REPORT AND REMOVE DATA.—With respect to section 1099B of the STOP CSAM Act of 2024—

''(i) a description of the provider's designated reporting system;

''(ii) the number of complete notifications received;

''(iii) the number of items of child sexual abuse material that were removed; and

''(iv) the total amount of any fine ordered and paid.

''(C) OTHER REPORTING TO THE PROVIDER.—

''(i) The measures the provider has in place to receive other reports concerning child sexual exploitation and abuse using the provider's product or on the provider's service.

''(ii) The average time for responding to reports described in clause (i).

''(iii) The number of reports described in clause (i) that the provider received.

''(iv) A summary description of the actions taken upon receipt of the reports described in clause (i).

''(D) POLICIES.—

''(i) A description of the policies of the provider with respect to the commission of child sexual exploitation and abuse using the provider's product or on the provider's service, including how child sexual exploitation and abuse is defined.

''(ii) A description of possible consequences for violations of the policies described in clause (i).

''(iii) The methods of informing users of the policies described in clause (i).

''(iv) The process for adjudicating potential violations of the policies described in clause (i).

''(E) CULTURE OF SAFETY.—

''(i) The measures and technologies that the provider deploys to protect children from sexual exploitation and abuse using the provider's product or service.

''(ii) The measures and technologies that the provider deploys to prevent the use of the provider's product or service by individuals seeking to commit child sexual exploitation and abuse.

''(iii) Factors that interfere with the provider's ability to detect or evaluate instances of child sexual exploitation and abuse.

''(iv) An assessment of the efficacy of the measures and technologies described in clauses (i) and (ii) and the impact of the factors described in clause (iii).

''(F) SAFETY BY DESIGN.—The measures that the provider takes before launching a new product or service to assess—

''(i) the safety risks for children with respect to sexual exploitation and abuse; and

''(ii) whether and how individuals could use the new product or service to commit child sexual exploitation and abuse.

''(G) TRENDS AND PATTERNS.—Any information concerning emerging trends and changing patterns with respect to the commission of online child sexual exploitation and abuse.

''(2) AVOIDING DUPLICATION.—Notwithstanding the requirement under the matter preceding paragraph (1) that information be submitted annually, in the case of any report submitted under that paragraph after the initial report, a provider shall submit information described in subparagraphs (D) through (G) of that paragraph not less frequently than once every 3 years or when new information is available, whichever is more frequent.

''(3) LIMITATION.—Nothing in paragraph (1) shall require the disclosure of trade secrets or other proprietary information.

''(4) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Attorney General and the Chair of

the Federal Trade Commission shall publish the reports received under this subsection.

''(B) REDACTION.—

''(i) IN GENERAL.—Whether or not such redaction is requested by the provider, the Attorney General and Chair of the Federal Trade Commission shall redact from a report published under subparagraph (A) any information as necessary to avoid—

''(I) undermining the efficacy of a safety measure described in the report; or

''(II) revealing how a product or service of a provider may be used to commit online child sexual exploitation and abuse.

''(ii) ADDITIONAL REDACTION.—

''(I) REQUEST.—In addition to information redacted under clause (i), a provider may request the redaction, from a report published under subparagraph (A), of any information that is law enforcement sensitive or otherwise not suitable for public distribution.

''(II) AGENCY DISCRETION.—The Attorney General and Chair of the Federal Trade Commission—

''(aa) shall consider a request made under subclause (I); and

''(bb) may, in their discretion, redact from a report published under subparagraph (A) any information pursuant to the request.'';

(2) in section 2258B—

(A) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) LIMITED LIABILITY.—Except as provided in subsection (b), a civil claim or criminal charge described in paragraph (2) may not be brought in any Federal or State court.

''(2) COVERED CLAIMS AND CHARGES.—A civil claim or criminal charge referred to in paragraph (1) is a civil claim or criminal charge against a provider or domain name registrar, including any director, officer, employee, or agent of such provider or domain name registrar, that is directly attributable to—

''(A) the performance of the reporting or preservation responsibilities of such provider or domain name registrar under this section, section 2258A, or section 2258C;

''(B) transmitting, distributing, or mailing child pornography to any Federal, State, or local law enforcement agency, or giving such agency access to child pornography, in response to a search warrant, court order, or other legal process issued or obtained by such agency; or

''(C) the use by the provider or domain name registrar of any material being preserved under section 2258A(h) by such provider or registrar for research and the development and training of tools, undertaken voluntarily and in good faith for the sole and exclusive purpose of—

''(i) improving or facilitating reporting under this section, section 2258A, or section 2258C; or

''(ii) stopping the online sexual exploitation of children.''; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''; or'' and inserting ''or knowingly failed to comply with a requirement under section 2258A;'';

(ii) in paragraph (2)(C)—

(I) by striking ''sections'' and inserting ''this section or section''; and

(II) by striking the period and inserting ''; or''; and

(iii) by adding at the end the following:

''(3) for purposes of subsection (a)(2)(C), knowingly distributed or transmitted the material, or made the material available, except as required by law, to—

''(A) any other entity;

''(B) any person not employed by the provider or domain name registrar; or

''(C) any person employed by the provider or domain name registrar who is not conducting any research described in that subsection.'';

(3) in section 2258C—

(A) in the section heading, by striking ''**the CyberTipline**'' and inserting ''**NCMEC**'';

(B) in subsection (a)—

(i) in the subsection heading, by striking ''ELEMENTS'' and inserting ''PROVISION TO PROVIDERS AND NONPROFIT ENTITIES'';

(ii) in paragraph (1)—

(I) by striking ''to a provider'' and inserting the following: ''or submission to the child victim identification program to—

''(A) a provider'';

(II) in subparagraph (A), as so designated—

(aa) by inserting ''use of the provider's products or services to commit'' after ''stop the''; and

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

(III) by adding at the end the following:

''(B) a nonprofit entity for the sole and exclusive purpose of preventing and curtailing the online sexual exploitation of children.''; and

(iii) in paragraph (2)—

(I) in the heading, by striking ''INCLUSIONS'' and inserting ''ELEMENTS'';

(II) by striking ''unique identifiers'' and inserting ''similar technical identifiers''; and

(III) by inserting ''or submission to the child victim identification program'' after ''CyberTipline report'';

(C) in subsection (b)—

(i) in the heading, by inserting ''OR NONPROFIT ENTITIES'' after ''PROVIDERS'';

(ii) by striking ''Any provider'' and inserting the following:

''(1) IN GENERAL.—Any provider or nonprofit entity'';

(iii) in paragraph (1), as so designated—

(I) by striking ''receives'' and inserting ''obtains''; and

(II) by inserting ''or submission to the child victim identification program'' after ''CyberTipline report''; and

(iv) by adding at the end the following:

''(2) LIMITATION ON SHARING WITH OTHER ENTITIES.—A provider or nonprofit entity that obtains elements under subsection (a)(1) may not distribute those elements, or make those elements available, to any other entity, except for the sole and exclusive purpose of stopping the online sexual exploitation of children.'';

(D) in subsection (c)—

(i) by striking ''subsections'' and inserting ''subsection'';

(ii) by striking ''providers receiving'' and inserting ''a provider to obtain'';

(iii) by inserting ''or submission to the child victim identification program'' after ''CyberTipline report''; and

(iv) by striking ''to use the elements to stop the online sexual exploitation of children''; and

(E) in subsection (d), by inserting ''or to the child victim identification program'' after ''CyberTipline'';

(4) in section 2258E—

(A) in paragraph (6), by striking ''electronic communication service provider'' and inserting ''electronic communication service'';

(B) in paragraph (7), by striking ''and'' at the end;

(C) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(9) the term 'publicly available', with respect to a visual depiction on a provider's service, means the visual depiction can be viewed by or is accessible to all users of the service, regardless of the steps, if any, a user must take to create an account or to gain access to the service in order to access or view the visual depiction; and

''(10) the term 'child victim identification program' means the program described in section 404(b)(1)(K)(ii) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)(ii)).'';

(5) in section 2259B(a), by inserting '', any fine or penalty collected under section 2258A(e) or subparagraph (A) of section 1099B(g)(24) of the STOP CSAM Act of 2024 (except as provided in clauses (i) and (ii)(I) of subparagraph (B) of such section 1099B(g)(24))'' after ''2259A''; and

(6) by adding at the end the following:

''§ 2260B. Liability for certain child sexual exploitation offenses

''(a) OFFENSE.—It shall be unlawful for a provider of an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), that operates through the use of any facility or means of interstate or foreign commerce or in or affecting interstate or foreign commerce, through such service to—

''(1) intentionally host or store child pornography or make child pornography available to any person; or

''(2) knowingly promote or facilitate a violation of section 2251, 2251A, 2252, 2252A, or 2422(b).

''(b) PENALTY.—A provider of an interactive computer service that violates subsection (a)—

''(1) subject to paragraph (2), shall be fined not more than $1,000,000; and

''(2) if the offense involves a conscious or reckless risk of serious personal injury or an individual is harmed as a direct and proximate result of the violation, shall be fined not more than $5,000,000.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to any good faith action by a provider of an interactive computer service that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by adding at the end the following:

''2260B. Liability for certain child sexual exploitation offenses.''.

(c) EFFECTIVE DATE FOR AMENDMENTS TO REPORTING REQUIREMENTS OF PROVIDERS.—The amendments made by subsection (a)(1) of this section shall take effect on the date that is 120 days after the date of enactment of this Act.

SEC. 1099A. EXPANDING CIVIL REMEDIES FOR VICTIMS OF ONLINE CHILD SEXUAL EXPLOITATION.

(a) STATEMENT OF INTENT.—Nothing in this section shall be construed to abrogate or narrow any case law concerning section 2255 of title 18, United States Code.

(b) CIVIL REMEDY FOR PERSONAL INJURIES.—Section 2255(a) of title 18, United States Code, is amended—

(1) by striking ''IN GENERAL.—Any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title and who suffers personal injury as a result of such violation, regardless of whether the injury occurred while such person was a minor, may sue'' and inserting the following: ''PRIVATE RIGHT OF ACTION.—

''(1) IN GENERAL.—Any person described in subparagraph (A), (B), or (C) of paragraph (2) who suffers personal injury as a result of a violation described in that subparagraph, regardless of whether the injury occurred while such person was a minor, may bring a civil action''; and

(2) by adding at the end the following:

''(2) ELIGIBLE PERSONS.—Paragraph (1) shall apply to any person—

''(A) who, while a minor, was a victim of—

''(i) a violation of section 1589, 1590, 1591, 2241, 2242, 2243, 2251, 2251A, 2260(a), 2421, 2422, or 2423;

''(ii) an attempt to violate section 1589, 1590, or 1591 under section 1594(a);

''(iii) a conspiracy to violate section 1589 or 1590 under section 1594(b); or

''(iv) a conspiracy to violate section 1591 under section 1594(c);

''(B) who—

''(i) is depicted as a minor in child pornography; and

''(ii) is a victim of a violation of 2252, 2252A, or 2260(b) (regardless of when the violation occurs); or

''(C) who—

''(i) is depicted as an identifiable minor in a visual depiction described in section 1466A; and

''(ii) is a victim of a violation of that section (regardless of when the violation occurs).''.

(c) CIVIL REMEDY AGAINST ONLINE PLATFORMS AND APP STORES.—

(1) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended by inserting after section 2255 the following:

''§ 2255A. Civil remedy for certain victims of child pornography or child sexual exploitation

''(a) IN GENERAL.—

''(1) PROMOTION OR AIDING AND ABETTING OF CERTAIN VIOLATIONS.—Any person who is a victim of the intentional or knowing promotion, or aiding and abetting, of a violation of section 1591 or 1594(c) (involving a minor), or section 2251, 2251A, 2252, 2252A, or 2422(b), where such promotion, or aiding and abetting, is by a provider of an interactive computer service or an app store, and who suffers personal injury as a result of such promotion or aiding and abetting, regardless of when the injury occurred, may bring a civil action in any appropriate United States District Court for relief set forth in subsection (b).

''(2) ACTIVITIES INVOLVING CHILD PORNOGRAPHY.—Any person who is a victim of the intentional or knowing hosting or storing of child pornography or making child pornography available to any person by a provider of an interactive computer service, and who suffers personal injury as a result of such hosting, storing, or making available, regardless of when the injury occurred, may bring a civil action in any appropriate United States District Court for relief set forth in subsection (b).

''(b) RELIEF.—In a civil action brought by a person under subsection (a)—

''(1) the person shall recover the actual damages the person sustains or liquidated damages in the amount of $300,000, and the cost of the action, including reasonable attorney fees and other litigation costs reasonably incurred; and

''(2) the court may, in addition to any other relief available at law, award punitive damages and such other preliminary and equitable relief as the court determines to be appropriate, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease the offending conduct.

''(c) STATUTE OF LIMITATIONS.—There shall be no time limit for the filing of a complaint commencing an action under subsection (a).

''(d) VENUE; SERVICE OF PROCESS.—

''(1) VENUE.—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28.

''(2) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

''(A) is an inhabitant; or

''(B) may be found.

''(e) RELATION TO SECTION 230 OF THE COMMUNICATIONS ACT OF 1934.—Nothing in section 230 of the Communications Act of 1934 (47 U.S.C. 230) shall be construed to impair or limit any claim brought under subsection (a).

''(f) RULES OF CONSTRUCTION.—

''(1) APPLICABILITY TO LEGAL PROCESS OR OBLIGATION.—Nothing in this section shall be construed to apply to any good faith action that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.

''(2) KNOWLEDGE WITH RESPECT TO SUBSECTION (a)(2).—For purposes of a civil action brought under subsection (a)(2), the term 'knowing' shall be construed to mean knowledge of the instance when, or the course of conduct during which, the provider—

''(A) hosted or stored the child pornography at issue in the civil action; or

''(B) made available the child pornography at issue in the civil action.

''(g) ENCRYPTION TECHNOLOGIES.—

''(1) IN GENERAL.—None of the following actions or circumstances shall serve as an independent basis for liability under subsection (a):

''(A) Utilizing full end-to-end encrypted messaging services, device encryption, or other encryption services.

''(B) Not possessing the information necessary to decrypt a communication.

''(C) Failing to take an action that would otherwise undermine the ability to offer full end-to-end encrypted messaging services, device encryption, or other encryption services.

''(2) CONSIDERATION OF EVIDENCE.—

''(A) PERMITTED USE.—Evidence of actions or circumstances described in paragraph (1) shall be admissible in a civil action brought under subsection (a) only if—

''(i) the actions or circumstances are relevant under rules 401 and 402 of the Federal Rules of Evidence to—

''(I) prove motive, intent, preparation, plan, absence of mistake, or lack of accident; or

''(II) rebut any evidence or factual or legal claim; and

''(ii) the actions or circumstances—

''(I) are otherwise admissible under the Federal Rules of Evidence; and

''(II) are not subject to exclusion under rule 403 or any other rule of the Federal Rules of Evidence.

''(B) NOTICE.—In a civil action brought under subsection (a), a plaintiff seeking to introduce evidence of actions or circumstances under subparagraph (A) of this paragraph shall—

''(i) provide reasonable notice—

''(I) in writing before trial; or

''(II) in any form during trial if the court, for good cause, excuses lack of pretrial notice; and

''(ii) articulate in the notice described in clause (i) the permitted purpose for which the plaintiff intends to offer the evidence and the reasoning that supports the purpose.

''(3) NO EFFECT ON DISCOVERY.—Nothing in paragraph (1) or (2) shall be construed to create a defense to a discovery request or otherwise limit or affect discovery in any civil action brought under subsection (a).

''(h) DEFENSE.—In a civil action under subsection (a)(2) involving knowing conduct, it shall be a defense at trial, which the provider of an interactive computer service must establish by a preponderance of the evidence as determined by the finder of fact, that—

''(1) the provider disabled access to or removed the child pornography within a reasonable timeframe, and in any event not later than 48 hours after obtaining knowledge that the child pornography was being hosted, stored, or made available by the provider (or, in the case of a provider that, for the most recent calendar year, averaged fewer than 10,000,000 active users on a monthly basis in the United States, within a reasonable timeframe, and in any event not later than 2 business days after obtaining such knowledge);

''(2) the provider exercised a reasonable, good faith effort to disable access to or remove the child pornography but was unable to do so for reasons outside the provider's control; or

''(3) it is technologically impossible for the provider to disable access to or remove the child pornography without compromising encryption technologies.

''(i) SANCTIONS FOR REPEATED BAD FAITH CIVIL ACTIONS OR DEFENSES.—

''(1) DEFINITIONS.—In this subsection:

''(A) BAD FAITH CIVIL ACTION.—The term 'bad faith civil action' means a civil action brought under subsection (a) in bad faith where the finder of fact determines that at the time the civil action was filed, the party, attorney, or law firm described in paragraph (2) had actual knowledge that—

''(i) the alleged conduct did not involve any minor; or

''(ii) the alleged child pornography did not depict—

''(I) any minor; or

''(II) sexually explicit conduct, sexual suggestiveness, full or partial nudity, or implied sexual activity.

''(B) BAD FAITH DEFENSE.—The term 'bad faith defense' means a defense in a civil brought under subsection (a) raised in bad faith where the finder of fact determines that at the time the defense was raised, the party, attorney, or law firm described in paragraph (3) had actual knowledge that the defense—

''(i) was made solely for purpose of delaying the civil action or increasing the costs of the civil action; or

''(ii) was objectively baseless in light of the applicable law or facts at issue.

''(2) BAD FAITH CIVIL ACTION.—In the case of a civil action brought under subsection (a), the court may impose sanctions on—

''(A) the party bringing the civil action if the court finds that the party has brought 2 or more bad faith civil actions (which may include the instant civil action); or

''(B) an attorney or law firm representing the party bringing the civil action if the court finds that the attorney or law firm has represented—

''(i) a party who has brought 2 or more bad faith civil actions (which may include the instant civil action); or

''(ii) 2 or more parties who have each brought a bad faith civil action (which may include the instant civil action).

''(3) BAD FAITH DEFENSE.—In the case of a civil action brought under subsection (a), the court may impose sanctions on—

''(A) the party defending the civil action if the court finds that the party has raised 2 or more bad faith defenses (which may include 1 or more defenses raised in the instant civil action); or

''(B) an attorney or law firm representing the party defending the civil action if the court finds that the attorney or law firm has represented—

''(i) a party who has raised 2 or more bad faith defenses (which may include 1 or more defenses raised in the instant civil action); or

''(ii) 2 or more parties who have each raised a bad faith defense (which may include a defense raised in the instant civil action).

''(4) IMPLEMENTATION.—Rule 11(c) of the Federal Rules of Civil Procedure shall apply to sanctions imposed under this subsection in the same manner as that Rule applies to sanctions imposed for a violation of Rule 11(b) of those Rules.

''(5) RULES OF CONSTRUCTION.—

''(A) RULE 11.—This subsection shall not be construed to limit or expand the application of Rule 11 of the Federal Rules of Civil Procedure.

''(B) DEFINITION CHANGE.—Paragraph (1)(A)(ii) shall not be construed to apply to a civil action affected by a contemporaneous change in the law with respect to the definition of 'child pornography'.

''(j) DEFINITIONS.—In this section:

''(1) APP.—The term 'app' means a software application or electronic service that may be run or directed by a user on a computer, a mobile device, or any other general purpose computing device.

''(2) APP STORE.—The term 'app store' means a publicly available website, software application, or other electronic service that—

''(A) distributes apps from third-party developers to users of a computer, a mobile device, or any other general purpose computing device; and

''(B) operates—

''(i) through the use of any means or facility of interstate or foreign commerce; or

''(ii) in or affecting interstate or foreign commerce.

''(3) INTERACTIVE COMPUTER SERVICE.—The term 'interactive computer service' means an interactive computer service, as defined in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)), that operates—

''(A) through the use of any means or facility of interstate or foreign commerce; or

''(B) in or affecting interstate or foreign commerce.

''(k) SAVINGS CLAUSE.—Nothing in this section, including the defenses under this section, shall be construed to apply to any civil action brought under any other Federal law, rule, or regulation, including any civil action brought under section 2255.''.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the item relating to section 2255 the following:

''2255A. Civil remedy for certain victims of child pornography or child sexual exploitation.''.

SEC. 1099B. REPORTING AND REMOVAL OF CHILD SEXUAL ABUSE MATERIAL; ESTABLISHMENT OF CHILD ONLINE PROTECTION BOARD.

(a) FINDINGS.—Congress finds the following:

(1) Over 40 years ago, the Supreme Court of the United States ruled in New York v. Ferber, 458 U.S. 747 (1982), that child sexual abuse material (referred to in this subsection as ''CSAM'') is a ''category of material outside the protections of the First Amendment''. The Court emphasized that children depicted in CSAM are harmed twice: first through the abuse and exploitation inherent in the creation of the materials, and then through the continued circulation of the imagery, which inflicts its own emotional and psychological injury.

(2) The Supreme Court reiterated this point 10 years ago in Paroline v. United States, 572 U.S. 434 (2014), when it explained that CSAM victims suffer ''continuing and grievous harm as a result of [their] knowledge that a large, indeterminate number of individuals have viewed and will in the future view images of the sexual abuse [they] endured''.

(3) In these decisions, the Supreme Court noted that the distribution of CSAM invades the privacy interests of the victims.

(4) The co-mingling online of CSAM with other, non-explicit depictions of the victims links the victim's identity with the images of their abuse. This further invades a victim's privacy and disrupts their sense of security, thwarting what the Supreme Court has described as ''the individual interest in avoiding disclosure of personal matters''.

(5) The internet is awash with child sexual abuse material. In 2022, the CyberTipline, operated by the National Center for Missing & Exploited Children to combat online child sexual exploitation, received reports about 49,400,000 images and 37,700,000 videos depicting child sexual abuse.

(6) Since 2017, Project Arachnid, operated by the Canadian Centre for Child Protection, has sent over 38,000,000 notices to online providers about CSAM and other exploitive material found on their platforms. According to the Canadian Centre, some providers are slow to remove the material, or take it down only for it to be reposted again a short time later.

(7) This legislation is needed to create an easy-to-use and effective procedure to get CSAM and harmful related imagery quickly taken offline and kept offline to protect children, stop the spread of illegal and harmful content, and thwart the continued invasion of the victims' privacy.

(b) IMPLEMENTATION.—

(1) IMPLEMENTATION.—Except as provided in paragraph (2), not later than 1 year after the date of enactment of this Act, the Child Online Protection Board established under subsection (d), shall begin operations, at which point providers shall begin receiving notifications as set forth in subsection (c)(2).

(2) EXTENSION.—The Commission may extend the deadline under paragraph (1) by not more than 180 days if the Commission provides notice of the extension to the public and to Congress.

(3) PUBLIC NOTICE.—The Commission shall provide notice to the public of the date that the Child Online Protection Board established under subsection (d) is scheduled to begin operations on—

(A) the date that is 60 days before such date that the Board is scheduled to begin operations; and

(B) the date that is 30 days before such date that the Board is scheduled to begin operations.

(c) REPORTING AND REMOVAL OF CHILD SEXUAL ABUSE MATERIAL.—

(1) IN GENERAL.—If a provider receives a complete notification as set forth in paragraph (2)(A) that the provider is hosting child sexual abuse material, as soon as possible, but in any event not later than 48 hours after such notification is received by the provider (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), the provider shall—

(A)(i) remove the child sexual abuse material; and

(ii) notify the complainant that it has done so; or

(B) notify the complainant that the provider—

(i) has determined that the visual depiction referenced in the notification does not constitute child sexual abuse material;

(ii) is unable to remove the child sexual abuse material using reasonable means; or

(iii) has determined that the notification is duplicative under paragraph (2)(C)(i).

(2) NOTIFICATIONS.—

(A) IN GENERAL.—To be complete under this subsection, a notification must be a written communication to the designated reporting system of the provider (or, if the provider does not have a designated reporting system, a written communication that is served on the provider in accordance with subparagraph (F)) that includes the following:

(i) An identification of, and information reasonably sufficient to permit the provider to locate, the child sexual abuse material. Such information may include, at the option of the complainant, a copy of the child sexual abuse material or the uniform resource locator where such child sexual abuse material is located.

(ii) The complainant's name and contact information, to include a mailing address, telephone number, and an electronic mail address, except that, if the complainant is the victim depicted in the child sexual abuse material, the complainant may elect to use an alias, including for purposes of the signed statement described in clause (v), and omit a mailing address.

(iii) If applicable, a statement indicating that the complainant has previously notified the provider about the child sexual abuse material which may, at the option of the complainant, include a copy of the previous notification.

(iv) A statement indicating that the complainant has a good faith belief that the information in the notification is accurate.

(v) A signed statement under penalty of perjury indicating that the notification is submitted by—

(I) the victim depicted in the child sexual abuse material;

(II) an authorized representative of the victim depicted in the child sexual abuse material; or

(III) a qualified organization.

(B) INCLUSION OF ADDITIONAL VISUAL DEPICTIONS IN A NOTIFICATION.—

(i) MULTIPLE ITEMS OF CHILD SEXUAL ABUSE MATERIAL IN SAME NOTIFICATION.—A notification may contain information about more than one item of child sexual abuse material, but shall only be effective with respect to each item of child sexual abuse material included in the notification to the extent that the notification includes sufficient information to identify and locate such item of child sexual abuse material.

(ii) RELATED EXPLOITIVE VISUAL DEPICTIONS.—

(I) IN GENERAL.—A notification may contain information about any related exploitive visual depictions associated with the child sexual abuse material described in the notification, along with the information described in subparagraph (A)(i) for each related exploitive visual depiction. Such notification shall clearly indicate which visual depiction is a related exploitive visual depiction. Such notification shall include a statement indicating that the complainant acknowledges that the provider may, but is not required to, remove the related exploitive visual depiction, and that the complainant cannot file a petition with the Child Online Protection Board concerning any alleged failure to remove a related exploitive visual depiction.

(II) NO OBLIGATION.—A provider shall not be required to take any action under this section concerning a related exploitive visual depiction. A provider may, in its sole discretion, remove a related exploitive visual depiction. The procedure set forth in subsection (g)(1) shall not apply to related exploitive visual depictions.

(C) LIMITATION ON DUPLICATIVE NOTIFICATIONS.—

(i) IN GENERAL.—After a complainant has submitted a notification to a provider, the

complainant may submit additional notifications at any time only if the subsequent notifications involve—

(I) a different item of child sexual abuse material;

(II) the same item of child sexual abuse material relating to a minor that is in a different location; or

(III) recidivist hosting.

(ii) NO OBLIGATION.—A provider who receives any additional notifications that do not comply with clause (i) shall not be required to take any additional action except—

(I) as may be required with respect to the original notification; and

(II) to notify the complainant as provided in paragraph (1)(B)(iii).

(D) INCOMPLETE OR MISDIRECTED NOTIFICATION.—

(i) REQUIREMENT TO CONTACT COMPLAINANT REGARDING INSUFFICIENT INFORMATION.—

(I) REQUIREMENT TO CONTACT COMPLAINANT.—If a notification that is submitted to a provider under this subsection does not contain sufficient information under subparagraph (A)(i) to identify or locate the child sexual abuse material that is the subject of the notification but does contain the complainant contact information described in subparagraph (A)(ii), the provider shall, not later than 48 hours after receiving the notification (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), contact the complainant via electronic mail address to obtain such information.

(II) EFFECT OF COMPLAINANT PROVIDING SUFFICIENT INFORMATION.—If the provider is able to contact the complainant and obtain sufficient information to identify or locate the child sexual abuse material that is the subject of the notification, the provider shall then proceed as set forth in paragraph (1), except that the applicable timeframes described in such paragraph shall commence on the day the provider receives the information needed to identify or locate the child sexual abuse material.

(III) EFFECT OF COMPLAINANT INABILITY TO PROVIDE SUFFICIENT INFORMATION.—If the provider is able to contact the complainant but does not obtain sufficient information to identify or locate the child sexual abuse material that is the subject of the notification, the provider shall so notify the complainant not later than 48 hours after the provider determines that it is unable to identify or locate the child sexual abuse material (or, in the case of a small provider, not later than 2 business days after the small provider makes such determination), after which no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(IV) EFFECT OF COMPLAINANT FAILURE TO RESPOND.—If the complainant does not respond to the provider's attempt to contact the complainant under this clause within 14 days of such attempt, no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(ii) TREATMENT OF INCOMPLETE NOTIFICATION WHERE COMPLAINANT CANNOT BE CONTACTED.—If a notification that is submitted to a provider under this subsection does not contain sufficient information under subparagraph (A)(i) to identify or locate the child sexual abuse material that is the subject of the notification and does not contain the complainant contact information described in subparagraph (A)(ii) (or if the provider is unable to contact the complainant using such information), no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(iii) TREATMENT OF NOTIFICATION NOT SUBMITTED TO DESIGNATED REPORTING SYSTEM.—If a provider has a designated reporting system, and a complainant submits a notification under this subsection to the provider without using such system, the provider shall not be considered to have received the notification.

(E) OPTION TO CONTACT COMPLAINANT REGARDING THE CHILD SEXUAL ABUSE MATERIAL.—

(i) CONTACT WITH COMPLAINANT.—If the provider believes that the child sexual abuse material referenced in the notification does not meet the definition of such term as provided in subsection (q)(10), the provider may, not later than 48 hours after receiving the notification (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), contact the complainant via electronic mail address to so indicate.

(ii) FAILURE TO RESPOND.—If the complainant does not respond to the provider within 14 days after receiving the notification, no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(iii) COMPLAINANT RESPONSE.—If the complainant responds to the provider within 14 days after receiving the notification, the provider shall then proceed as set forth in paragraph (1), except that the applicable timeframes described in such paragraph shall commence on the day the provider receives the complainant's response.

(F) SERVICE OF NOTIFICATION WHERE PROVIDER HAS NO DESIGNATED REPORTING SYSTEM; PROCESS WHERE COMPLAINANT CANNOT SERVE PROVIDER.—

(i) NO DESIGNATED REPORTING SYSTEM.—If a provider does not have a designated reporting system, a complainant may serve the provider with a notification under this subsection to the provider in the same manner that petitions are required to be served under subsection (g)(4).

(ii) COMPLAINANT CANNOT SERVE PROVIDER.—If a provider does not have a designated reporting system and a complainant cannot reasonably serve the provider with a notification as described in clause (i), the complainant may bring a petition under subsection (g)(1) without serving the provider with the notification.

(G) RECIDIVIST HOSTING.—If a provider engages in recidivist hosting of child sexual abuse material, in addition to any action taken under this section, a complainant may submit a report concerning such recidivist hosting to the CyberTipline operated by the National Center for Missing and Exploited Children, or any successor to the CyberTipline operated by the National Center for Missing and Exploited Children.

(H) PRESERVATION.—A provider that receives a complete notification under this subsection shall preserve the information in such notification in accordance with the requirements of sections 2713 and 2258A(h) of title 18, United States Code. For purposes of this subparagraph, the period for which providers shall be required to preserve information in accordance with such section 2258A(h) may be extended in 90-day increments on written request by the complainant or order of the Board.

(I) NON-DISCLOSURE.—Except as otherwise provided in subsection (g)(19)(C), for 120 days following receipt of a notification under this subsection, a provider may not disclose the existence of the notification to any person or entity except to an attorney for purposes of obtaining legal advice, the Board, the Commission, a law enforcement agency described in subparagraph (A), (B), or (C) of section 2258A(g)(3) of title 18, United States Code, the National Center for Missing and Exploited Children, or as necessary to respond to legal process. Nothing in the preceding sentence shall be construed to infringe on the provider's ability to communicate general information about terms of service violations.

(d) ESTABLISHMENT OF CHILD ONLINE PROTECTION BOARD.—

(1) IN GENERAL.—There is established in the Federal Trade Commission a Child Online Protection Board, which shall administer and enforce the requirements of subsection (e) in accordance with this section.

(2) OFFICERS AND STAFF.—The Board shall be composed of 3 full-time Child Online Protection Officers who shall be appointed by the Commission in accordance with paragraph (5)(A). A vacancy on the Board shall not impair the right of the remaining Child Online Protection Officers to exercise the functions and duties of the Board.

(3) CHILD ONLINE PROTECTION ATTORNEYS.—Not fewer than 2 full-time Child Online Protection Attorneys shall be hired to assist in the administration of the Board.

(4) TECHNOLOGICAL ADVISER.—One or more technological advisers may be hired to assist with the handling of digital evidence and consult with the Child Online Protection Officers on matters concerning digital evidence and technological issues.

(5) QUALIFICATIONS.—

(A) OFFICERS.—

(i) IN GENERAL.—Each Child Online Protection Officer shall be an attorney duly licensed in at least 1 United States jurisdiction who has not fewer than 7 years of legal experience concerning child sexual abuse material and technology-facilitated crimes against children.

(ii) EXPERIENCE.—Two of the Child Online Protection Officers shall have substantial experience in the evaluation, litigation, or adjudication of matters relating to child sexual abuse material or technology-facilitated crimes against children.

(B) ATTORNEYS.—Each Child Online Protection Attorney shall be an attorney duly licensed in at least 1 United States jurisdiction who has not fewer than 3 years of substantial legal experience concerning child sexual abuse material and technology-facilitated crimes against children.

(C) TECHNOLOGICAL ADVISER.—A technological adviser shall have at least one year of specialized experience with digital forensic analysis.

(6) COMPENSATION.—

(A) CHILD ONLINE PROTECTION OFFICERS.—

(i) DEFINITION.—In this subparagraph, the term ''senior level employee of the Federal Government'' means an employee, other than an employee in the Senior Executive Service, the position of whom is classified above GS–15 of the General Schedule.

(ii) PAY RANGE.—Each Child Online Protection Officer shall be compensated at a rate of pay that is not less than the minimum, and not more than the maximum, rate of pay payable for senior level employees of the Federal Government, including locality pay, as applicable.

(B) CHILD ONLINE PROTECTION ATTORNEYS.—Each Child Online Protection Attorney shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–15 of the General Schedule, including locality pay, as applicable.

(C) TECHNOLOGICAL ADVISER.—A technological adviser of the Board shall be compensated at a rate of pay that is not more

than the maximum rate of pay payable for level 10 of GS–14 of the General Schedule, including locality pay, as applicable.

(7) VACANCY.—If a vacancy occurs in the position of Child Online Protection Officer, the Commission shall act expeditiously to appoint an Officer for that position.

(8) SANCTION OR REMOVAL.—Subject to subsection (e)(2), the Chair of the Commission or the Commission may sanction or remove a Child Online Protection Officer.

(9) ADMINISTRATIVE SUPPORT.—The Commission shall provide the Child Online Protection Officers and Child Online Protection Attorneys with necessary administrative support, including technological facilities, to carry out the duties of the Officers and Attorneys under this section. The Department of Justice may provide equipment for and guidance on the storage and handling of child sexual abuse material.

(10) LOCATION OF BOARD.—The offices and facilities of the Child Online Protection Officers and Child Online Protection Attorneys shall be located at the headquarters or other office of the Commission.

(e) AUTHORITY AND DUTIES OF THE BOARD.—

(1) FUNCTIONS.—

(A) OFFICERS.—Subject to the provisions of this section and applicable regulations, the functions of the Officers of the Board shall be as follows:

(i) To render determinations on petitions that may be brought before the Officers under this section.

(ii) To ensure that petitions and responses are properly asserted and otherwise appropriate for resolution by the Board.

(iii) To manage the proceedings before the Officers and render determinations pertaining to the consideration of petitions and responses, including with respect to scheduling, discovery, evidentiary, and other matters.

(iv) To request, from participants and nonparticipants in a proceeding, the production of information and documents relevant to the resolution of a petition or response.

(v) To conduct hearings and conferences.

(vi) To facilitate the settlement by the parties of petitions and responses.

(vii) To impose fines as set forth in subsection (g)(24).

(viii) To provide information to the public concerning the procedures and requirements of the Board.

(ix) To maintain records of the proceedings before the Officers, certify official records of such proceedings as needed, and, as provided in subsection (g)(19)(A), make the records in such proceedings available to the public.

(x) To carry out such other duties as are set forth in this section.

(xi) When not engaged in performing the duties of the Officers set forth in this section, to perform such other duties as may be assigned by the Chair of the Commission or the Commission.

(B) ATTORNEYS.—Subject to the provisions of this section and applicable regulations, the functions of the Attorneys of the Board shall be as follows:

(i) To provide assistance to the Officers of the Board in the administration of the duties of those Officers under this section.

(ii) To provide assistance to complainants, providers, and members of the public with respect to the procedures and requirements of the Board.

(iii) When not engaged in performing the duties of the Attorneys set forth in this section, to perform such other duties as may be assigned by the Commission.

(C) DESIGNATED SERVICE AGENTS.—The Board may maintain a publicly available directory of service agents designated to receive service of petitions filed with the Board.

(2) INDEPENDENCE IN DETERMINATIONS.—

(A) IN GENERAL.—The Board shall render the determinations of the Board in individual proceedings independently on the basis of the records in the proceedings before it and in accordance with the provisions of this section, judicial precedent, and applicable regulations of the Commission.

(B) PERFORMANCE APPRAISALS.—Notwithstanding any other provision of law or any regulation or policy of the Commission, any performance appraisal of an Officer or Attorney of the Board may not consider the substantive result of any individual determination reached by the Board as a basis for appraisal except to the extent that result may relate to any actual or alleged violation of an ethical standard of conduct.

(3) DIRECTION BY COMMISSION.—Subject to paragraph (2), the Officers and Attorneys shall, in the administration of their duties, be under the supervision of the Chair of the Commission.

(4) INCONSISTENT DUTIES BARRED.—An Officer or Attorney of the Board may not undertake any duty that conflicts with the duties of the Officer or Attorney in connection with the Board, to include the obligation to render impartial determinations on petitions considered by the Board under this section.

(5) RECUSAL.—An Officer or Attorney of the Board shall recuse himself or herself from participation in any proceeding with respect to which the Officer or Attorney, as the case may be, has reason to believe that he or she has a conflict of interest.

(6) EX PARTE COMMUNICATIONS.—Except as may otherwise be permitted by applicable law, any party or interested owner involved in a proceeding before the Board shall refrain from ex parte communications with the Officers of the Board and the Commission relevant to the merits of such proceeding before the Board.

(7) JUDICIAL REVIEW.—Actions of the Officers and the Commission under this section in connection with the rendering of any determination are subject to judicial review as provided under subsection (g)(28).

(f) CONDUCT OF PROCEEDINGS OF THE BOARD.—

(1) IN GENERAL.—Proceedings of the Board shall be conducted in accordance with this section and regulations established by the Commission under this section, in addition to relevant principles of law.

(2) RECORD.—The Board shall maintain records documenting the proceedings before the Board.

(3) CENTRALIZED PROCESS.—Proceedings before the Board shall—

(A) be conducted at the offices of the Board without the requirement of in-person appearances by parties or others;

(B) take place by means of written submissions, hearings, and conferences carried out through internet-based applications and other telecommunications facilities, except that, in cases in which physical or other nontestimonial evidence material to a proceeding cannot be furnished to the Board through available telecommunications facilities, the Board may make alternative arrangements for the submission of such evidence that do not prejudice any party or interested owner; and

(C) be conducted and concluded in an expeditious manner without causing undue prejudice to any party or interested owner.

(4) REPRESENTATION.—

(A) IN GENERAL.—A party or interested owner involved in a proceeding before the Board may be, but is not required to be, represented by—

(i) an attorney; or

(ii) a law student who is qualified under applicable law governing representation by law students of parties in legal proceedings and who provides such representation on a pro bono basis.

(B) REPRESENTATION OF VICTIMS.—

(i) IN GENERAL.—A petition involving a victim under the age of 16 at the time the petition is filed shall be filed by an authorized representative, qualified organization, or a person described in subparagraph (A).

(ii) NO REQUIREMENT FOR QUALIFIED ORGANIZATIONS TO HAVE CONTACT WITH, OR KNOWLEDGE OF, VICTIM.—A qualified organization may submit a notification to a provider or file a petition on behalf of a victim without regard to whether the qualified organization has contact with the victim or knows the identity, location, or contact information of the victim.

(g) PROCEDURES TO CONTEST A FAILURE TO REMOVE CHILD SEXUAL ABUSE MATERIAL OR A NOTIFICATION REPORTING CHILD SEXUAL ABUSE MATERIAL.—

(1) PROCEDURE TO CONTEST A FAILURE TO REMOVE.—

(A) COMPLAINANT PETITION.—A complainant may file a petition to the Board claiming that, as applicable—

(i) the complainant submitted a complete notification to a provider concerning alleged child sexual abuse material, and that—

(I) the provider—

(aa) did not remove the alleged child sexual abuse material within the timeframe required under subsection (c)(1)(A)(i); or

(bb) incorrectly claimed that—

(AA) the alleged child sexual abuse material at issue could not be located or removed through reasonable means;

(BB) the notification was incomplete; or

(CC) the notification was duplicative under subsection (c)(2)(C)(i); and

(II) did not file a timely petition to contest the notification with the Board under paragraph (2); or

(ii) a provider is hosting alleged child sexual abuse material, does not have a designated reporting system, and the complainant was unable to serve a notification on the provider under this subsection despite reasonable efforts.

(B) ADDITIONAL CLAIM.—As applicable, a petition filed under subparagraph (A) may also claim that the alleged child sexual abuse material at issue in the petition involves recidivist hosting.

(C) TIMEFRAME.—

(i) IN GENERAL.—A petition under this paragraph shall be considered timely if it is filed within 30 days of the applicable start date, as defined under clause (ii).

(ii) APPLICABLE START DATE.—For purposes of clause (i), the term ''applicable start date'' means—

(I) in the case of a petition under subparagraph (A)(i) claiming that the alleged child sexual abuse material was not removed or that the provider made an incorrect claim relating to the alleged child sexual abuse material or notification, the day that the provider's option to file a petition has expired under paragraph (2)(B); and

(II) in the case of a petition under subparagraph (A)(ii) related to a notification that could not be served, the last day of the 2-week period that begins on the day on which the complainant first attempted to serve a notification on the provider involved.

(D) IDENTIFICATION OF VICTIM.—Any petition filed to the Board by the victim or an authorized representative of the victim shall include the victim's legal name. A petition filed to the Board by a qualified organization may, but is not required to, include the victim's legal name. Any petition containing the victim's legal name shall be filed under seal. The victim's legal name shall be redacted from any documents served on the provider and interested owner or made publicly available.

(E) FAILURE TO REMOVE CHILD SEXUAL ABUSE MATERIAL IN TIMELY MANNER.—A complainant may file a petition under subparagraph (A)(i) claiming that alleged child sexual abuse material was not removed even if the alleged child sexual abuse material was removed prior to the petition being filed, so long as the petition claims that the alleged child sexual abuse material was not removed within the timeframe specified in subsection (c)(1).

(2) PROCEDURE TO CONTEST A NOTIFICATION.—

(A) PROVIDER PETITION.—If a provider receives a complete notification as described in subsection (c)(2) through its designated reporting system or in accordance with subsection (c)(2)(F)(i), the provider may file a petition to the Board claiming that the provider has a good faith belief that, as applicable—

(i) the visual depiction that is the subject of the notification does not constitute child sexual abuse material;

(ii) the notification is frivolous or was submitted with an intent to harass the provider or any person;

(iii) the alleged child sexual abuse material cannot reasonably be located by the provider;

(iv) for reasons beyond the control of the provider, the provider cannot remove the alleged child sexual abuse material using reasonable means; or

(v) the notification was duplicative under subsection (c)(2)(C)(i).

(B) TIMEFRAME.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), a petition contesting a notification under this paragraph shall be considered timely if it is filed by a provider not later than 14 days after the day on which the provider receives the notification or the notification is made complete under subsection (c)(2)(D)(i).

(ii) NO DESIGNATED REPORTING SYSTEM.—Subject to clause (iii), if a provider does not have a designated reporting system, a petition contesting a notification under this paragraph shall be considered timely if it is filed by a provider not later than 7 days after the day on which the provider receives the notification or the notification is made complete under subsection (c)(2)(D)(i).

(iii) SMALL PROVIDERS.—In the case of a small provider, each of the timeframes applicable under clauses (i) and (ii) shall be increased by 48 hours.

(3) COMMENCEMENT OF PROCEEDING.—

(A) IN GENERAL.—In order to commence a proceeding under this section, a petitioning party shall, subject to such additional requirements as may be prescribed in regulations established by the Commission, file a petition with the Board, that includes a statement of claims and material facts in support of each claim in the petition. A petition may set forth more than one claim. A petition shall also include information establishing that it has been filed within the applicable timeframe.

(B) REVIEW OF PETITIONS BY CHILD ONLINE PROTECTION ATTORNEYS.—Child Online Protection Attorneys may review petitions to assess whether they are complete. The Board may permit a petitioning party to refile a defective petition. The Attorney may assist the petitioning party in making any corrections.

(C) DISMISSAL.—The Board may dismiss, with or without prejudice, any petition that fails to comply with subparagraph (A).

(4) SERVICE OF PROCESS REQUIREMENTS FOR PETITIONS.—

(A) IN GENERAL.—For purposes of petitions under paragraphs (1) and (2), the petitioning party shall, at or before the time of filing a petition, serve a copy on the other party. A corporation, partnership, or unincorporated association that is subject to suit in courts of general jurisdiction under a common name shall be served by delivering a copy of the petition to its service agent, if one has been so designated.

(B) MANNER OF SERVICE.—

(i) SERVICE BY NONDIGITAL MEANS.—Service by nondigital means may be any of the following:

(I) Personal, including delivery to a responsible person at the office of counsel.

(II) By priority mail.

(III) By third-party commercial carrier for delivery within 3 days.

(ii) SERVICE BY DIGITAL MEANS.—Service of a paper may be made by sending it by any digital means, including through a provider's designated reporting system.

(iii) WHEN SERVICE IS COMPLETED.—Service by mail or by commercial carrier is complete 3 days after the mailing or delivery to the carrier. Service by digital means is complete on filing or sending, unless the party making service is notified that the paper was not received by the party served.

(C) PROOF OF SERVICE.—A petition filed under paragraph (1) or (2) shall contain—

(i) an acknowledgment of service by the person served;

(ii) proof of service consisting of a statement by the person who made service certifying—

(I) the date and manner of service;

(II) the names of the persons served; and

(III) their mail or electronic addresses, facsimile numbers, or the addresses of the places of delivery, as appropriate for the manner of service; or

(iii) a statement indicating that service could not reasonably be completed.

(D) ATTORNEY FEES AND COSTS.—Except as otherwise provided in this subsection, all parties to a petition shall bear their own attorney fees and costs.

(5) SERVICE OF OTHER DOCUMENTS.—Documents submitted or relied upon in a proceeding, other than the petition, shall be served in accordance with regulations established by the Commission.

(6) NOTIFICATION OF RIGHT TO OPT OUT.—In order to effectuate service on a responding party, the petition shall notify the responding party of their right to opt out of the proceeding before the Board, and the consequences of opting out and not opting out, including a prominent statement that by not opting out the respondent—

(A) loses the opportunity to have the dispute decided by a court created under article III of the Constitution of the United States; and

(B) waives the right to a jury trial regarding the dispute.

(7) INITIAL PROCEEDINGS.—

(A) CONFERENCE.—Within 1 week of completion of service of a petition under paragraph (4), 1 or more Officers of the Board shall hold a conference to address the matters described in subparagraphs (B) and (C).

(B) OPT-OUT PROCEDURE.—At the conference, an Officer of the Board shall explain that the responding party has a right to opt out of the proceeding before the Board, and describe the consequences of opting out and not opting out as described in paragraph (6). A responding party shall have a period of 30 days, beginning on the date of the conference, in which to provide written notice of such choice to the petitioning party and the Board. If the responding party does not submit an opt-out notice to the Board within that 30-day period, the proceeding shall be deemed an active proceeding and the responding party shall be bound by the determination in the proceeding. If the responding party opts out of the proceeding during that 30-day period, the proceeding shall be dismissed without prejudice. For purposes of any subsequent litigation or other legal proceeding, no adverse inference shall be drawn from a responding party's decision to opt out of a proceeding before the Board under this subparagraph.

(C) DISABLING ACCESS.—At the conference, except for petitions setting forth claims described in clauses (iii) and (iv) of paragraph (2)(A), an Officer of the Board shall order the provider involved to disable public and user access to the alleged child sexual abuse material at issue in the petition for the pendency of the proceeding, including judicial review as provided in subsection (g)(28), unless the Officer of the Board finds that—

(i) it is likely that the Board will find that the petition is frivolous or was filed with an intent to harass any person;

(ii) there is a probability that disabling public and user access to such alleged child sexual abuse material will cause irreparable harm;

(iii) the balance of equities weighs in favor of preserving public and user access to the alleged child sexual abuse material; and

(iv) disabling public and user access to the alleged child sexual abuse material is contrary to the public interest.

(D) EFFECT OF FAILURE TO DISABLE ACCESS.—

(i) PROVIDER PETITION.—If the petition was filed by a provider, and the provider fails to comply with an order issued pursuant to subparagraph (B), the Board may—

(I) dismiss the petition with prejudice; and

(II) refer the matter to the Attorney General.

(ii) EFFECT OF DISMISSAL.—If a provider's petition is dismissed under clause (i)(I), the complainant may bring a petition under paragraph (1) as if the provider did not file a petition within the timeframe specified in paragraph (2)(B). For purposes of paragraph (1)(C)(ii), the applicable start date shall be the date the provider's petition was dismissed.

(iii) COMPLAINANT PETITION.—If the petition was filed by a complainant, and the provider fails to comply with an order issued pursuant to subparagraph (B), the Board—

(I) shall—

(aa) expedite resolution of the petition; and

(bb) refer the matter to the Attorney General; and

(II) may apply an adverse inference with respect to disputed facts against such provider.

(8) SCHEDULING.—Upon receipt of a complete petition and at the conclusion of the opt out procedure described in paragraph (7), the Board shall issue a schedule for the future conduct of the proceeding. A schedule issued by the Board may be amended by the Board in the interests of justice.

(9) CONFERENCES.—One or more Officers of the Board may hold a conference to address case management or discovery issues in a proceeding, which shall be noted upon the record of the proceeding and may be recorded or transcribed.

(10) PARTY SUBMISSIONS.—A proceeding of the Board may not include any formal motion practice, except that, subject to applicable regulations and procedures of the Board—

(A) the parties to the proceeding and an interested owner may make requests to the Board to address case management and discovery matters, and submit responses thereto; and

(B) the Board may request or permit parties and interested owners to make submissions addressing relevant questions of fact or law, or other matters, including matters raised sua sponte by the Officers of the Board, and offer responses thereto.

(11) DISCOVERY.—

(A) IN GENERAL.—Discovery in a proceeding shall be limited to the production of relevant information and documents, written interrogatories, and written requests for admission, as provided in regulations established by the Commission, except that—

(i) upon the request of a party, and for good cause shown, the Board may approve additional relevant discovery, on a limited basis, in particular matters, and may request specific information and documents from parties in the proceeding, consistent with the interests of justice;

(ii) upon the request of a party or interested owner, and for good cause shown, the Board may issue a protective order to limit the disclosure of documents or testimony that contain confidential information;

(iii) after providing notice and an opportunity to respond, and upon good cause shown, the Board may apply an adverse inference with respect to disputed facts against a party or interested owner who has failed to timely provide discovery materials in response to a proper request for materials that could be relevant to such facts; and

(iv) an interested owner shall only produce or receive discovery to the extent it relates to whether the visual depiction at issue constitutes child sexual abuse material.

(B) PRIVACY.—Any alleged child sexual abuse material received by the Board or the Commission as part of a proceeding shall be filed under seal and shall remain in the care, custody, and control of the Board or the Commission. For purposes of discovery, the Board or Commission shall make the alleged child sexual abuse material reasonably available to the parties and interested owner but shall not provide copies. The privacy protections described in section 3509(d) of title 18, United States Code, shall apply to the Board, Commission, provider, complainant, and interested owner.

(12) RESPONSES.—The responding party may refute any of the claims or factual assertions made by the petitioning party, and may also claim that the petition was not filed in the applicable timeframe or is barred under subsection (h). If a complainant is the petitioning party, a provider may additionally claim in response that the notification was incomplete and could not be made complete under subsection (c)(2)(D)(i). The petitioning party may refute any responses submitted by the responding party.

(13) INTERESTED OWNER.—An individual notified under paragraph (19)(C)(ii) may, within 14 days of being so notified, file a motion to join the proceeding for the limited purpose of claiming that the visual depiction at issue does not constitute child sexual abuse material. The Board shall serve the motion on both parties. Such motion shall include a factual basis and a signed statement, submitted under penalty of perjury, indicating that the individual produced or created the visual depiction at issue. The Board shall dismiss any motion that does not include the signed statement or that was submitted by an individual who did not produce or create the visual depiction at issue. If the motion is granted, the interested owner may also claim that the notification and petition were filed with an intent to harass the interested owner. Any party may refute the claims and factual assertions made by the interested owner.

(14) EVIDENCE.—The Board may consider the following types of evidence in a proceeding, and such evidence may be admitted without application of formal rules of evidence:

(A) Documentary and other nontestimonial evidence that is relevant to the petitions or responses in the proceeding.

(B) Testimonial evidence, submitted under penalty of perjury in written form or in accordance with paragraph (15), limited to statements of the parties and nonexpert witnesses, that is relevant to the petitions or responses in a proceeding, except that, in exceptional cases, expert witness testimony or other types of testimony may be permitted by the Board for good cause shown.

(15) HEARINGS.—Unless waived by all parties, the Board shall conduct a hearing to receive oral presentations on issues of fact or law from parties and witnesses to a proceeding, including oral testimony, subject to the following:

(A) Any such hearing shall be attended by not fewer than two of the Officers of the Board.

(B) The hearing shall be noted upon the record of the proceeding and, subject to subparagraph (C), may be recorded or transcribed as deemed necessary by the Board.

(C) A recording or transcript of the hearing shall be made available to any Officer of the Board who is not in attendance.

(16) VOLUNTARY DISMISSAL.—

(A) BY PETITIONING PARTY.—Upon the written request of a petitioning party, the Board shall dismiss the petition, with or without prejudice.

(B) BY RESPONDING PARTY OR INTERESTED OWNER.—Upon written request of a responding party or interested owner, the Board shall dismiss any responses to the petition, and shall consider all claims and factual assertions in the petition to be true.

(17) FACTUAL FINDINGS.—Subject to paragraph (11)(A)(iii), the Board shall make factual findings based upon a preponderance of the evidence.

(18) DETERMINATIONS.—

(A) NATURE AND CONTENTS.—A determination rendered by the Board in a proceeding shall—

(i) be reached by a majority of the Board;

(ii) be in writing, and include an explanation of the factual and legal basis of the determination; and

(iii) include a clear statement of all fines, costs, and other relief awarded.

(B) DISSENT.—An Officer of the Board who dissents from a decision contained in a determination under subparagraph (A) may append a statement setting forth the grounds for that dissent.

(19) PUBLICATION AND DISCLOSURE.—

(A) PUBLICATION.—Each final determination of the Board shall be made available on a publicly accessible website, except that the final determination shall be redacted to protect confidential information that is the subject of a protective order under paragraph (11)(A)(ii) or information protected pursuant to paragraph (11)(B) and any other information protected from public disclosure under the Federal Trade Commission Act or any other applicable provision of law.

(B) FREEDOM OF INFORMATION ACT.—All information relating to proceedings of the Board under this section is exempt from disclosure to the public under section 552(b)(3) of title 5, except for determinations, records, and information published under subparagraph (A). Any information that is disclosed under this subparagraph shall have redacted any information that is the subject of a protective order under paragraph (11)(A)(ii) or protected pursuant to paragraph (11)(B).

(C) EFFECT OF PETITION ON NON-DISCLOSURE PERIOD.—

(i) Submission of a petition extends the non-disclosure period under subsection (c)(2)(I) for the pendency of the proceeding. The provider may submit an objection to the Board that nondisclosure is contrary to the interests of justice. The complainant may, but is not required to, respond to the objection. The Board should sustain the objection unless there is reason to believe that the circumstances in section 3486(a)(6)(B) of title 18, United States Code, exist and outweigh the interests of justice.

(ii) If the Board sustains an objection to the nondisclosure period, the provider or the Board may notify the apparent owner of the visual depiction at issue about the proceeding, and include instructions on how the owner may move to join the proceeding under paragraph (13).

(iii) If applicable, the nondisclosure period expires 120 days after the Board's determination becomes final, except it shall expire immediately upon the Board's determination becoming final if the Board finds that the visual depiction at issue is not child sexual abuse material.

(iv) The interested owner of a visual depiction at issue may not bring any legal action against any party related to the alleged child sexual abuse material until the Board's determination is final. Once the determination is final, the interested owner of the visual depiction may pursue any legal relief available under the law, subject to subsections (h), (k), and (l).

(20) RESPONDING PARTY'S DEFAULT.—If the Board finds that service of the petition on the responding party could not reasonably be completed, or the responding party has failed to appear or has ceased participating in a proceeding, as demonstrated by the responding party's failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Board, the Board may enter a default determination, including the dismissal of any responses asserted by the responding party, as follows and in accordance with such other requirements as the Commission may establish by regulation:

(A) The Board shall require the petitioning party to submit relevant evidence and other information in support of the petitioning party's claims and, upon review of such evidence and any other requested submissions from the petitioning party, shall determine whether the materials so submitted are sufficient to support a finding in favor of the petitioning party under applicable law and, if so, the appropriate relief and damages, if any, to be awarded.

(B) If the Board makes an affirmative determination under subparagraph (A), the Board shall prepare a proposed default determination, and shall provide written notice to the responding party at all addresses, including electronic mail addresses, reflected in the records of the proceeding before the Board, of the pendency of a default determination by the Board and of the legal significance of such determination. Such notice shall be accompanied by the proposed default determination and shall provide that the responding party has a period of 30 days, beginning on the date of the notice, to submit any evidence or other information in opposition to the proposed default determination.

(C) If the responding party responds to the notice provided under subparagraph (B) within the 30-day period provided in such subparagraph, the Board shall consider responding party's submissions and, after allowing the petitioning party to address such submissions, maintain, or amend its proposed determination as appropriate, and the resulting determination shall not be a default determination.

(D) If the respondent fails to respond to the notice provided under subparagraph (B), the Board shall proceed to issue the default determination. Thereafter, the respondent may only challenge such determination to the extent permitted under paragraph (28).

(21) PETITIONING PARTY OR INTERESTED OWNER'S FAILURE TO PROCEED.—If a petitioning party or interested owner who has

joined the proceeding fails to proceed, as demonstrated by the failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Board, the Board may, upon providing written notice to the petitioning party or interested owner and a period of 30 days, beginning on the date of the notice, to respond to the notice, and after considering any such response, issue a determination dismissing the claims made by the petitioning party or interested owner. The Board may order the petitioning party to pay attorney fees and costs under paragraph (26)(B), if appropriate. Thereafter, the petitioning party may only challenge such determination to the extent permitted under paragraph (28).

(22) REQUEST FOR RECONSIDERATION.—A party or interested owner may, within 30 days after the date on which the Board issues a determination under paragraph (18), submit to the Board a written request for reconsideration of, or an amendment to, such determination if the party or interested owner identifies a clear error of law or fact material to the outcome, or a technical mistake. After providing the other parties an opportunity to address such request, the Board shall either deny the request or issue an amended determination.

(23) REVIEW BY COMMISSION.—If the Board denies a party or interested owner a request for reconsideration of a determination under paragraph (22), the party or interested owner may, within 30 days after the date of such denial, request review of the determination by the Commission in accordance with regulations established by the Commission. After providing the other party or interested owner an opportunity to address the request, the Commission shall either deny the request for review, or remand the proceeding to the Board for reconsideration of issues specified in the remand and for issuance of an amended determination. Such amended determination shall not be subject to further consideration or review, other than under paragraph (28).

(24) FAVORABLE RULING ON COMPLAINANT PETITION.—

(A) IN GENERAL.—If the Board grants a complainant's petition filed under this section, notwithstanding any other law, the Board shall—

(i) order the provider to immediately remove the child sexual abuse material, and to permanently delete all copies of the child sexual abuse material known to and under the control of the provider unless the Board orders the provider to preserve the child sexual abuse material;

(ii) impose a fine of $50,000 per item of child sexual abuse material covered by the determination, but if the Board finds that—

(I) the provider removed the child sexual abuse material after the period set forth in subsection (c)(1)(A)(i), but before the complainant filed a petition, such fine shall be $25,000;

(II) the provider has engaged in recidivist hosting for the first time with respect to the child sexual abuse material at issue, such fine shall be $100,000 per item of child sexual abuse material; or

(III) the provider has engaged in recidivist hosting of the child sexual abuse material at issue 2 or more times, such fine shall be $200,000 per item of child sexual abuse material;

(iii) order the provider to pay reasonable costs to the complainant; and

(iv) refer any matters involving intentional or willful conduct by a provider with respect to child sexual abuse material, or recidivist hosting, to the Attorney General for prosecution under any applicable laws.

(B) PROVIDER PAYMENT OF FINE AND COSTS.—Notwithstanding any other law, the Board shall direct a provider to promptly pay fines and costs imposed under subparagraph (A) as follows:

(i) If the petition was filed by a victim, such fine and costs shall be paid to the victim.

(ii) If the petition was filed by an authorized representative of a victim—

(I) 30 percent of such fine shall be paid to the authorized representative and 70 percent of such fine paid to the victim; and

(II) costs shall be paid to the authorized representative.

(iii) If the petition was filed by a qualified organization—

(I) the fine shall be paid to the Child Pornography Victims Reserve as provided in section 2259B of title 18, United States Code; and

(II) costs shall be paid to the qualified organization.

(25) EFFECT OF DENIAL OF PROVIDER PETITION.—

(A) IN GENERAL.—If the Board denies a provider's petition to contest a notification filed under paragraph (2), it shall order the provider to immediately remove the child sexual abuse material, and to permanently delete all copies of the child sexual abuse material known to and under the control of the provider unless the Board orders the provider to preserve the child sexual abuse material.

(B) REFERRAL FOR FAILURE TO REMOVE MATERIAL.—If a provider does not remove and, if applicable, permanently delete child sexual abuse material within 48 hours of the Board issuing a determination under subparagraph (A), or not later than 2 business days of the Board issuing a determination under subparagraph (A) concerning a small provider, the Board shall refer the matter to the Attorney General for prosecution under any applicable laws.

(C) COSTS FOR FRIVOLOUS PETITION.—If the Board finds that a provider filed a petition under paragraph (2) for a harassing or improper purpose or without reasonable basis in law or fact, the Board shall order the provider to pay the reasonable costs of the complainant.

(26) EFFECT OF DENIAL OF COMPLAINANT'S PETITION OR FAVORABLE RULING ON PROVIDER'S PETITION.—

(A) RESTORATION.—If the Board grants a provider's petition filed under paragraph (2) or if the Board denies a petition filed by the complainant under paragraph (1), the provider may restore access to any visual depiction that was at issue in the proceeding.

(B) COSTS FOR INCOMPLETE OR FRIVOLOUS NOTIFICATION AND HARASSMENT.—If, in granting or denying a petition as described in subparagraph (A), the Board finds that the notification contested in the petition could not be made complete under subsection (c)(2)(D), is frivolous, or is duplicative under subsection (c)(2)(C)(i), the Board may order the complainant to pay costs to the provider and any interested owner, which shall not exceed a total of $10,000, or, if the Board finds that the complainant filed the notification with an intent to harass the provider or any person, a total of $15,000.

(27) CIVIL ACTION; OTHER RELIEF.—

(A) IN GENERAL.—Whenever any provider or complainant fails to comply with a final determination of the Board issued under paragraph (18), the Department of Justice may commence a civil action in a district court of the United States to enforce compliance with such determination.

(B) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit the authority of the Commission or Department of Justice under any other provision of law.

(28) CHALLENGES TO THE DETERMINATION.—

(A) BASES FOR CHALLENGE.—Not later than 45 days after the date on which the Board issues a determination or amended determination in a proceeding, or not later than 45 days after the date on which the Board completes any process of reconsideration or the Commission completes a review of the determination, whichever occurs later, a party may seek an order from a district court, located where the provider or complainant conducts business or resides, vacating, modifying, or correcting the determination of the Board in the following cases:

(i) If the determination was issued as a result of fraud, corruption, misrepresentation, or other misconduct.

(ii) If the Board exceeded its authority or failed to render a determination concerning the subject matter at issue.

(iii) In the case of a default determination or determination based on a failure to prosecute, if it is established that the default or failure was due to excusable neglect.

(B) PROCEDURE TO CHALLENGE.—

(i) NOTICE OF APPLICATION.—Notice of the application to challenge a determination of the Board shall be provided to all parties to the proceeding before the Board, in accordance with the procedures applicable to service of a motion in the court where the application is made.

(ii) STAYING OF PROCEEDINGS.—For purposes of an application under this paragraph, any judge who is authorized to issue an order to stay the proceedings in an any other action brought in the same court may issue an order, to be served with the notice of application, staying proceedings to enforce the award while the challenge is pending.

(29) FINAL DETERMINATION.—A determination of the Board shall be final on the date that all opportunities for a party or interested owner to seek reconsideration or review of a determination under paragraph (22) or (23), or for a party to challenge the determination under paragraph (28), have expired or are exhausted.

(h) EFFECT OF PROCEEDING.—

(1) SUBSEQUENT PROCEEDINGS.—The issuance of a final determination by the Board shall preclude the filing by any party of any subsequent petition that is based on the notification at issue in the final determination. This paragraph shall not limit the ability of any party to file a subsequent petition based on any other notification.

(2) DETERMINATION.—Except as provided in paragraph (1), the issuance of a final determination by the Board, including a default determination or determination based on a failure to prosecute, shall, solely with respect to the parties to such determination, preclude relitigation of any claim or response asserted and finally determined by the Board in any subsequent legal action or proceeding before any court, tribunal, or the Board, and may be relied upon for such purpose in a future action or proceeding arising from the same specific activity, subject to the following:

(A) No interested owner may relitigate any claim or response that was properly asserted and considered by the Board in any subsequent proceeding before the Board involving the same interested owner and the same child sexual abuse material.

(B) A finding by the Board that a visual depiction constitutes child sexual abuse material—

(i) may not be relitigated in any civil proceeding brought by an interested owner; and

(ii) may not be relied upon, and shall not have preclusive effect, in any other action or proceeding involving any party before any court or tribunal other than the Board.

(C) A determination by the Board shall not preclude litigation or relitigation as between the same or different parties before any

court or tribunal other than the Board of the same or similar issues of fact or law in connection with allegations or responses not asserted or not finally determined by the Board.

(D) Except to the extent permitted under this subsection, any determination of the Board may not be cited or relied upon as legal precedent in any other action or proceeding before any court or tribunal, including the Board.

(3) OTHER MATERIALS IN PROCEEDING.—A submission or statement of a party, interested owner, or witness made in connection with a proceeding before the Board, including a proceeding that is dismissed, may not serve as the basis of any action or proceeding before any court or tribunal except for any legal action related to perjury or for conduct described in subsection (k)(2). A statement of a party, interested owner, or witness may be received as evidence, in accordance with applicable rules, in any subsequent legal action or proceeding before any court, tribunal, or the Board.

(4) FAILURE TO ASSERT RESPONSE.—Except as provided in paragraph (1), the failure or inability to assert any allegation, factual claim, or response in a proceeding before the Board shall not preclude the assertion of that response in any subsequent legal action or proceeding before any court, tribunal, or the Board.

(i) ADMINISTRATION.—The Commission may issue regulations in accordance with section 553 of title 5, United States Code, to implement this section.

(j) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date on which Child Online Protection Board issues the first determination under this section, the Commission shall conduct, and report to Congress on, a study that addresses the following:

(A) The use and efficacy of the Child Online Protection Board in expediting the removal of child sexual abuse material and resolving disputes concerning alleged child sexual abuse material, including the number of proceedings the Child Online Protection Board could reasonably administer with current allocated resources.

(B) Whether adjustments to the authority of the Child Online Protection Board are necessary or advisable, including with respect to permissible claims, responses, fines, costs, and joinder by interested parties.

(C) Whether the Child Online Protection Board should be permitted to expire, be extended, or be expanded.

(D) Such other matters as the Commission believes may be pertinent concerning the Child Online Protection Board.

(2) CONSULTATION.—In conducting the study and completing the report required under paragraph (1), the Commission shall, to the extent feasible, consult with complainants, victims, and providers to include their views on the matters addressed in the study and report.

(k) LIMITED LIABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge against the Board, a provider, a complainant, interested owner, or representative under subsection (f)(4), for distributing, receiving, accessing, or possessing child sexual abuse material for the sole and exclusive purpose of complying with the requirements of this section, or for the sole and exclusive purpose of seeking or providing legal advice in order to comply with this section, may not be brought in any Federal or State court.

(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim against the Board, a provider, a complainant, interested owner, or representative under subsection (f)(4)—

(A) for any conduct unrelated to compliance with the requirements of this section;

(B) if the Board, provider, complainant, interested owner, or representative under subsection (f)(4) (as applicable)—

(i) engaged in intentional misconduct; or

(ii) acted, or failed to act—

(I) with actual malice; or

(II) with reckless disregard to a substantial risk of causing physical injury without legal justification; or

(C) in the case of a claim against a complainant, if the complainant falsely claims to be a victim, an authorized representative of a victim, or a qualified organization.

(3) MINIMIZING ACCESS.—The Board, a provider, a complainant, an interested owner, or a representative under subsection (f)(4) shall—

(A) minimize the number of individuals that are provided access to any alleged, contested, or actual child sexual abuse material under this section;

(B) ensure that any alleged, contested, or actual child sexual abuse material is transmitted and stored in a secure manner and is not distributed to or accessed by any individual other than as needed to implement this section; and

(C) ensure that all copies of any child sexual abuse material are permanently deleted upon a request from the Board, Commission, or the Federal Bureau of Investigation.

(l) PROVIDER IMMUNITY FROM CLAIMS BASED ON REMOVAL OF VISUAL DEPICTION.—A provider shall not be liable to any person for any claim based on the provider's good faith removal of any visual depiction that is alleged to be child sexual abuse material pursuant to a notification under this section, regardless of whether the visual depiction involved is found to be child sexual abuse material by the Board. A provider shall not be liable to any person for any claim based on the provider's good faith discretionary removal of any alleged related exploitive visual depictions pursuant to a notification under this section.

(m) DISCOVERY.—Nothing in this section affects discovery, a subpoena or any other court order, or any other judicial process otherwise in accordance with Federal or State law.

(n) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to relieve a provider from any obligation imposed on the provider under section 2258A of title 18, United States Code.

(o) FUNDING.—There are authorized to be appropriated to pay the costs incurred by the Commission under this section, including the costs of establishing and maintaining the Board and its facilities, $40,000,000 for each year during the period that begins with the year in which this Act is enacted and ends with the year in which certain subsections of this section expire under subsection (p).

(p) SUNSET.—Except for subsections (a), (h), (k), (l), (m), (n), and (q), this section shall expire 5 years after the date on which the Child Online Protection Board issues its first determination under this section.

(q) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Child Online Protection Board established under subsection (d).

(2) CHILD SEXUAL ABUSE MATERIAL.—The term ''child sexual abuse material'' has the meaning provided in section 2256(8) of title 18, United States Code.

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) COMPLAINANT.—The term ''complainant'' means—

(A) the victim appearing in the child sexual abuse material;

(B) an authorized representative of the victim appearing in the child sexual abuse material; or

(C) a qualified organization.

(5) DESIGNATED REPORTING SYSTEM.—The term ''designated reporting system'' means a digital means of submitting a notification to a provider under this subsection that is publicly and prominently available, easily accessible, and easy to use.

(6) HOST.—The term ''host'' means to store or make a visual depiction available or accessible to the public or any users through digital means or on a system or network controlled or operated by or for a provider.

(7) IDENTIFIABLE PERSON.—The term ''identifiable person'' means a person who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature.

(8) INTERESTED OWNER.—The term ''interested owner'' means an individual who has joined a proceeding before the Board under subsection (g)(13).

(9) PARTY.—The term ''party'' means the complainant or provider.

(10) PROVIDER.—The term ''provider'' means a provider of an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), and for purposes of subsections (k) and (l), includes any director, officer, employee, or agent of such provider.

(11) QUALIFIED ORGANIZATION.—The term ''qualified organization'' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from tax under section 501(a) of that Code that works to address child sexual abuse material and to support victims of child sexual abuse material.

(12) RECIDIVIST HOSTING.—The term ''recidivist hosting'' means, with respect to a provider, that the provider removes child sexual abuse material pursuant to a notification or determination under this subsection, and then subsequently hosts a visual depiction that has the same hash value or other technical identifier as the child sexual abuse material that had been so removed.

(13) RELATED EXPLOITIVE VISUAL DEPICTION.—The term ''related exploitive visual depiction'' means a visual depiction of an identifiable person of any age where—

(A) such visual depiction does not constitute child sexual abuse material, but is published with child sexual abuse material depicting that person while under 18 years of age; and

(B) there is a connection between such visual depiction and the child sexual abuse material depicting that person while under 18 years of age that is readily apparent from—

(i) the content of such visual depiction and the child sexual abuse material; or

(ii) the context in which such visual depiction and the child sexual abuse material appear.

(14) SMALL PROVIDER.—The term ''small provider'' means a provider that, for the most recent calendar year, averaged less than 10,000,000 active users on a monthly basis in the United States.

(15) VICTIM.—

(A) IN GENERAL.—The term ''victim'' means an individual of any age who is depicted in child sexual abuse material while under 18 years of age.

(B) ASSUMPTION OF RIGHTS.—In the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by a court, may assume the victim's rights to submit a notification or file a petition under

this section, but in no event shall an individual who produced or conspired to produce the child sexual abuse material depicting the victim be named as such representative or guardian.

(16) VISUAL DEPICTION.—The term ''visual depiction'' has the meaning provided in section 2256(5) of title 18, United States Code.

SEC. 1099C. SEVERABILITY.

If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle and the amendments made by this subtitle, and the application of the provision or amendment to any other person or circumstance, shall not be affected.

SEC. 1099D. CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.

(a) FEDERAL LAW.—Nothing in this subtitle or the amendments made by this subtitle, nor any rule or regulation issued pursuant to this subtitle or the amendments made by this subtitle, shall affect or diminish any right or remedy for a victim of child pornography or child sexual exploitation under any other Federal law, rule, or regulation, including any claim under section 2255 of title 18, United States Code, with respect to any individual or entity.

(b) STATE OR TRIBAL LAW.—Nothing in this subtitle or the amendments made by this subtitle, nor any rule or regulation issued pursuant to this subtitle or the amendments made by this subtitle, shall—

(1) preempt, diminish, or supplant any right or remedy for a victim of child pornography or child sexual exploitation under any State or Tribal common or statutory law; or

(2) prohibit the enforcement of a law governing child pornography or child sexual exploitation that is at least as protective of the rights of a victim as this subtitle and the amendments made by this subtitle.

SA 2383. Mr. CASEY (for himself, Ms. COLLINS, Mr. CRAPO, Ms. ROSEN, Mr. SCOTT of Florida, and Mr. FETTERMAN) 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, insert the following:

Subtitle I—Commission to Study the Potential Transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Commission to Study the Potential Transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution Act''.

SEC. 1096A. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established the Commission to Study the Potential Transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution (hereafter in this subtitle referred to as the ''Commission'').

(b) MEMBERSHIP.—The Commission shall be composed of 8 members, of whom—

(1) 2 members shall be appointed by the majority leader of the Senate;

(2) 2 members shall be appointed by the Speaker of the House of Representatives;

(3) 2 members shall be appointed by the minority leader of the Senate; and

(4) 2 members shall be appointed by the minority leader of the House of Representatives.

(c) QUALIFICATION.—Members of the Commission shall be appointed to the Commission from among individuals, or representatives of institutions or entities, who possess—

(1)(A) a demonstrated commitment to the research, study, or promotion of Jewish American history, art, political or economic status, or culture; and

(B)(i) expertise in museum administration;

(ii) expertise in fund-raising for nonprofit or cultural institutions;

(iii) experience in the study and teaching of Jewish American history;

(iv) experience in the study and teaching of combating and countering antisemitism;

(v) experience in studying the issue of the representation of Jewish Americans in art, life, history, and culture at the Smithsonian Institution; or

(vi) extensive experience in public or elected service;

(2) experience in the administration of, or the strategic planning for, museums; or

(3) experience in the planning or design of museum facilities.

(d) DEADLINE FOR INITIAL APPOINTMENT.—The initial members of the Commission shall be appointed not later than the date that is 90 days after the date of enactment of this subtitle.

(e) VACANCIES.—A vacancy in the Commission—

(1) shall not affect the powers of the Commission; and

(2) shall be filled in the same manner as the original appointment was made.

(f) CHAIRPERSON.—The Commission shall, by majority vote of all of the members, select 1 member of the Commission to serve as the Chairperson of the Commission.

(g) PROHIBITION.—No employee of the Federal Government may serve as a member of the Commission.

SEC. 1096B. DUTIES OF COMMISSION.

(a) REPORTS AND OTHER DELIVERABLES.—Not later than 2 years after the date of the first meeting of the Commission, the Commission shall submit to the President and to Congress the report, plan, and recommendations described in paragraphs (1) through (3).

(1) REPORT ON ISSUES.—A report that addresses the following issues relating to the Weitzman National Museum of American Jewish History in Philadelphia, PA, and its environs (hereafter in this subtitle referred to as the ''Museum''):

(A) The collections held by the Museum at the time of the report, the extent to which such collections are already represented in the Smithsonian Institution and Federal memorials at the time of the report, and the availability and cost of future collections to be acquired and housed in the Museum.

(B) The impact of the Museum on educational and governmental efforts to study and counter antisemitism.

(C) The financial assets and liabilities held by the Museum, and the cost of operating and maintaining the Museum.

(D) The governance and organizational structure from which the Museum should operate if transferred to the Smithsonian Institution.

(E) The financial and legal considerations associated with the potential transfer of the Museum to the Smithsonian Institution, including—

(i) any donor or legal restrictions on the Museum's collections, endowments, and real estate;

(ii) costs associated with actions that will be necessary to resolve the status of employees of the Museum, if the Museum is transferred to the Smithsonian Institution;

(iii) all additional costs for the Smithsonian Institution that would be associated with operating and maintaining a new museum outside of the Washington, D.C. metropolitan area; and

(iv) policy and legal restrictions that would become applicable to the Museum if transferred to the Smithsonian Institution.

(F) The feasibility of the Museum becoming part of the Smithsonian Institution, taking into account the Museum's potential impact on the Smithsonian's existing facilities maintenance backlog, collections storage needs, and identified construction or renovation costs for new or existing museums.

(2) FUND-RAISING PLAN.—A fund-raising plan that addresses the following topics:

(A) The ability to support the transfer, operation, and maintenance of the Museum through contributions from the public, including potential charges for admission.

(B) Any potential issues with funding the operations and maintenance of the Museum in perpetuity without reliance on appropriations of Federal funds.

(3) LEGISLATIVE RECOMMENDATIONS.—A report containing recommendations regarding a legislative plan for transferring the Museum to the Smithsonian Institution, which shall include each of the following:

(A) Proposals regarding the time frame, one-time appropriations level, and continuing appropriations levels that might be included in such legislation.

(B) Recommendations for the future name of the Museum if it is transferred to the Smithsonian Institution.

(b) NATIONAL CONFERENCE.—Not later than 2 years after the date on which the initial members of the Commission are appointed under section 1096A, the Commission may, in carrying out the duties of the Commission under this section, convene a national conference relating to the Museum, to be comprised of individuals committed to the advancement of the life, art, history, and culture of Jewish Americans.

SEC. 1096C. ADMINISTRATIVE PROVISIONS.

(a) COMPENSATION.—

(1) IN GENERAL.—A member of the Commission—

(A) shall not be considered to be a Federal employee for any purpose by reason of service on the Commission; and

(B) shall serve without pay.

(2) TRAVEL EXPENSES.—A member of the Commission shall be allowed a per diem allowance for travel expenses, at rates consistent with those authorized under subchapter I of chapter 57 of title 5, United States Code.

(3) GIFTS, BEQUESTS, AND DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or real or personal property for the purpose of aiding or facilitating the work of the Commission. Such gifts, bequests, or devises may be from the Museum.

(4) FEDERAL ADVISORY COMMITTEE ACT.—Chapter 10 of title 5, United States Code, shall not apply to the Commission.

(b) TERMINATION.—The Commission shall terminate on the date that is 30 days after the date on which the final versions of the report, plan, and recommendations required under section 1096B are submitted.

(c) FUNDING.—The Commission shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the Commission.

(d) DIRECTOR AND STAFF OF COMMISSION.—

(1) DIRECTOR AND STAFF.—

(A) IN GENERAL.—The Commission may employ and compensate an executive director and any other additional personnel that are necessary to enable the Commission to perform the duties of the Commission.

(B) RATES OF PAY.—Rates of pay for persons employed under subparagraph (A) shall be consistent with the rates of pay allowed for employees of a temporary organization under section 3161 of title 5, United States Code.

(2) NOT FEDERAL EMPLOYMENT.—Any individual employed under this subsection shall not be considered a Federal employee for the purpose of any law governing Federal employment.

(3) TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—Subject to subparagraph (B), on request of the Commission, the head of a Federal agency shall provide technical assistance to the Commission.

(B) PROHIBITION.—No Federal employees may be detailed to the Commission.

(4) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon request of the Commission, the Administrator of the General Services Administration shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this subtitle. The involvement of the General Services Administration shall be limited to providing administrative support to the Commission, and such involvement shall terminate upon termination of the Commission.

(f) MEETING LOCATION.—The Commission may meet virtually or in-person.

(g) APPOINTMENT DELAYS.—The Commission may begin to meet and carry out activities under this subtitle before all members of the Commission have been appointed if—

(1) 90 days have passed since the date of enactment of this subtitle; and

(2) a majority of the members of the Commission have been appointed.

SA 2384. 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. ___. SAFER DETENTION.

(a) HOME DETENTION FOR CERTAIN ELDERLY NONVIOLENT OFFENDERS.—Section 231 of the Second Chance Act of 2007 (34 U.S.C. 60541) is amended—

(1) in subsection (g)—

(A) in paragraph (1), by adding at the end the following:

''(D) JUDICIAL REVIEW.—

''(i) IN GENERAL.—Upon motion of a defendant, on or after the date described in clause (ii), a court may reduce an imposed term of imprisonment of the defendant and substitute a term of supervised release with the condition of home detention for the unserved portion of the original term of imprisonment, after considering the factors set forth in section 3553(a) of title 18, United States Code, if the court finds the defendant is an eligible elderly offender or eligible terminally ill offender.

''(ii) DATE DESCRIBED.—The date described in this clause is the earlier of—

''(I) the date on which the defendant fully exhausts all administrative rights to appeal a failure of the Bureau of Prisons to place the defendant on home detention; or

''(II) the expiration of the 30-day period beginning on the date on which the defendant submits to the warden of the facility in which the defendant is imprisoned a request for placement of the defendant on home detention, regardless of the status of the request.'';

(B) in paragraph (3), by striking ''through 2023'' and inserting ''through 2029''; and

(C) in paragraph (5)—

(i) in subparagraph (A)(ii)—

(I) by inserting '', including offenses under the laws of the District of Columbia,'' after ''offense or offenses''; and

(II) by striking ''2/3 of the term of imprisonment to which the offender was sentenced'' and inserting ''1/2 of the term of imprisonment reduced by any credit toward the service of the offender's sentence awarded under section 3624(b) of title 18, United States Code''; and

(ii) in subparagraph (D)(i), by inserting '', including offenses under the laws of the District of Columbia,'' after ''offense or offenses''; and

(2) in subsection (h), by striking ''through 2023'' and inserting ''through 2029''.

(b) COMPASSIONATE RELEASE TECHNICAL CORRECTION.—Section 3582 of title 18, United States Code, is amended—

(1) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by inserting after ''case'' the following: '', including, notwithstanding any other provision of law, any case involving an offense committed before November 1, 1987''; and

(B) in subparagraph (A)—

(i) by inserting '', on or after the date described in subsection (d)'' after ''upon motion of the defendant''; and

(ii) by striking ''after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier,'';

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (c) the following:

''(d) DATE DESCRIBED.—For purposes of subsection (c)(1)(A), the date described in this subsection is the earlier of—

''(1) the date on which the defendant fully exhausts all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf; or

''(2) the expiration of the 30-day period beginning on the date on which the defendant submits a request for a reduction in sentence to the warden of the facility in which the defendant is imprisoned, regardless of the status of the request.''.

SA 2385. 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 G of title X, add the following:

SEC. 10___. EXTENSION OF TEMPORARY BANKRUPTCY PROVISIONS.

(a) IN GENERAL.—Section 2(i)(1) of the Bankruptcy Threshold Adjustment and Technical Corrections Act (Public Law 117–151; 136 Stat. 1300) is amended, in the matter preceding subparagraph (A), by striking ''2 years'' and inserting ''4 years''.

(b) RETROACTIVE APPLICATION.—The amendment made by subsection (a) shall apply with respect to any case that—

(1) is commenced under title 11, United States Code, on or after June 21, 2024; and

(2) with respect to a case that was commenced on or after June 21, 2024 and before the date of enactment of this Act, is pending on the date of enactment of this Act.

SA 2386. Ms. ERNST (for herself and Ms. ROSEN) 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, add the following:

SEC. ___. DEPARTMENT OF DEFENSE INTERNATIONAL AGREEMENTS.

(a) IN GENERAL.—Chapter 2 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 120a. Department of Defense international agreements

''(a) TRANSMITTAL OF AGREEMENTS TO CONGRESS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense shall transmit to Congress the text of any covered international agreement (including the text of any oral covered international agreement, which agreement shall be reduced to writing) as soon as practicable after such agreement has entered into force with respect to the United States but in no event later than 60 days thereafter.

''(2) EXCEPTION.—Any covered international agreement the immediate public disclosure of which would, in the opinion of the President, be prejudicial to the national security of the United States shall not be transmitted to Congress under paragraph (1) but shall be transmitted to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives under an appropriate injunction of secrecy to be removed only upon due notice from the President.

''(b) TRANSMITTAL OF AGREEMENTS TO SECRETARY OF STATE.—The Secretary of Defense shall transmit to the Secretary of State the text of any covered international agreement entered into by the Secretary of Defense on behalf of the United States not later than 20 days after such agreement has been signed.

''(c) ANNUAL REPORT REQUIRED.—Not later than March 1, 2025, and annually thereafter, the Secretary of Defense shall, under the signature of the Secretary, transmit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that includes the following:

''(1) An identification of each covered international agreement that, during the one-year period preceding the date on which the report is submitted, was transmitted to Congress after the expiration of the 60-day period referred to in subsection (a), and a full and complete description of the reasons for each late transmittal.

''(2) An identification of any agreements in force with respect to the United States that will expire during the two-year period beginning on the date on which the report is submitted, and a status update for each such agreement.

''(d) COVERED INTERNATIONAL AGREEMENT DEFINED.—In this section, the term 'covered

international agreement' means an international agreement—

''(1) that is not a treaty;

''(2) to which the United States is a party; and

''(3) to which any other party is a country—

''(A) where members of the armed forces are stationed on a permanent or rotational basis; or

''(B) that will be used by the Department of Defense for training purposes.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of such title is amended by adding at the end the following new item:

''120a. Department of Defense international agreements.''.

SA 2387. Ms. ERNST (for herself, Mr. MARSHALL, and Mr. BRAUN) 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 A of title VIII, add the following:

SEC. 812. FOREIGN ADVERSARY FUNDING.

(a) IN GENERAL.—For purposes of reporting spending data under section 2 of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note; Public Law 109–282), the Secretary of Defense shall require the tracking and reporting of all other transaction agreements and subawards of any amount awarded to an entity located in a foreign country of concern.

(b) PUBLICATION.—The reporting on subawards required under subsection (a) shall be published on the website established under section 2(b)(1) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note; Public Law 109–282).

(c) REPORTING OF SUBAWARDS.—The recipient of a subaward described in subsection (a) shall disclose data with respect to the subaward in the same manner as subawards are disclosed in paragraph (2) of section 2(d) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note; Public Law 109–282).

(d) FORM.—If any information required to be reported by this section is classified, such information may be submitted in the form of a classified annex consistent with the protection of sources and methods.

(e) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance that establishes consistency for complying with this section for agencies and recipients of subawards described in subsection (a), including establishing standards for disclosed data.

(f) DEFINITIONS.—In this section:

(1) FOREIGN COUNTRY OF CONCERN.—The term ''foreign country of concern'' 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) SUBAWARD.—The term ''subaward''—

(A) means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity;

(B) includes an award described in subparagraph (A) that is passed from a subrecipient to another subrecipient; and

(C) does not include payments to a beneficiary of a Federal program.

SA 2388. Ms. ERNST (for herself, Ms. WARREN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. FETTERMAN, and Ms. ROSEN) 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 E of title VII, add the following:

SEC. 750. ESTABLISHMENT OF REQUIREMENTS RELATING TO BLAST OVERPRESSURE EXPOSURE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall—

(1) establish a baseline neurocognitive assessment to be conducted during the accession process of members of the Armed Forces before the beginning of training;

(2) establish annual neurocognitive assessments to monitor the cognitive function of such members to be conducted—

(A) at least every three years as part of the periodic health assessment of such members;

(B) as part of the post-deployment health assessment of such members; and

(C) prior to separation from service in the Armed Forces;

(3) ensure all neurocognitive assessments of such members, including those required under paragraphs (1) and (2), are maintained in the electronic medical record of such member;

(4) establish a process for annual review of blast overpressure exposure logs and traumatic brain injury logs for each member of the Armed Forces during the periodic health assessment of such member for cumulative exposure in order to refer members with recurrent and prolonged exposure to specialty care; and

(5) establish standards for recurrent and prolonged exposure.

(b) DEFINITIONS.—In this section:

(1) NEUROCOGNITIVE ASSESSMENT.—The term ''neurocognitive assessment'' means a standardized cognitive and behavioral evaluation using validated and normed testing performed in a formal environment that uses specifically designated tasks to measure cognitive function known to be linked to a particular brain structure or pathway, which may include a measurement of intellectual functioning, attention, new learning or memory, intelligence, processing speed, and executive functioning.

(2) TRAUMATIC BRAIN INJURY.—The term ''traumatic brain injury'' means a traumatically induced structural injury or physiological disruption of brain function as a result of an external force that is indicated by new onset or worsening of at least one of the following clinical signs immediately following the event:

(A) Alteration in mental status, including confusion, disorientation, or slowed thinking.

(B) Loss of memory for events immediately before or after the injury.

(C) Any period of loss of or decreased level of consciousness, observed or self-reported.

SA 2389. Ms. ERNST (for herself, Mrs. GILLIBRAND, Mr. COTTON, and Mr. BLUMENTHAL) 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. ____. AUTHORITY OF ARMY COUNTERINTELLIGENCE AGENTS.

(a) AUTHORITY TO EXECUTE WARRANTS AND MAKE ARRESTS.—Section 7377 of title 10, United States Code, is amended—

(1) in the section heading, by inserting ''**and Army Counterintelligence Command**'' before the colon; and

(2) in subsection (b)—

(A) by striking ''who is a special agent'' and inserting the following: ''who is—

''(1) a special agent'';

(B) in paragraph (1) (as so designated) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new paragraph:

''(2) a special agent of the Army Counterintelligence Command (or a successor to that command) whose duties include conducting, supervising, or coordinating counterintelligence investigations in programs and operations of the Department of the Army.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 747 of such title is amended by striking the item relating to section 7377 and inserting the following new item:

''7377. Civilian special agents of the Criminal Investigation Command and Army Counterintelligence Command: authority to execute warrants and make arrests.''.

SA 2390. Mr. MARSHALL (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 H of title X, add the following:

SEC. 1095. COOPER DAVIS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Cooper Davis Act''.

(b) REPORTING REQUIREMENTS OF ELECTRONIC COMMUNICATION SERVICE PROVIDERS AND REMOTE COMPUTING SERVICES FOR CERTAIN CONTROLLED SUBSTANCES VIOLATIONS.—

(1) AMENDMENTS TO CONTROLLED SUBSTANCES ACT.—

(A) IN GENERAL.—Part E of the Controlled Substances Act (21 U.S.C. 871 et seq.) is amended by adding at the end the following:

''REPORTING REQUIREMENTS OF ELECTRONIC COMMUNICATION SERVICE PROVIDERS AND REMOTE COMPUTING SERVICES FOR CERTAIN CONTROLLED SUBSTANCES VIOLATIONS

''SEC. 521. (a) DEFINITIONS.—In this section—

''(1) the term 'electronic communication service' has the meaning given that term in section 2510 of title 18, United States Code;

''(2) the term 'electronic mail address' has the meaning given that term in section 3 of the CAN-SPAM Act of 2003 (15 U.S.C. 7702);

''(3) the term 'Internet' has the meaning given that term in section 1101 of the Internet Tax Freedom Act (47 U.S.C. 151 note);

''(4) the term 'provider' means an electronic communication service provider or remote computing service;

''(5) the term 'remote computing service' has the meaning given that term in section 2711 of title 18, United States Code; and

''(6) the term 'website' means any collection of material placed in a computer server-based file archive so that it is publicly accessible, over the Internet, using hypertext transfer protocol or any successor protocol.

''(b) DUTY TO REPORT.—

''(1) GENERAL DUTY.—In order to reduce the proliferation of the unlawful sale, distribution, or manufacture (as applicable) of counterfeit substances and certain controlled substances, a provider shall, as soon as reasonably possible after obtaining actual knowledge of any facts or circumstances described in paragraph (2), and in any event not later than 60 days after obtaining such knowledge, submit to the Drug Enforcement Administration a report containing—

''(A) the mailing address, telephone number, facsimile number, and electronic mailing address of, and individual point of contact for, such provider;

''(B) information described in subsection (c) concerning such facts or circumstances; and

''(C) for purposes of subsection (j), information indicating whether the facts or circumstances were discovered through content moderation conducted by a human or via a non-human method, including use of an algorithm, machine learning, or other means.

''(2) FACTS OR CIRCUMSTANCES.—The facts or circumstances described in this paragraph are any facts or circumstances establishing that a crime is being or has already been committed involving—

''(A) creating, manufacturing, distributing, dispensing, or possession with intent to manufacture, distribute, or dispense—

''(i) fentanyl; or

''(ii) methamphetamine;

''(B) creating, manufacturing, distributing, dispensing, or possession with intent to manufacture, distribute, or dispense a counterfeit substance, including a counterfeit substance purporting to be a prescription drug; or

''(C) offering, dispensing, or administering an actual or purported prescription pain medication or prescription stimulant by any individual or entity that is not a practitioner or online pharmacy, including an individual or entity that falsely claims to be a practitioner or online pharmacy.

''(3) PERMITTED ACTIONS BASED ON REASONABLE BELIEF.—In order to reduce the proliferation of the unlawful sale, distribution, or manufacture (as applicable) of counterfeit substances and certain controlled substances, if a provider has a reasonable belief that facts or circumstances described in paragraph (2) exist, the provider may submit to the Drug Enforcement Administration a report described in paragraph (1).

''(c) CONTENTS OF REPORT.—

''(1) IN GENERAL.—To the extent the information is within the custody or control of a provider, the facts or circumstances included in each report under subsection (b)(1)—

''(A) shall include, to the extent that it is applicable and reasonably available, information relating to the account involved in the commission of a crime described in subsection (b)(2), such as the name, address, electronic mail address, user or account identification, Internet Protocol address, uniform resource locator, screen names or monikers for the account used or any other accounts associated with the account user, or any other identifying information, including self-reported identifying information, but not including the contents of a wire communication or electronic communication, as those terms are defined in section 2510 of title 18, United States Code, except as provided in subparagraph (B) of this paragraph; and

''(B) may, at the sole discretion of the provider, include the information described in paragraph (2) of this subsection.

''(2) OTHER INFORMATION.—The information referred to in paragraph (1)(B) is the following:

''(A) HISTORICAL REFERENCE.—Information relating to when and how a user, subscriber, or customer of a provider uploaded, transmitted, or received content relating to the report or when and how content relating to the report was reported to or discovered by the provider, including a date and time stamp and time zone.

''(B) GEOGRAPHIC LOCATION INFORMATION.—Information relating to the geographic location of the involved individual or website, which may include the Internet Protocol address or verified address, or, if not reasonably available, at least one form of geographic identifying information, including area code or ZIP Code, provided by the user, subscriber, or customer, or stored or obtained by the provider, and any information as to whether a virtual private network was used.

''(C) DATA RELATING TO FACTS OR CIRCUMSTANCES.—Any data, including symbols, photos, video, icons, or direct messages, relating to activity involving the facts or circumstances described in subsection (b)(2) or other content relating to the crime.

''(D) COMPLETE COMMUNICATION.—The complete communication containing the information of the crime described in subsection (b)(2), including—

''(i) any data or information regarding the transmission of the communication; and

''(ii) any data or other digital files contained in, or attached to, the communication.

''(3) USER, SUBSCRIBER, OR CUSTOMER SUBMITTED REPORTS.—In the case of a report under subsection (b)(3), the provider may, at its sole discretion, include in the report information submitted to the provider by a user, subscriber, or customer alleging facts or circumstances described in subsection (b)(2) if the provider, upon review, has a reasonable belief that the alleged facts or circumstances exist.

''(d) HANDLING OF REPORTS.—Upon receipt of a report submitted under subsection (b), the Drug Enforcement Administration—

''(1) shall conduct a preliminary review of such report; and

''(2) after completing the preliminary review, shall—

''(A) conduct further investigation of the report, which may include making the report available to other Federal, State, or local law enforcement agencies involved in the investigation of crimes described in subsection (b)(2), if the Drug Enforcement Administration determines that the report facially contains sufficient information to warrant and permit further investigation; or

''(B) conclude that no further investigative steps are warranted or possible, or that insufficient evidence exists to make a determination, and close the report.

''(e) ATTORNEY GENERAL RESPONSIBILITIES.—

''(1) IN GENERAL.—The Attorney General shall enforce this section.

''(2) DESIGNATION OF FEDERAL AGENCIES.—The Attorney General may designate a Federal law enforcement agency or agencies to which the Drug Enforcement Administration may forward a report under subsection (d).

''(3) DATA MINIMIZATION REQUIREMENTS.—The Attorney General shall take reasonable measures to—

''(A) limit the storage of a report submitted under subsection (b) and its contents to the amount that is necessary to carry out the investigation of crimes described in subsection (b)(2); and

''(B) store a report submitted under subsection (b) and its contents only as long as is reasonably necessary to carry out an investigation of crimes described in subsection (b)(2) or make the report available to other agencies under subsection (d)(2)(A), after which time the report and its contents shall be deleted unless the preservation of a report has future evidentiary value.

''(f) FAILURE TO COMPLY WITH REQUIREMENTS.—

''(1) CRIMINAL PENALTY.—

''(A) OFFENSE.—It shall be unlawful for a provider to knowingly fail to submit a report required under subsection (b)(1).

''(B) PENALTY.—A provider that violates subparagraph (A) shall be fined—

''(i) in the case of an initial violation, not more than $190,000; and

''(ii) in the case of any second or subsequent violation, not more than $380,000.

''(2) CIVIL PENALTY.—In addition to any other available civil or criminal penalty, a provider shall be liable to the United States Government for a civil penalty in an amount not less than $50,000 and not more than $100,000 if the provider knowingly submits a report under subsection (b) that—

''(A) contains materially false or fraudulent information; or

''(B) omits information described in subsection (c)(1)(A) that is reasonably available.

''(g) PROTECTION OF PRIVACY.—Nothing in this section shall be construed to—

''(1) require a provider to monitor any user, subscriber, or customer of that provider;

''(2) require a provider to monitor the content of any communication of any person described in paragraph (1);

''(3) require a provider to affirmatively search, screen, or scan for facts or circumstances described in subsection (b)(2); or

''(4) permit actual knowledge to be proven based solely on a provider's decision not to engage in additional verification or investigation to discover facts and circumstances that are not readily apparent, so long as the provider does not deliberately blind itself to those violations.

''(h) CONDITIONS OF DISCLOSURE OF INFORMATION CONTAINED WITHIN REPORT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a law enforcement agency that receives a report under subsection (d) shall not disclose any information contained in that report.

''(2) PERMITTED DISCLOSURES BY LAW ENFORCEMENT.—A law enforcement agency may disclose information in a report received under subsection (d)—

''(A) to an attorney for the government for use in the performance of the official duties of that attorney, including providing discovery to a defendant;

''(B) to such officers and employees of that law enforcement agency, as may be necessary in the performance of their investigative and recordkeeping functions;

''(C) to such other government personnel (including personnel of a State or subdivision of a State) as are determined to be necessary by an attorney for the government to assist the attorney in the performance of the official duties of the attorney in enforcing Federal criminal law;

''(D) if the report discloses an apparent violation of State criminal law, to an appropriate official of a State or subdivision of a

State for the purpose of enforcing such State law;

''(E) to a defendant in a criminal case or the attorney for that defendant to the extent the information relates to a criminal charge pending against that defendant;

''(F) to a provider if necessary to facilitate response to legal process issued in connection to a criminal investigation, prosecution, or post-conviction remedy relating to that report;

''(G) as ordered by a court upon a showing of good cause and pursuant to any protective orders or other conditions that the court may impose; and

''(H) in order to facilitate the enforcement of the penalties authorized under subsection (f).

''(i) PRESERVATION.—

''(1) IN GENERAL.—

''(A) REQUEST TO PRESERVE CONTENTS.—

''(i) IN GENERAL.—Subject to clause (ii), for the purposes of this section, a completed submission by a provider of a report to the Drug Enforcement Administration under subsection (b)(1) shall be treated as a request to preserve the contents provided in the report, and any data or other digital files that are reasonably accessible and may provide context or additional information about the reported material or person, for 90 days after the submission to the Drug Enforcement Administration.

''(ii) LIMITATIONS ON EXTENSION OF PRESERVATION PERIOD.—

''(I) STORED COMMUNICATIONS ACT.—The Drug Enforcement Administration may not submit a request to a provider to continue preservation of the contents of a report or other data described in clause (i) under section 2703(f) of title 18, United States Code, beyond the required period of preservation under clause (i) of this subparagraph unless the Drug Enforcement Administration has an active or pending investigation involving the user, subscriber, or customer account at issue in the report.

''(II) RULE OF CONSTRUCTION.—Nothing in subclause (I) shall preclude another Federal, State, or local law enforcement agency from seeking continued preservation of the contents of a report or other data described in clause (i) under section 2703(f) of title 18, United States Code.

''(B) NOTIFICATION TO USER.—A provider may not notify a user, subscriber, or customer of the provider of a preservation request described in subparagraph (A) unless—

''(i) the provider has notified the Drug Enforcement Administration of its intent to provide that notice; and

''(ii) 45 business days have elapsed since the notification under clause (i).

''(2) PROTECTION OF PRESERVED MATERIALS.—A provider preserving materials under this section shall maintain the materials in a secure location and take appropriate steps to limit access to the materials by agents or employees of the service to that access necessary to comply with the requirements of this subsection.

''(3) AUTHORITIES AND DUTIES NOT AFFECTED.—Nothing in this section shall be construed as replacing, amending, or otherwise interfering with the authorities and duties under section 2703 of title 18, United States Code.

''(4) RELATION TO REPORTING REQUIREMENT.—Submission of a report as required by subsection (b)(1) does not satisfy the obligations under this subsection.

''(j) ANNUAL REPORT.—Not later than 1 year after the date of enactment of the Cooper Davis Act, and annually thereafter, the Drug Enforcement Administration shall publish a report that includes, for the reporting period—

''(1) the total number of reports received from providers under subsection (b)(1);

''(2) the number of reports received under subsection (b)(1) disaggregated by—

''(A) the provider on whose electronic communication service or remote computing service the crime for which there are facts or circumstances occurred; and

''(B) the subsidiary of a provider, if any, on whose electronic communication service or remote computing service the crime for which there are facts or circumstances occurred;

''(3) the number of reports received under subsection (b)(1) that led to convictions in cases investigated by the Drug Enforcement Administration;

''(4) the number of reports received under subsection (b)(1) that lacked actionable information;

''(5) the number of reports received under subsection (b)(1) where the facts or circumstances of a crime were discovered through—

''(A) content moderation conducted by a human; or

''(B) a non-human method including use of an algorithm, machine learning, or other means;

''(6) the number of reports received under subsection (b)(1) that were made available to other law enforcement agencies, disaggregated by—

''(A) the number of reports made available to Federal law enforcement agencies;

''(B) the number of reports made available to State law enforcement agencies; and

''(C) the number of reports made available to local law enforcement agencies; and

''(7) the number of requests to providers to continue preservation of the contents of a report or other data described in subsection (i)(1)(A)(i) submitted by the Drug Enforcement Administration under section 2703(f) of title 18, United States Code.

''(k) PROHIBITION ON SUBMISSION OF USER, SUBSCRIBER, CUSTOMER, OR ANONYMOUS REPORTS BY LAW ENFORCEMENT.—

''(1) IN GENERAL.—No Federal, Tribal, State, or local law enforcement officer acting in an official capacity may submit a report to a provider or arrange for another individual to submit a report to a provider on behalf of the officer under this section.

''(2) REMEDY FOR VIOLATION.—No part of the contents of a provider's report made under subsection (b)(1) or (b)(3) and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof if that provider report resulted from an action prohibited by paragraph (1) of this subsection.

''(l) EXEMPTIONS.—Subsections (b) through (k) shall not apply to a provider of broadband internet access service, as that term is defined in section 8.1(b) of title 47, Code of Federal Regulations (or any successor regulation), or a provider of a text messaging service, as that term is defined in section 227 of the Communications Act of 1934 (47 U.S.C. 227), insofar as the provider is acting as a provider of such service.''.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Controlled Substances Act (21 U.S.C. 801 et seq.) is amended by inserting after the item relating to section 520 the following:

''Sec. 521. Reporting requirements of electronic communication service providers and remote computing services for certain controlled substances violations.''.

(2) CONFORMING AMENDMENTS TO STORED COMMUNICATIONS ACT.—

(A) IN GENERAL.—Section 2702 of title 18, United States Code, is amended—

(i) in subsection (b)—

(I) in paragraph (8), by striking ''or'' at the end;

(II) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(10) to the Drug Enforcement Administration, in connection with a report submitted thereto under section 521 of the Controlled Substances Act.''; and

(ii) in subsection (c)—

(I) in paragraph (6), by striking ''or'' at the end;

(II) in paragraph (7), by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(8) to the Drug Enforcement Administration, in connection with a report submitted thereto under section 521 of the Controlled Substances Act.''.

(B) TECHNICAL AMENDMENT.—Paragraph (7) of section 2702(b) of title 18, United States Code, is amended to read as follows:

''(7) to a law enforcement agency if the contents—

''(A) were inadvertently obtained by the service provider; and

''(B) appear to pertain to the commission of a crime;''.

(c) SEVERABILITY.—If any provision of this section or amendment made by this section, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional, the remaining provisions of this section and amendments made by this section, and the application of such provision or amendment to any other person or circumstance, shall not be affected thereby.

SA 2391. Mr. BRAUN (for himself, Ms. SINEMA, 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, insert the following:

SEC. ____. PILOT PROGRAM ON IDENTIFICATION, APPOINTMENT, OR REFERRAL OF VETERANS FOR POTENTIAL EMPLOYMENT WITH FEDERAL LAND MANAGEMENT AGENCIES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs of the Senate;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Committee on Energy and Natural Resources of the Senate;

(D) the Committee on Veterans' Affairs of the House of Representatives;

(E) the Committee on Agriculture of the House of Representatives; and

(F) the Committee on Natural Resources of the House of Representatives.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Personnel Management.

(3) FEDERAL LAND MANAGEMENT AGENCY.—The term ''Federal land management agency'' means—

(A) the Forest Service;

(B) the National Park Service;

(C) the United States Fish and Wildlife Service;

(D) the Bureau of Land Management; or
(E) the Bureau of Reclamation.
(4) NONCOMPETITIVE.—The term ''noncompetitive'', when used with respect to an appointment, means an appointment made without regard to subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of that title.
(5) PILOT PROGRAM.—The term ''pilot program'' means the pilot program established by the Director under subsection (b).
(6) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ''recognized postsecondary credential'' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
(7) VETERAN.—The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director (in consultation with the Secretary of Veterans Affairs, the Secretary of the Interior, and the Secretary of Agriculture) shall establish a pilot program to recruit veterans with relevant strengths and abilities and refer the veterans to supervisory or nonsupervisory positions in Federal land management agencies.

(c) PUBLICATION OF INFORMATION APPLICATION.—
(1) PUBLICATION.—The Director shall publicize, and disseminate information about, the pilot program on the website of the Office of Personnel Management.
(2) APPLICATION.—A veteran seeking to participate in the pilot program shall submit to the Director an application in such form, in such manner, and containing such information as the Director may require.

(d) TESTS OF STRENGTHS AND ABILITIES.—
(1) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Director (in consultation with the Secretary of Veterans Affairs, the Secretary of the Interior, and the Secretary of Agriculture) shall issue guidance on the development of individual tests to be administered for the purposes of the pilot program to determine the strengths and abilities of veterans for positions in the following career fields at Federal land management agencies:
(A) Outdoor recreation management.
(B) Management of volunteers.
(C) Fire planning and fire analysis.
(D) Firefighting.
(E) Aviation.
(F) Forest engineering.
(G) Inventory monitoring of land under the management of a Federal land management agency.
(H) Landscape restoration.
(I) Ecology.
(J) Sustainability of ecosystems.
(K) Archeology.
(L) Range management.
(M) Analysis of geospatial data.
(N) Biology.
(O) Geology.
(P) Land use.
(Q) Physical sciences.
(R) Civil engineering.
(S) Hydrology.
(T) Land surveying.
(U) Water reclamation.
(V) Finance, budget, and administration.
(2) WAIVER.—For purposes of the pilot program, the Director (in consultation with, as appropriate, the Secretary of Agriculture or the Secretary of the Interior) may waive any requirement for a recognized postsecondary credential for a position in a career field described in paragraph (1), if the Director determines that such a waiver is necessary.
(3) ADMINISTRATION.—The head of a Federal land management agency shall—
(A) administer a test developed described in paragraph (1) to each veteran who applies for participation in the pilot program;
(B) develop assessments to measure the relative capacity and fitness of veterans described in subparagraph (A) of this paragraph for positions in the career fields described in paragraph (1); and
(C) refer each veteran described in subparagraph (A) to the official employment website of the Federal Government.
(4) MANAGEMENT.—The Director (in consultation with the Secretary of Veterans Affairs) shall develop a method to oversee and manage the employment of veterans within Federal land management agencies in positions in the career fields that are covered by the pilot program.
(e) APPOINTMENT AND REFERRAL.—The head of a Federal land management agency (in consultation with the Secretary of Veterans Affairs), with respect to a veteran who has taken a test administered under subsection (d)(3)(A)—
(1) if the veteran has demonstrated through the test the necessary strengths and abilities for a vacant supervisory or nonsupervisory position in a career field covered by the pilot program in the Federal land management agency, as determined by the head of the Federal land management agency, may make a noncompetitive career-conditional appointment of the veteran to that vacant position; or
(2) if the veteran has not demonstrated through the test the necessary strengths and abilities for a vacant supervisory or nonsupervisory position in a career field covered by the pilot program in the Federal land management agency, as determined by the head of the Federal land management agency—
(A) shall refer the veteran to a recruiter of that Federal land management agency for participation in a training program that the agency shall establish for the purposes of this section, which shall provide the veteran with the strengths and abilities for a position in such a career field;
(B) shall, after the participation by the veteran in a training program described in subparagraph (A), re-administer that test, for the purpose of re-evaluation, to the veteran as frequently as the head of the Federal land management agency determines appropriate until the veteran demonstrates through the test the necessary strengths and abilities; and
(C) may, if the veteran has demonstrated through the test the necessary strengths and abilities, make a noncompetitive career-conditional appointment of the veteran to a position in such a career field.
(f) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the termination of the pilot program, the Director (in consultation with the Secretary of Veterans Affairs and the heads of the Federal land management agencies) shall submit to the appropriate committees of Congress a report on the pilot program.
(g) TERMINATION.—The pilot program shall terminate on the date that is 5 years after the date on which the Director establishes the pilot program.

SA 2392. Mr. BRAUN (for himself, Mr. TESTER, Mr. RUBIO, and Mr. TUBERVILLE) 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 C, add the following:

TITLE XXXVI—PROTECTING AMERICA'S AGRICULTURAL LAND FROM FOREIGN HARM

SEC. 3601. DEFINITIONS.

In this title:
(1) AGRICULTURAL LAND.—
(A) IN GENERAL.—The term ''agricultural land'' has the meaning given the term in section 9 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508).
(B) INCLUSION.—The term ''agricultural land'' includes land described in section 9(1) of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508(1)) that is used for ranching purposes.
(2) COVERED PERSON.—
(A) IN GENERAL.—The term ''covered person'' has the meaning given the term ''person owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary'' in section 7.2 of title 15, Code of Federal Regulations (as in effect on the date of enactment of this Act), except that each reference to ''foreign adversary'' in that definition shall be deemed to be a reference to the government of—
(i) Iran;
(ii) North Korea;
(iii) the People's Republic of China; or
(iv) the Russian Federation.
(B) EXCLUSIONS.—The term ''covered person'' does not include a United States citizen or an alien lawfully admitted for permanent residence to the United States.
(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.
(4) UNITED STATES.—The term ''United States'' includes any State, territory, or possession of the United States.

SEC. 3602. PROHIBITION ON PURCHASE OR LEASE OF AGRICULTURAL LAND IN THE UNITED STATES BY PERSONS ASSOCIATED WITH CERTAIN FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the President shall take such actions as may be necessary to prohibit the purchase or lease by covered persons of—
(1) public agricultural land that is owned by the United States and administered by the head of any Federal department or agency, including the Secretary, the Secretary of the Interior, and the Secretary of Defense; or
(2) private agricultural land located in the United States.
(b) 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 subsection (a).
(c) PENALTIES.—A person that knowingly violates, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any regulation, license, or order issued to carry out that subsection 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.
(d) RULE OF CONSTRUCTION.—Nothing in this section—
(1) prohibits or otherwise affects the purchase or lease of public or private agricultural land described in subsection (a) by any person other than a covered person;
(2) prohibits or otherwise affects the use of public or private agricultural land described in subsection (a) that is transferred to or acquired by a person other than a covered person from a covered person; or

(3) requires a covered person that owns or leases public or private agricultural land described in subsection (a) as of the date of enactment of this Act to sell that land.

SEC. 3603. PROHIBITION ON PARTICIPATION IN DEPARTMENT OF AGRICULTURE PROGRAMS BY PERSONS ASSOCIATED WITH CERTAIN FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other provision of the law, the President shall take such actions as may be necessary to prohibit participation in Department of Agriculture programs by covered persons that have full or partial ownership of agricultural land in the United States or lease agricultural land in the United States.

(b) EXCLUSIONS.—Subsection (a) shall not apply to participation in any program—

(1) relating to—

(A) food inspection or any other food safety regulatory requirements; or

(B) health and labor safety of individuals; or

(2) administered by the Farm Service Agency, with respect to the administration of this title or the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501 et seq.).

(c) PROOF OF CITIZENSHIP.—To participate in a Department of Agriculture program described in subsection (b) (except for a program under this title or the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501 et seq.)), a person described in subparagraph (A) of section 3601(2) that is a person described in subparagraph (B) of that section shall submit to the Secretary proof that the person is described in subparagraph (B) of that section.

SEC. 3604. AGRICULTURAL FOREIGN INVESTMENT DISCLOSURE.

(a) INCLUSION OF SECURITY INTERESTS AND LEASES IN REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Section 9 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508) is amended—

(A) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(B) by inserting after paragraph (3) the following:

''(4) the term 'interest' includes—

''(A) a security interest; and

''(B) a lease, without regard to the duration of the lease;''.

(2) CONFORMING AMENDMENT.—Section 2 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501) is amended by striking '', other than a security interest,'' each place it appears.

(b) CIVIL PENALTY.—Section 3 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3502) is amended—

(1) in subsection (b), by striking ''exceed 25 percent'' and inserting ''be less than 15 percent, or exceed 30 percent,''; and

(2) by adding at the end the following:

''(c) LIENS.—On imposing a penalty under subsection (a), the Secretary shall ensure that a lien is placed on the agricultural land with respect to which the violation occurred, which shall be released only on payment of the penalty.''.

(c) TRANSPARENCY.—

(1) IN GENERAL.—Section 7 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3506) is amended to read as follows:

''SEC. 7. PUBLIC DATA SETS.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Consolidated Appropriations Act, 2023 (Public Law 117–328; 136 Stat. 4459), the Secretary shall publish on the internet database established under section 773 of division A of that Act (136 Stat. 4509) human-readable and machine-readable data sets that—

''(1) contain all data that the Secretary possesses relating to reporting under this Act from each report submitted to the Secretary under section 2; and

''(2) as soon as practicable, but not later than 30 days, after the date of receipt of any report under section 2, shall be updated with the data from that report.

''(b) INCLUDED DATA.—The data sets established under subsection (a) shall include—

''(1) a description of—

''(A) the purchase price paid for, or any other consideration given for, each interest in agricultural land for which a report is submitted under section 2; and

''(B) updated estimated values of each interest in agricultural land described in subparagraph (A), as that information is made available to the Secretary, based on the most recently assessed value of the agricultural land or another comparable method determined by the Secretary; and

''(2) with respect to any agricultural land for which a report is submitted under section 2, updated descriptions of each foreign person who holds an interest in at least 1 percent of the agricultural land, as that information is made available to the Secretary, categorized as a majority owner or a minority owner that holds an interest in the agricultural land.''.

(2) DEADLINE FOR DATABASE ESTABLISHMENT.—Section 773 of division A of the Consolidated Appropriations Act, 2023 (Public Law 117–328), is amended, in the first proviso, by striking ''3 years'' and inserting ''2 years''.

(d) DEFINITION OF FOREIGN PERSON.—Section 9(3) of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508(3)) is amended—

(1) in subparagraph (C)(ii)(IV), by striking ''and'' at the end;

(2) in subparagraph (D), by inserting ''and'' after the semicolon at the end; and

(3) by adding at the end the following:

''(E) any person, other than an individual or a government, that issues equity securities that are primarily traded on a foreign securities exchange within—

''(i) Iran;

''(ii) North Korea;

''(iii) the People's Republic of China; or

''(iv) the Russian Federation;''.

SEC. 3605. REPORTS.

(a) REPORT FROM SECRETARY ON FOREIGN OWNERSHIP OF AGRICULTURAL LAND IN UNITED STATES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and once every 2 years thereafter, the Secretary shall submit to Congress a report describing—

(A) the risks and benefits, as determined by the Secretary, associated with foreign ownership or lease of agricultural land in rural areas (as defined in section 520 of the Housing Act of 1949 (42 U.S.C. 1490));

(B) the intended and unintended misrepresentation of foreign land ownership in the annual reports prepared by the Secretary describing foreign holdings of agricultural land due to inaccurate reporting of foreign holdings of agricultural land;

(C) the specific work that the Secretary has undertaken to monitor erroneous reporting required by the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501 et seq.) that would result in a violation or civil penalty; and

(D) the role of State and local government authorities in tracking foreign ownership of agricultural land in the United States.

(2) PROTECTION OF INFORMATION.—In carrying out paragraph (1), the Secretary shall establish a plan to ensure the protection of personally identifiable information.

(b) REPORT FROM DIRECTOR OF NATIONAL INTELLIGENCE ON FOREIGN OWNERSHIP OF AGRICULTURAL LAND IN UNITED STATES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and once every 2 years thereafter, the Director of National Intelligence shall submit to the congressional recipients described in paragraph (2) a report describing—

(A) an analysis of foreign malign influence (as defined in section 119C(f) of the National Security Act of 1947 (50 U.S.C. 3059(f))) by covered persons that have foreign ownership in the United States agriculture industry; and

(B) the primary motives, as determined by the Director of National Intelligence, of foreign investors to acquire agricultural land.

(2) CONGRESSIONAL RECIPIENTS DESCRIBED.—Each report under paragraph (1) shall be submitted to—

(A) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Foreign Relations of the Senate;

(E) the Committee on Financial Services of the House of Representatives;

(F) the Committee on Agriculture of the House of Representatives;

(G) the Permanent Select Committee on Intelligence of the House of Representatives;

(H) the Committee on Foreign Affairs of the House of Representatives;

(I) the majority leader of the Senate;

(J) the minority leader of the Senate;

(K) the Speaker of the House of Representatives; and

(L) the minority leader of the House of Representatives.

(3) CLASSIFICATION.—Each report under paragraph (1) shall be submitted in an unclassified form, but may include a classified annex.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing—

(1) a review of resources, staffing, and expertise for carrying out the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501 et seq.), and enforcement issues limiting the effectiveness of that Act; and

(2) any recommended necessary changes to that Act.

SA 2393. Mr. MARSHALL (for himself and Ms. ERNST) 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 XII, add the following:

SEC. 1266. PROHIBITION ON USE OF FUNDS.

None of the funds authorized to be appropriated or otherwise made available by this Act may be used to provide funding to support, directly or indirectly—

(1) the Wuhan Institute of Virology located in the City of Wuhan in the People's Republic of China;

(2) the EcoHealth Alliance, Inc.;

(3) any laboratory owned or controlled by the government of the People's Republic of

China, the Republic of Cuba, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Russian Federation, the Bolivarian Republic of Venezuela under the regime of Nicolas Maduro Moros, or any other country determined by the Secretary of State to be a foreign adversary; or

(4) gain-of-function research of concern.

SA 2394. Mr. MARSHALL 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_____. LIMITATION ON AVAILABILITY OF FUNDS FOR CELL-CULTURED MEAT PRODUCTS.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2025 for the Department of Defense may be obligated or expended to develop or procure any cell-cultured meat product for the purpose of feeding any member of the United States Armed Forces.

SA 2395. Mr. MARSHALL (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 VI, add the following:

SEC. 630. REPORT ON CREDIT AND DEBIT CARD USER FEES IMPOSED ON VETERANS AND CAREGIVERS AT COMMISSARY STORES AND MWR FACILITIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Treasury, shall submit to Congress a report on the imposition of user fees under subsection (g) of section 1065 of title 10, United States Code, with respect to the use of credit or debit cards at commissary stores and MWR facilities by individuals eligible to use commissary stores and MWR facilities under that section.

(b) ELEMENTS.—The report required by subsection (a) shall provide the following, for the fiscal year preceding submission of the report:

(1) The total amount of expenses borne by the Department of the Treasury on behalf of commissary stores and MWR facilities associated with the use of credit or debit cards for customer purchases by individuals described in subsection (a), including expenses related to card network use and related transaction processing fees.

(2) The total amount of fees related to credit and debit card network use and related transaction processing paid by the Department of the Treasury on behalf of commissary stores and MWR facilities to credit and debit card networks and issuers.

(3) An identification of all credit and debit card networks to which the Department of the Treasury paid fees described in paragraph (2).

(4) An identification of the 10 credit card issuers and the 10 debit card issuers to which the Department of the Treasury paid the most fees described in paragraph (2).

(5) The total amount of user fees imposed on individuals under section 1065(g) of title 10, United States Code, who are—

(A) veterans who were awarded the Purple Heart;

(B) veterans who were Medal of Honor recipients;

(C) veterans who are former prisoners of war;

(D) veterans with a service-connected disability; and

(E) caregivers or family caregivers of a veteran.

(6) The total amount of fees described in paragraph (2) that were reimbursed to the Department of the Treasury by credit and debit card networks and issuers in order to spare individuals described in subsection (a) from being charged user fees for credit and debit card use at commissary stores or MWR retail facilities.

(c) DEFINITIONS.—In this section, the terms ''caregiver'', ''family caregiver'', and ''MWR facilities'' have the meanings given those terms in section 1065(h) of title 10, United States Code.

SA 2396. Mr. ROUNDS (for himself and Mr. MANCHIN) 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. _____. MODERNIZING LAW ENFORCEMENT NOTIFICATION.

(a) VERIFIED ELECTRONIC NOTIFICATION DEFINED.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(38) The term 'verified electronic notification', with respect to a communication to a chief law enforcement officer required under section 922(c)(2), means a digital communication—

''(A) sent to the electronic communication address that the chief law enforcement officer voluntarily designates for the purpose of receiving those communications; and

''(B) that includes a method for verifying—

''(i) the receipt of the communication; and

''(ii) the electronic communication address to which the communication is sent.''.

(b) VERIFIED ELECTRONIC NOTIFICATION.—Section 922(c) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) the transferor has—

''(A) prior to the shipment or delivery of the firearm, forwarded a copy of the sworn statement, together with a description of the firearm, in a form prescribed by the Attorney General, to the chief law enforcement officer of the transferee's place of residence, by—

''(i) registered or certified mail (return receipt requested); or

''(ii) verified electronic notification; and

''(B)(i) with respect to a delivery method described in subparagraph (A)(i)—

''(I) received a return receipt evidencing delivery of the statement; or

''(II) had the statement returned due to the refusal of the named addressee to accept such letter in accordance with United States Post Office Department regulations; or

''(ii) with respect to a delivery method described in subparagraph (A)(ii), received a return receipt evidencing delivery of the statement; and''.

SA 2397. Mrs. BLACKBURN 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 E of title VII, add the following:

SEC. 750. STUDY ON EFFECTIVENESS OF HEARING LOSS PREVENTION PROGRAMS.

(a) STUDY.—The Secretary of Defense, in partnership with the Secretary of Veterans Affairs, shall conduct a study on the effectiveness of hearing loss prevention programs of the Department of Defense in reducing hearing loss and tinnitus prevalence among members of the Armed Forces and veterans.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the study conducted under subsection (a).

(2) ELEMENTS.—The report required under paragraph (1) shall include, at a minimum—

(A) the amount of funding used and types of programs implemented to address hearing loss among members of the Armed Forces;

(B) an identification of such programs that are effective; and

(C) recommendations for legislative action to improve hearing health outcomes among members of the Armed Forces and veterans.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SA 2398. 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 title XII, insert the following:

SEC. ___. PROHIBITION APPLICABLE TO GLOBAL ENGAGEMENT CENTER OF DEPARTMENT OF STATE REGARDING NEWS DISINFORMATION AND MISINFORMATION.

Section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended—

(1) in subsection (h), by striking ''subsection (j)'' and inserting ''subsection (k)'';

(2) by redesignating subsection (j) as subsection (k); and

(3) by inserting after subsection (i) the following:

''(j) PROHIBITION REGARDING NEWS DISINFORMATION AND MISINFORMATION.—None of the funds authorized to be appropriated or otherwise made available to carry out this

section shall be used to create, or provide funding to a foreign government, quasi-governmental organization, or nonprofit organization for the research, development, or maintenance of, any list or ranking system relating to disinformation or misinformation of United States-based news content, regardless of medium.''.

SA 2399. Mr. CORNYN proposed an amendment to the bill S. 150, to amend the Federal Trade Commission Act to prohibit product hopping, 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 ''Affordable Prescriptions for Patients Act of 2023''.

SEC. 2. TITLE 35 AMENDMENTS.

(a) IN GENERAL.—Section 271(e) of title 35, United States Code, is amended—

(1) in paragraph (2)(C), in the flush text following clause (ii), by adding at the end the following: ''With respect to a submission described in clause (ii), the act of infringement shall extend to any patent that claims the biological product, a method of using the biological product, or a method or product used to manufacture the biological product.''; and

(2) by adding at the end the following:

''(7)(A) Subject to subparagraphs (C), (D), and (E), if the sponsor of an approved application for a reference product, as defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i)) (referred to in this paragraph as the 'reference product sponsor'), brings an action for infringement under this section against an applicant for approval of a biological product under section 351(k) of such Act that references that reference product (referred to in this paragraph as the 'subsection (k) applicant'), the reference product sponsor may assert in the action a total of not more than 20 patents of the type described in subparagraph (B), not more than 10 of which shall have issued after the date specified in section 351(l)(7)(A) of such Act.

''(B) The patents described in this subparagraph are patents that satisfy each of the following requirements:

''(i) Patents that claim the biological product that is the subject of an application under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)) (or a use of that product) or a method or product used in the manufacture of such biological product.

''(ii) Patents that are included on the list of patents described in paragraph (3)(A) of section 351(l) of the Public Health Service Act (42 U.S.C. 262(l)), including as provided under paragraph (7) of such section 351(l).

''(iii) Patents that—

''(I) have an actual filing date of more than 4 years after the date on which the reference product is approved; or

''(II) include a claim to a method in a manufacturing process that is not used by the reference product sponsor.

''(C) The court in which an action described in subparagraph (A) is brought may increase the number of patents limited under that subparagraph—

''(i) if the request to increase that number is made without undue delay; and

''(ii)(I) if the interest of justice so requires; or

''(II) for good cause shown, which—

''(aa) shall be established if the subsection (k) applicant fails to provide information required section 351(k)(2)(A) of the Public Health Service Act (42 U.S.C. 262(k)(2)(A)) that would enable the reference product sponsor to form a reasonable belief with respect to whether a claim of infringement under this section could reasonably be asserted; and

''(bb) may be established—

''(AA) if there is a material change to the biological product (or process with respect to the biological product) of the subsection (k) applicant that is the subject of the application;

''(BB) if, with respect to a patent on the supplemental list described in section 351(l)(7)(A) of Public Health Service Act (42 U.S.C. 262(l)(7)(A)), the patent would have issued before the date specified in such section 351(l)(7)(A) but for the failure of the Office to issue the patent or a delay in the issuance of the patent, as described in paragraph (1) of section 154(b) and subject to the limitations under paragraph (2) of such section 154(b); or

''(CC) for another reason that shows good cause, as determined appropriate by the court.

''(D) In determining whether good cause has been shown for the purposes of subparagraph (C)(ii)(II), a court may consider whether the reference product sponsor has provided a reasonable description of the identity and relevance of any information beyond the subsection (k) application that the court believes is necessary to enable the court to form a belief with respect to whether a claim of infringement under this section could reasonably be asserted.

''(E) The limitation imposed under subparagraph (A)—

''(i) shall apply only if the subsection (k) applicant completes all actions required under paragraphs (2)(A), (3)(B)(ii), (5), (6)(C)(i), (7), and (8)(A) of section 351(l) of the Public Health Service Act (42 U.S.C. 262(l)); and

''(ii) shall not apply with respect to any patent that claims, with respect to a biological product, a method for using that product in therapy, diagnosis, or prophylaxis, such as an indication or method of treatment or other condition of use.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to an application submitted under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)) on or after the date of enactment of this Act.

(c) MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''$0'' and inserting ''$1,800,000,000''.

SA 2400. Ms. SINEMA (for herself and Mr. HAGERTY) 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. _____. EXEMPTION OF CERTAIN LESS-THAN-LETHAL PROJECTILE DEVICES FROM RESTRICTIONS UNDER TITLE 18, UNITED STATES CODE.

Section 921(a) of title 18, United States Code, is amended—

(1) in the second sentence of paragraph (3), by inserting ''or a less-than-lethal projectile device'' before the period; and

(2) by adding at the end the following:

''(38) The term 'less-than-lethal projectile device' means a device with a bore or multiple bores, that—

''(A) is not designed or intended to expel a projectile at a velocity exceeding 500 feet per second by any means; and

''(B) is designed or intended to be used in a manner that is not likely to cause death or serious bodily injury.''.

SA 2401. Mr. WHITEHOUSE (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 appropriate place in title X, insert the following:

SEC. _____. COORDINATOR FOR COMBATING FOREIGN KLEPTOCRACY AND CORRUPTION.

Section 101 of the National Security Act of 1947 (50 U.S.C. 3021) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) assess the national security implications of foreign corruption and kleptocracy (including strategic corruption) and coordinate, without assuming operational authority, the United States Government efforts to counter foreign corruption and kleptocracy.'';

(2) by redesignating subsection (h) as subsection (i); and

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

''(h) COORDINATOR FOR COMBATING FOREIGN KLEPTOCRACY AND CORRUPTION.—

''(1) IN GENERAL.—The President shall designate an officer of the National Security Council to be responsible for—

''(A) the assessment of the national security implications of foreign corruption and kleptocracy (including strategic corruption); and

''(B) the coordination of the interagency process to counter foreign corruption and kleptocracy.

''(2) RESPONSIBILITIES.—In addition to the coordination and assessment described in paragraph (1), the officer designated pursuant to paragraph (1) shall be responsible for the following:

''(A) Coordinating and deconflicting anti-corruption and counter-kleptocracy initiatives across the Federal Government, including those at the Department of State, the Department of the Treasury, the Department of Justice, and the United States Agency for International Development.

''(B) Informing deliberations of the Council by highlighting the wide-ranging and destabilizing effects of corruption on a variety of issues, including drug trafficking, arms trafficking, sanctions evasion, cybercrime, voting rights and global democracy initiatives, and other matters of national security concern to the Council.

''(C) Updating, as appropriate, and coordinating the implementation of the United States strategy on countering corruption.

''(3) COORDINATION WITH COORDINATOR FOR COMBATING MALIGN FOREIGN INFLUENCE OPERATIONS AND CAMPAIGNS.—The officer designated under paragraph (1) of this subsection shall coordinate with the employee designated under subsection (g)(1).

''(4) LIAISON.—The officer designated under paragraph (1) shall serve as a liaison, for purposes of coordination described in such paragraph and paragraph (2)(A), with the following:

''(A) The Department of State.
''(B) The Department of the Treasury.
''(C) The Department of Justice.
''(D) The intelligence community.
''(E) The United States Agency for International Development.
''(F) Any other Federal agency that the President considers appropriate.
''(G) Good government transparency groups in civil society.
''(5) CONGRESSIONAL BRIEFING.—
''(A) IN GENERAL.—Not less frequently than once each year, the officer designated pursuant to paragraph (1), or the officer's designee, shall provide to the congressional committees specified in subparagraph (B) a briefing on the responsibilities and activities of the officer designated under this subsection.
''(B) COMMITTEES SPECIFIED.—The congressional committees specified in this subparagraph are the following:
''(i) The Committee on Foreign Relations, the Select Committee on Intelligence, and the Caucus on International Narcotics Control of the Senate.
''(ii) The Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.''.

SA 2402. Mr. WHITEHOUSE (for himself, Mr. GRAHAM, Mr. BLUMENTHAL, Mr. RISCH, and Mr. BENNET) 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—Asset Seizure for Ukraine Reconstruction Act

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Asset Seizure for Ukraine Reconstruction Act''.

SEC. 1292. NATIONAL EMERGENCY DECLARATION RELATING TO HARMFUL ACTIVITIES OF RUSSIAN FEDERATION RELATING TO UKRAINE.

The procedures under section 1293 shall apply if the President—
(1) declares a national emergency under section 201 of the National Emergencies Act (50 U.S.C. 1621) with respect to actions of the Government of the Russian Federation or nationals of the Russian Federation that threaten the peace, security, stability, sovereignty, or territorial integrity of Ukraine; and
(2) declares that the use of the procedures under section 1293 are necessary as a response to the national emergency.

SEC. 1293. PROCEDURES.

(a) NONJUDICIAL FORFEITURE.—Property may be forfeited through nonjudicial civil forfeiture under section 609 of the Tariff Act of 1930 (19 U.S.C. 1609), without regard to limitation under section 607(a)(1) of that Act (19 U.S.C. 1607(a)(1)), if—
(1) the President makes the declaration described in section 1292; and
(2) the Attorney General, or a designee, makes the certification described in subsection (b) with respect to the property.
(b) CERTIFICATION.—After seizure of property and prior to forfeiture of the property under subsection (a), the Attorney General, or a designee, shall certify that, upon forfeiture, the property will be covered forfeited property (as defined in section 1708(c) of the Additional Ukraine Supplemental Appropriations Act, 2023 (division M of Public Law 117–328; 136 Stat. 5200), as amended by this subtitle).

SEC. 1294. EXPANSION OF FORFEITED PROPERTY AVAILABLE TO REMEDIATE HARMS TO UKRAINE FROM RUSSIAN AGGRESSION.

(a) IN GENERAL.—Section 1708(c) of the Additional Ukraine Supplemental Appropriations Act, 2023 (division M of Public Law 117–328; 136 Stat. 5200) is amended—
(1) in paragraph (2), by striking ''which property belonged'' and all that follows and inserting the following: ''which property—
''(A) belonged to, was possessed by, or was controlled by a person the property or interests in property of which were blocked pursuant to any license, order, regulation, or prohibition imposed by the United States under the authority provided by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other provision of law, with respect to—
''(i) the Russian Federation; or
''(ii) actions or policies that undermine the democratic processes and institutions in Ukraine or threaten the peace, security, stability, sovereignty, or territorial integrity of Ukraine;
''(B) was involved in an act in violation of or a conspiracy or scheme to violate—
''(i) any license, order, regulation, or prohibition described in subparagraph (A); or
''(ii) any restriction on the export, reexport, or in-country transfer of items imposed by the United States under the Export Administration Regulations, or any restriction on the export, reexport, or retransfer of defense articles under the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, with respect to—
''(I) the Russian Federation, Belarus, the Crimea region of Ukraine, or the so-called 'Donetsk People's Republic' or 'Luhansk People's Republic' regions of Ukraine;
''(II) any person in any such country or region on a restricted parties list; or
''(III) any person located in any other country that has been added to a restricted parties list in connection with the malign conduct of the Russian Federation in Ukraine, including the annexation of the Crimea region of Ukraine in March 2014 and the invasion beginning in February 2022 of Ukraine, as substantially enabled by Belarus; or
''(C) was involved in any related conspiracy, scheme, or other Federal offense arising from the actions of, or doing business with or acting on behalf of, the Russian Federation, Belarus, the Crimea region of Ukraine, or the so-called 'Donetsk People's Republic' or 'Luhansk People's Republic' regions of Ukraine.''; and
(2) by adding at the end the following:
''(3) The term 'Export Administration Regulations' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).
''(4) The term 'restricted parties list' means any of the following lists maintained by the Bureau of Industry and Security:
''(A) The Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations.
''(B) The Denied Persons List maintained pursuant to section 764.3(a)(2) of the Export Administration Regulations.
''(C) The Unverified List set forth in Supplement No. 6 to part 744 of the Export Administration Regulations.''.
(b) EXTENSION OF AUTHORITY.—Section 1708(d) of the Additional Ukraine Supplemental Appropriations Act, 2023 is amended by striking ''May 1, 2025'' and inserting ''the date that is 3 years after the date of the enactment of the Asset Seizure for Ukraine Reconstruction Act''.

SEC. 1295. RULEMAKING.

The Attorney General and the Secretary of the Treasury may prescribe regulations to carry out this subtitle without regard to the requirements of section 553 of title 5, United States Code.

SEC. 1296. TERMINATION.

(a) IN GENERAL.—The provisions of this subtitle shall terminate on the date that is 3 years after the date of the enactment of this Act.
(b) SAVINGS PROVISION.—The termination of this subtitle under subsection (a) shall not—
(1) terminate the applicability of the procedures under this subtitle to any property seized prior to the date of the termination under subsection (a); or
(2) moot any legal action taken or pending legal proceeding not finally concluded or determined on that date.

SA 2403. Mr. BRAUN 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. ____. REPORT ON STATUS OF REUSABLE HYPERSONIC TECHNOLOGY DEVELOPMENT ACTIVITIES.

(a) IN GENERAL.—The Secretary of Defense shall submit to Congress a report on the status of reusable hypersonic technology development activities, including the High Mach Turbine Engine.
(b) CONTENTS.—The report submitted pursuant to subsection (a) shall include the following:
(1) A proposed organizational structure for management of a reusable hypersonic aircraft development program.
(2) An assessment of requirements and timeframe to formalize a program office.
(3) A cost estimate and timeline for testing key enabling technologies and programs.

SA 2404. Mr. BRAUN 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. DEPARTMENT OF VETERANS AFFAIRS TEMPORARY LOCAL VARIANCE FOR CERTAIN BUYER-BROKER CHARGES.

Not later than October 1, 2024, the Secretary of Veterans Affairs shall prescribe regulations for Circular 26-24-14 of the Veterans Benefits Administration, entitled ''Temporary Local Variance for Certain Buyer-Broker Charges'' and dated June 11, 2024, through notice-and-comment rulemaking.

SA 2405. Mr. BRAUN 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 X, add the following:

SEC. 1006. COMPLIANCE WITH PAYMENT INTEGRITY INFORMATION ACT OF 2019.

The Under Secretary of Defense (Comptroller) and Chief Financial Officer shall develop and implement—

(1) internal control procedures to ensure that components of the Department of Defense produce reliable estimates of improper payments (as defined in section 3351 of title 31, United States Code); and

(2) a process for accurately reporting confirmed fraud in the materials accompanying the financial report of the Department required by section 3515 of title 31, United States Code.

SA 2406. 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 end of subtitle H of title X, add the following:

SEC. 10_____. NATIONAL MEDAL OF HONOR MONUMENT LOCATION.

(a) SITE.—Notwithstanding section 8908(c) of title 40, United States Code, the commemorative work authorized by section 1(a) of Public Law 117–80 (40 U.S.C. 8903 note) shall be located within the Reserve (as defined in section 8902(a) of title 40, United States Code).

(b) APPLICABILITY OF COMMEMORATIVE WORKS ACT.—Except as provided in subsection (a), chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act''), shall apply to the commemorative work.

SA 2407. 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 in subtitle H of title X, insert the following:

SEC. 1095. AMENDMENT TO REGULATIONS EXEMPTING ENGINES/EQUIPMENT FOR NATIONAL SECURITY.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall revise the regulations under section 1068.225 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), to specify that an engine or equipment is exempt under that section without a request described in that section if the engine or equipment—

(1) is for a marine vessel;

(2) has a rated horsepower of 60 or less; and

(3) will be owned by a Federal, State, or local emergency response or public safety agency responsible for domestic response or homeland security activities.

SA 2408. 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 end of subtitle G of title X, add the following:

SEC. 10_____. RELOCATION OF MEMORIAL HONORING THE 9 AIR FORCE CREW MEMBERS WHO LOST THEIR LIVES IN AN AIRPLANE CRASH DURING A TRAINING MISSION ON AUGUST 31, 1982.

(a) IN GENERAL.—With the consent of the owner of the private land adjacent to the Cherohala Skyway in the State of North Carolina on which there is located a memorial honoring the 9 members of the Air Force crew of the C–141B transport plane that crashed during a training mission over the Cherokee and Nantahala National Forests on August 31, 1982 (referred to in this section as the ''memorial''), and subject to subsections (b) through (e), the Secretary of Agriculture (referred to in this section as the ''Secretary'') may authorize, by special use authorization, the installation and any maintenance associated with the installation of the memorial at an appropriate site at the Stratton Ridge rest area located at mile marker 2 on the Cherohala Skyway in Graham County, North Carolina, in the Nantahala National Forest.

(b) SITE APPROVAL.—The site at which the memorial is installed under subsection (a) is subject to approval by the Secretary, in concurrence with—

(1) the North Carolina Department of Transportation; and

(2) in a case in which the site is located adjacent to a Federal-aid highway, the Administrator of the Federal Highway Administration.

(c) FUNDING.—No Federal funds may be used to relocate, install, or maintain the memorial under subsection (a).

(d) COSTS.—The individual or entity requesting the installation of the memorial on National Forest System land under subsection (a) shall be responsible for the costs associated with the use of National Forest System land for the memorial, including the costs of—

(1) processing the application for the relocation;

(2) issuing a special use authorization for the memorial, including the costs associated with any related environmental analysis; and

(3) relocating, installing, and maintaining the memorial.

(e) TERMS AND CONDITIONS.—The special use authorization for the installation of the memorial under subsection (a) may include any terms and conditions that are determined to be appropriate by the Secretary, including a provision preventing any enlargement or expansion of the memorial.

SA 2409. 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 subtitle F of title V, insert the following:

SEC. ____. IMPACT AID ELIGIBILITY FOR CERTAIN HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.

Section 7003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)) is amended—

(1) in subparagraph (B)(i)(IV)(aa), by striking ''35'' and inserting ''20''; and

(2) in the matter preceding item (aa) of subparagraph (D)(i)(II), by striking ''35'' and inserting ''20''.

SA 2410. Mr. CORNYN (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 A of title XV, add the following:

SEC. 1510. AUTHORIZATION FOR THE TRANSFER TO NASA OF FUNDS FROM OTHER AGENCIES FOR SCIENTIFIC OR ENGINEERING RESEARCH OR EDUCATION.

(a) IN GENERAL.—Section 20113(f) of title 51, United States Code, is amended—

(1) by striking ''In the performance of its functions'' and inserting the following:

''(1) IN GENERAL.—In the performance of its functions''; and

(2) by adding at the end the following new paragraph:

''(2) TREATMENT.—Funds available to any department or agency of the Federal Government for scientific or engineering research or education, or the provision of facilities therefor, shall, subject to the approval of the head of such department or agency or as delegated pursuant to such department's or agency's regulation, be available for transfer, in whole or in part, to the Administration for such use as is consistent with the purposes for which such funds were appropriated. Funds so transferred shall be merged with the appropriation to which transferred, except that such transferred funds shall be limited to the awarding of grants or cooperative agreements for scientific or engineering research or education.''.

(b) ANNUAL INFORMATION ON FUNDS TRANSFERRED.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Administrator of the National Aeronautics and Space Administration (in this section referred to as the ''Administration'') shall include in the annual budget justification materials of the Administration, as submitted to Congress with the President's budget request under section 1105 of title 31, United States Code, information describing the activities conducted under subsection (f) of section 20113 of title 51, United States Code (as amended by subsection (a)), during the immediately preceding fiscal year.

(2) CONTENTS.—The information referred to in paragraph (1) shall contain a description of each transfer of funds under the authority provided for in paragraph (2) of subsection (f) of section 20113 of title 51, United States Code (as added and amended, respectively, by this section), during the immediately preceding fiscal year, including the following:

(A) An identification of the department or agency of the Federal Government from which such funds were transferred.

(B) The total amount of funds so transferred, disaggregated by each such department or agency.

(C) The purposes for which such funds were appropriated to each such agency or department.

(D) The program or activity of the Administration to which such funds were made available by each such transfer.

(E) The purposes of each such Administration program or activity, and the amount of funding appropriated to the Administration for such purposes.

(c) REPORT.—Not later than three years after the date of enactment of this Act, the Administrator of the Administration shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes the following:

(1) A summary of the value of the authority provided for in paragraph (2) of subsection (f) of section 20113 of title 51, United States Code (as added and amended, respectively, by this section), including the extent which such authority has benefitted Administration and its ability to meet its needs, achieve its mission, or more effectively conduct interagency collaborations.

(2) An identification of any barriers or challenges to implementing such authority, or otherwise to managing funding required to conduct joint programs and award jointly funded grants and cooperative agreements by the Administration with other Federal departments and agencies to advance the missions of each such department and agency.

SA 2411. 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 end of subtitle F of title III, add the following:

SEC. 358. EXTENSION OF AUTHORITY FOR MODIFICATIONS TO SECOND DIVISION MEMORIAL.

Notwithstanding section 8903(e) of title 40, United States Code, the authority provided by section 352 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1367) shall continue to apply through September 30, 2027.

SA 2412. 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 end of subtitle C of title VIII, add the following:

SEC. 855. AUTHORIZATION OF APPROPRIATIONS FOR DEVELOPMENT AND PRODUCTION OF CRITICAL AND STRATEGIC MINERALS UNDER DEFENSE PRODUCTION ACT OF 1950.

There are authorized to be appropriated to the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) $250,000,000 for fiscal year 2025 for activities related to the development and production of critical and strategic minerals within the United States by the Department of Defense pursuant to section 303 of that Act (50 U.S.C. 4533).

SA 2413. 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 end of subtitle H of title X, add the following:

SEC. 1095. DISINTERMENT OF REMAINS OF MICHAEL ALAN SILKA FROM SITKA NATIONAL CEMETERY, ALASKA.

(a) DISINTERMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall disinter the remains of Michael Alan Silka from Sitka National Cemetery, Alaska.

(b) NOTIFICATION.—The Secretary of Veterans Affairs may not carry out subsection (a) until after notifying the next of kin of Michael Alan Silka.

(c) DISPOSITION.—After carrying out subsection (a), the Secretary of Veterans Affairs shall—

(1) relinquish the remains to the next of kin described in subsection (b); or

(2) if no such next of kin responds to the notification under subsection (b), arrange for disposition of the remains as the Secretary determines appropriate.

SA 2414. Ms. MURKOWSKI (for herself, Mr. MORAN, Mr. CRAMER, Mr. SCOTT of Florida, Mr. BUDD, Mr. CORNYN, Ms. DUCKWORTH, Ms. ROSEN, Mr. OSSOFF, and Mr. KING) 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. _____. FLEXIBILITIES FOR FEDERAL EMPLOYEES WHO ARE ARMED FORCES OR FOREIGN SERVICE SPOUSES.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency''—

(A) means each agency, office, or other establishment in the executive, legislative, or judicial branch of the Federal Government; and

(B) includes—

(i) each nonappropriated fund instrumentality of the United States, including each instrumentality described in section 2105(c) of title 5, United States Code; and

(ii) the United States Postal Service.

(2) ARMED FORCES.—The term ''Armed Forces'' has the meaning given the term ''armed forces'' in section 2101 of title 5, United States Code.

(3) COVERED INDIVIDUAL.—The term ''covered individual'' means an individual who—

(A) is the spouse of a member of the Armed Forces or the Foreign Service;

(B) is an employee; and

(C) relocates because the spouse of the individual, as described in subparagraph (A), is subject to a permanent change of station.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Personnel Management.

(5) EMPLOYEE.—The term ''employee'' means an employee of an agency.

(6) PERMANENT CHANGE OF STATION.—The term ''permanent change of station'' means, with respect to a member of the Armed Forces or the Foreign Service—

(A) a permanent change of duty station; or

(B) a change in homeport of a vessel, ship-based squadron or staff, or mobile unit.

(7) PERMANENT EMPLOYEE.—The term ''permanent employee'' does not include an employee who is serving under a temporary appointment or a term appointment.

(b) REQUIREMENT.—Not later than 30 days after receiving a request from a covered individual, the head of the agency employing the covered individual shall—

(1) authorize the covered individual to work remotely full-time if that agency head determines that the duties of the covered individual do not require the regular physical presence of the covered individual in the workplace;

(2) transfer the covered individual, if qualified, to a position of equal grade in the agency and in the commuting area of the new duty station or homeport of the spouse of the covered individual;

(3) transfer the covered individual, if qualified, to a remote position of equal grade in the agency; or

(4) in the case of a covered individual who is not authorized to work remotely under paragraph (1), or to be transferred under paragraph (2) or (3), place the covered individual into a nonpay and nonduty status for the greater of—

(A) the duration of the service of the spouse of the covered individual at the new duty station or homeport of that spouse, as described in paragraph (2); or

(B) the period of 36 consecutive months following the permanent change of station of the spouse of the covered individual.

(c) NON-ENCUMBERED NONPAY AND NONDUTY STATUS.—A position held by a covered individual placed into nonpay and nonduty status under this section—

(1) shall not be considered to be encumbered; and

(2) may be backfilled by a permanent employee.

(d) REPORTS.—

(1) AGENCY REPORTS TO OPM.—For each of the first 5 full fiscal years beginning after the date of enactment of this Act, the head of each agency shall, not later than 180 days after the last day of that fiscal year, submit to the Director—

(A) a list of each request received by that agency head under subsection (b) during the applicable fiscal year; and

(B) the action taken by the agency head under subsection (b) with respect to each request described in subparagraph (A).

(2) REPORT TO CONGRESS.—With respect to the information received by the Director under paragraph (1) for a fiscal year, the Director shall, not later than 195 days after the last day of that fiscal year, submit to Congress a report containing all of that information for that fiscal year, which shall be sorted by agency.

SA 2415. 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 end of subtitle G of title X, add the following:

SEC. 10_____. ALASKA OFFSHORE PARITY.

(a) DEFINITIONS.—In this section:

(1) COASTAL POLITICAL SUBDIVISION.—The term ''coastal political subdivision'' means—

(A) a county-equivalent subdivision of the State—

(i) all or part of which lies within the coastal zone (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)) of the State; and

(ii) the closest coastal point of which is not more than 200 nautical miles from the geographical center of any leased tract in the Alaska outer Continental Shelf region; and

(B) a municipal subdivision of the State that is determined by the State to be a significant staging area for oil and gas servicing, supply vessels, operations, suppliers, or workers.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(3) QUALIFIED REVENUES.—

(A) IN GENERAL.—The term ''qualified revenues'' means all revenues derived from all rentals, royalties, bonus bids, and other sums due and payable to the United States from energy development in the Alaska outer Continental Shelf region.

(B) EXCLUSIONS.—The term ''qualified revenues'' does not include—

(i) revenues generated from leases subject to section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)); or

(ii) revenues from the forfeiture of a bond or other surety securing obligations other than royalties, civil penalties, or royalties taken by the Secretary in-kind and not sold.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Alaska.

(b) DISPOSITION OF QUALIFIED REVENUES IN ALASKA.—

(1) IN GENERAL.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) and subject to the other provisions of this section, for fiscal year 2024 and each fiscal year thereafter, the Secretary of the Treasury shall deposit—

(A) 50 percent of qualified revenues in the general fund of the Treasury;

(B) 30 percent of qualified revenues in a special account in the Treasury, to be distributed by the Secretary to the State;

(C) 7.5 percent of qualified revenues in a special account in the Treasury, to be distributed by the Secretary to coastal political subdivisions; and

(D) 12.5 percent of qualified revenues in the National Oceans and Coastal Security Fund established under section 904(a) of the National Oceans and Coastal Security Act (16 U.S.C. 7503(a)).

(2) ALLOCATION AMONG COASTAL POLITICAL SUBDIVISIONS.—Of the amount paid by the Secretary to coastal political subdivisions under paragraph (1)(C)—

(A) 90 percent shall be allocated among costal political subdivisions described in subsection (a)(1)(A) in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point in each coastal political subdivision that is closest to the geographic center of the applicable leased tract and not more than 200 miles from the geographic center of the leased tract; and

(B) 10 percent shall be divided equally among each coastal political subdivision described in subsection (a)(1)(B).

(3) TIMING.—The amounts required to be deposited under paragraph (1) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.

(4) AUTHORIZED USES.—

(A) IN GENERAL.—Subject to subparagraph (B), the State shall use all amounts received under paragraph (1)(B) in accordance with all applicable Federal and State laws, for 1 or more of the following purposes:

(i) Projects and activities for the purposes of coastal protection, conservation, and restoration, including onshore infrastructure and relocation of communities directly affected by coastal erosion, melting permafrost, or climate change-related losses.

(ii) Mitigation of damage to fish, wildlife, or natural resources.

(iii) Mitigation of the impact of outer Continental Shelf activities through the funding of onshore infrastructure projects and related rights-of-way.

(iv) Adaptation planning, vulnerability assessments, and emergency preparedness assistance to build healthy and resilient communities.

(v) Installation and operation of energy systems to reduce energy costs and greenhouse gas emissions compared to systems in use as of the date of enactment of this Act.

(vi) Programs at institutions of higher education in the State.

(vii) Other purposes, as determined by the Governor of the State, with approval from the State legislature.

(viii) Planning assistance and the administrative costs of complying with this section.

(B) LIMITATION.—Not more than 3 percent of amounts received by the State under paragraph (1)(B) may be used for the purposes described in subparagraph (A)(viii).

(5) ADMINISTRATION.—Amounts made available under subparagraphs (B) and (C) of paragraph (1) shall—

(A) be made available, without further appropriation, in accordance with this section;

(B) remain available until expended; and

(C) be in addition to any amounts appropriated under any other provision of law.

(6) REPORTING REQUIREMENT FOR FISCAL YEAR 2025 AND THEREAFTER.—

(A) IN GENERAL.—Beginning with fiscal year 2025, not later than 180 days after the end of each fiscal year in which the State receives amounts under paragraph (1)(B), the State shall submit to the Secretary a report that describes the use of the amounts by the State during the preceding fiscal year covered by the report.

(B) PUBLIC AVAILABILITY.—On receipt of a report required under subparagraph (A), the Secretary shall make the report available to the public on the website of the Department of the Interior.

(C) LIMITATION.—If the State fails to submit the report required under subparagraph (A) by the deadline specified in that subparagraph, any amounts that would otherwise be provided to the State under paragraph (1)(B) for the succeeding fiscal year shall be withheld for the succeeding fiscal year until the date on which the report is submitted.

(D) CONTENTS OF REPORT.—Each report required under subparagraph (A) shall include, for each project funded in whole or in part using amounts received under paragraph (1)(B)—

(i) the name and description of the project;

(ii) the amount received under paragraph (1)(B) that is allocated to the project; and

(iii) a description of how each project is consistent with the authorized uses under paragraph (4).

(E) CLARIFICATION.—Nothing in this paragraph—

(i) requires or provides authority for the Secretary to delay, modify, or withhold payment under this paragraph, other than for failure to submit a report as required under this paragraph;

(ii) requires or provides authority for the Secretary to review or approve uses of funds reported under this paragraph;

(iii) requires or provides authority for the Secretary to approve individual projects that receive funds reported under this paragraph;

(iv) requires the State to obtain the approval of, or review by, the Secretary prior to spending funds disbursed under paragraph (1)(B);

(v) requires or provides authority for the Secretary to issue guidance relating to the contents of, or to determine the completeness of, the report required under this paragraph;

(vi) requires the State to obligate or expend funds disbursed under paragraph (1)(B) by a certain date; or

(vii) requires or provides authority for the Secretary to request the State to return unobligated funds.

SA 2416. Ms. MURKOWSKI (for herself and 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 of subtitle H of title X, insert the following:

SEC. 1095. SUPPORT FOR INDIVIDUALS AND FAMILIES IMPACTED BY FETAL ALCOHOL SPECTRUM DISORDER.

(a) IN GENERAL.—Part O of title III of the Public Health Service Act (42 U.S.C. 280f et seq.) is amended—

(1) by amending the part heading to read as follows: ''**FETAL ALCOHOL SPECTRUM DISORDERS PREVENTION AND SERVICES PROGRAM**'';

(2) in section 399H (42 U.S.C. 280f)—

(A) in the section heading, by striking ''**ESTABLISHMENT OF FETAL ALCOHOL SYNDROME PREVENTION**'' and inserting ''**FETAL ALCOHOL SPECTRUM DISORDERS PREVENTION, INTERVENTION,**'';

(B) by striking ''Fetal Alcohol Syndrome and Fetal Alcohol Effect'' each place it appears and inserting ''FASD'';

(C) in subsection (a)—

(i) by amending the heading to read as follows: ''IN GENERAL'';

(ii) in the matter preceding paragraph (1)—

(I) by inserting ''or continue activities to support'' after ''shall establish'';

(II) by striking ''FASD'' (as amended by subparagraph (B)) and inserting ''fetal alcohol spectrum disorders (referred to in this section as 'FASD')'';

(III) by striking ''prevention, intervention'' and inserting ''awareness, prevention, identification, intervention,''; and

(IV) by striking ''that shall'' and inserting '', which may'';

(iii) in paragraph (1)—

(I) in subparagraph (A)—

(aa) by striking ''medical schools'' and inserting ''health professions schools''; and

(bb) by inserting ''infants,'' after ''provision of services for''; and

(II) in subparagraph (D), by striking ''medical and mental'' and inserting ''agencies providing'';

(iv) in paragraph (2)—

(I) in the matter preceding subparagraph (A), by striking ''a prevention and diagnosis program to support clinical studies, demonstrations and other research as appropriate'' and inserting ''supporting and conducting research on FASD, as appropriate, including''; and

(II) in subparagraph (B)—

(aa) by striking ''prevention services and interventions for pregnant, alcohol-dependent women'' and inserting ''culturally and linguistically appropriate evidence-based or evidence-informed interventions and appropriate societal supports for preventing prenatal alcohol exposure, which may co-occur with exposure to other substances''; and

(bb) by striking ''; and'' and inserting a semicolon; and

(v) by striking paragraph (3) and inserting the following:

''(3) integrating into surveillance a case definition for FASD and, in collaboration with other Federal and outside partners, support organizations of appropriate medical and mental health professionals in their development and refinement of evidence-based clinical diagnostic guidelines and criteria for all FASD; and

''(4) building State and Tribal capacity for the identification, treatment, and support of individuals with FASD and their families, which may include—

''(A) utilizing and adapting existing Federal, State, or Tribal programs to include FASD identification and FASD-informed support;

''(B) developing and expanding screening and diagnostic capacity for FASD;

''(C) developing, implementing, and evaluating targeted FASD-informed intervention programs for FASD;

''(D) increasing awareness of FASD;

''(E) providing training with respect to FASD for professionals across relevant sectors; and

''(F) disseminating information about FASD and support services to affected individuals and their families.'';

(D) in subsection (b)—

(i) by striking ''described in section 399I'';

(ii) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(iii) by adding at the end the following:

''(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant, or enter into a cooperative agreement or contract, under this section, an entity shall—

''(A) be a State, Indian Tribe or Tribal organization, local government, scientific or academic institution, or nonprofit organization; and

''(B) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a description of the activities that the entity intends to carry out using amounts received under this section.

''(3) ADDITIONAL APPLICATION CONTENTS.—The Secretary may require that an eligible entity include in the application submitted under paragraph (2)(B)—

''(A) a designation of an individual to serve as a FASD State or Tribal coordinator of activities such eligible entity proposes to carry out through a grant, cooperative agreement, or contract under this section; and

''(B) a description of an advisory committee the entity will establish to provide guidance for the entity on developing and implementing a statewide or Tribal strategic plan to prevent FASD and provide for the identification, treatment, and support of individuals with FASD and their families.'';

(E) by striking subsections (c) and (d); and

(F) by adding at the end the following:

''(c) DEFINITION OF FASD-INFORMED.—For purposes of this section, the term 'FASD-informed', with respect to support or an intervention program, means that such support or intervention program uses culturally and linguistically informed evidence-based or practice-based interventions and appropriate societal supports to support an improved quality of life for an individual with FASD and the family of such individual.''; and

(3) by striking sections 399I, 399J, and 399K (42 U.S.C. 280f–1, 280f–2, 280f–3) and inserting the following:

''SEC. 399I. FETAL ALCOHOL SPECTRUM DISORDERS CENTERS FOR EXCELLENCE.

''(a) IN GENERAL.—The Secretary shall, as appropriate, award grants, cooperative agreements, or contracts to public or nonprofit private entities with demonstrated expertise in the prevention of, identification of, and intervention services with respect to, fetal alcohol spectrum disorders (referred to in this section as 'FASD') and other related adverse conditions. Such awards shall be for the purposes of establishing Fetal Alcohol Spectrum Disorders Centers for Excellence to build local, Tribal, State, and nationwide capacities to prevent the occurrence of FASD and other related adverse conditions, and to respond to the needs of individuals with FASD and their families by carrying out the programs described in subsection (b).

''(b) PROGRAMS.—An entity receiving an award under subsection (a) may use such award for the following purposes:

''(1) Initiating or expanding diagnostic capacity for FASD by increasing screening, assessment, identification, and diagnosis.

''(2) Developing and supporting public awareness and outreach activities, including the use of a range of media and public outreach, to raise public awareness of the risks associated with alcohol consumption during pregnancy, with the goals of reducing the prevalence of FASD and improving the developmental, health (including mental health), and educational outcomes of individuals with FASD and supporting families caring for individuals with FASD.

''(3) Acting as a clearinghouse for evidence-based resources on FASD prevention, identification, and culturally and linguistically appropriate best practices, including the maintenance of a national data-based directory on FASD-specific services in States, Indian Tribes, and local communities, and disseminating ongoing research and developing resources on FASD to help inform systems of care for individuals with FASD across their lifespan.

''(4) Increasing awareness and understanding of efficacious, evidence-based screening tools and culturally and linguistically appropriate evidence-based intervention services and best practices, which may include by conducting nationwide, regional, State, Tribal, or peer cross-State webinars, workshops, or conferences for training community leaders, medical and mental health and substance use disorder professionals, education and disability professionals, families, law enforcement personnel, judges, individuals working in financial assistance programs, social service personnel, child welfare professionals, and other service providers.

''(5) Improving capacity for State, Tribal, and local affiliates dedicated to FASD awareness, prevention, and identification and family and individual support programs and services.

''(6) Providing technical assistance to recipients of grants, cooperative agreements, or contracts under section 399H, as appropriate.

''(7) Carrying out other functions, as appropriate.

''(c) APPLICATION.—To be eligible for a grant, contract, or cooperative agreement under this section, an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(d) SUBCONTRACTING.—A public or private nonprofit entity may carry out the following activities required under this section through contracts or cooperative agreements with other public and private nonprofit entities with demonstrated expertise in FASD:

''(1) Prevention activities.

''(2) Screening and identification.

''(3) Resource development and dissemination, training and technical assistance, administration, and support of FASD partner networks.

''(4) Intervention and treatment services.

''SEC. 399J. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2024 through 2028.''.

(b) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the efforts of the Department of Health and Human Services to advance public awareness of, and facilitate the identification of best practices related to, fetal alcohol spectrum disorders identification, prevention, treatment, and support.

(c) TECHNICAL AMENDMENT.—Section 519D of the Public Health Service Act (42 U.S.C. 290bb–25d) is repealed.

SA 2417. 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 end of subtitle A of title XII, add the following:

SEC. 1216. MODIFICATION OF REGIONAL CENTERS FOR SECURITY STUDIES TO PROVIDE AUTHORITY SPECIFIC TO TED STEVENS CENTER FOR ARCTIC SECURITY STUDIES.

Section 342(i) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''INOUYE CENTER'' and inserting ''INOUYE AND STEVENS CENTERS'';

(2) in paragraph (1), by inserting ''and the Ted Stevens Center for Arctic Security Studies'' after ''Daniel K. Inouye Center for Security Studies''; and

(3) in paragraph (2), by striking ''the Center'' and inserting ''such Centers''.

SA 2418. Mr. BRAUN 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. AGRICULTURAL FOREIGN INVESTMENT DISCLOSURES.

(a) REPORTING; ENFORCEMENT.—

(1) REPORTING REQUIREMENT.—Section 2 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501) is amended by adding at the end the following:

''(g) MINIMUM OWNERSHIP.—In the case of agricultural land in which more than 1 foreign person acquires or transfers any interest, other than a security interest, the reporting requirements under this section shall apply to each foreign person that holds at least a 1-percent interest in that land—

''(1) directly through the first tier of ownership; or

''(2) in the aggregate through an interest in other entities at various tiers.''.

(2) ENFORCEMENT.—Section 4 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3503) is amended—

(A) by striking the section designation and all that follows through ''The Secretary'' and inserting the following:

''SEC. 4. INVESTIGATIVE ACTIONS.

''(a) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(b) ACTIONS BY FPAC–BC.—As part of the actions taken under subsection (a), the Farm Production and Conservation Business Center shall—

''(1) take such actions as are necessary to validate the data collected under section 2, including revising and validating information throughout the data collection process;

''(2) take such actions as are necessary to ensure compliance with section 2(g); and

''(3) in coordination with the Farm Service Agency, to the maximum extent practicable, identify persons that have carried out an activity subject to a civil penalty described in paragraph (1) or (2) of section 3(a).''.

(b) DISCLOSURE IMPROVEMENTS.—

(1) MEMORANDA OF UNDERSTANDING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture (referred to in this subsection as the ''Secretary'') shall enter into 1 or more memoranda of understanding with the Committee on Foreign Investment in the United States under which the Secretary shall provide to the Committee all relevant information relating to reports on foreign ownership of United States agricultural land submitted to the Secretary under section 2 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501), including information relating to—

(A) each report submitted to the Secretary; and

(B) with respect to each such report—

(i) the identity of the person submitting the report; and

(ii) the date of submission.

(2) HANDBOOK UPDATES.—

(A) FIRST UPDATE.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall update the most recent version of the Farm Service Agency handbook entitled ''Foreign Investment Disclosure'' as the Secretary determines to be necessary for the effective implementation of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501 et seq.).

(ii) REQUIREMENT.—The update under clause (i) shall incorporate recommendations included in the report of the Government Accountability Office entitled ''Foreign Investments in U.S. Agricultural Land: Enhancing Efforts to Collect, Track, and Share Key Information Could Better Identify National Security Risks'' and dated January 18, 2024.

(B) SUBSEQUENT UPDATES.—After updating the handbook described in subparagraph (A)(i) under that subparagraph, the Secretary shall update the handbook not less frequently than once every 10 years thereafter, including by incorporating any relevant recommendations of the Government Accountability Office.

(3) ANALYSIS OF STREAMLINED PROCESS FOR ELECTRONIC SUBMISSION AND RETENTION OF REPORTS.—

(A) DEFINITION OF COVERED PROCESS.—In this paragraph, the term ''covered process'' means the streamlined process for electronic submission and retention of disclosures under the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501 et seq.) required under section 773 of division A of the Consolidated Appropriations Act, 2023 (7 U.S.C. 3501 note; 136 Stat. 4509).

(B) ANALYSIS.—If the covered process is not established by the date that is 1 year after the date of enactment of this Act, the Farm Production and Conservation Business Center, in coordination with the Farm Service Agency, shall, by that date—

(i) carry out an analysis of the specific steps required to establish the covered process and the elements of the covered process; and

(ii) develop a timeline for specific implementation benchmarks to be met.

(C) REPORT.—The Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report describing the analysis and implementation timeline under subparagraph (B), if applicable.

SA 2419. Ms. SMITH 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. TRANSFER OF ADDITIONAL FEDERAL LAND TO THE LEECH LAKE BAND OF OJIBWE.

(a) FINDINGS.—Section 2(a)(5) of the Leech Lake Band of Ojibwe Reservation Restoration Act (Public Law 116–255; 134 Stat. 1140) is amended by striking subparagraph (B) and inserting the following:

''(B) does not intend immediately to modify the use of the Federal land.''.

(b) INCLUSION OF ADDITIONAL FEDERAL LAND.—Section 2 of the Leech Lake Band of Ojibwe Reservation Restoration Act (Public Law 116–255; 134 Stat. 1139) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking ''means the approximately'' and inserting ''means—

''(i) the approximately'';

(ii) in clause (i) (as so designated), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(ii) any other land managed by the Secretary, through the Chief of the Forest Service, located in the Chippewa National Forest in Cass County, Minnesota, which records maintained by the Bureau of Indian Affairs show was sold without the unanimous consent of the rightful landowners.''; and

(B) in subparagraph (B)—

(i) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively; and

(ii) by inserting before clause (ii) (as so redesignated) the following:

''(i) any land transferred pursuant to an agreement entered into between the Secretary and the Tribe under subsection (c)(2);'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) AGREEMENT.—

''(A) IN GENERAL.—On agreement between the Secretary and the Tribe, the Secretary shall substitute, for purposes of the transfer under paragraph (1), alternative National Forest System land located in Cass County, Minnesota, on an acre-for-acre basis, for those parcels of Federal land to be transferred under that paragraph in a manner that avoids in-holdings and provides a preference for land adjacent to or near existing Leech Lake trust lands and lands of cultural importance to the Tribe, to the maximum extent practicable.

''(B) FREQUENCY OF TRANSFERS.—Pursuant to an agreement entered into under subparagraph (A), the Secretary may transfer land to the Secretary of the Interior on a rolling basis as that land is identified and surveys are completed.''; and

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''described in subsection (b)(1)(A)(i)'' after ''Federal land''; and

(ii) in subparagraph (B), by striking ''submit a map and legal description of the Federal land'' and inserting ''submit maps and legal descriptions of the Federal land transferred pursuant to paragraphs (1) and (2) of subsection (c), as applicable,'';

(B) in paragraph (2)—

(i) by striking ''map and legal description'' and inserting ''maps and legal descriptions''; and

(ii) by striking ''map or legal description'' and inserting ''maps or legal descriptions''; and

(C) in paragraph (3), by striking ''map and legal description'' and inserting ''maps and legal descriptions''.

SA 2420. Ms. SMITH 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 subtitle H of title X, insert the following:

SEC. 10_____. REVOCATION OF CHARTER OF INCORPORATION OF THE LOWER SIOUX INDIAN COMMUNITY.

The request of the Lower Sioux Indian Community in the State of Minnesota to surrender the charter of incorporation issued to that community and ratified on July 17, 1937, pursuant to section 17 of the Act of June 18, 1934 (commonly known as the ''Indian Reorganization Act'') (48 Stat. 988, chapter 576; 25 U.S.C. 5124), is hereby accepted and that charter of incorporation is hereby revoked.

SA 2421. Mr. BENNET (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 end of subtitle H of title X, insert the following:

SEC. 1095. PREEMIE REAUTHORIZATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''PREEMIE Reauthorization Act of 2024''.

(b) RESEARCH RELATING TO PRETERM LABOR AND DELIVERY AND THE CARE, TREATMENT, AND OUTCOMES OF PRETERM AND LOW BIRTHWEIGHT INFANTS.—

(1) IN GENERAL.—Section 3(e) of the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (42 U.S.C. 247b–4f(e)) is amended by striking ''fiscal years 2019 through 2023'' and inserting ''fiscal years 2024 through 2028''.

(2) TECHNICAL CORRECTION.—Effective as if included in the enactment of the PREEMIE Reauthorization Act of 2018 (Public Law 115–328), section 2 of such Act is amended, in the matter preceding paragraph (1), by striking ''Section 2'' and inserting ''Section 3''.

(c) INTERAGENCY WORKING GROUP.—Section 5(a) of the PREEMIE Reauthorization Act of 2018 (Public Law 115–328) is amended by striking ''The Secretary of Health and Human Services, in collaboration with other departments, as appropriate, may establish'' and inserting ''Not later than 18 months after the date of the enactment of the PREEMIE Reauthorization Act of 2024, the Secretary of Health and Human Services, in collaboration with other departments, as appropriate, shall establish''.

(d) STUDY ON PRETERM BIRTHS.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine under which the National Academies shall—

(A) not later than 30 days after the date of enactment of this Act, convene a committee of experts in maternal health to study premature births in the United States; and

(B) upon completion of the study under subparagraph (A)—

(i) approve by consensus a report on the results of such study;

(ii) include in such report—

(I) an assessment of each of the topics listed in paragraph (2);

(II) the analysis required by paragraph (3); and

(III) the raw data used to develop such report; and

(iii) not later than 24 months after the date of enactment of this Act, transmit such report to—

(I) the Secretary of Health and Human Services;

(II) the Committee on Energy and Commerce of the House of Representatives; and

(III) the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate.

(2) ASSESSMENT TOPICS.—The topics listed in this paragraph are each of the following:

(A) The financial costs of premature birth to society, including—

(i) an analysis of stays in neonatal intensive care units and the cost of such stays;

(ii) long-term costs of stays in such units to society and the family involved post-discharge; and

(iii) health care costs for families post-discharge from such units (such as medications, therapeutic services, co-payments for visits, and specialty equipment).

(B) The factors that impact preterm birth rates.

(C) Opportunities for earlier detection of premature birth risk factors, including—

(i) opportunities to improve maternal and infant health; and

(ii) opportunities for public health programs to provide support and resources for parents in-hospital, in non-hospital settings, and post-discharge.

(3) ANALYSIS.—The analysis required by this paragraph is an analysis of—

(A) targeted research strategies to develop effective drugs, treatments, or interventions to bring at-risk pregnancies to term;

(B) State and other programs' best practices with respect to reducing premature birth rates; and

(C) precision medicine and preventative care approaches starting early in the life course (including during pregnancy) with a focus on behavioral and biological influences on premature birth, child health, and the trajectory of such approaches into adulthood.

SA 2422. Ms. KLOBUCHAR (for herself and Mr. BRAUN) 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. PREVENTION OF CATALYTIC CONVERTER THEFTS.

(a) REQUIREMENTS FOR NEW MOTOR VEHICLE REGULATIONS RELATING TO CATALYTIC CONVERTERS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration (referred to in this subsection as the ''Administrator'') shall—

(A) issue a notice of proposed rulemaking to revise the motor vehicle theft prevention standard contained in section 541.5 of title 49, Code of Federal Regulations (or a successor regulation), to include catalytic converters among the parts specified in subsection (a) of that section;

(B) issue a notice of proposed rulemaking to revise part 543 of title 49, Code of Federal Regulations (or successor regulations), to require that, notwithstanding the granting of a petition under that part, all catalytic converters be marked in accordance with section 541.5 of that title (as revised pursuant to subparagraph (A)); and

(C) update other regulations, as necessary, to ensure that, with respect to catalytic converters, the requirements of section 541.5 and part 543 of title 49, Code of Federal Regulations (as revised in accordance with subparagraphs (A) and (B), respectively), apply to any vehicle covered by part 565 of that title (or successor regulations).

(2) APPLICATION.—Notwithstanding any provision of chapter 331 of title 49, United States Code, in the case of a vehicle described in section 565.2 of title 49, Code of Federal Regulations (or a successor regulation), that has not been sold to the first purchaser (as defined in section 33101 of title 49, United States Code), the requirements added to section 541.5 of title 49, Code of Federal Regulations (or a successor regulation), by the Administrator in accordance with subparagraph (A) of paragraph (1) shall apply to the vehicle beginning on the date that is 180 days after the date on which the Administrator makes the revisions and updates required by that paragraph, regardless of the model year of the vehicle or the date on which the vehicle is manufactured.

(3) MARKING OF CATALYTIC CONVERTERS NOTWITHSTANDING AN EXEMPTION.—Section 33106 of title 49, United States Code, is amended—

(A) in subsection (c)—

(i) in paragraph (2), by striking ''and'' at the end;

(ii) by redesignating paragraph (3) as paragraph (4); and

(iii) by inserting after paragraph (2) the following:

''(3) a certification that the catalytic converter will be marked in accordance with sections 33101 through 33104, including associated regulations; and''; and

(B) by adding at the end the following:

''(f) REQUIREMENTS FOR MARKING CATALYTIC CONVERTERS.—The Administrator of the National Highway Traffic Safety Administration shall promulgate regulations requiring catalytic converters on a vehicle line to be marked in accordance with sections 33101 through 33104, including associated regulations.''.

(b) GRANT PROGRAM FOR VIN STAMPING.—

(1) DEFINITIONS.—In this subsection:

(A) COVERED ACTIVITY.—

(i) IN GENERAL.—The term ''covered activity'', with respect to a motor vehicle, means die or pin stamping of the full vehicle identification number on the outside of the catalytic converter in a conspicuous manner.

(ii) STAMPING.—For purposes of clause (i), the term ''stamping'' means stamping—

(I) in a typed (not handwritten) font; and

(II) covered through the application of a coat of high-visibility, high-heat theft deterrence paint.

(B) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(i) a law enforcement agency;

(ii) an automobile dealer;

(iii) an automobile repair shop and service center; and

(iv) a nonprofit organization.

(C) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(2) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to provide grants to eligible entities to carry out covered activities (excluding wages) relating to catalytic converters.

(3) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(4) REQUIREMENT.—A covered activity carried out with a grant awarded under this subsection shall be carried out at no cost to the owner of—

(A) the motor vehicle being stamped; or

(B) any motor vehicle otherwise receiving service from an eligible entity.

(5) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to—

(A) eligible entities operating in areas with the highest need for covered activities, including the areas with the highest rates of catalytic converter theft, as determined by the Secretary; and

(B) eligible entities that are in possession of motor vehicles that are subject to the requirement described in subsection (a)(2).

(6) PROCEDURES FOR MARKING.—In carrying out the grant program under this subsection, the Secretary shall issue such regulations as are necessary to establish procedures to mark catalytic converters of vehicles most likely to be targeted for theft with unique identification numbers using a combination of die or pin stamping and high-visibility, high-heat theft deterrence paint without damaging the function of the catalytic converter.

(7) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 10 years, the Secretary shall submit to Congress a report on

the grant program established under paragraph (2) that includes a description of the progress, results, and any findings of the grant program, including—

(A) the total number of catalytic converters marked under the grant program; and

(B)(i) to the extent known, whether any catalytic converters marked under the grant program were stolen; and

(ii) the outcome of any criminal investigation relating to those thefts.

(8) FUNDING.—

(A) UNOBLIGATED FUNDING AVAILABLE.—Of the unobligated amounts appropriated by the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4), $7,000,000 shall be made available to carry out this subsection.

(B) AUTHORIZATION OF APPROPRIATIONS.—In the event that the total of $7,000,000 of the funds described in subparagraph (A) may not be made available to carry out this subsection, there is authorized to be appropriated to carry out this subsection an amount equal to the remaining funding necessary to total $7,000,000.

(c) REQUIREMENTS FOR PURCHASE OF CATALYTIC CONVERTERS AND RETENTION OF SELLER INFORMATION.—

(1) INCLUSION OF CATALYTIC CONVERTERS.—Section 33101(6) of title 49, United States Code, is amended—

(A) in subparagraph (K), by striking ''and'' after the semicolon at the end;

(B) by redesignating subparagraph (L) as subparagraph (M);

(C) by inserting after subparagraph (K) the following:

''(L) the catalytic converter; and''; and

(D) in subparagraph (M) (as so redesignated), by striking ''subclauses (A)–(K) of this clause'' and inserting ''subparagraphs (A) through (L) of this paragraph''.

(2) RETENTION OF RECORDS.—Section 33111 of the title 49, United States Code, is amended—

(A) in subsection (a), in the subsection heading, by striking ''GENERAL REQUIREMENTS'' and inserting ''PROHIBITIONS RELATED TO SELLING MOTOR VEHICLE PARTS'';

(B) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following:

''(b) RETENTION OF RECORDS.—

''(1) DEFINITION OF PRECIOUS METALS.—In this subsection, the term 'precious metals' has the meaning given the term in section 109–27.5101 of title 41, Code of Federal Regulations (or a successor regulation).

''(2) REQUIREMENT.—A seller of motor vehicles or motor vehicle parts that contain precious metals, including a person engaged in the business of salvaging, dismantling, recycling, or repairing motor vehicles or motor vehicle parts that contain precious metals, shall provide to a purchaser on the sale of the motor vehicle or motor vehicle part, as applicable—

''(A) the name, address, telephone number, and a photocopy of a government-issued identification of the seller; and

''(B) the make, model, vehicle identification number, date of purchase, and a description of the motor vehicle or, with respect to a motor vehicle part, a description of the motor vehicle from which the part was removed.

''(3) DURATION OF RETENTION.—A person shall retain the information described in paragraph (2) for a period of not less than 2 years.''.

(3) PROHIBITION ON SALE OF PARTIAL CATALYTIC CONVERTERS.—It shall be unlawful to sell or purchase any—

(A) partial or de-canned catalytic converter parts; or

(B) catalytic converter which has had identifying markings removed or otherwise tampered with.

(4) REGULATIONS.—The Attorney General shall prescribe regulations to carry out this subsection and the amendments made by this subsection, including the enforcement and penalties that apply to a violation of this subsection and the amendments made by this subsection.

(d) CRIMINAL PENALTIES.—

(1) THEFT OF CATALYTIC CONVERTERS.—Chapter 31 of title 18, United States Code, is amended—

(A) by adding at the end the following:

''§ 671. Theft of catalytic converters

''(a) DEFINITION.—In this section, the term 'precious metals' has the meaning given the term in section 109–27.5101 of title 41, Code of Federal Regulations, or any successor regulation.

''(b) OFFENSE.—It shall be unlawful to steal or knowingly and unlawfully take, carry away, or conceal a catalytic converter from another person's motor vehicle, or knowingly purchase such a catalytic converter, with the intent to distribute, sell, or dispose of the catalytic converter or any precious metal removed therefrom in interstate or foreign commerce.

''(c) PENALTY.—Any person who violates subsection (b) shall be fined under this title, imprisoned not more than 5 years, or both.''; and

(B) in the table of sections, by adding at the end the following:

''671. Theft of catalytic converters.''.

(2) DEFINITIONS.—Section 2311 of title 18, United States Code, is amended by inserting after ''for running on land but not on rails;'' the following:

'' 'Precious metals' has the meaning given the term in section 109–27.5101 of title 41, Code of Federal Regulations, or any successor regulation;''.

(3) TRAFFICKING IN CAR PARTS CONTAINING PRECIOUS METALS.—Section 2321 of title 18, United States Code, is amended by adding at the end the following:

''(d) TRAFFICKING IN MOTOR VEHICLE PARTS CONTAINING PRECIOUS METALS.—

''(1) OFFENSE.—It shall be unlawful to buy, receive, possess, or obtain control of, with intent to sell or otherwise dispose of, a catalytic converter (including a de-canned catalytic converter), knowing that the catalytic converter has been stolen.

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined under this title, imprisoned not more than 5 years, or both.''.

(4) CHOP SHOPS.—Section 2322(b) of title 18, United States Code, is amended to read as follows:

''(b) DEFINITION.—For purposes of this section, the term 'chop shop' means any building, lot, facility, or other structure or premise where 1 or more persons engage in receiving, concealing, destroying, disassembling, dismantling, reassembling, or storing any motor vehicle or motor vehicle part that has been unlawfully obtained in order to alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate, extract any precious metal therefrom, or remove the identity, including the vehicle identification number or derivative thereof, or other identification marking, of the vehicle or vehicle part and to distribute, sell, or dispose of the vehicle or vehicle part, or precious metal extracted from the vehicle or vehicle part, in interstate or foreign commerce.''.

SA 2423. Ms. KLOBUCHAR (for herself and Mr. CRAMER) 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. HONORING OUR FALLEN HEROES.

(a) CANCER-RELATED DEATHS AND DISABILITIES.—

(1) IN GENERAL.—Section 1201 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281) is amended by adding at the end the following:

''(p) EXPOSURE-RELATED CANCERS.—

''(1) DEFINITIONS.—In this subsection:

''(A) CARCINOGEN.—The term 'carcinogen' means an agent that is—

''(i) classified by the International Agency for Research on Cancer under Group 1 or Group 2A; and

''(ii) reasonably linked to an exposure-related cancer.

''(B) DIRECTOR.—The term 'Director' means the Director of the Bureau.

''(C) EXPOSURE-RELATED CANCER.—As updated from time to time in accordance with paragraph (3), the term 'exposure-related cancer' means—

''(i) bladder cancer;

''(ii) brain cancer;

''(iii) breast cancer;

''(iv) cervical cancer;

''(v) colon cancer;

''(vi) colorectal cancer;

''(vii) esophageal cancer;

''(viii) kidney cancer;

''(ix) leukemia;

''(x) lung cancer;

''(xi) malignant melanoma;

''(xii) mesothelioma;

''(xiii) multiple myeloma;

''(xiv) non-Hodgkins lymphoma;

''(xv) ovarian cancer;

''(xvi) prostate cancer;

''(xvii) skin cancer;

''(xviii) stomach cancer;

''(xix) testicular cancer;

''(xx) thyroid cancer;

''(xxi) any form of cancer that is considered a WTC-related health condition under section 3312(a) of the Public Health Service Act (42 U.S.C. 300mm–22(a)); and

''(xxii) any form of cancer added to this definition pursuant to an update in accordance with paragraph (3).

''(2) PERSONAL INJURY SUSTAINED IN THE LINE OF DUTY.—

''(A) IN GENERAL.—Subject to subparagraph (B), as determined by the Bureau, the exposure of a public safety officer to a carcinogen shall be presumed to constitute a personal injury within the meaning of subsection (a) or (b) sustained in the line of duty by the officer and directly and proximately resulting in death or permanent and total disability, if—

''(i) the exposure occurred while the public safety officer was engaged in line of duty action or activity;

''(ii) the public safety officer began serving as a public safety officer not fewer than 5 years before the date of the diagnosis of the public safety officer with an exposure-related cancer;

''(iii) the public safety officer was diagnosed with the exposure-related cancer not more than 15 years after the public safety officer's last date of active service as a public safety officer; and

''(iv) the exposure-related cancer directly and proximately results in the death or permanent and total disability of the public safety officer.

''(B) EXCEPTION.—The presumption under subparagraph (A) shall not apply if competent medical evidence establishes that the exposure of the public safety officer to the carcinogen was not a substantial contributing factor in the death or disability of the public safety officer.

''(3) ADDITIONAL EXPOSURE-RELATED CANCERS.—

''(A) IN GENERAL.—From time to time but not less frequently than once every 3 years, the Director shall—

''(i) review the definition of 'exposure-related cancer' under paragraph (1); and

''(ii) if appropriate, update the definition, in accordance with this paragraph—

''(I) by rule; or

''(II) by publication in the Federal Register or on the public website of the Bureau.

''(B) BASIS FOR UPDATES.—

''(i) IN GENERAL.—The Director shall make an update under subparagraph (A)(ii) in any case in which the Director finds such an update to be appropriate based on competent medical evidence of significant risk to public safety officers of developing the form of exposure-related cancer that is the subject of the update from engagement in their public safety activities.

''(ii) EVIDENCE.—The competent medical evidence described in clause (i) may include recommendations, risk assessments, and scientific studies by—

''(I) the National Institute for Occupational Safety and Health;

''(II) the National Toxicology Program;

''(III) the National Academies of Sciences, Engineering, and Medicine; or

''(IV) the International Agency for Research on Cancer.

''(C) PETITIONS TO ADD TO THE LIST OF EXPOSURE-RELATED CANCERS.—

''(i) IN GENERAL.—Any person may petition the Director to add a form of cancer to the definition of 'exposure-related cancer' under paragraph (1).

''(ii) CONTENT OF PETITION.—A petition under clause (i) shall provide information to show that there is sufficient competent medical evidence of significant risk to public safety officers of developing the cancer from engagement in their public safety activities.

''(iii) TIMELY AND SUBSTANTIVE DECISIONS.—

''(I) REFERRAL.—Not later than 180 days after receipt of a petition satisfying clause (ii), the Director shall refer the petition to appropriate medical experts for review, analysis (including risk assessment and scientific study), and recommendation.

''(II) CONSIDERATION.—The Director shall consider each recommendation under subclause (I) and promptly take appropriate action in connection with the recommendation pursuant to subparagraph (B).

''(iv) NOTIFICATION TO CONGRESS.—Not later than 30 days after taking any substantive action in connection with a recommendation under clause (iii)(II), the Director shall notify the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives of the substantive action.''.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply to any claim under—

(A) section 1201(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(a)) that is predicated upon the death of a public safety officer on or after January 1, 2020, that is the direct and proximate result of an exposure-related cancer; or

(B) section 1201(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(b)) that is filed on or after January 1, 2020, and predicated upon a disability that is the direct and proximate result of an exposure-related cancer.

(3) TIME FOR FILING CLAIM.—Notwithstanding any other provision of law, an individual who desires to file a claim that is predicated upon the amendment made by paragraph (1) shall not be precluded from filing such a claim within 3 years of the date of enactment of this Act.

(b) CONFIDENTIALITY OF INFORMATION.—

(1) IN GENERAL.—Section 812(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10231(a)) is amended—

(A) in the first sentence, by striking ''furnished under this title by any person and identifiable to any specific private person'' and inserting ''furnished under any law to any component of the Office of Justice Programs, or furnished otherwise under this title, by any entity or person, including any information identifiable to any specific private person,''; and

(B) in the second sentence, by striking ''person furnishing such information'' and inserting ''entity or person furnishing such information or to whom such information pertains''.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendments made by paragraph (1) shall—

(A) shall take effect for all purposes as if enacted on December 27, 1979; and

(B) apply to any matter pending, before the Department of Justice or otherwise, as of the date of enactment of this Act.

(c) TECHNICAL AMENDMENTS.—

(1) IN GENERAL.—Section 1201(o)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(o)(2)) is amended—

(A) in subparagraph (A), by inserting ''or (b)'' after ''subsection (a)'';

(B) in subparagraph (B), by inserting ''or (b)'' after ''subsection (a)''; and

(C) in subparagraph (C), by inserting ''or (b)'' after ''subsection (a)''.

(2) APPLICABILITY.—The amendments made by paragraph (1) shall apply to any matter pending before the Department of Justice as of the date of enactment of this Act.

(d) TECHNICAL AMENDMENTS TO SAFEGUARDING AMERICAN'S FIRST RESPONDERS ACT OF 2020.—

(1) IN GENERAL.—Section 3 of the Safeguarding America's First Responders Act of 2020 (34 U.S.C. 10281 note) is amended by adding at the end the following:

''(d) DEFINITION.—In this section, the term 'line of duty action' includes any action—

''(1) in which a public safety officer engaged at the direction of the agency served by the public safety officer; or

''(2) the public safety officer is authorized or obligated to perform.''.

(2) APPLICABILITY.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply to any claim under section 3 of the Safeguarding America's First Responders Act of 2020 (34 U.S.C. 10281 note)—

(i) that is predicated upon the death of a public safety officer on or after January 1, 2020; or

(ii) that is—

(I) predicated upon the disability of a public safety officer; and

(II) filed on or after January 1, 2020.

(B) TIME FOR FILING CLAIM.—Notwithstanding any other provision of law, an individual who desires to file a claim that is predicated upon the amendment made by paragraph (1) shall not be precluded from filing such a claim within 3 years of the date of enactment of this Act.

SA 2424. 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 title X, add the following:

Subtitle I—TSA Workforce

SEC. 1096. DEFINITIONS.

In this subtitle—

(1) the term ''2022 Determination'' means the publication, entitled ''Determination on Transportation Security Officers and Collective Bargaining'', issued on December 30, 2022, by Administrator David P. Pekoske, as modified, or any superseding subsequent determination;

(2) the term ''adjusted basic pay'' means—

(A) the rate of pay fixed by law or administrative action for a position occupied by a covered employee before any deductions; and

(B) any regular, fixed supplemental payment for non-overtime hours of work creditable as basic pay for retirement purposes, including any applicable locality payment and any special rate supplement;

(3) the term ''Administration'' means the Transportation Security Administration;

(4) the term ''Administrator'' means the Administrator of the Administration;

(5) the term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Oversight and Accountability of the House of Representatives;

(6) the term ''conversion date'' means the date on which subparagraphs (A) through (F) of section 1097(c)(1) take effect;

(7) the term ''covered employee'' means an employee who occupies a covered position;

(8) the term ''covered position'' means a position within the Administration;

(9) the term ''employee'' has the meaning given the term in section 2105 of title 5, United States Code;

(10) the term ''screening agent'' means a full- or part-time non-supervisory covered employee carrying out screening functions under section 44901 of title 49, United States Code;

(11) the term ''Secretary'' means the Secretary of Homeland Security; and

(12) the term ''TSA personnel management system'' means any personnel management system established or modified under—

(A) section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note); or

(B) section 114(n) of title 49, United States Code.

SEC. 1097. CONVERSION OF TSA PERSONNEL.

(a) RESTRICTIONS ON CERTAIN PERSONNEL AUTHORITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, effective as of the date of enactment of this Act—

(A) any TSA personnel management system in use for covered employees and covered positions on the day before that date of enactment, and any personnel management policy, letter, guideline, or directive of the Administration in effect on that day, may not be modified;

(B) no personnel management policy, letter, guideline, or directive of the Administration that was not established before that date issued pursuant to section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) or section 114(n) of title 49, United States Code, may be established; and

(C) any authority to establish or adjust a human resources management system under chapter 97 of title 5, United States Code, shall terminate with respect to covered employees and covered positions.

(2) EXCEPTIONS.—

(A) PAY.—Notwithstanding paragraph (1)(A), the limitation in that paragraph shall not apply to any personnel management policy, letter, guideline, or directive of the Administration relating to annual adjustments to pay schedules and locality-based comparability payments in order to maintain parity with those adjustments authorized under sections 5303, 5304, 5304a, and 5318 of title 5, United States Code.

(B) ADDITIONAL POLICY.—Notwithstanding paragraph (1)(B), new personnel management policy of the Administration may be established if—

(i) that policy is needed to resolve a matter not specifically addressed in policy in effect on the date of enactment of this Act; and

(ii) the Secretary provides that policy, with an explanation of the necessity of that policy, to the appropriate congressional committees not later than 7 days after the date on which the policy is issued.

(C) EMERGING THREATS TO TRANSPORTATION SECURITY DURING TRANSITION PERIOD.—

(i) IN GENERAL.—Notwithstanding paragraph (1), any personnel management policy, letter, guideline, or directive of the Administration relating to an emerging threat to transportation security, including national emergencies or disasters and public health threats to transportation security, may be modified or established until the conversion date.

(ii) SUBMISSION TO CONGRESS.—Not later than 7 days after the date on which any personnel management policy, letter, guideline, or directive of the Administration is modified or established under clause (i), the Secretary shall provide to the appropriate congressional committees that established or modified policy, letter, guideline, or directive, as applicable, which shall contain an explanation of the necessity of that establishment or modification.

(b) PERSONNEL AUTHORITIES DURING TRANSITION PERIOD.—Any TSA personnel management system in use for covered employees and covered positions on the day before the date of enactment of this Act, and any personnel management policy, letter, guideline, or directive of the Administration in effect on the day before the date of enactment of this Act, shall remain in effect until the conversion date.

(c) TRANSITION TO TITLE 5.—

(1) IN GENERAL.—Except as provided in paragraph (2), effective beginning on a date determined by the Secretary, but in no event later than December 31, 2024—

(A) all TSA personnel management systems shall cease to be in effect;

(B) section 114(n) of title 49, United States Code, is repealed;

(C) section 111(d) of the Aviation and Transportation Security Act (Public Law 107–71; 49 U.S.C. 44935 note) is repealed;

(D) any personnel management policy, letter, guideline, or directive of the Administration, including the 2022 Determination, shall cease to be effective;

(E) any human resources management system established or adjusted under chapter 97 of title 5, United States Code, with respect to covered employees or covered positions shall cease to be effective; and

(F) covered employees and covered positions shall be subject to the provisions of title 5, United States Code.

(2) CHAPTERS 71 AND 77 OF TITLE 5.—Not later than 90 days after the date of enactment of this Act—

(A) chapters 71 and 77 of title 5, United States Code, shall apply to covered employees carrying out screening functions pursuant to section 44901 of title 49, United States Code; and

(B) any policy, letter, guideline, or directive issued under section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) relating to matters otherwise covered by chapter 71 or 77 of title 5, United States Code, shall cease to be effective.

(3) ASSISTANCE OF OTHER AGENCIES.—Not later than 180 days after the date of enactment of this Act, or December 31, 2024, whichever is earlier—

(A) the Director of the Office of Personnel Management shall establish a position series and classification standard for the positions of Transportation Security Officer, Federal air marshal, Transportation Security Inspector, and other positions requested by the Administrator; and

(B) the National Finance Center of the Department of Agriculture shall make necessary changes to Financial Management Services and Human Resources Management Services to ensure payroll, leave, and other personnel processing systems for covered employees are consistent with chapter 53 of title 5, United States Code, and provide functions as needed to implement this subtitle.

(d) SAFEGUARDS ON GRIEVANCES AND APPEALS.—

(1) IN GENERAL.—Each covered employee with a grievance or appeal pending within the Administration on the date of enactment of this Act or initiated during the period described in subsection (c)(2) may have that grievance or appeal removed to proceedings pursuant to title 5, United States Code, or continued within the Administration.

(2) AUTHORITY.—With respect to any grievance or appeal continued within the Administration under paragraph (1), the Administrator may consider and finally adjudicate that grievance or appeal notwithstanding any other provision of this subtitle.

(3) PRESERVATION OF RIGHTS.—Notwithstanding any other provision of law, any appeal or grievance continued under this subsection that is not finally adjudicated under paragraph (2) shall be preserved and all timelines tolled until the rights afforded by application of chapters 71 and 77 of title 5, United States Code, are made available under subsection (c)(2).

SEC. 1098. TRANSITION RULES.

(a) NONREDUCTION IN PAY AND COMPENSATION.—Under such pay conversion rules as the Secretary may prescribe to carry out this subtitle, a covered employee converted from a TSA personnel management system to the provisions of title 5, United States Code, under section 1097(c)(1)(F)—

(1) may not be subject to any reduction in either the rate of adjusted basic pay payable or law enforcement availability pay payable to that covered employee; and

(2) shall be credited for years of service in a specific pay band under a TSA personnel management system as if the covered employee had served in an equivalent General Schedule position at the same grade, for purposes of determining the appropriate step within a grade at which to establish the converted rate of pay of the covered employee.

(b) RETIREMENT PAY.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a proposal, including proposed legislative changes if needed, for determining the average rate of basic pay of any covered employee who retires not later than 3 years after the conversion date for purposes of calculating the retirement annuity of the covered employee.

(2) REQUIREMENTS.—The proposal required under paragraph (1) shall be structured in a manner that—

(A) is consistent with title 5, United States Code; and

(B) appropriately accounts for the service of a covered employee to which the proposal applies, and the annual rate of basic pay of such a covered employee, following the conversion date.

(c) LIMITATION ON PREMIUM PAY.—

(1) IN GENERAL.—Notwithstanding section 5547 of title 5, United States Code, or any other provision of law, a Federal air marshal or criminal investigator who is appointed to that position before the date of enactment of this Act may be eligible for premium pay up to the maximum level allowed by the Administrator before the date of enactment of this Act.

(2) OPM RECOGNITION.—The Director of the Office of Personnel Management shall recognize premium pay paid pursuant to paragraph (1) as fully creditable for the purposes of calculating pay and retirement benefits.

(d) PRESERVATION OF LAW ENFORCEMENT AVAILABILITY PAY AND OVERTIME PAY RATES FOR FEDERAL AIR MARSHALS.—

(1) LEAP.—Section 5545a of title 5, United States Code, is amended—

(A) in subsection (a)(2), in the matter preceding subparagraph (A), by striking ''subsection (k)'' and inserting ''subsection (l)'';

(B) by redesignating subsection (k) as subsection (l); and

(C) by inserting after subsection (j) the following:

''(k) The provisions of subsections (a) through (h) providing for availability pay shall apply to any Federal air marshal who is an employee of the Transportation Security Administration.''.

(2) OVERTIME.—Section 5542 of title 5, United States Code, is amended by adding at the end the following:

''(i) Notwithstanding any other provision of law, a Federal air marshal who is an employee of the Transportation Security Administration shall receive overtime pay under this section, at such a rate and in such a manner so that such Federal air marshal does not receive less overtime pay than such Federal air marshal would receive were that Federal air marshal subject to the overtime pay provisions of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207).''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply beginning on the conversion date.

(e) COLLECTIVE BARGAINING UNIT.—Notwithstanding section 7112 of title 5, United States Code, following the application of chapter 71 of that title pursuant to section 1097(c)(2) of this subtitle, screening agents shall remain eligible to form a collective bargaining unit.

(f) PRESERVATION OF OTHER RIGHTS.—The Secretary shall take any actions necessary to ensure that the following rights are preserved and available for each covered employee beginning on the conversion date, and for any covered employee appointed after the conversion date, and continue to remain available to covered employees after the conversion date:

(1) Any annual leave, sick leave, or other paid leave accrued, accumulated, or otherwise available to a covered employee immediately before the conversion date shall remain available to the covered employee until used, subject to any limitation on accumulated leave under chapter 63 of title 5, United States Code.

(2) Part-time screening agents pay premiums under chapter 89 of title 5, United States Code, on the same basis as full-time covered employees.

(3) Notwithstanding section 6329a of title 5, United States Code, covered employees are

provided appropriate leave during national emergencies to assist the covered employees and ensure the Administration meets mission requirements.

(4) Eligible screening agents receive a split-shift differential for regularly scheduled split-shift work as well as regularly scheduled overtime and irregular and occasional split-shift work.

(5) Notwithstanding sections subsections (c), (e), and (f) of section 5754 of title 5, United States Code, eligible covered employees receive group retention incentives, as appropriate.

SEC. 1099. CONSULTATION REQUIREMENT.

(a) EXCLUSIVE REPRESENTATIVE.—

(1) IN GENERAL.—

(A) APPLICATION.—Beginning on the date that chapter 71 of title 5, United States Code (referred to in this subsection as ''chapter 71''), begins to apply to covered employees under section 1097(c)(2), the labor organization certified by the Federal Labor Relations Authority on June 29, 2011, or any successor labor organization, shall be treated as the exclusive representative of screening agents and shall be the exclusive representative for screening agents under chapter 71, with full rights under chapter 71.

(B) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prevent covered employees from selecting an exclusive representative other than the labor organization described in paragraph (1) for purposes of collective bargaining under chapter 71.

(2) NATIONAL LEVEL.—

(A) IN GENERAL.—Notwithstanding any provision of chapter 71, collective bargaining for any unit of covered employees shall occur at the national level, but may be supplemented by local level bargaining and local level agreements in furtherance of elements of a national agreement or on issues of any local unit of covered employees not otherwise covered by a national agreement.

(B) MUTUAL CONSENT REQUIRED.—Local-level bargaining and local-level agreements described in subparagraph (A) shall occur only by mutual consent of the exclusive representative of screening agents and the Federal Security Director (or a designee of such an official) of those screening agents.

(3) CURRENT AGREEMENT.—Any collective bargaining agreement covering such personnel in effect on the date of enactment of this Act shall remain in effect until a collective bargaining agreement is entered into under chapter 71, unless the Administrator and exclusive representative mutually agree to revisions to such an agreement.

(b) CONSULTATION PROCESS.—

(1) IN GENERAL.—Not later than 7 days after the date of enactment of this Act, the Secretary shall consult with the exclusive representative for the screening agents described in subsection (a)(1) under chapter 71 of title 5, United States Code, on the formulation of plans and deadlines to carry out the conversion, under this subtitle, of those screening agents.

(2) WRITTEN PLANS.—Before the date on which chapter 71 of title 5, United States Code, begins to apply under section 1097(c)(2), the Secretary shall provide (in writing) to the exclusive representative described in paragraph (1) the plans for how the Secretary intends to carry out the conversion of covered employees under this subtitle, including with respect to such matters as—

(A) the anticipated conversion date; and

(B) measures to ensure compliance with sections 1097 and 1098.

(c) REQUIRED AGENCY RESPONSE.—If any views or recommendations are presented under subsection (b) by the exclusive representative described in that subsection, the Secretary shall—

(1) consider the views or recommendations before taking final action on any matter with respect to which the views or recommendations are presented; and

(2) provide the exclusive representative a written statement of the reasons for the final actions to be taken.

SEC. 1099A. NO RIGHT TO STRIKE.

Nothing in this subtitle may be considered—

(1) to repeal or otherwise affect—

(A) section 1918 of title 18, United States Code (relating to disloyalty and asserting the right to strike against the Government); or

(B) section 7311 of title 5, United States Code (relating to loyalty and striking); or

(2) to otherwise authorize any activity that is not permitted under a provision of law described in subparagraph (A) or (B) of paragraph (1).

SEC. 1099B. PROPOSAL ON HIRING AND CONTRACTING BACKGROUND CHECK REQUIREMENTS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a plan to harmonize and update, for the purposes of making appointments and for authorizing or entering into any contract for service, the restrictions under section 70105(c) of title 46, United States Code, (relating to the issuance of transportation security cards) and section 44936 of title 49, United States Code, (relating to employment investigations and restrictions).

SEC. 1099C. COMPTROLLER GENERAL REVIEWS.

(a) REVIEW OF RECRUITMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the efforts of the Administration regarding recruitment, including recruitment efforts relating to veterans, the dependents of veterans, members of the Armed Forces, and the dependents of such members.

(2) RECRUITMENT.—The report required under paragraph (1) shall include recommendations regarding how the Administration may improve the recruitment efforts described in that paragraph.

(b) REVIEW OF IMPLEMENTATION.—The Comptroller General of the United States shall—

(1) not later than 60 days after the conversion date, commence a review of the implementation of this subtitle; and

(2) not later than 1 year after the conversion date, submit to Congress a report on the review conducted under paragraph (1).

(c) REVIEW OF PROMOTION POLICIES AND LEADERSHIP DIVERSITY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report—

(1) on the efforts of the Administration to ensure that recruitment, appointment, promotion, and advancement opportunities within the Administration are equitable and provide for demographics among senior leadership that are reflective of the workforce demographics of the United States; and

(2) that, to the extent possible, includes—

(A) an overview and analysis of the current (as of the date on which the report is submitted) demographics of the leadership of the Administration; and

(B) as appropriate, recommendations to improve appointment and promotion procedures and diversity in leadership roles, which may include recommendations for how the Administration can better promote from within the Administration and retain and advance covered employees.

(d) REVIEW OF HARASSMENT AND ASSAULT POLICIES AND PROTECTIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the efforts of the Administration to ensure the safety of the staff of the Administration with respect to harassment and assault in the workplace, such as incidents—

(A) of sexual harassment and violence and harassment and violence motivated by the perceived race, ethnicity, religion, gender identity, or sexuality of an individual; and

(B) in which the alleged perpetrator is a member of the general public.

(2) INCLUSIONS.—The report required under paragraph (1) shall include—

(A) an overview and analysis of the current (as of the date on which the report is submitted) policies and response procedures of the Administration;

(B) a detailed description of if, when, and how the policies described in subparagraph (A) fail to adequately protect covered employees; and

(C) as appropriate, recommendations for steps the Administration can take to better protect covered employees from harassment and violence in the workplace.

(3) OPPORTUNITY FOR COMMENT.—In conducting the review required under this subsection, the Comptroller General of the United States shall provide opportunities for covered employees of all levels and positions, and labor organizations and associations representing those covered employees, to submit comments, including in an anonymous form, and take those comments into account in the final recommendations of the Comptroller General.

SEC. 1099D. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) TSA personnel management systems provide insufficient benefits and workplace protections to the workforce that secures the transportation systems of the United States;

(2) covered employees should be provided protections and benefits under title 5, United States Code; and

(3) the provision of the protections and benefits described in paragraph (2) should not result in a reduction of pay or benefits to current covered employees.

SEC. 1099E. ASSISTANCE FOR FEDERAL AIR MARSHAL SERVICE.

The Administrator shall communicate with organizations representing a significant number of Federal air marshals, to the extent provided by law, to address concerns regarding Federal Air Marshals related to the following:

(1) Mental health.

(2) Suicide rates.

(3) Morale and recruitment.

(4) Equipment and training.

(5) Work schedules and shifts, including mandated periods of rest.

(6) Any other personnel issues the Administrator determines appropriate.

SEC. 1099F. STUDY ON FEASIBILITY OF COMMUTING BENEFITS.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to the appropriate congressional committees a feasibility study on allowing covered employees carrying out screening functions under section 44901 of title 49, United States Code, to treat as hours of employment time spent by those covered employees regularly traveling between parking lots and bus and transit stops of airports and screening checkpoints before and after the regular work day.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Administrator shall consider—

(1) the amount of time needed to travel to and from parking lots and bus and transit

stops of airports at small hub airports, medium hub airports, and large hub airports, as those terms are defined in section 40102 of title 49, United States Code;

(2) the feasibility of using mobile phones and location data to allow covered employees to report their arrival to and departure from parking lots and bus and transit stops of airports; and

(3) the estimated costs of treating the amount of time described in paragraph (1) as hours of employment time spent.

SEC. 1099G. BRIEFING ON ASSAULTS AND THREATS ON TSA EMPLOYEES.

Not later than 90 days after the date of enactment of this Act, the Administrator shall brief the appropriate congressional committees regarding the following:

(1) Reports to the Administrator of instances of physical or verbal assaults or threats made by members of the general public against screening agents since January 1, 2019.

(2) Procedures for reporting the assaults and threats described in paragraph (1), including information on how the Administrator communicates the availability of those procedures.

(3) Any steps taken by the Administration to prevent and respond to the assaults and threats described in paragraph (1).

(4) Any related civil actions and criminal referrals made annually since January 1, 2019.

(5) Any additional authorities needed by the Administrator to better prevent or respond to the assaults and threats described in paragraph (1).

SEC. 1099H. ANNUAL REPORTS ON TSA WORKFORCE.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the appropriate congressional committees a report that contains the following:

(1) An analysis of the Federal Employee Viewpoint Survey of the Office of Personnel Management to determine job satisfaction rates of covered employees.

(2) Information relating to retention rates of covered employees at each airport, including transfers, in addition to aggregate retention rates of covered employees across the workforce of the Administration.

(3) Information relating to actions taken by the Administration intended to improve workforce morale and retention.

SEC. 1099I. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary, to remain available until expended, to carry out this subtitle and the amendments made by this subtitle.

SA 2425. Mr. SCHATZ (for himself and Mr. KENNEDY) 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 title X, after section 1094, insert the following:

Subtitle I—AI Labeling

SEC. 1095. REQUIRED DISCLOSURES FOR COVERED AI-GENERATED CONTENT.

(a) REQUIREMENTS FOR PROVIDERS OF GENERATIVE ARTIFICIAL INTELLIGENCE SYSTEMS THAT PRODUCE COVERED AI-GENERATED CONTENT.—

(1) IN GENERAL.—Each provider of a generative artificial intelligence system that, using any means or facility of interstate or foreign commerce, produces covered AI-generated content shall do the following:

(A) LABELING.—The provider shall label the covered AI-generated content with a clear and conspicuous disclosure that—

(i) identifies that the output includes covered AI-generated content; and

(ii) to the extent technically and economically feasible, is accessible to individuals with disabilities.

(B) MACHINE-READABLE DISCLOSURE.—

(i) IN GENERAL.—The provider shall bind or embed the covered AI-generated content with a machine-readable disclosure that—

(I) identifies—

(aa) the content that is covered AI-generated content;

(bb) the system used to create or modify the content;

(cc) the date and time the content was created or modified; and

(dd) any other relevant information;

(II) to the extent technically and economically feasible, is interoperable, indelible, tamper-resistant, and tamper-evident;

(III) conforms to or is interoperable with a standard specified by the National Institute of Standards and Technology or by the Commission.

(ii) CLARIFICATION.—The disclosure required under clause (i) shall not be required to include the personally-identifiable information of the user of the generative artificial intelligence system.

(C) DETECTION.—To the extent technically and economically feasible, the provider shall ensure that a user or covered online platform can detect that the output generated by the provider's generative artificial intelligence system includes covered AI-generated content and view information required under subparagraph (B) by—

(i) ensuring that the covered AI-generated content is detectable by a widely available detection tool and making available to users or covered online platforms clear instructions on how to access and operate this tool; or

(ii) if no such detection tool exists, providing a tool to users and covered online platforms to enable detection of covered AI-generated content and providing clear instructions on how to access and operate such tool.

(D) COLLABORATION WITH COVERED ONLINE PLATFORMS.—The provider shall collaborate with any covered online platform to assist the covered online platform in complying with the obligations described in subsection (b) with respect to any content created or substantially modified by the generative artificial intelligence system of the provider.

(2) EXEMPTION FOR INTERNAL USE.—The requirements of this subsection shall not apply to covered AI-generated content produced by a provider of a generative artificial intelligence system if the covered AI-generated content—

(A) is generated or used solely for internal research and development purposes; and

(B) is not intended for public release or commercial deployment.

(b) COVERED ONLINE PLATFORMS.—Each covered online platform shall—

(1) ensure that any covered AI-generated content displayed on the platform that incorporates a machine-readable disclosure described in subsection (a)(2) is clearly and conspicuously identified as covered AI-generated content;

(2) not remove any such disclosure, including when such covered AI-generated content is transferred to or otherwise shared to another online platform; and

(3) to the extent technically and economically feasible—

(A) ensure that any content displayed on the platform that is not covered AI-generated content is not mislabeled as covered AI-generated content;

(B) provide to any user sharing content the option to make content provenance information, that is attached to such content using a trusted standard specified by the Commission, readily available to other users of such platform; and

(C) ensure that information contained in the identification described in paragraph (1) or content provenance information made available under subparagraph (B) is accessible to individuals with disabilities.

(c) ARTIFICIAL INTELLIGENCE CHATBOT DISCLOSURE.—Each person who, through any means or facility of interstate or foreign commerce, makes available to users an artificial intelligence chatbot shall include a clear and conspicuous disclosure that identifies the system as an artificial intelligence.

(d) ENFORCEMENT BY THE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICE.—A violation of this section shall be treated as a violation of a rule defining an unfair or deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section or a regulation promulgated thereunder shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) AUTHORITY PRESERVED.—Nothing in this Act shall be construed to limit the authority of the Commission under any other provision of law.

(D) REGULATIONS AND GUIDANCE.—

(i) AUTHORITY TO IDENTIFY EXCEPTIONS.—The Commission may promulgate regulations in accordance with section 553 of title 5, United States Code, to specify exceptions from the requirements of this section, such as for de minimis pieces of content.

(ii) ESTABLISHMENT OF SPECIFIED SAFE HARBORS.—

(I) IN GENERAL.—The Commission may issue guidance to specify interoperable standards that comply with the requirements of this section.

(II) DEEMED COMPLIANCE.—Each person who makes available a generative artificial intelligence system or covered online platform shall be deemed in compliance with the requirements of this section by following the standards established by the Commission under subclause (I).

SEC. 1096. PROTECTION OF DISCLOSURES.

(a) PROHIBITIONS.—

(1) PROHIBITION ON SUBVERTING DISCLOSURE.—No person shall knowingly circumvent, remove, or otherwise disable a disclosure required under section 1095, except to the extent that such action is necessary to prevent the dissemination or publication of personally identifiable information of an authorized creator of that covered AI-generated content.

(2) PROHIBITION ON FRAUDULENT DISCLOSURE.—No person shall knowingly and with the intent or substantial likelihood of deceiving a third party, enable, facilitate, or

conceal the circumvention of a disclosure required under section 1095, by adding a disclosure, or other information about the authenticity of covered AI-generated content, that the person knows to be false.

(3) PROHIBITION ON FRAUDULENT DISTRIBUTION.—No person shall knowingly and for financial benefit, enable, facilitate, or conceal the circumvention of a disclosure required under section 1095 by knowingly distributing covered AI-generated content without such disclosures required under section 1095, or by knowingly distributing non-AI-generated content with such disclosures.

(4) PROHIBITION ON PRODUCTS AND SERVICES FOR CIRCUMVENTION.—No person shall deliberately manufacture, import, or offer to the public a technology, product, service, device, component, or part thereof that—

(A) is primarily designed or produced and promoted for the purpose of circumventing, removing or tampering with the disclosures required in section 1095, or for adding such disclosures to non-AI-generated content, with the intent or substantial likelihood of deceiving a third party about the authenticity of a piece of digital content;

(B) has only limited commercially significant or expressive purpose or use other than to circumvent, remove or tamper with the disclosures required in section 1095, or to add such disclosures to non-AI-generated content, and is promoted for such purposes; or

(C) is marketed by that person or another acting in concert with that person with that person's knowledge for use in circumventing, removing or tampering with the disclosures required in section 1095, or for use in adding such disclosures to non-AI-generated content, with an intent to deceive a third party about the authenticity of a piece of digital content.

(b) EXEMPTIONS.—

(1) IN GENERAL.—Nothing in subsection (a) shall inhibit the ability of any individual to access, read, or review a disclosure or to access, read, or review the content provenance or other information contained therein.

(2) EXEMPTION FOR NONPROFIT LIBRARIES, ARCHIVES, AND EDUCATIONAL INSTITUTIONS.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, subsection (a) shall not apply to a nonprofit library, archives, or educational institution which generates, distributes, or otherwise handles covered AI-generated content.

(B) COMMERCIAL ADVANTAGE, FINANCIAL GAIN, OR TORTIOUS CONDUCT.—The exception in subparagraph (A) shall not apply to a nonprofit library, archive, or educational institution that willfully for the purpose of commercial advantage, financial gain, or in furtherance of tortious conduct violates a provision of subsection (a), except that a nonprofit library, archive, or educational institution that willfully for the purpose of commercial advantage, financial gain, or in furtherance of tortious conduct violates a provision of subsection (a) shall—

(i) for the first offense, be subject to the civil remedies under section 1097; and

(ii) for repeated or subsequent offenses, in addition to the civil remedies under section 1097, forfeit the exemption provided under subparagraph (A).

(C) CIRCUMVENTING TECHNOLOGIES.—This paragraph may not be used as a defense to a claim under paragraph (3) of subsection (a), nor may this subsection permit a nonprofit library, archive, or educational institution to manufacture, import, offer to the public, provide, or otherwise traffic in any technology, product, service, component, or part thereof, that circumvents a disclosure required under section 1095.

(D) QUALIFICATIONS OF LIBRARIES AND ARCHIVES.—In order for a library or archive to qualify for the exemption under subparagraph (A), the collections of that library or archive shall be—

(i) open to the public; or

(ii) available not only to researchers affiliated with the library or archive or with the institution of which it is a part, but also to other persons doing research in a specialized field.

(3) REVERSE ENGINEERING.—An authorized user may circumvent, remove, add, or tamper with disclosures required in section 1095 for the purpose of improving or testing the robustness of such disclosures, or for improving or testing the robustness of detection tools.

(4) LAW ENFORCEMENT, INTELLIGENCE, AND OTHER GOVERNMENT ACTIVITIES.—Subsection (a) does not prohibit any lawfully authorized investigative, protective, information security, or intelligence activity of an officer, agent, or employee of the United States, a State, or a political subdivision of a State, or a person acting pursuant to a contract with the United States, a State, or a political subdivision of a State.

SEC. 1097. ENFORCEMENT BY THE ATTORNEY GENERAL OF THE UNITED STATES.

(a) CIVIL ACTION.—The Attorney General may bring a civil action in an appropriate United States district court against any person who violates section 1096(a).

(b) POWERS OF THE COURT.—In an action brought under subsection (a), the court—

(1) may grant temporary and permanent injunctions on such terms as it deems reasonable to prevent or restrain a violation, but in no event shall impose a prior restraint on free speech or the press protected under the First Amendment to the Constitution of the United States;

(2) at any time while an action is pending, may order the impounding, on such terms as it deems reasonable, of any device or product that is in the custody or control of the alleged violator and that the court has reasonable cause to believe was involved in a violation;

(3) may award damages under subsection (c);

(4) in its discretion may allow the recovery of costs against any party other than the United States or an officer thereof; and

(5) may, as part of a final judgment or decree finding a violation, order the remedial modification or the destruction of any device or product involved in the violation that is in the custody or control of the violator or has been impounded under paragraph (2).

(c) AWARD OF DAMAGES.—

(1) IN GENERAL.—Except as otherwise provided in this section, a person committing a violation of section 1096(a) is liable for statutory damages as provided in paragraph (2).

(2) STATUTORY DAMAGES.—

(A) ELECTION OF AMOUNT BASED ON NUMBER OF ACTS OF CIRCUMVENTION.—At any time before final judgment is entered, the Attorney General may elect to recover an award of statutory damages for each violation of section 1096(a) in the sum of not more than $2,500 per act of circumvention, device, product, component, offer, or performance of service, as the court considers just.

(B) ELECTION OF AMOUNT; TOTAL AMOUNT.—At any time before final judgment is entered, the Attorney General may elect to recover an award of statutory damages for each violation of section 1096(a) in the sum of not more than $25,000.

(3) REPEATED VIOLATIONS.—In any case in which the Attorney General sustains the burden of proving, and the court finds, that a person has violated section 1096(a) within 3 years after a final judgment was entered against the person for another such violation, the court may increase the award of damages up to triple the amount that would otherwise be awarded, as the court considers just.

(4) INNOCENT VIOLATIONS.—

(A) IN GENERAL.—The court in its discretion may reduce or remit the total award of damages in any case in which the court finds that the violator was not aware and had no reason to believe that the violator's acts constituted a violation.

(B) NONPROFIT LIBRARY, ARCHIVE, EDUCATIONAL INSTITUTIONS, OR PUBLIC BROADCASTING ENTITIES.—In the case of a nonprofit library, archive, educational institution, or public broadcasting entity, the court shall remit damages in any case in which the library, archive, educational institution, or public broadcasting entity sustains the burden of proving, and the court finds, that the library, archive, educational institution, or public broadcasting entity was not aware and had no reason to believe that its acts constituted a violation.

(5) DUPLICATIVE AWARDS.—No compensatory damages may be awarded under this section if compensatory damages have been awarded under section 1098 or 1099.

SEC. 1098. ENFORCEMENT BY STATES.

(a) CIVIL ACTION.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or may be adversely affected by a violation of section 1096, the attorney general of the State may bring a civil action in the name of the State, or as parens patriae on behalf of the residents of the State, in an appropriate United States district court

(b) RELIEF.—

(1) IN GENERAL.—In a civil action brought under subsection (a), the court may award relief in accordance with section 1097(c).

(2) DUPLICATIVE AWARDS.—No compensatory damages may be awarded under this section if compensatory damages have been awarded under section 1097 or 1099.

(c) RIGHTS OF THE ATTORNEY GENERAL OF THE UNITED STATES AND THE COMMISSION.—

(1) IN GENERAL.—Except as provided in paragraph (4), the attorney general of a State shall notify the Attorney General of the United States and the Commission in writing prior to initiating a civil action under subsection (a).

(2) CONTENTS.—The notification required by paragraph (1) with respect to a civil action shall include a copy of the complaint to be filed to initiate such action.

(3) INTERVENTION.—Upon receiving such notification, the Attorney General may intervene in such action as a matter of right pursuant to the Federal Rules of Civil Procedure.

(4) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification provided by subparagraph (1) before initiating a civil action under subsection (a), the attorney general of the State shall notify the Attorney General of the United States and the Commission immediately upon instituting the civil action.

(d) ACTIONS BY THE ATTORNEY GENERAL.—In any case in which a civil action is instituted by the Attorney General of the United States for a violation of this Act, no attorney general of a State may, during the pendency of such action, institute a civil action against any defendant named in the complaint in the action instituted by or on behalf of the Attorney General of the United States for a violation of this Act that is alleged in such complaint.

(e) INTERVENTION BY THE ATTORNEY GENERAL OF THE UNITED STATES.—The Attorney General of the United States may intervene in any civil action brought by the attorney general of a State under subsection (a), and upon intervening be heard on all matters

arising in the civil action and file petitions for appeal of a decision in the civil action.

(f) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(g) ACTIONS BY OTHER STATE OFFICIALS.—

(1) IN GENERAL.—In addition to civil actions brought by an attorney general of a State under subsection (a), any other officer of a State who is authorized by the State to do so may bring a civil action in the same manner, subject to the same requirements and limitations that apply under this subsection to civil actions brought by an attorney general of a State.

(2) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

SEC. 1099. ENFORCEMENT BY PRIVATE PARTIES.

(a) CIVIL ACTION.—A provider of a generative artificial intelligence system or covered online platform who is harmed by a violation of section 1096 using their system or platform, may bring a civil action against the violator in an appropriate United States district court.

(b) RELIEF.—

(1) IN GENERAL.—In a civil action brought under subsection (a), the court may award relief in accordance with section 1097(c).

(2) DUPLICATIVE AWARDS.—No compensatory damages may be awarded under this section if compensatory damages have been awarded under section 1097 or 1098.

(c) RIGHTS OF THE ATTORNEY GENERAL OF THE UNITED STATES AND THE COMMISSION.—

(1) IN GENERAL.—The provider of a generative artificial intelligence system or covered online platform shall notify the Attorney General of the United States and the Commission in writing prior to initiating a civil action under subsection (a).

(2) CONTENTS.—The notification required by paragraph (1) with respect to a civil action shall include a copy of the complaint to be filed to initiate such action.

(3) INTERVENTION.—Upon receiving such notification, the Attorney General may intervene in such action as a matter of right pursuant to the Federal Rules of Civil Procedure.

(d) ACTIONS BY THE ATTORNEY GENERAL.—In any case in which a civil action is instituted by the Attorney General of the United States for a violation of this Act, no provider of a generative artificial intelligence system or covered online platform may, during the pendency of such action, institute a civil action against any defendant named in the complaint in the action instituted by or on behalf of the Attorney General of the United States for a violation of this Act that is alleged in such complaint.

(e) INTERVENTION BY THE ATTORNEY GENERAL OF THE UNITED STATES.—The Attorney General of the United States may intervene in any civil action brought by a provider of a generative artificial intelligence system or covered online platform under subsection (a), and upon intervening be heard on all matters arising in the civil action and file petitions for appeal of a decision in the civil action.

SEC. 1099A. AI-GENERATED CONTENT CONSUMER TRANSPARENCY WORKING GROUP.

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this section, the Director of the National Institute of Standards and Technology (in this section referred to as the ''Director''), in coordination with the heads of other relevant Federal agencies, shall establish the AI-generated content consumer transparency working group (in this section referred to as the ''Working Group'').

(2) MEMBERSHIP.—The Working Group shall include members from the following:

(A) Relevant Federal agencies.

(B) Developers of any generative artificial intelligence system.

(C) Private sector groups engaged in the development of content detection and content provenance standards, audiovisual media formats, and open-source implementation of such standards and formats.

(D) Social media platforms and other covered online platforms.

(E) Academic institutions and other relevant entities.

(F) Privacy advocates and experts.

(G) Media organizations, including news publishers and image providers.

(H) Technical experts in digital forensics, cryptography, and secure digital content and delivery.

(I) Groups or individuals representing victims affected by covered AI-generated content.

(J) Any other entity determined appropriate by the Director.

(3) DUTIES.—The duties of the Working Group shall include the following:

(A) Assisting covered online platforms in identifying and labeling covered AI-generated content, including by considering interoperable standards that assist with identifying, maintaining, interpreting, and displaying labeling information, and establishing guidelines and best practices for covered online platforms to implement such standards.

(B) Supporting the development of technical specifications and guidelines to—

(i) provide labeling and content provenance information; and

(ii) make such information interoperable, indelible, tamper-resistant, and tamper-evident to improve accuracy and ease of identification.

(C) Supporting the development of guidelines regarding the detection of covered AI-generated content and best practices to address circumvention techniques and improve enforcement of the requirements of this Act.

(D) Providing the Commission with recommendations regarding technical and economic feasibility with respect to the requirements of this Act.

(E) Developing recommendations for content detection and secure content provenance practices for any content that is produced by a generative artificial intelligence system and is not covered under the requirements of this Act, including text.

(F) Developing research and evidence regarding—

(i) the impact of covered AI-generated content and required disclosures on consumer behavior; and

(ii) how standards and guidelines can contribute to an information environment that is transparent and not overwhelming for consumers.

(4) FRAMEWORK.—Not later than 2 years after the date on which the Director establishes the Working Group under paragraph (1), the Working Group shall publish a framework that includes technical specifications, guidelines, and recommendations regarding the criteria described in paragraph (3).

(5) REPORT TO CONGRESS.—Not later than 180 days after the Working Group publishes the framework under paragraph (4), the Director shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Science, Space, and Technology of the House of Representatives a report on such framework, together with recommendations for legislative or administrative action determined appropriate by the Director.

(6) SUNSET.—The working group shall terminate on the date on which the Director submits the report required by paragraph (5).

SEC. 1099B. DEFINITIONS.

In this Act:

(1) ARTIFICIAL INTELLIGENCE CHATBOT.—The term ''artificial intelligence chatbot'' means a generative artificial intelligence system with which users can interact by or through an interface that approximates or simulates conversation, including a system that—

(A) through an application programming interface, or similar direct connection, publicly posts content; or

(B) bundles responses generated by artificial intelligence with other results, such as in a search query.

(2) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(3) CONTENT PROVENANCE.—The term ''content provenance'' means the chronology of the origin, modifications, and other information associated with the history of digital content.

(4) COVERED AI-GENERATED CONTENT.—The term ''covered AI-generated content'' means any sufficiently realistic image, video, audio, or multimedia content that is created or substantially modified by a generative artificial intelligence system such that—

(A) the use of the system materially alters the meaning or significance that a reasonable person would interpret from the content; and

(B) a reasonable person would believe that the content is not generated using a generative artificial intelligence system.

(5) COVERED ONLINE PLATFORM.—The term ''covered online platform'' means any public-facing website, online service, online application, or mobile application available to users that predominantly provides a forum for the sharing or searching of content (including covered AI-generated content), including a social media service, social network, search engine, or content aggregation service available to users.

(6) GENERATIVE ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''generative artificial intelligence system'' means any system or software application that uses artificial intelligence (as defined in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019) to create or substantially modify image, video, audio, or multimedia content.

(7) MACHINE-READABLE.—The term ''machine-readable'' has the meaning given such term in section 3502 of title 44, United States Code.

(8) MULTIMEDIA.—

(A) IN GENERAL.—The term ''multimedia'' means a combination of video, audio, photo, graphics, animation, or other content.

(B) CLARIFICATION.—For purposes of subparagraph (A), content is not considered multimedia content solely on the basis of combining content with software in a website or other form.

(9) NON-AI-GENERATED CONTENT.—The term ''non-AI-generated content'' means content that was not created or substantially modified by a generative artificial intelligence system.

SA 2426. 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 appropriate place in title II, insert the following:

SEC. ___. AUTHORIZATION FOR THE AUTONOMY STANDARDS AND IDEALS WITH MILITARY OPERATIONAL VALUES (ASIMOV) PROGRAM.

Of the amount authorized to be appropriated for fiscal year 2025 by section 201 for research, development, test, and evaluation and available for research and development by the Defense Advanced Research Projects Agency, up to $22,000,000 may be used for a program to evaluate autonomy software for adherence to the policies and principles of the Department of Defense.

SA 2427. 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 appropriate place in title II, insert the following:

SEC. ___. SYNTHETIC CONTENT DISCLOSURE AND DETECTION INITIATIVE.

(a) INITIATIVE REQUIRED.—The Director of the Defense Advanced Research Projects Agency shall, in collaboration with the Secretary of Commerce, develop an initiative to research and develop the following:

(1) Machine-readable disclosures and content provenance information embeddable into digital content.

(2) Techniques to maximize the interoperability, indelibility, tamper-resistance, and tamper-evidence of such disclosures and provenance information.

(3) Detection methods for synthetic content and best practices to address circumvention techniques.

(b) DEFINITIONS.—In this section:

(1) CONTENT PROVENANCE.—The term ''content provenance'' means the chronology of the origin, modifications, and other information associated with the history of digital content.

(2) GENERATIVE ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''generative artificial intelligence system'' means any system or software application that uses artificial intelligence (as defined in section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061)) to create or substantially modify image, video, audio, text, or other content.

(3) MACHINE-READABLE.—The term ''machine-readable'' has the meaning given such term in section 3502 of title 44, United States Code.

(4) SYNTHETIC CONTENT.—The term ''synthetic content'' means information, such as images, videos, audio clips, and text, that has been significantly modified or generated by algorithms, including by a generative artificial intelligence system.

SA 2428. 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 appropriate place in title XVI, insert the following:

SEC. ___. CREATION OF ARTIFICIAL INTELLIGENCE IMPLEMENTATION WORKING GROUPS THROUGHOUT THE DEPARTMENT OF DEFENSE.

The Secretary of Defense shall take the following actions:

(1) Create artificial intelligence implementation working groups at appropriate levels.

(2) Involve employees and employee representatives as full partners with management representatives in the working groups created under paragraph (1) to improve the use of artificial intelligence throughout the Department of Defense to better serve the public and carry out the mission of the Department.

(3)(A) Allow employees and employee representatives to have pre-decisional involvement in workplace matters regarding the implementation of artificial intelligence to the fullest extent practicable, without regard to whether those matters are negotiable subjects of bargaining under section 7106 of title 5, United States Code.

(B) Provide adequate information on the matters described in subparagraph (A) expeditiously to employee representatives where not prohibited by law.

(C) Make a good-faith attempt to resolve issues concerning proposed implementation of artificial intelligence technologies through discussions in the artificial intelligence implementation working groups created by the Secretary under paragraph (1).

(4) Evaluate progress and improvements in organizational performance resulting from the artificial intelligence implementation working groups created under paragraph (1).

SA 2429. 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 E of title VIII, add the following:

SEC. 891. PROHIBITION ON PROCUREMENTS PRODUCED BY CHILD LABOR.

(a) PROHIBITION ON THE AVAILABILITY OF FUNDS FOR PROCUREMENTS PRODUCED BY CHILD LABOR.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2025 for the Department of Defense may be obligated or expended to knowingly procure any products produced or manufactured wholly or in part by oppressive child labor.

(b) RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall issue rules, in consultation with the Department of Labor, to require a certification from offerors for contracts with the Department of Defense stating the offeror has made a good faith effort to determine that oppressive child labor was not or will not be used in the performance of such contract.

(c) OPPRESSIVE CHILD LABOR DEFINED.—In this section, the term ''oppressive child labor'' has the same meaning as 29 USC 203(1).

SA 2430. 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, add the following:

DIVISION E—COMPREHENSIVE PAID LEAVE FOR FEDERAL EMPLOYEES

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Comprehensive Paid Leave for Federal Employees Act''.

SEC. 5002. PAID FAMILY AND MEDICAL LEAVE FOR FEDERAL EMPLOYEES COVERED BY TITLE 5.

Section 6382 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''12 administrative workweeks of leave'' and inserting ''12 administrative work weeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii)''; and

(ii) in subparagraph (B), by inserting ''and in order to care for such son or daughter'' before the period;

(B) by amending paragraph (2) to read as follows:

''(2)(A) The entitlement to leave under subparagraph (A) or (B) of paragraph (1) shall commence at time of birth or placement of a son or daughter and shall expire at the end of the 12-month period beginning on the date of such birth or placement.

''(B) Notwithstanding subparagraph (A), the entitlement to leave under paragraph (1)(B) in connection with adoption may commence prior to the placement of the son or daughter to be adopted for activities necessary to allow the adoption to proceed.''; and

(C) in paragraph (4)—

(i) by striking ''Subject to subsection (d)(2), during'' and inserting ''During''; and

(ii) by inserting ''(or 26 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii))'' after ''26 administrative workweeks of leave''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking the first sentence; and

(ii) by striking ''under subchapter I''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''subparagraph (A) or (B)'' and inserting ''subparagraph (A) through (E)'';

(ii) by striking ''parental'' in each instance;

(iii) in subparagraph (B)(i), by striking ''birth or placement involved'' and inserting ''event giving rise to such leave'';

(iv) by amending subparagraph (E) to read as follows:

''(E) Nothing in this paragraph shall be construed to modify the service requirement in section 6381(1)(B).'';

(v) in subparagraph (F)(i), by striking ''An employee'' and inserting ''With respect to leave described under subparagraph (A) or (B) of subsection (a)(1), an employee''; and

(vi) by adding at the end the following:

''(H) Notwithstanding paragraph (2)(B)(i), with respect to any employee who received paid leave for an event giving rise to such leave under any other provision of law and who becomes subject to this section during the period of eligibility for paid leave under this section with respect to such event, any paid leave for such event provided by this

section shall be reduced by the total number of days of paid leave taken by such employee under such other provision of law.''.

SEC. 5003. CONGRESSIONAL EMPLOYEES UNDER THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.

Section 202 of the Congressional Accountability Act of 1995 (2 U.S.C. 1312), is amended—

(1) in subsection (a)—

(A) paragraph (1)—

(i) in the second sentence—

(I) by striking ''subsection (a)(1)(A) or (B)'' and inserting ''under any of subparagraphs (A) through (E) of subsection (a)(1)''; and

(II) by inserting ''and in the case of leave that includes leave for such an event, the period of leave to which a covered employee is entitled under section 102(a)(1) of such Act shall be 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section'' before the period; and

(ii) by striking the third sentence and inserting the following: ''For purposes of applying section 102(a)(4) of such Act, in the case of leave that includes leave under any of subparagraphs (A) through (E) of section 102(a)(1) of such Act, a covered employee is entitled, under paragraphs (1) and (3) of section 102(a) of such Act, to a combined total of 26 workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section.''; and

(B) in paragraph (2), by amending subparagraph (B) to read as follows:

''(B) except for leave described under section 102(a)(3) of such Act, the term 'eligible employee' as used in that Act means a covered employee.''; and

(2) in subsection (d)—

(A) in the subsection heading, by striking ''PARENTAL LEAVE'' and inserting ''FAMILY AND MEDICAL LEAVE'';

(B) in paragraph (1), by striking ''subparagraph (A) or (B)'' and inserting ''any of subparagraphs (A) through (E)'';

(C) by striking ''parental'' each place the term appears; and

(D) in paragraph (2)(A), by striking ''birth or placement involved'' and inserting ''event giving rise to such leave''.

SEC. 5004. GAO, LIBRARY OF CONGRESS, POSTAL SERVICE, AND POSTAL REGULATORY COMMISSION EMPLOYEES.

The Family and Medical Leave Act of 1993 (29 U.S.C. 2601), is amended—

(1) in section 101(2)(E)—

(A) in the subparagraph heading, by inserting ''USPS, AND POSTAL REGULATORY COMMISSION'' after ''GAO'';

(B) by inserting ''the United States Postal Service, or the Postal Regulatory Commission'' after ''Government Accountability Office''; and

(C) by striking ''section 102(a)(1)(A) or (B)'' and inserting ''any of subparagraphs (A) through (E) of section 102(a)(1)'';

(2) in section 102(d)(3)—

(A) in the paragraph heading, by inserting ''USPS, AND POSTAL REGULATORY COMMISSION'' after ''GAO'';

(B) by striking ''the Government Accountability Office'' and inserting ''the Government Accountability Office, the United States Postal Service, or the Postal Regulatory Commission'' each place the term appears;

(C) by striking ''parental'' and inserting ''family and medical'' each place the term appears;

(D) in subparagraph (A), by striking ''subparagraph (A) or (B)'' and inserting ''subparagraphs (A) through (E)''; and

(E) in subparagraph (B)(i), by striking ''birth or placement involved'' and inserting ''event giving rise to such leave''; and

(3) by adding at the end of section 102(a) the following:

''(6) SPECIAL RULES ON PERIOD OF LEAVE.—With respect to an employee of the Government Accountability Office, the Library of Congress, the United States Postal Service, or the Postal Regulatory Commission—

''(A) in the case of leave that includes leave under subparagraph (A) through (E) of paragraph (1), the employee shall be entitled to 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be;

''(B) for the purposes of paragraph (4), the employee is entitled, under paragraphs (1) and (3), to a combined total of 26 workweeks of leave plus, if applicable, any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be; and

''(C) the entitlement to leave under paragraph (1)(B) in connection with adoption may commence prior to the placement of the son or daughter to be adopted for activities necessary to allow the adoption to proceed.''.

SEC. 5005. EMPLOYEES OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

Section 412 of title 3, United States Code, is amended—

(1) in subsection (a)(3), by striking ''or (B)'' and inserting ''through (E)''; and

(2) in subsection (c), by striking ''or (B)'' and inserting ''through (E)'' each place the term appears.

SEC. 5006. FAA AND TSA EMPLOYEES.

Section 40122(g)(5) of title 49, United States Code, is amended—

(1) in the paragraph heading, by striking ''PARENTAL''; and

(2) by striking ''parental'' in each instance.

SEC. 5007. TITLE 38 EMPLOYEES.

Not later than 30 days after the date of enactment of this Act, the Secretary of Veterans Affairs shall modify the family and medical leave program provided by operation of section 7425(c) of title 38, United States Code, to conform with this division and the amendments made by this division.

SEC. 5008. DISTRICT OF COLUMBIA COURTS AND DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.

(a) DISTRICT OF COLUMBIA COURTS.—Subsection (d) of section 11–1726, District of Columbia Official Code, is amended to read as follows:

''(d)(1) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to nonjudicial employees of the District of Columbia courts, the Joint Committee shall, notwithstanding any provision of such Act, establish a paid family and medical leave program for the leave described in subparagraphs (A) through (E) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)).

''(2) In developing the terms and conditions for the paid family and medical leave program under paragraph (1), the Joint Committee may be guided by the terms and conditions applicable to the provision of paid family and medical leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

(b) DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—Subsection (d) of section 305 of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 21605, D.C. Official Code) is amended to read as follows:

''(d)(1) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to employees of the Service, the Director shall, notwithstanding any provision of such Act, establish a paid family and medical leave program for the leave described in subparagraphs (A) through (E) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)).

''(2) In developing the terms and conditions for the paid family and medical leave program under paragraph (1), the Director may be guided by the terms and conditions applicable to the provision of paid family and medical leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

SA 2431. 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 appropriate place, insert the following:

SEC. 1095. STOP CHILD LABOR ACT.

(a) SHORT TITLE.—This section may be cited as the ''Stop Child Labor Act''.

(b) AMENDMENTS TO THE FAIR LABOR STANDARDS ACT OF 1938.—

(1) PRIVATE ENFORCEMENT.—Section 16(b) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(e)(1)) is amended—

(A) by inserting after the third sentence the following: ''Any employer who violates the provisions of section 12 or 13(c), relating to child labor, shall be liable to any child harmed as a result of such violation for compensatory damages and punitive damages in an amount not more than $250,000.'';

(B) in the fourth sentence—

(i) by inserting ''or, with respect to violations of the provisions of section 12 or 13(c), relating to child labor, children'' after ''more employees''; and

(ii) by inserting ''or children, as the case may be,'' after ''other employees'';

(C) in the fifth sentence, by inserting ''or children, as the case may be,'' after ''employees''; and

(D) by adding at the end the following: ''The right provided by this subsection to bring an action by or on behalf of any child with respect to violations of the provisions of section 12 or 13(c), relating to child labor, and the right of any child to become a party plaintiff to any such action, shall terminate upon the filing of a complaint by the Secretary in an action under section 17 in which legal or equitable relief is sought as a result of alleged violations of such provisions.''.

(2) CIVIL PENALTIES.—Section 16(e)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(e)(1)) is amended—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''not to exceed'' and inserting ''of an amount (subject to subparagraph (C)) that is'';

(ii) in clause (i), by striking ''$11,000'' and inserting ''not less than $5,000 and not more than $132,270''; and

(iii) in clause (ii), by striking ''$50,000'' and inserting ''not less than $25,000 and not more than $601,150''; and

(B) by adding at the end the following:

''(C) The dollar amounts referred to in clauses (i) and (ii) of subparagraph (A) shall be increased annually, for fiscal year 2024 and every fiscal year thereafter, by the percent increase, if any, in the consumer price

index for all urban consumers (all items; United States city average) for the most recent 12-month period for which applicable data is available.''.

(3) CRIMINAL PENALTIES.—Section 16(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(a)) is amended—

(A) by striking ''Any'' and inserting ''(1) Any'';

(B) by inserting ''(other than subsection (a)(4) of such section)'' after ''section 15'';

(C) by striking ''subsection'' each place it appears and inserting ''paragraph''; and

(D) by adding at the end the following:

''(2) Any person who repeatedly or willfully violates section 15(a)(4) shall upon conviction thereof be subject to a fine of not more than $50,000, or to imprisonment for not more than 1 year, or both.''.

(4) EFFECTIVE DATE.—The amendments made by paragraphs (1), (2), and (3) shall apply with respect to violations alleged to have occurred on or after the date of the enactment of this Act.

(c) GRANT PROGRAM FOR PREVENTION OF CHILD LABOR VIOLATIONS.—

(1) IN GENERAL.—The Secretary of Labor may award grants to eligible entities for purposes of education, training, and development of systems to help employers recognize, avoid, and prevent violations of section 12 or 13(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 212, 213(c)).

(2) ELIGIBLE ENTITY.—For purposes of this subsection, the term ''eligible entity'' means—

(A) a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986;

(B) a nonprofit trade industry or employer association;

(C) a labor-management partnership; or

(D) a labor organization.

(d) NATIONAL ADVISORY COMMITTEE ON CHILD LABOR .—

(1) ESTABLISHMENT.—There is established the National Advisory Committee on Child Labor (in this subsection referred to as the ''Committee'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Committee shall be composed of 12 members of whom—

(i) 3 shall be representatives of management who are appointed by the Secretary of Labor;

(ii) 3 shall be representatives of labor organizations who are appointed by the Secretary of Labor;

(iii) 1 shall be a member of the public who is appointed by the Secretary of Labor;

(iv) 2 shall be members of the public who are appointed by the Secretary of Health and Human Services; and

(v) 3 shall be child welfare professionals who are appointed by the Secretary of Health and Human Services.

(B) DATE.—The appointments of the members of the Committee shall be made not later than 90 days after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT; VACANCIES.—

(i) IN GENERAL.—A member of the Committee shall be appointed for a term of 2 years.

(ii) VACANCIES.—A vacancy in the Committee—

(I) shall not affect the powers of the Committee; and

(II) shall be filled in the same manner as the original appointment.

(D) MEETINGS.—The Committee shall hold no fewer than 2 meetings during each calendar year.

(E) CHAIRPERSON.—The Secretary of Labor shall designate the Chairperson of the Committee from among the members of the Committee appointed under subparagraph (A).

(3) DUTIES OF COMMITTEE.—The Committee shall advise, consult, and make recommendations to the Secretary of Labor and the Secretary of Health and Human Services on matters related to the recognition, avoidance, prevention, and enforcement of violations of section 12 or 13(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 212, 213(c)).

(4) COMMITTEE PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—A member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(B) TRAVEL EXPENSES.—A member of the 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 Committee.

(C) STAFF.—

(i) IN GENERAL.—The Chairperson of the Committee may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform its duties, except that the employment of an executive director shall be subject to confirmation by the Committee.

(ii) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—A Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) DURATION OF COMMITTEE.—Section 1013 of title 5, United States Code, shall not apply to the Committee.

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Committee to carry out this subsection $3,000,000 for fiscal year 2024.

SA 2432. 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 appropriate place in title XVI, insert the following:

SEC. ___. MODIFICATION OF REQUIREMENT FOR PRIZE COMPETITION FOR TECHNOLOGY THAT DETECTS AND DISCLOSES USE OF GENERATIVE ARTIFICIAL INTELLIGENCE.

(a) IN GENERAL.—Section 1543 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 10 U.S.C. 4025 note) is amended—

(1) in the section heading, by striking ''**WATERMARKS**'' and inserting ''**DISCLOSES**'';

(2) in subsection (a)—

(A) by striking ''watermarking'' and inserting ''disclosure''; and

(B) in paragraph (1), by inserting '', including techniques to maximize their interoperability, indelibility, tamper-resistance, and tamper-evidence, as applicable,'' after ''such technologies'';

(3) in subsection (c), by striking ''Watermark'' and inserting ''Disclosure'';

(4) in subsection (f), by striking ''until the date of termination under subsection (g);'';

(5) by striking subsection (g) and inserting the following:

''(g) FREQUENCY.—The prize competition under subsection (a) shall repeat every two years from the date of the enactment of this Act.'';

(6) by striking subsection (h) and inserting the following:

''(h) DEFINITION OF GENERATIVE ARTIFICIAL INTELLIGENCE DISCLOSURE.—The term 'generative artificial intelligence disclosure' means, with respect to digital content, embedding within or binding to such content data conveying attribution of the generation of such content to generative artificial intelligence. Such term includes techniques, such as visible and invisible watermarks, fingerprints, and cryptographically signed metadata.''; and

(7) by redesignating subsection (h), as amended by paragraph (6), as subsection (i) and inserting after subsection (g), as added by paragraph (5), the following new subsection (h):

''(h) PRIZE AMOUNT.—In carrying out a prize competition under subsection (a), the Secretary may award not more than a total of $5,000,000 to one or more winners of the prize competition.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 1543 and inserting the following new item:

''Sec. 1543. Prize competition for technology that detects and discloses use of generative artificial intelligence.''.

SA 2433. 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:

Subtitle ____—Dream Act of 2024

SEC. ____1. SHORT TITLE.

This subtitle may be cited as the ''Dream Act of 2024''.

SEC. ____2. DEFINITIONS.

In this subtitle:

(1) IN GENERAL.—Except as otherwise specifically provided, any term used in this subtitle that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) DACA.—The term ''DACA'' means deferred action granted to an alien pursuant to the Deferred Action for Childhood Arrivals program announced by President Obama on June 15, 2012.

(3) DISABILITY.—The term ''disability'' has the meaning given such term in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)).

(4) EARLY CHILDHOOD EDUCATION PROGRAM.—The term ''early childhood education program'' has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(5) ELEMENTARY SCHOOL; HIGH SCHOOL; SECONDARY SCHOOL.—The terms ''elementary school'', ''high school'', and ''secondary school'' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(7) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education''—

(A) except as provided in subparagraph (B), has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

(B) does not include an institution of higher education outside of the United States.

(8) PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.—The term ''permanent resident status on a conditional basis'' means status as an alien lawfully admitted for permanent residence on a conditional basis under this subtitle.

(9) POVERTY LINE.—The term ''poverty line'' has the meaning given such term in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902).

(10) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Homeland Security.

(11) UNIFORMED SERVICES.—The term ''Uniformed Services'' has the meaning given the term ''uniformed services'' in section 101(a) of title 10, United States Code.

SEC. _____3. PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of law, an alien shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence under this section, to have obtained such status on a conditional basis subject to the provisions under this subtitle.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who is inadmissible or deportable from the United States or is in temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a), if—

(A) the alien has been continuously physically present in the United States since the date that is 4 years before the date of the enactment of this Act;

(B) the alien was younger than 18 years of age on the date on which the alien initially entered the United States;

(C) subject to paragraphs (2) and (3), the alien—

(i) is not inadmissible under paragraph (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(ii) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(iii) has not been convicted of—

(I) any offense under Federal or State law, other than a State offense for which an essential element is the alien's immigration status, that is punishable by a maximum term of imprisonment of more than 1 year; or

(II) 3 or more offenses under Federal or State law, other than State offenses for which an essential element is the alien's immigration status, for which the alien was convicted on different dates for each of the 3 offenses and imprisoned for an aggregate of 90 days or more; and

(D) the alien—

(i) has been admitted to an institution of higher education;

(ii) has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general education development certificate recognized under State law or a high school equivalency diploma in the United States; or

(iii) is enrolled in secondary school or in an education program assisting students in—

(I) obtaining a regular high school diploma or its recognized equivalent under State law; or

(II) in passing a general educational development exam, a high school equivalence diploma examination, or other similar State-authorized exam.

(2) WAIVER.—With respect to any benefit under this subtitle, the Secretary may waive the grounds of inadmissibility under paragraph (2), (6)(E), (6)(G), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes or family unity or if the waiver is otherwise in the public interest.

(3) TREATMENT OF EXPUNGED CONVICTIONS.—An expunged conviction shall not automatically be treated as an offense under paragraph (1). The Secretary shall evaluate expunged convictions on a case-by-case basis according to the nature and severity of the offense to determine whether, under the particular circumstances, the Secretary determines that the alien should be eligible for cancellation of removal, adjustment to permanent resident status on a conditional basis, or other adjustment of status.

(4) DACA RECIPIENTS.—The Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who was granted DACA unless the alien has engaged in conduct since the alien was granted DACA that would make the alien ineligible for DACA.

(5) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may require an alien applying for permanent resident status on a conditional basis under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

(B) EXEMPTION.—An applicant may be exempted from paying the fee required under subparagraph (A) if the alien—

(i)(I) is younger than 18 years of age;

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; and

(III) is in foster care or otherwise lacking any parental or other familial support;

(ii) is younger than 18 years of age and is homeless;

(iii)(I) cannot care for himself or herself because of a serious, chronic disability; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; or

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, accumulated $10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line.

(6) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant an alien permanent resident status on a conditional basis under this section unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for aliens who are unable to provide such biometric or biographic data because of a physical impairment.

(7) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien seeking permanent resident status on a conditional basis under this section; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such status.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary grants such alien permanent resident status on a conditional basis under this section.

(8) MEDICAL EXAMINATION.—

(A) REQUIREMENT.—An alien applying for permanent resident status on a conditional basis under this section shall undergo a medical examination.

(B) POLICIES AND PROCEDURES.—The Secretary, with the concurrence of the Secretary of Health and Human Services, shall prescribe policies and procedures for the nature and timing of the examination required under subparagraph (A).

(9) MILITARY SELECTIVE SERVICE.—An alien applying for permanent resident status on a conditional basis under this section shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. 3801 et seq.), if the alien is subject to registration under such Act.

(c) DETERMINATION OF CONTINUOUS PRESENCE.—

(1) TERMINATION OF CONTINUOUS PERIOD.—Any period of continuous physical presence in the United States of an alien who applies for permanent resident status on a conditional basis under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(2) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), an alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (b)(1)(A) if the alien has departed from the United States for any period exceeding 90 days or for any periods, in the aggregate, exceeding 180 days.

(B) EXTENSIONS FOR EXTENUATING CIRCUMSTANCES.—The Secretary may extend the time periods described in subparagraph (A)

for an alien who demonstrates that the failure to timely return to the United States was due to extenuating circumstances beyond the alien's control, including the serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(C) TRAVEL AUTHORIZED BY THE SECRETARY.—Any period of travel outside of the United States by an alien that was authorized by the Secretary may not be counted toward any period of departure from the United States under subparagraph (A).

(d) LIMITATION ON REMOVAL OF CERTAIN ALIENS.—

(1) IN GENERAL.—The Secretary or the Attorney General may not remove an alien who appears prima facie eligible for relief under this section.

(2) ALIENS SUBJECT TO REMOVAL.—The Secretary shall provide a reasonable opportunity to apply for relief under this section to any alien who requests such an opportunity or who appears prima facie eligible for relief under this section if the alien is in removal proceedings, is the subject of a final removal order, or is the subject of a voluntary departure order.

(3) CERTAIN ALIENS ENROLLED IN ELEMENTARY OR SECONDARY SCHOOL.—

(A) STAY OF REMOVAL.—The Attorney General shall stay the removal proceedings of an alien who—

(i) meets all the requirements under subparagraphs (A), (B), and (C) of subsection (b)(1), subject to paragraphs (2) and (3) of such subsection;

(ii) is at least 5 years of age; and

(iii) is enrolled in an elementary school, a secondary school, or an early childhood education program.

(B) COMMENCEMENT OF REMOVAL PROCEEDINGS.—The Secretary may not commence removal proceedings for an alien described in subparagraph (A).

(C) EMPLOYMENT.—An alien whose removal is stayed pursuant to subparagraph (A) or who may not be placed in removal proceedings pursuant to subparagraph (B) shall, upon application to the Secretary, be granted an employment authorization document.

(D) LIFT OF STAY.—The Secretary or Attorney General may not lift the stay granted to an alien under subparagraph (A) unless the alien ceases to meet the requirements under such subparagraph.

(e) EXEMPTION FROM NUMERICAL LIMITATIONS.—Nothing in this section or in any other law may be construed to apply a numerical limitation on the number of aliens who may be granted permanent resident status on a conditional basis under this subtitle.

SEC. _____4. TERMS OF PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.

(a) PERIOD OF STATUS.—Permanent resident status on a conditional basis is—

(1) valid for a period of 8 years, unless such period is extended by the Secretary; and

(2) subject to termination under subsection (c).

(b) NOTICE OF REQUIREMENTS.—At the time an alien obtains permanent resident status on a conditional basis, the Secretary shall provide notice to the alien regarding the provisions of this subtitle and the requirements to have the conditional basis of such status removed.

(c) TERMINATION OF STATUS.—The Secretary may terminate the permanent resident status on a conditional basis of an alien only if the Secretary—

(1) determines that the alien ceases to meet the requirements under paragraph (1)(C) of section [_____3(b)], subject to paragraphs (2) and (3) of that section; and

(2) prior to the termination, provides the alien—

(A) notice of the proposed termination; and

(B) the opportunity for a hearing to provide evidence that the alien meets such requirements or otherwise contest the termination.

(d) RETURN TO PREVIOUS IMMIGRATION STATUS.—

(1) IN GENERAL.—Except as provided in paragraph (2), an alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied shall return to the immigration status that the alien had immediately before receiving permanent resident status on a conditional basis or applying for such status, as appropriate.

(2) SPECIAL RULE FOR TEMPORARY PROTECTED STATUS.—An alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied and who had temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) immediately before receiving or applying for such permanent resident status on a conditional basis, as appropriate, may not return to such temporary protected status if—

(A) the relevant designation under section 244(b) of the Immigration and Nationality Act (8 U.S.C. 1254a(b)) has been terminated; or

(B) the Secretary determines that the reason for terminating the permanent resident status on a conditional basis renders the alien ineligible for such temporary protected status.

SEC. _____5. REMOVAL OF CONDITIONAL BASIS OF PERMANENT RESIDENT STATUS.

(a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL BASIS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall remove the conditional basis of an alien's permanent resident status granted under this subtitle and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) is described in paragraph (1)(C) of section [_____3(b)], subject to paragraphs (2) and (3) of that section;

(B) has not abandoned the alien's residence in the United States; and

(C)(i) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States;

(ii) has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge; or

(iii) has been employed for periods totaling at least 3 years and at least 75 percent of the time that the alien has had a valid employment authorization, except that any period during which the alien is not employed while having a valid employment authorization and is enrolled in an institution of higher education, a secondary school, or an education program described in section [_____3](b)(1)(D)(iii), shall not count toward the time requirements under this clause.

(2) HARDSHIP EXCEPTION.—The Secretary shall remove the conditional basis of an alien's permanent resident status and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) satisfies the requirements under subparagraphs (A) and (B) of paragraph (1);

(B) demonstrates compelling circumstances for the inability to satisfy the requirements under subparagraph (C) of such paragraph; and

(C) demonstrates that—

(i) the alien has a disability;

(ii) the alien is a full-time caregiver of a minor child; or

(iii) the removal of the alien from the United States would result in extreme hardship to the alien or the alien's spouse, parent, or child who is a national of the United States or is lawfully admitted for permanent residence.

(3) CITIZENSHIP REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the conditional basis of an alien's permanent resident status granted under this subtitle may not be removed unless the alien demonstrates that the alien satisfies the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

(B) EXCEPTION.—Subparagraph (A) shall not apply to an alien who is unable to meet the requirements under such section 312(a) due to disability.

(4) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may require aliens applying for lawful permanent resident status under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

(B) EXEMPTION.—An applicant may be exempted from paying the fee required under subparagraph (A) if the alien—

(i)(I) is younger than 18 years of age;

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; and

(III) is in foster care or otherwise lacking any parental or other familial support;

(ii) is younger than 18 years of age and is homeless;

(iii)(I) cannot care for himself or herself because of a serious, chronic disability; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; or

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, the alien accumulated $10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line.

(5) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not remove the conditional basis of an alien's permanent resident status unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric data because of a physical impairment.

(6) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien applying for removal of the conditional basis of the alien's permanent resident status; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for removal of such conditional basis.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary removes the conditional basis of the alien's permanent resident status.

(b) TREATMENT FOR PURPOSES OF NATURALIZATION.—

(1) IN GENERAL.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), an alien granted permanent resident status on a conditional basis shall be considered to have been admitted to the United States, and be present in the United States, as an alien lawfully admitted for permanent residence.

(2) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization while the alien is in permanent resident status on a conditional basis.

SEC. ____6. DOCUMENTATION REQUIREMENTS.

(a) DOCUMENTS ESTABLISHING IDENTITY.—An alien's application for permanent resident status on a conditional basis may include, as proof of identity—

(1) a passport or national identity document from the alien's country of origin that includes the alien's name and the alien's photograph or fingerprint;

(2) the alien's birth certificate and an identity card that includes the alien's name and photograph;

(3) a school identification card that includes the alien's name and photograph, and school records showing the alien's name and that the alien is or was enrolled at the school;

(4) a Uniformed Services identification card issued by the Department of Defense;

(5) any immigration or other document issued by the United States Government bearing the alien's name and photograph; or

(6) a State-issued identification card bearing the alien's name and photograph.

(b) DOCUMENTS ESTABLISHING CONTINUOUS PHYSICAL PRESENCE IN THE UNITED STATES.—To establish that an alien has been continuously physically present in the United States, as required under section [_____3](b)(1)(A), or to establish that an alien has not abandoned residence in the United States, as required under section [_____5](a)(1)(B), the alien may submit documents to the Secretary, including—

(1) employment records that include the employer's name and contact information;

(2) records from any educational institution the alien has attended in the United States;

(3) records of service from the Uniformed Services;

(4) official records from a religious entity confirming the alien's participation in a religious ceremony;

(5) passport entries;

(6) a birth certificate for a child who was born in the United States;

(7) automobile license receipts or registration;

(8) deeds, mortgages, or rental agreement contracts;

(9) tax receipts;

(10) insurance policies;

(11) remittance records;

(12) rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address;

(13) copies of money order receipts for money sent in or out of the United States;

(14) dated bank transactions; or

(15) 2 or more sworn affidavits from individuals who are not related to the alien who have direct knowledge of the alien's continuous physical presence in the United States, that contain—

(A) the name, address, and telephone number of the affiant; and

(B) the nature and duration of the relationship between the affiant and the alien.

(c) DOCUMENTS ESTABLISHING INITIAL ENTRY INTO THE UNITED STATES.—To establish under section [_____3](b)(1)(B) that an alien was younger than 18 years of age on the date on which the alien initially entered the United States, an alien may submit documents to the Secretary, including—

(1) an admission stamp on the alien's passport;

(2) records from any educational institution the alien has attended in the United States;

(3) any document from the Department of Justice or the Department of Homeland Security stating the alien's date of entry into the United States;

(4) hospital or medical records showing medical treatment or hospitalization, the name of the medical facility or physician, and the date of the treatment or hospitalization;

(5) rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address;

(6) employment records that include the employer's name and contact information;

(7) official records from a religious entity confirming the alien's participation in a religious ceremony;

(8) a birth certificate for a child who was born in the United States;

(9) automobile license receipts or registration;

(10) deeds, mortgages, or rental agreement contracts;

(11) tax receipts;

(12) travel records;

(13) copies of money order receipts sent in or out of the country;

(14) dated bank transactions;

(15) remittance records; or

(16) insurance policies.

(d) DOCUMENTS ESTABLISHING ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has been admitted to an institution of higher education, the alien shall submit to the Secretary a document from the institution of higher education certifying that the alien—

(1) has been admitted to the institution; or

(2) is currently enrolled in the institution as a student.

(e) DOCUMENTS ESTABLISHING RECEIPT OF A DEGREE FROM AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has acquired a degree from an institution of higher education in the United States, the alien shall submit to the Secretary a diploma or other document from the institution stating that the alien has received such a degree.

(f) DOCUMENTS ESTABLISHING RECEIPT OF HIGH SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE, OR A RECOGNIZED EQUIVALENT.—To establish that an alien has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general educational development certificate recognized under State law or a high school equivalency diploma in the United States, the alien shall submit to the Secretary—

(1) a high school diploma, certificate of completion, or other alternate award;

(2) a high school equivalency diploma or certificate recognized under State law; or

(3) evidence that the alien passed a State-authorized exam, including the general educational development exam, in the United States.

(g) DOCUMENTS ESTABLISHING ENROLLMENT IN AN EDUCATIONAL PROGRAM.—To establish that an alien is enrolled in any school or education program described in section [_____3](b)(1)(D)(iii), [_____3](d)(3)(A)(iii), or [_____5](a)(1)(C), the alien shall submit school records from the United States school that the alien is currently attending that include—

(1) the name of the school; and

(2) the alien's name, periods of attendance, and current grade or educational level.

(h) DOCUMENTS ESTABLISHING EXEMPTION FROM APPLICATION FEES.—To establish that an alien is exempt from an application fee under section [_____3](b)(5)(B) or [_____5](a)(4)(B), the alien shall submit to the Secretary the following relevant documents:

(1) DOCUMENTS TO ESTABLISH AGE.—To establish that an alien meets an age requirement, the alien shall provide proof of identity, as described in subsection (a), that establishes that the alien is younger than 18 years of age.

(2) DOCUMENTS TO ESTABLISH INCOME.—To establish the alien's income, the alien shall provide—

(A) employment records that have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency;

(B) bank records; or

(C) at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work and income that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien.

(3) DOCUMENTS TO ESTABLISH FOSTER CARE, LACK OF FAMILIAL SUPPORT, HOMELESSNESS, OR SERIOUS, CHRONIC DISABILITY.—To establish that the alien was in foster care, lacks parental or familial support, is homeless, or has a serious, chronic disability, the alien shall provide at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that contain—

(A) a statement that the alien is in foster care, otherwise lacks any parental or other familiar support, is homeless, or has a serious, chronic disability, as appropriate;

(B) the name, address, and telephone number of the affiant; and

(C) the nature and duration of the relationship between the affiant and the alien.

(4) DOCUMENTS TO ESTABLISH UNPAID MEDICAL EXPENSE.—To establish that the alien has debt as a result of unreimbursed medical expenses, the alien shall provide receipts or other documentation from a medical provider that—

(A) bear the provider's name and address;

(B) bear the name of the individual receiving treatment; and

(C) document that the alien has accumulated $10,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien.

(i) DOCUMENTS ESTABLISHING QUALIFICATION FOR HARDSHIP EXEMPTION.—To establish that an alien satisfies one of the criteria for the hardship exemption set forth in section [_____5](a)(2)(C), the alien shall submit to the Secretary at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that warrant the exemption, that contain—

(1) the name, address, and telephone number of the affiant; and

(2) the nature and duration of the relationship between the affiant and the alien.

(j) DOCUMENTS ESTABLISHING SERVICE IN THE UNIFORMED SERVICES.—To establish that an alien has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge, the alien shall submit to the Secretary—

(1) a Department of Defense form DD–214;

(2) a National Guard Report of Separation and Record of Service form 22;

(3) personnel records for such service from the appropriate Uniformed Service; or

(4) health records from the appropriate Uniformed Service.

(k) DOCUMENTS ESTABLISHING EMPLOYMENT.—

(1) IN GENERAL.—An alien may satisfy the employment requirement under section [_____5](a)(1)(C)(iii) by submitting records that—

(A) establish compliance with such employment requirement; and

(B) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.

(2) OTHER DOCUMENTS.—An alien who is unable to submit the records described in paragraph (1) may satisfy the employment requirement by submitting at least 2 types of reliable documents that provide evidence of employment, including—

(A) bank records;

(B) business records;

(C) employer records;

(D) records of a labor union, day labor center, or organization that assists workers in employment;

(E) sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work, that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien; and

(F) remittance records.

(l) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents does not reliably establish identity or that permanent resident status on a conditional basis is being obtained fraudulently to an unacceptable degree, the Secretary may prohibit or restrict the use of such document or class of documents.

SEC. _____7. RULEMAKING.

(a) INITIAL PUBLICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish regulations implementing this subtitle in the Federal Register. Such regulations shall allow eligible individuals to immediately apply affirmatively for the relief available under section [_____3] without being placed in removal proceedings.

(b) INTERIM REGULATIONS.—Notwithstanding section 553 of title 5, United States Code, the regulations published pursuant to subsection (a) shall be effective, on an interim basis, immediately upon publication in the Federal Register, but may be subject to change and revision after public notice and opportunity for a period of public comment.

(c) FINAL REGULATIONS.—Not later than 180 days after the date on which interim regulations are published under this section, the Secretary shall publish final regulations implementing this subtitle.

(d) PAPERWORK REDUCTION ACT.—The requirements under chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), shall not apply to any action to implement this subtitle.

SEC. _____8. CONFIDENTIALITY OF INFORMATION.

(a) IN GENERAL.—The Secretary may not disclose or use information provided in applications filed under this subtitle or in requests for DACA for the purpose of immigration enforcement.

(b) REFERRALS PROHIBITED.—The Secretary may not refer any individual who has been granted permanent resident status on a conditional basis or who was granted DACA to U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or any designee of either such entity.

(c) LIMITED EXCEPTION.—Notwithstanding subsections (a) and (b), information provided in an application for permanent resident status on a conditional basis or a request for DACA may be shared with Federal security and law enforcement agencies—

(1) for assistance in the consideration of an application for permanent resident status on a conditional basis;

(2) to identify or prevent fraudulent claims;

(3) for national security purposes; or

(4) for the investigation or prosecution of any felony not related to immigration status.

(d) PENALTY.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. _____9. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.

(a) IN GENERAL.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(b) EFFECTIVE DATE.—The repeal under subsection (a) shall take effect as if included in the original enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–546).

SA 2434. 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. _____. SENATOR PAUL SIMON STUDY ABROAD PROGRAM ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Senator Paul Simon Study Abroad Program Act of 2024''.

(b) SENATOR PAUL SIMON STUDY ABROAD PROGRAM.—

(1) ESTABLISHMENT.—Subject to the availability of appropriations and under the authority of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.), the Secretary of State shall—

(A) rename the Increase and Diversify Education Abroad for U.S. Students Program (commonly known as ''IDEAS'') as the ''Senator Paul Simon Study Abroad Program'' (referred to in this section as the ''Program''); and

(B) enhance the program in accordance with this subsection.

(2) OBJECTIVES.—The objectives of the Program are that not later than 10 years after the date of enactment of this Act—

(A) not fewer than 1,000,000 undergraduate students from the United States will study abroad annually;

(B) the demographics of study abroad participation will reflect the demographics of the United States undergraduate population by increasing the participation rate of underrepresented groups; and

(C) an increasing portion of study abroad will take place in nontraditional study abroad destinations, with a substantial portion of such increases in developing countries.

(3) COMPETITIVE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION.—

(A) IN GENERAL.—In order to accomplish the objectives described in paragraph (2), the Secretary of State shall award grants, on a competitive basis, to institutions of higher education, either individually or as part of a consortium, based on applications by such institutions that—

(i) set forth detailed plans for using grant funds to further such objectives;

(ii) include an institutional commitment to expanding access to study abroad;

(iii) include plans for evaluating progress made in increasing access to study abroad;

(iv) describe how increases in study abroad participation achieved through the grant will be sustained in subsequent years; and

(v) demonstrate that the study abroad programs have established health, safety, and security guidelines and procedures, informed by Department of State travel advisories and other appropriate Federal agencies and resources, including the Overseas Security Advisory Council and the Centers for Disease Control and Prevention.

(B) PRIORITY.—In awarding grants under subparagraph (A), the Secretary may give priority to—

(i) minority-serving institutions listed under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)));

(ii) eligible institutions (as defined in section 312(b) of the Higher Education Act of 1965 (20 U.S.C. 1058(b)) that qualify for the Strengthening Institutions Program of the Department of Education; and

(iii) institutions that offer study abroad programs with a significant world language learning component, as applicable.

(4) IMPLEMENTATION OF LINCOLN COMMISSION RECOMMENDATIONS.—In administering the Program, the Secretary of State shall take fully into account the recommendations of the Lincoln Commission, including—

(A) institutions of higher education applying for grants described in paragraph (3) shall use Program funds to support direct student costs;

(B) diversity shall be a defining characteristic of the Program; and

(C) quality control shall be a defining characteristic of the Program.

(5) CONSULTATION.—In carrying out this subsection, the Secretary of State shall consult with representatives of diverse institutions of higher education and educational policy organizations and other individuals with appropriate expertise.

(c) ANNUAL REPORT.—Not later than December 31 of each year, the Secretary of State shall submit an annual report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that details the implementation of the Program during the most recently concluded fiscal year.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the Program for fiscal year 2024 and for each subsequent fiscal year.

(e) DEFINITIONS.—In this section:

(1) CONSORTIUM.—The term ''consortium'' means a group that—

(A) includes at least 1 institution of higher education; and

(B) may include nongovernmental organizations that provide and promote study abroad opportunities for students.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(3) NONTRADITIONAL STUDY ABROAD DESTINATION.—The term ''nontraditional study abroad destination'' means a location that is

determined by the Secretary of State to be a less common destination for students who study abroad.

(4) STUDENT.—The term ''student'' means—

(A) an alien lawfully admitted for permanent residence in the United States or a national of the United States or (as such terms are defined in paragraphs (20) and (22) of section 101(a) of the Immigration and Nationality Act of 1965 (8 U.S.C. 1101(a))) who is enrolled at an institution of higher education located within the United States; or

(B) an individual who is an eligible noncitizen for Federal student aid, as determined by the Secretary of Education for purposes of the Federal student loan program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(5) STUDY ABROAD.—The term ''study abroad'' means an educational program of study, work, service learning, research, internship, or combination of such activities that—

(A) is conducted outside of the United States; and

(B) carries academic credit.

(6) WORLD LANGUAGE.—The term ''world language'' means any natural language other than English, including—

(A) languages determined by the Secretary of State to be critical to the national security interests of the United States;

(B) classical languages;

(C) American sign language; and

(D) Native American languages.

SA 2435. Mr. DURBIN (for himself, Mr. WYDEN, Mr. CARPER, and 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 H of title X, add the following:

SEC. 1095. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

''§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

''(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

''(b) DEFINITIONS.—In this section:

''(1) The term 'facility of the Veterans Health Administration' means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

''(A) under the jurisdiction of the Department of Veterans Affairs;

''(B) under the control of the Veterans Health Administration; and

''(C) not under the control of the General Services Administration.

''(2) The term 'smoke' includes—

''(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

''(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

''1715. Prohibition on smoking in facilities of the Veterans Health Administration.''.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102–585; 38 U.S.C. 1715 note) is repealed.

SA 2436. Mr. DURBIN (for himself, Mr. GRASSLEY, 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 subtitle D of title III, add the following:

SEC. 336. PILOT PROGRAM ON ARSENAL WORKLOAD SUSTAINMENT.

(a) FINDINGS.—Congress finds the following:

(1) The United States has a long and proud history of manufacturing defense products.

(2) Factories and arsenals of the Department of the Army that are owned and operated by the United States Government are a critical component of the organic industrial base.

(3) The 2023 National Defense Industrial Strategy recognizes the need of the Department of Defense to more strategically utilize the organic industrial base in order to maintain a competitive military advantage.

(4) Sufficient workload at arsenals of the Department of the Army that are owned and operated by the United States Government ensure cost efficiency and technical competence in peacetime, while preserving the ability to provide an effective and timely response to mobilizations, national defense contingency situations, and other emergency requirements.

(b) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to be known as the ''Arsenal Workload Sustainment Pilot Program'' (in this section referred to as the ''pilot program'').

(c) DURATION.—The pilot program shall be conducted for a period of five years.

(d) PREFERENCES FOR PROCUREMENT ACTIONS OR SOLICITATIONS.—

(1) IN GENERAL.—In carrying out the pilot program, the Secretary of Defense shall give a preference described in paragraph (2) for any procurement action or solicitation by a non-public partner who has entered into a public-private partnership with the Secretary in the source selection process if such non-public partner uses an arsenal of the Department of the Army that is owned and operated by the United States Government as a partner in any type of contractual agreement with the United States Government.

(2) PREFERENCE DESCRIBED.—A preference described in this paragraph is the addition of 20 percent to the price of any offer by a non-public partner that does not use an arsenal of the Department of the Army that is owned and operated by the United States Government as a partner in its bid for the same procurement action or solicitation described in paragraph (1).

(3) FURTHER PREFERENCE.—In selecting non-public partners under paragraph (1), the Secretary of Defense shall give preference to non-public partners that—

(A) utilize the Advanced Manufacturing Center of Excellence of the Army; and

(B) ensure not less than 25 percent of the activities under the partnership are performed by employees of the Department of Defense.

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on the activities carried out under pilot program, including a description of any operational challenges identified.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) A breakout, by relevant budget accounts, of workload at an arsenal of the Department of the Army that is owned and operated by the United States Government that was achieved in the prior fiscal year, whether directly or through public-private partnerships under the pilot program.

(B) An assessment of relevant budget accounts where such an arsenal can be utilized to meet future procurement needs of the Department of Defense, irrespective of cost.

(C) An outlook of expected workload at each such arsenal during the period covered by the future-years defense program submitted to Congress under section 221 of title 10, United States Code.

(D) The capital investments required to be made at each such arsenal in order to ensure compliance and operational capacity.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) NON-PUBLIC PARTNER.—The term ''non-public partner'' means a corporation, individual, university, or nonprofit organization that is not part of the United States Government.

SA 2437. 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. [____]. DEFIANCE ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Disrupt Explicit Forged Images and Non-Consensual Edits Act of 2024'' or the ''DEFIANCE Act of 2024''.

(b) FINDINGS.—Congress finds that:

(1) Digital forgeries, often called deepfakes, are synthetic images and videos that look realistic. The technology to create digital forgeries is now ubiquitous and easy to use. Hundreds of apps are available that can quickly generate digital forgeries without the need for any technical expertise.

(2) Digital forgeries can be wholly fictitious but can also manipulate images of real people to depict sexually intimate conduct that did not occur. For example, some digital forgeries will paste the face of an individual onto the body of a real or fictitious

individual who is nude or who is engaging in sexual activity. Another example is a photograph of an individual that is manipulated to digitally remove the clothing of the individual so that the person appears to be nude.

(3) The individuals depicted in such digital forgeries are profoundly harmed when the content is produced, disclosed, or obtained without the consent of those individuals. These harms are not mitigated through labels or other information that indicates that the depiction is fake.

(4) It can be destabilizing to victims whenever those victims are depicted in sexual digital forgeries against their will, as the privacy of those victims is violated and the victims lose control over their likeness and identity.

(5) Victims can feel helpless because the victims—

(A) may not be able to determine who has created the content; and

(B) do not know how to prevent further disclosure of the digital forgery or how to prevent more forgeries from being made.

(6) Victims may be fearful of being in public out of concern that individuals the victims encounter have seen the digital forgeries. This leads to social rupture through the loss of the ability to trust, stigmatization, and isolation.

(7) Victims of non-consensual, sexually intimate digital forgeries may experience depression, anxiety, and suicidal ideation. These victims may also experience the ''silencing effect'' in which the victims withdraw from online spaces and public discourse to avoid further abuse.

(8) Digital forgeries are often used to—

(A) harass victims, interfering with their employment, education, reputation, or sense of safety; or

(B) commit extortion, sexual assault, domestic violence, and other crimes.

(9) Because of the harms caused by non-consensual, sexually intimate digital forgeries, such digital forgeries are considered to be a form of image-based sexual abuse.

(c) CIVIL ACTION RELATING TO DISCLOSURE OF INTIMATE IMAGES.—

(1) DEFINITIONS.—Section 1309 of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851) is amended—

(A) in the heading, by inserting ''**OR NON-CONSENSUAL ACTIVITY INVOLVING DIGITAL FORGERIES**'' after ''**INTIMATE IMAGES**''; and

(B) in subsection (a)—

(i) in paragraph (2), by inserting ''competent,'' after ''conscious,'';

(ii) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(iii) by redesignating paragraph (3) as paragraph (5);

(iv) by inserting after paragraph (2) the following:

''(3) DIGITAL FORGERY.—

''(A) IN GENERAL.—The term 'digital forgery' means any intimate visual depiction of an identifiable individual created through the use of software, machine learning, artificial intelligence, or any other computer-generated or technological means, including by adapting, modifying, manipulating, or altering an authentic visual depiction, that, when viewed as a whole by a reasonable person, is indistinguishable from an authentic visual depiction of the individual.

''(B) LABELS, DISCLOSURE, AND CONTEXT.—Any visual depiction described in subparagraph (A) constitutes a digital forgery for purposes of this paragraph regardless of whether a label, information disclosed with the visual depiction, or the context or setting in which the visual depiction is disclosed states or implies that the visual depiction is not authentic.'';

(v) in paragraph (5), as so redesignated—

(I) by striking ''(5) DEPICTED'' and inserting ''(5) IDENTIFIABLE''; and

(II) by striking ''depicted individual'' and inserting ''identifiable individual''; and

(vi) in paragraph (6)(A), as so redesignated—

(I) in clause (i), by striking ''; or'' and inserting a semicolon;

(II) in clause (ii)—

(aa) in subclause (I), by striking ''individual;'' and inserting ''individual; or''; and

(bb) by striking subclause (III); and

(III) by adding at the end the following:

''(iii) an identifiable individual engaging in sexually explicit conduct; and''.

(2) CIVIL ACTION.—Section 1309(b) of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851(b)) is amended—

(A) in paragraph (1)—

(i) by striking paragraph (A) and inserting the following:

''(A) IN GENERAL.—Except as provided in paragraph (5)—

''(i) an identifiable individual whose intimate visual depiction is disclosed, in or affecting interstate or foreign commerce or using any means or facility of interstate or foreign commerce, without the consent of the identifiable individual, where such disclosure was made by a person who knows or recklessly disregards that the identifiable individual has not consented to such disclosure, may bring a civil action against that person in an appropriate district court of the United States for relief as set forth in paragraph (3);

''(ii) an identifiable individual who is the subject of a digital forgery may bring a civil action in an appropriate district court of the United States for relief as set forth in paragraph (3) against any person that knowingly produced or possessed the digital forgery with intent to disclose it, or knowingly disclosed or solicited the digital forgery, if—

''(I) the identifiable individual did not consent to such production or possession with intent to disclose, disclosure, or solicitation;

''(II) the person knew or recklessly disregarded that the identifiable individual did not consent to such production or possession with intent to disclose, disclosure, or solicitation; and

''(III) such production, disclosure, solicitation, or possession is in or affects interstate or foreign commerce or uses any means or facility of interstate or foreign commerce; and

''(iii) an identifiable individual who is the subject of a digital forgery may bring a civil action in an appropriate district court of the United States for relief as set forth in paragraph (3) against any person that knowingly produced the digital forgery if—

''(I) the identifiable individual did not consent to such production;

''(II) the person knew or recklessly disregarded that the identifiable individual—

''(aa) did not consent to such production; and

''(bb) was harmed, or was reasonably likely to be harmed, by the production; and

''(III) such production is in or affects interstate or foreign commerce or uses any means or facility of interstate or foreign commerce.''; and

(ii) in subparagraph (B)—

(I) in the heading, by inserting ''IDENTIFIABLE'' before ''INDIVIDUALS''; and

(II) by striking ''an individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the individual'' and inserting ''an identifiable individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the identifiable individual'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting ''identifiable'' before ''individual'';

(II) by striking ''depiction'' and inserting ''intimate visual depiction or digital forgery''; and

(III) by striking ''distribution'' and inserting ''disclosure, solicitation, or possession''; and

(ii) in subparagraph (B)—

(I) by inserting ''identifiable'' before individual;

(II) by inserting ''or digital forgery'' after each place the term ''depiction'' appears; and

(III) by inserting '', solicitation, or possession'' after ''disclosure'';

(C) by redesignating paragraph (4) as paragraph (5);

(D) by striking paragraph (3) and inserting the following:

''(3) RELIEF.—

''(A) IN GENERAL.—In a civil action filed under this section, an identifiable individual may recover—

''(i) damages as provided under subparagraph (C); and

''(ii) the cost of the action, including reasonable attorney fees and other litigation costs reasonably incurred.

''(B) PUNITIVE DAMAGES AND OTHER RELIEF.—The court may, in addition to any other relief available at law, award punitive damages or order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to delete, destroy, or cease display or disclosure of the intimate visual depiction or digital forgery.

''(C) DAMAGES.—For purposes of subparagraph (A)(i), the identifiable individual may recover—

''(i) liquidated damages in the amount of—

''(I) $150,000; or

''(II) $250,000 if the conduct at issue in the claim was—

''(aa) committed in relation to actual or attempted sexual assault, stalking, or harassment of the identifiable individual by the defendant; or

''(bb) the direct and proximate cause of actual or attempted sexual assault, stalking, or harassment of the identifiable individual by any person; or

''(ii) actual damages sustained by the individual, which shall include any profits of the defendant that are attributable to the conduct at issue in the claim that are not otherwise taken into account in computing the actual damages.

''(D) CALCULATION OF DEFENDANT'S PROFIT.—For purposes of subparagraph (C)(ii), to establish the defendant's profits, the identifiable individual shall be required to present proof only of the gross revenue of the defendant, and the defendant shall be required to prove the deductible expenses of the defendant and the elements of profit attributable to factors other than the conduct at issue in the claim.

''(4) PRESERVATION OF PRIVACY.—In a civil action filed under this section, the court may issue an order to protect the privacy of a plaintiff, including by—

''(A) permitting the plaintiff to use a pseudonym;

''(B) requiring the parties to redact the personal identifying information of the plaintiff from any public filing, or to file such documents under seal; and

''(C) issuing a protective order for purposes of discovery, which may include an order indicating that any intimate visual depiction or digital forgery shall remain in the care, custody, and control of the court.'';

(E) in paragraph (5)(A), as so redesignated—

(i) by striking ''image'' and inserting ''visual depiction or digital forgery''; and

(ii) by striking ''depicted'' and inserting ''identifiable''; and

(F) by adding at the end the following:

''(6) STATUTE OF LIMITATIONS.—Any action commenced under this section shall be barred unless the complaint is filed not later than 10 years from the later of—

''(A) the date on which the identifiable individual reasonably discovers the violation that forms the basis for the claim; or

''(B) the date on which the identifiable individual reaches 18 years of age.

''(7) DUPLICATIVE RECOVERY BARRED.—No relief may be ordered under paragraph (3) against a person who is subject to a judgment under section 2255 of title 18, United States Code, for the same conduct involving the same identifiable individual and the same intimate visual depiction or digital forgery.''.

(3) CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.—

(A) IN GENERAL.—This section shall not be construed to impair, supersede, or limit a provision of Federal, State, or Tribal law.

(B) NO PREEMPTION.—Nothing in this section shall prohibit a State or Tribal government from adopting and enforcing a provision of law governing disclosure of intimate images or nonconsensual activity involving a digital forgery, as defined in section 1309(a) of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851(a)), as amended by this section, that is at least as protective of the rights of a victim as this section.

(d) SEVERABILITY.—If any provision of this section, an amendment made by this section, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional, the remaining provisions of and amendments made by this section, and the application of the provision or amendment held to be unconstitutional to any other person or circumstance, shall not be affected thereby.

SA 2438. 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 of subtitle F of title XII, add the following:

SEC. 1291. NORTH KOREAN HUMAN RIGHTS.

(a) SHORT TITLE.—This section may be cited as the ''North Korean Human Rights Reauthorization Act of 2024''.

(b) FINDINGS.—Congress makes the following findings:

(1) The North Korean Human Rights Act of 2004 (Public Law 108–333; 22 U.S.C. 7801 et seq.) and subsequent reauthorizations of such Act were the product of broad, bipartisan consensus regarding the promotion of human rights, documentation of human rights violations, transparency in the delivery of humanitarian assistance, and the importance of refugee protection.

(2) The human rights and humanitarian conditions within North Korea remain deplorable and have been intentionally perpetuated against the people of North Korea through policies endorsed and implemented by Kim Jong-un and the Workers' Party of Korea.

(3) According to a 2014 report released by the United Nations Human Rights Council's Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, between 80,000 and 120,000 children, women, and men were being held in political prison camps in North Korea, where they were subjected to deliberate starvation, forced labor, executions, torture, rape, forced abortion, and infanticide.

(4) North Korea continues to hold a number of South Koreans and Japanese abducted after the signing of the Agreement Concerning a Military Armistice in Korea, signed at Panmunjom July 27, 1953 (commonly referred to as the ''Korean War Armistice Agreement''), and refuses to acknowledge the abduction of more than 100,000 South Koreans during the Korean War in violation of the Geneva Convention.

(5) Human rights violations in North Korea, which include forced starvation, sexual violence against women and children, restrictions on freedom of movement, arbitrary detention, torture, executions, and enforced disappearances, amount to crimes against humanity according to the United Nations Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea.

(6) The effects of the COVID–19 pandemic and North Korea's strict lockdown of its borders and crackdowns on informal market activities and small entrepreneurship have drastically increased food insecurity for its people and given rise to famine conditions in parts of the country.

(7) North Korea's COVID–19 border lockdown measures also include shoot-to-kill orders that have resulted in the killing of—

(A) North Koreans attempting to cross the border; and

(B) at least 1 South Korean citizen in September 2020.

(8) The Chinese Communist Party and the Government of the People's Republic of China are aiding and abetting in crimes against humanity by forcibly repatriating North Korean refugees to North Korea where they are sent to prison camps, harshly interrogated, and tortured or executed.

(9) The forcible repatriation of North Korean refugees violates the People's Republic of China's freely undertaken obligation to uphold the principle of non-refoulement, under the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (and made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)).

(10) North Korea continues to bar freedom of religion and persecute religious minorities, especially Christians. Eyewitnesses report that Christians in North Korea have been tortured, forcibly detained, and even executed for possessing a Bible or professing Christianity.

(11) United States and international broadcasting operations into North Korea—

(A) serve as a critical source of outside news and information for the North Korean people; and

(B) provide a valuable service for countering regime propaganda and false narratives.

(12) The position of Special Envoy on North Korean Human Rights Issues has been vacant since January 2017, even though the President is required to appoint a Senate-confirmed Special Envoy to fill this position in accordance with section 107 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817).

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) promoting information access in North Korea continues to be a successful method of countering North Korean propaganda;

(2) the United States Government should continue to support efforts described in paragraph (1), including by enacting and implementing the Otto Warmbier North Korean Censorship and Surveillance Act of 2021, which was introduced by Senator Portman on June 17, 2021;

(3) because refugees among North Koreans fleeing into China face severe punishments upon their forcible return, the United States should urge the Government of the People's Republic of China—

(A) to immediately halt its forcible repatriation of North Koreans;

(B) to allow the United Nations High Commissioner for Refugees (referred to in this section as ''UNHCR'') unimpeded access to North Koreans within China to determine whether they are refugees and require assistance;

(C) to fulfill its obligations under the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (and made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)) and the Agreement on the upgrading of the UNHCR Mission in the People's Republic of China to UNHCR branch office in the People's Republic of China, done at Geneva December 1, 1995;

(D) to address the concerns of the United Nations Committee Against Torture by incorporating into domestic legislation the principle of non-refoulement; and

(E) to recognize the legal status of North Korean women who marry or have children with Chinese citizens and ensure that all such mothers and children are granted resident status and access to education and other public services in accordance with Chinese law and international standards;

(4) the United States Government should continue to promote the effective and transparent delivery and distribution of any humanitarian aid provided in North Korea to ensure that such aid reaches its intended recipients to the point of consumption or utilization by cooperating closely with the Government of the Republic of Korea and international and nongovernmental organizations;

(5) the Department of State should continue to take steps to increase public awareness about the risks and dangers of travel by United States citizens to North Korea, including by continuing its policy of blocking United States passports from being used to travel to North Korea without a special validation from the Department of State;

(6) the United Nations, which has a significant role to play in promoting and improving human rights in North Korea, should press for access for the United Nations Special Rapporteur and the United Nations High Commissioner for Human Rights on the situation of human rights in North Korea;

(7) the Special Envoy for North Korean Human Rights Issues should be appointed without delay—

(A) to properly promote and coordinate North Korean human rights and humanitarian issues; and

(B) to participate in policy planning and implementation with respect to refugee issues;

(8) the United States should urge North Korea to repeal the Reactionary Thought and Culture Denunciation Law and other draconian laws, regulations, and decrees that manifestly violate the freedom of opinion and expression and the freedom of thought, conscience, and religion;

(9) the United States should urge North Korea to ensure that any restrictions on addressing the COVID–19 pandemic are necessary, proportionate, nondiscriminatory, time-bound, transparent, and allow international staff to operate inside the North Korea to provide international assistance based on independent needs assessments;

(10) the United States should expand the Rewards for Justice program to be open to

North Korean officials who can provide evidence of crimes against humanity being committed by North Korean officials;

(11) the United States should continue to seek cooperation from all foreign governments—

(A) to allow the UNHCR access to process North Korean refugees overseas for resettlement; and

(B) to allow United States officials access to process refugees for possible resettlement in the United States; and

(12) the Secretary of State, through diplomacy by senior officials, including United States ambassadors to Asia-Pacific countries, and in close cooperation with South Korea, should make every effort to promote the protection of North Korean refugees, escapees, and defectors.

(d) REAUTHORIZATIONS.—

(1) SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.—Section 102(b)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended by striking ''2022'' and inserting ''2028''.

(2) ACTIONS TO PROMOTE FREEDOM OF INFORMATION.—Section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended—

(A) in subsection (b)(1), by striking ''2022'' and inserting ''2028''; and

(B) in subsection (c), by striking ''2022'' and inserting ''2028''.

(3) REPORT BY SPECIAL ENVOY ON NORTH KOREAN HUMAN RIGHTS ISSUES.—Section 107(d) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817(d)) is amended by striking ''2022'' and inserting ''2028''.

(4) REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE.—Section 201(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7831(a)) is amended, in the matter preceding paragraph (1), by striking ''2022'' and inserting ''2028''.

(5) ASSISTANCE PROVIDED OUTSIDE OF NORTH KOREA.—Section 203 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833) is amended—

(A) in subsection (b)(2), by striking ''103(15)'' and inserting ''103(17)''; and

(B) in subsection (c)(1), by striking ''2018 through 2022'' and inserting ''2023 through 2028''.

(6) ANNUAL REPORTS.—Section 305(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7845(a)) is amended, in the matter preceding paragraph (1) by striking ''2022'' and inserting ''2028''.

(e) ACTIONS TO PROMOTE FREEDOM OF INFORMATION.—Title I of the North Korean Human Rights Act of 2004 (22 U.S.C. 7811 et seq.) is amended—

(1) in section 103(a) (22 U.S.C. 7813(a)), by striking ''Broadcasting Board of Governors'' and inserting ''United States Agency for Global Media''; and

(2) in section 104(a) (22 U.S.C. 7814(a))—

(A) by striking ''Broadcasting Board of Governors'' each place such term appears and inserting ''United States Agency for Global Media'';

(B) in paragraph (7)(B)—

(i) in the matter preceding clause (i), by striking ''5 years'' and inserting ''10 years'';

(ii) by redesignating clauses (i) through (iii) as clauses (ii) through (iv), respectively;

(iii) by inserting before clause (ii) the following:

''(i) an update of the plan required under subparagraph (A);''; and

(iv) in clause (iii), as redesignated, by striking ''pursuant to section 403'' and inserting ''to carry out this section''.

(f) SPECIAL ENVOY FOR NORTH KOREAN HUMAN RIGHTS ISSUES.— Section 107 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817) is amended by adding at the end the following:

''(e) REPORT ON APPOINTMENT OF SPECIAL ENVOY.—Not later than 180 days after the date of the enactment of this subsection and annually thereafter through 2028 if the position of Special Envoy remains vacant, the Secretary of State shall submit a report to the appropriate congressional committees that describes the efforts being taken to appoint the Special Envoy.''.

(g) SUPPORT FOR NORTH KOREAN REFUGEES.—

(1) IN GENERAL.—The Secretary of State and the Secretary of Homeland Security should collaborate with faith-based and Korean-American organizations to resettle North Korean participants in the United States Refugee Admissions Program in areas with existing Korean-American communities to mitigate trauma and mental health considerations of refugees, as appropriate.

(2) RESETTLEMENT LOCATION ASSISTANCE EDUCATION.—The Secretary of State shall publicly disseminate guidelines and information relating to resettlement options in the United States or South Korea for eligible North Korean refugees, with a particular focus on messaging to North Koreans.

(3) MECHANISMS.—The guidelines and information described in paragraph (2)—

(A) shall be published on a publicly available website of the Department of State;

(B) shall be broadcast into North Korea through radio broadcasting operations funded or supported by the United States Government; and

(C) shall be distributed through brochures or electronic storage devices.

(h) AUTHORIZATION OF SANCTIONS FOR FORCED REPATRIATION OF NORTH KOREAN REFUGEES.—

(1) DISCRETIONARY DESIGNATIONS.—Section 104(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214) is amended—

(A) in subparagraph (M), by striking ''or'' after the semicolon;

(B) in subparagraph (N), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(O) knowingly, directly or indirectly, forced the repatriation of North Korean refugees to North Korea.''.

(2) EXEMPTIONS.—Section 208(a)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(a)(1)) is amended by inserting '', the Republic of Korea, and Japan'' before the period at the end.

(i) REPORT ON HUMANITARIAN EXEMPTIONS TO SANCTIONS IMPOSED WITH RESPECT TO NORTH KOREA.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the continued pursuit by the North Korean regime of weapons of mass destruction (including nuclear, chemical, and biological weapons), in addition to its ballistic missile program, along with the regime's gross violations of human rights, have led the international community to impose sanctions with respect to North Korea, including sanctions imposed by the United Nations Security Council;

(B) authorities should grant exemptions for humanitarian assistance to the people of North Korea consistent with past United Nations Security Council resolutions; and

(C) humanitarian assistance intended to provide humanitarian relief to the people of North Korea must not be exploited or misdirected by the North Korean regime to benefit the military or elites of North Korea.

(2) REPORTS REQUIRED.—

(A) DEFINED TERM.—In this subsection, the term ''covered period'' means—

(i) in the case of the first report required to be submitted under paragraph (2), the period beginning on January 1, 2018, and ending on the date that is 90 days after the date of the enactment of this Act; and

(ii) in the case of each subsequent report required to be submitted under paragraph (2), the 1-year period preceding the date by which the report is required to be submitted.

(B) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 2 years, the Secretary of State shall submit a report to Congress that—

(i) describes—

(I) how the North Korean regime has previously exploited humanitarian assistance from the international community to benefit elites and the military in North Korea;

(II) the most effective methods to provide humanitarian relief, including mechanisms to facilitate humanitarian assistance, to the people of North Korea, who are in dire need of such assistance;

(III) any requests to the Committee of the United Nations Security Council established by United Nations Security Council Resolution 1718 (2006) (referred to in this subsection as the ''1718 Sanctions Committee'') for humanitarian exemptions from sanctions known to have been denied during the covered period or known to have been in process for more than 30 days as of the date of the report; and

(IV) any known explanations for the denials and delays referred to in clause (iii); and

(ii) details any action by a foreign government during the covered period that has delayed or impeded humanitarian assistance that was approved by the 1718 Sanctions Committee.

SA 2439. 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 of title XII, add the following:

Subtitle G—United States-Jordan Defense Cooperation

SEC. 1294. SHORT TITLE.

This subtitle may be cited as the ''United States-Jordan Defense Cooperation Act of 2024''.

SEC. 1295. SENSE OF CONGRESS.

It is the sense of Congress that expeditious consideration of certifications of letters of offer to sell defense articles, defense services, design and construction services, and major defense equipment to the Hashemite Kingdom of Jordan under section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is fully consistent with United States security and foreign policy interests and the objectives of world peace and security.

SEC. 1296. ENHANCED DEFENSE COOPERATION.

(a) ARMS EXPORT CONTROL ACT.—

(1) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Hashemite Kingdom of Jordan shall be treated as if it were a country listed in the provisions of law described in paragraph (2) for purposes of applying and administering such provisions of law.

(2) COVERED PROVISIONS OF LAW.—The provisions of law described in this paragraph are as follows:

(A) Subsections (b)(2), (d)(2)(B), (d)(3)(A)(i), and (d)(5) of such Act (22 U.S.C. 2753).

(B) Subsections (e)(2)(A), (h)(1)(A), and (h)(2) of section 21 of such Act (22 U.S.C. 2761).

(C) Subsections (b)(1), (b)(2), (b)(6), (c), and (d)(2)(A) of section 36 of such Act (22 U.S.C. 2776).

(D) Section 62(c)(1) of such Act (22 U.S.C. 2796a(c)(1)).

(E) Section 63(a)(2) of such Act (22 U.S.C. 2796b(a)(2)).

(b) ESTABLISHMENT OF CAPABILITIES.—

(1) REPORT.—

(A) IN GENERAL.—Subject to paragraph (2), the Secretary of Defense shall, in coordination with the Commander of Central Command, work cooperatively with the Minister of Defense of the Hashemite Kingdom of Jordan to establish or further capabilities for countering air and missile threats from Iran and its terrorist proxies, including the threat from unmanned aerial systems, that threaten the United States, Jordan, and other allies and partners of the United States.

(B) PROTECTION OF SENSITIVE TECHNOLOGY AND INFORMATION.—The Secretary shall ensure that any activities carried out under this subsection are conducted in a manner that appropriately protects sensitive technology and information and the national security interests of the United States and the Hashemite Kingdom of Jordan.

(2) LIMITATION AND REPORT.—Activities may not be carried out under paragraph (1) until after the Secretary submits to the appropriate congressional committees a report setting forth the following:

(A) A memorandum of agreement between the United States and the Hashemite Kingdom of Jordan regarding sharing of research and development costs for the capabilities described in clause (i) and any supporting documents.

(B) A certification that the memorandum of agreement—

(i) requires sharing of costs of projects, including in-kind support, between the United States and the Hashemite Kingdom of Jordan;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of the Hashemite Kingdom of Jordan, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(c) MIDDLE EAST INTEGRATED AIR AND MISSILE DEFENSE.—

(1) IN GENERAL.—Pursuant to section 1658 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), the Secretary of Defense shall, in consultation with the Secretary of State and with the concurrence of the Hashemite Kingdom of Jordan, develop a plan to bolster the participation of Jordan in a multinational integrated air and missile defense architecture to protect the people, infrastructure, and territory of Jordan from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(2) BRIEFING.—Not later than March 1, 2025, the Secretary and the Commander of United States Central Command shall provide the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a briefing on the progress of the Department of Defense towards bolstering the participation of Jordan in a multinational integrated air and missile defense architecture, and provide a list of requirements, with cost estimates, for strengthening the defense of Jordan within this architecture.

(d) SUNSET.—The authority in this subsection to carry out activities described in subsection (b), and to provide support described in subsection (c), shall expire on December 31, 2028.

SEC. 1297. MEMORANDUM OF UNDERSTANDING.

Subject to the availability of appropriations, the Secretary of State is authorized to enter into a memorandum of understanding with the Hashemite Kingdom of Jordan to increase economic support funds, military cooperation, including joint military exercises, personnel exchanges, support for international peacekeeping missions, and enhanced strategic dialogue.

SA 2440. Mr. RUBIO (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. REQUIREMENT FOR SECRETARY OF VETERANS AFFAIRS TO MAKE AVAILABLE TO VETERANS PHYSICAL COPIES OF FORM FOR REIMBURSEMENT OF CERTAIN TRAVEL EXPENSES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall prescribe regulations to ensure that—

(1) a veteran may, for the purposes of submitting a claim for the reimbursement of expenses for travel under section 111 of title 38, United States Code—

(A) obtain a physical copy of the covered form—

(i) by mail, upon the request of such veteran; or

(ii) at any medical facility of the Department of Veterans Affairs; and

(B) submit the covered form to any such medical facility in person or by mail; and

(2) any such medical facility to which a veteran submits the covered form—

(A) evaluates such covered form; and

(B) processes any claim associated with such covered form, if applicable.

(b) COVERED FORM DEFINED.—In this section, the term ''covered form'' means Department of Veterans Affairs Form 10–3452 (or any successor document).

SA 2441. 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 of title XII, add the following:

Subtitle G—Restoring Sovereignty and Human Rights in Nicaragua Act of 2024

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Restoring Sovereignty and Human Rights in Nicaragua 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 and the Committee on Banking of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(2) HUMAN RIGHTS.—The term ''human rights'' means internationally recognized human rights.

(3) 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. 1293. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Secretary of State, working through the head of the Office of Sanctions Coordination, and in consultation with the Secretary of the Treasury, should engage in diplomatic efforts with partners of the United States, including the Government of Canada, governments of countries in the European Union, and governments of countries in Latin America and the Caribbean, to impose targeted sanctions with respect to the persons subject to sanctions authorized by the Nicaraguan Investment Conditionality Act of 2018 (50 U.S.C. 1701 note; Public Law 115–335) and the Reinforcing Nicaragua's Adherence To Conditions For Electoral Reform Act Of 2021 (Public Law 117–54), in order to hold the authoritarian regime of President Daniel Ortega accountable for crimes and human rights abuses perpetrated against the people of Nicaragua and democratic political actors, civil society organizations, religious institutions, media, and academic institutions in Nicaragua;

(2) the United States Government should continue—

(A) to raise concerns about human rights and democracy in Nicaragua and call attention to the efforts by the Ortega regime to silence the people of Nicaragua and democratic political actors, civil society organizations, religious institutions, media, and academic institutions in Nicaragua; and

(B) to enforce Executive Order 13851 (50 U.S.C. 1702 note; relating to blocking of certain persons contributing to the situation in Nicaragua); and

(3) the international community, including the Holy See, the International Committee of the Red Cross, and the United Nations should coordinate efforts—

(A) to improve the detention conditions of all political prisoners in Nicaragua; and

(B) to call for the end of political persecution of the people of Nicaragua and democratic political actors, civil society organizations, religious institutions, media, and academic institutions in Nicaragua.

PART I—REAUTHORIZATION AND AMENDMENT OF THE NICARAGUAN INVESTMENT CONDITIONALITY ACT OF 2018 AND THE REINFORCING NICARAGUA'S ADHERENCE TO CONDITIONS FOR ELECTORAL REFORM ACT OF 2021

SEC. 1294. EXTENSION OF AUTHORITIES OF THE NICARAGUAN INVESTMENT CONDITIONALITY ACT OF 2018.

Section 10 of the Nicaraguan Investment Conditionality Act of 2018 (50 U.S.C. 1701 note; Public Law 115–335) is amended by striking ''2023'' and inserting ''2030''.

SEC. 1295. ENHANCING SANCTIONS ON SECTORS OF THE NICARAGUAN ECONOMY THAT GENERATE REVENUE FOR THE ORTEGA FAMILY.

Section 5(a) of the Nicaraguan Investment Conditionality Act of 2018 (50 U.S.C. 1701 note; Public Law 115–335) is amended—

(1) in paragraph (2), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving such clauses 2 ems to the right;

(2) in paragraph (3), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving such clauses 2 ems to the right;

(3) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and moving such subparagraphs 2 ems to the right;

(4) by amending the matter preceding subparagraph (A), as so redesignated, to read as follows:

''(a) IN GENERAL.—The President—

''(1) shall impose the sanctions described in subsection (c) with respect to any foreign person, including any current or former official of the Government of Nicaragua or any person acting on behalf of that Government, that the President determines—'';

(5) in paragraph (1)(D), as so redesignated, by striking the period at the end and inserting ''; and''; and

(6) by adding at the end the following new paragraph:

''(2) may impose the sanctions described in subsection (c) with respect to any foreign person that the President determines to operate or have operated in the gold sectors of the Nicaraguan economy or in any other sector of the Nicaraguan economy identified by the Secretary of State, in consultation with the Secretary of the Treasury, for the purposes of this paragraph.''.

SEC. 1296. EXPANSION OF TARGETED SANCTIONS WITH RESPECT TO THE ORTEGA REGIME.

(a) EXPANSION OF ACTIVITIES TRIGGERING TARGETED SANCTIONS.—Section 5(b) of the Nicaraguan Investment Conditionality Act of 2018 (50 U.S.C. 1701 note; Public Law 115–335) is amended—

(1) in paragraph (1), by striking ''against persons associated with the protests in Nicaragua that began on April 18, 2018''; and

(2) by adding at the end the following:

''(5) The arrest or prosecution of a person, including a person who is a member of or an officer of the Catholic Church, because of the legitimate exercise by such person of the freedom of religion.

''(6) The conviction and sentencing of a person who is a democratic political actor or a member of an independent civil society organization for politically motivated charges.

''(7) The provision of significant goods, services, or technology to support the invasion of Ukraine by the Russian Federation that began on February 24, 2022.''.

(b) MODIFICATION OF TARGETED SANCTIONS PRIORITIZATION.—Section 5(b)(2)(B) of the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021 (50 U.S.C. 1701 note; Public Law 117–54) is amended by inserting after clause (ix) the following:

''(x) Officials of the Instituto de Prevision Social Militar (IPSM), commonly known as the Military Institute of Social Security of Nicaragua.''.

(c) REPORTING REQUIREMENT.—Not later than 90 days after the enactment of this Act, and annually thereafter for a period of 3 years, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the implementation of section 5 of the Reinforcing Nicaragua's Adherence to the Conditions for Electoral Reform Act of 2021 (50 U.S.C. 1701 note; Public Law 117–54), which shall include—

(1) an update on the status of efforts to implement a coordinated strategy on the use of targeted sanctions under section 5(a)(1) of such Act;

(2) a detailed description of concrete steps that have been taken under section 5(b)(1) of such Act to prioritize the implementation of the targeted sanctions required under section 5 of the Nicaragua Investment Conditionality Act of 2018 (50 U.S.C. 1701 note; Public Law 115–335); and

(3) a detailed description of the results of the review of sanctionable targets required under section 5(b)(2) of the Reinforcing Nicaragua's Adherence to the Conditions for Electoral Reform Act of 2021 (50 U.S.C. 1701 note; Public Law 117–54).

SEC. 1297. COORDINATED DIPLOMATIC STRATEGY TO RESTRICT INVESTMENT AND LOANS THAT BENEFIT THE GOVERNMENT OF NICARAGUA FROM THE CENTRAL AMERICAN BANK FOR ECONOMIC INTEGRATION.

Section 4 of the Nicaragua Investment Conditionality Act of 2018 (Public Law 115–335; 50 U.S.C. 1701 note) is amended—

(1) in subsection (c), by inserting ''and paragraphs (1), (2), and (3) of subsection (f)'' after ''subsection (b)'';

(2) by redesignating subsection (f) as subsection (g);

(3) by inserting after subsection (e) the following new subsection (f):

''(f) DIPLOMATIC STRATEGY TO RESTRICT INVESTMENT IN NICARAGUA AT THE CENTRAL AMERICAN BANK FOR ECONOMIC INTEGRATION.—The Secretary of State, in consultation with the Secretary of the Treasury, shall engage in diplomatic efforts with governments of countries that are partners of the United States and members of the Central American Bank for Economic Integration (referred to in this section as 'CABEI')—

''(1) to oppose the extension by CABEI of any loan or financial or technical assistance to the Government of Nicaragua for any project in Nicaragua;

''(2) to increase the scrutiny of any loan or financial or technical assistance provided by CABEI to any project in Nicaragua; and

''(3) to ensure that any loan or financial or technical assistance provided by CABEI to a project in Nicaragua is administered through an entity with full technical, administrative, and financial independence from the Government of Nicaragua.''; and

(4) in subsection (g), as so redesignated—

(A) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph (5):

''(5) a description of the results of the diplomatic strategy mandated by subsection (f); and''.

PART II—ADDITIONAL ECONOMIC MEASURES TO HOLD THE GOVERNMENT OF NICARAGUA ACCOUNTABLE FOR HUMAN RIGHTS ABUSES

SEC. 1298. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to seek a resolution to the political crisis in Nicaragua that includes—

(A) a commitment by the Government of Nicaragua to hold competitive, free, and fair elections that meet democratic standards and permit credible international electoral observation;

(B) the cessation of the violence perpetrated against civilians by the National Police of Nicaragua and by armed groups supported by the Government of Nicaragua; and

(C) independent investigations into the killings of protesters in Nicaragua; and

(2) to support diplomatic engagement in order to advance a negotiated and peaceful solution to the political crisis in Nicaragua.

SEC. 1299. REVIEW OF PARTICIPATION OF NICARAGUA IN THE DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the United States Trade Representative, shall submit to the appropriate congressional committees a report on the participation of Nicaragua in CAFTA-DR, which includes—

(A) an assessment of the benefits that the Ortega regime receives from the participation of Nicaragua in CAFTA-DR, including profits earned by Nicaraguan state-owned entities;

(B) a description of the violations of commitments made by Nicaragua under CAFTA-DR; and

(C) an assessment of whether Nicaragua qualifies as a nonmarket economy for the purposes of the Trade Act of 1974 (19 U.S.C. 2101 et seq.).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) CAFTA-DR DEFINED.—In this section, the term ''CAFTA-DR'' means the Dominican Republic-Central America-United States Free Trade Agreement—

(1) entered into on August 5, 2004, with the Governments of Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua, and submitted to Congress on June 23, 2005; and

(2) approved by Congress under section 101(a)(1) of the Dominican Republic-Central American-United States Free Trade Agreement Implementation Act (19 U.S.C. 4011(a)(1)).

SEC. 1300. TERMINATION.

The provisions of this title, and any sanctions issued in accordance with the authorities of the Nicaragua Investment Conditionality Act of 2018 (Public Law 115–335; 50 U.S.C. 1701 note) or the Reinforcing Nicaragua's Adherence to the Conditions for Electoral Reform Act of 2021 (Public Law 117–54), shall cease to have effect upon certification by the President to the appropriate congressional committees that a resolution to the political crisis in Nicaragua as described in section 1298 has been reached.

PART III—PROMOTING THE HUMAN RIGHTS OF NICARAGUANS

SEC. 1300a. SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.

(a) GRANTS.—

(1) IN GENERAL.—The Secretary of State and Administrator of the United States Agency for International Development may provide grants to private, nonprofit organizations to support programs that promote human rights, democracy, and the rule of law in Nicaragua, including programs that document human rights abuses committed by the Ortega regime since April 2018.

(2) FUNDING LIMITATION.—Any entity owned, controlled, or otherwise affiliated

with the Ortega regime is not eligible to receive a grant under this section.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter through fiscal year 2028, the Secretary of State, in consultation with the heads of other appropriate Federal agencies, shall submit to the appropriate congressional committees a report on actions taken pursuant to this section.

(c) SENSE OF CONGRESS.—It is the sense of Congress that before providing any grant under subsection (a)(1), the Secretary of State and the Administrator of the United States Agency for International Development should consult with members of the Nicaraguan diaspora, including Nicaraguan individuals in exile in Costa Rica and the United States.

SEC. 1300b. SUPPORT FOR NICARAGUAN HUMAN RIGHTS AT THE UNITED NATIONS.

(a) SUPPORT TO EXTEND MANDATE OF THE GROUP OF HUMAN RIGHTS EXPERTS ON NICARAGUA.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States in the United Nations Human Rights Council and the United Nations General Assembly—

(1) to seek to extend the mandate of the Group of Human Rights Experts on Nicaragua under Human Rights Council Resolution 49/3 (2022) until a peaceful solution to the current political crisis in Nicaragua is reached, including—

(A) a commitment to hold elections that meet democratic standards and permit credible international electoral observation;

(B) the cessation of the violence perpetrated against civilians by the National Police of Nicaragua and by armed groups supported by the Government of Nicaragua;

(C) independent investigations into the killings of protesters; and

(D) the restoration of Nicaraguan citizenship and restitution of political and civil rights for all Nicaraguan nationals unjustly stripped of their nationality, including the 222 Nicaraguan nationals arbitrarily imprisoned and expelled to the United States on February 9, 2023, and the 94 additional Nicaraguan dissidents stripped of their nationality on February 15, 2023;

(2) to encourage international support to empower the Group of Human Rights Experts on Nicaragua to fulfil its mission to conduct thorough and independent investigations into all alleged human rights violations and abuses committed in Nicaragua since April 2018, including alleged crimes against humanity; and

(3) to provide investigative and technical assistance to the Group of Human Rights Experts on Nicaragua as requested and as permitted under United Nations rules and regulations and United States law.

(b) SUPPORT FOR FURTHER ACTION.—The President may direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to urge the United Nations to provide greater action with respect to human rights violations in Nicaragua by—

(1) urging the United Nations General Assembly to consider a resolution, consistent with prior United Nations resolutions, condemning the exile of political prisoners and attacks on religious freedom by the Ortega regime; and

(2) assisting efforts by the relevant United Nations Special Envoys and Special Rapporteurs to promote respect for human rights and encourage negotiations that lead to free, fair, and democratic elections in Nicaragua.

SA 2442. 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 of subtitle H of title X, insert the following:

SEC. 1095. REVIEW OF DOMESTIC BIOPHARMACEUTICAL MANUFACTURING CAPABILITIES.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), in cooperation with the Director of the Biomedical Advanced Research and Development Authority, shall seek to enter into an agreement with the National Institute for Innovation in Manufacturing Biopharmaceuticals to perform the services described in subsection (b).

(b) REVIEW AND RECOMMENDATIONS.—Under an agreement described in subsection (a) between the Secretary, the Director of the Biomedical Advanced Research and Development Authority, and the National Institute for Innovation in Manufacturing Biopharmaceuticals, the National Institute for Innovation in Manufacturing Biopharmaceuticals shall—

(1) review current domestic biopharmaceutical manufacturing capacity at the Department of Health and Human Services and such department's adaptability to various threats;

(2) draft recommendations for developing, demonstrating, deploying, and advancing new domestic biopharmaceutical manufacturing technologies that address gaps identified under paragraph (1) and align Federal technologies with technologies available to the private sector, including through the new BioMAP initiative of the Biomedical Advanced Research and Development Authority; and

(3) identify other opportunities and priorities to improve the United States public health and medical preparedness and response capabilities and domestic biopharmaceutical manufacturing capabilities.

SA 2443. Mr. RUBIO (for himself 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 appropriate place in subtitle H of title X, insert the following:

SEC. 10____. MODIFICATION OF RULES OF ORIGIN FOR PHARMACEUTICAL PRODUCTS.

(a) TRADE AGREEMENTS.—Section 308(4)(B) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)(B)) is amended—

(1) in clause (i), by striking ''instrumentality, or'' and inserting ''instrumentality,'';

(2) in clause (ii), by inserting '', other than an active pharmaceutical ingredient,'' after ''part of materials''; and

(3) by striking the period at the end and inserting '', or (iii) in the case of an article which consists of an active pharmaceutical ingredient, the pharmaceutical ingredient is wholly the growth, product, or manufacture of that country or instrumentality.''.

(b) FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the President shall prescribe regulations to update sections 52.225–5 and 25.003 of title 48, Code of Federal Regulations (or successor regulations) to be consistent with rules of origin determinations for active pharmaceutical ingredients made under section 308(4)(B) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)(B)), as amended by subsection (a).

SA 2444. Mr. RUBIO (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 appropriate place in title X, insert the following:

SEC. _____. ENSURING ONLY LICENSED HEALTH CARE PROFESSIONALS PERFORM MEDICAL DISABILITY EXAMINATIONS UNDER CERTAIN DEPARTMENT OF VETERANS AFFAIRS PILOT PROGRAM.

(a) PROHIBITION ON USE OF CERTAIN HEALTH CARE PROFESSIONALS.—Section 504(c)(1) of the Veterans' Benefits Improvements Act of 1996 (Public Law 104–275; 38 U.S.C. 5101 note) is amended by inserting ''only'' before ''a health care professional''.

(b) REMEDIES.—The Secretary of Veterans Affairs shall take such actions as the Secretary considers appropriate to ensure compliance with section 504(c) of the Veterans' Benefits Improvements Act of 1996 (Public Law 104–275; 38 U.S.C. 5101 note), as amended by subsection (a).

(c) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter, 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—

(1) the conduct of the pilot program established under section 504 of the Veterans' Benefits Improvements Act of 1996 (Public Law 104–275; 38 U.S.C. 5101 note); and

(2) the actions of the Secretary under subsection (b).

(d) TECHNICAL CORRECTIONS.—Section 504 of the Veterans' Benefits Improvements Act of 1996 (Public Law 104–275; 38 U.S.C. 5101 note) is amended, in the section heading, by striking ''**PHYSICIANS**'' and inserting ''**HEALTH CARE PROFESSIONALS**''.

SA 2445. 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 of subtitle F of title XII, add the following:

SEC. 1291. UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) SHORT TITLE.—This section may be cited as the ''United States Commission on International Religious Freedom Reauthorization Act of 2024''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 207(a) of the International Religious

Freedom Act of 1998 (22 U.S.C. 6435(a)) is amended by striking ''2023 and 2024'' and inserting ''2025 and 2026''.

(c) EXTENSION OF AUTHORIZATION.—Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) is amended by striking ''September 30, 2024'' and inserting ''September 30, 2026''.

SA 2446. Mr. BUDD (for himself, Mr. TILLIS, Mr. BROWN, Mr. RICKETTS, Mr. MARSHALL, Mr. SCOTT of Florida, 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 subtitle H of title X, insert the following:

SEC. 10_____. DESIGNATION OF POTASH AND PHOSPHATE AS CRITICAL MINERALS.

(a) DEFINITIONS.—In this section:

(1) COVERED COUNTRY.—The term ''covered country'' means—

(A) a covered nation (as defined in section 4872(d) of title 10, United States Code); and

(B) any other country determined by the Secretary of Defense to be a strategic competitor or adversary of the United States for the purposes of this section.

(2) 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)).

(b) POTASH AND PHOSPHATE IN FERTILIZER PRODUCTION.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior shall designate potash and phosphate individually as critical minerals if the Secretary of the Interior determines that fertilizer produced with potash and phosphate in covered countries accounts for collectively 20 percent or more of the global production of fertilizer produced using potash and phosphate.

SA 2447. 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 of subtitle A of title XII, add the following:

SEC. 1216. ADDITIONAL MODIFICATION OF AUTHORITY TO BUILD CAPACITY OF FOREIGN SECURITY FORCES.

Section 333(a) of title 10, United States Code, as amended by section 1202, is further amended by adding at the end the following new paragraph:

''(13) Counter-illegal, unreported, and unregulated fishing operations.''.

SA 2448. Mr. RUBIO (for himself, Mr. CORNYN, and Mr. SCOTT of Florida) 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 XV, add the following:

SEC. 1510. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AGREEMENTS WITH PRIVATE AND COMMERCIAL ENTITIES AND STATE GOVERNMENTS TO PROVIDE CERTAIN SUPPLIES, SUPPORT, AND SERVICES.

Section 20113 of title 51, United States Code, is amended by adding at the end the following:

''(o) AGREEMENTS WITH COMMERCIAL ENTITIES AND STATE GOVERNMENTS.—The Administration—

''(1) may enter into an agreement with a private or commercial entity or a State government to provide the entity or State government with supplies, support, and services related to private, commercial, or State government space activities carried on at a property owned or operated by the Administration; and

''(2) on request by such an entity or State government, may include such supplies, support, and services in the requirements of the Administration if—

''(A) the Administrator determines that the inclusion of such supplies, support, or services in such requirements—

''(i) is in the best interest of the Federal Government;

''(ii) does not interfere with the requirements of the Administration; and

''(iii) does not compete with the commercial space activities of other such entities or State governments; and

''(B) the Administration has full reimbursable funding from the entity or State government that requested such supplies, support, and services before making any obligation for the delivery of the supplies, support, or services under an Administration procurement contract or any other agreement.''.

SA 2449. 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 of subtitle B of title VIII, add the following:

SEC. 829. PROHIBITION ON CONTRACTING WITH COMPANIES WITH LOBBYING TIES TO CHINESE MILITARY COMPANIES AND HUMAN RIGHTS ABUSERS.

(a) IN GENERAL.—Chapter 363 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4663. Prohibition on contracting with companies with lobbying ties to Chinese military companies and human rights abusers

''(a) PROHIBITION.—The Secretary of Defense may not enter into a contract for the procurement of goods or services greater than $5,000,000, including all options, with any person unless that person certifies to the Secretary of Defense that—

''(1) the person, including its subsidiaries or parent company, if applicable, does not employ or retain, and will not employ or retain for the duration of the contract, any lobbyist or lobbying firm that is registered to conduct lobbying activities on behalf of a client that is listed on—

''(A) the Department of Defense's Chinese Military Company List;

''(B) the Department of the Treasury's Non-SDN Chinese Military Industrial Complex Companies List;

''(C) the Department of Commerce's Denied Persons List, Entity List, or Military End User List, if the client in question is—

''(i) an agency or instrumentality of the People's Republic of China;

''(ii) an entity headquartered in the People's Republic of China; or

''(iii) directly or indirectly owned or controlled by an agency, instrumentality, or entity described in clause (i) or (ii); or

''(D) the Department of Homeland Security's Uyghur Forced Labor Prevention Act Entity List; and

''(2) the person will adopt reasonable procedures to detect and report if any lobbyist or lobbying firm it has employed or retained registers to conduct lobbying activities on behalf of a client described in paragraph (1) during the performance of a contract.

''(b) RECURRING CERTIFICATIONS.—A person awarded a contract for the procurement of goods or services described in subsection (a) shall—

''(1) recertify compliance with such subsection to the Secretary of Defense every 180 days until the date that the contract is fulfilled; and

''(2) require any subcontractor receiving a subcontract in an amount greater than the simplified acquisition threshold to certify that it does not employ or retain, and will not employ or retain for the duration of the subcontract, any lobbyist or lobbying firm that is registered to conduct lobbying activities on behalf of a client described in subsection (a)(1).

''(c) VIOLATIONS.—Each contract described under subsection (a) shall—

''(1) include a mechanism for the contractor or third parties to report violations of a requirement under subsection (a);

''(2) provide that the Department of Defense may audit or otherwise inspect the records of the contractor to determine if the contractor has violated a requirement under subsection (a); and

''(3) provide that, if the head of an agency determines that a contractor has violated a requirement under subsection (a), the Department of Defense may—

''(A) withhold or claw back funds from the contractor until such time as the contractor ceases to employ or retain the lobbyist; and

''(B) rescind the contract if the contractor fails to come into compliance with a requirement under subsection (a) in a timely manner.

''(d) WAIVER.—(1) The Secretary of Defense may waive the prohibition under subsection (a) on a case-by-case basis if the Secretary—

''(A) determines that—

''(i) exercising such waiver is necessary to the national security interests of the United States;

''(ii) the person seeking to enter into a contract for the procurement of goods or services has provided a compelling justification as to why compliance with subsection (a) would impose undue delays or financial costs; and

''(iii) there are insufficient alternatives in place to fulfil the needs of the contract in a timely manner; and

''(B) submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the determination and the reasons for the determination.

''(2) The report required under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

''(e) LOBBYIST, LOBBYING FIRM, AND LOBBYING ACTIVITIES DEFINED.—In this section,

the terms 'lobbyist', 'lobbying firm', and 'lobbying activities' have the meanings given the terms in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 363 of title 10, United States Code, is amended by inserting after the item relating to section 4662 the following new item:

''4663. Prohibition on contracting with companies with lobbying ties to Chinese military companies and human rights abusers.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 30 days after the date of the enactment of this Act.

SA 2450. Mr. RUBIO (for himself, Ms. KLOBUCHAR, and Mrs. BLACKBURN) 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. ___. PARITY FOR CHILD EXPLOITATION OFFENDERS.

Title 18 of the United States Code is amended—

(1) in section 2241(c), in the second sentence, by inserting ''or an offense under the Uniform Code of Military Justice'' after ''State offense'';

(2) in section 2251(e), by striking ''section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under'' each place it appears and inserting ''the Uniform Code of Military Justice or'';

(3) in section 2252(b)—

(A) in paragraph (1), by striking ''section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under'' and inserting ''the Uniform Code of Military Justice or''; and

(B) in paragraph (2), by striking ''section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under'' and inserting ''the Uniform Code of Military Justice or'';

(4) in section 2252A(b)—

(A) in paragraph (1), by striking ''section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under'' and inserting ''the Uniform Code of Military Justice or''; and

(B) in paragraph (2), by striking ''section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under'' and inserting ''the Uniform Code of Military Justice or'';

(5) in section 2426(b)(1)(B), by inserting ''or the Uniform Code of Military Justice'' after ''State law''; and

(6) in section 3559(e)(2)—

(A) in subparagraph (B)—

(i) by striking ''State sex offense'' and inserting ''State or Military sex offense''; and

(ii) by inserting ''or the Uniform Code of Military Justice'' after ''State law''; and

(B) in subparagraph (C), by inserting '' or Military'' after ''State''.

SA 2451. Mr. GRASSLEY (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 B of title X, insert the following:

SEC. 1014. PRECURSOR CHEMICAL DESTRUCTION INITIATIVE.

(a) SHORT TITLES.—This section may be cited as the ''Destruction Initiative for Stored Precursors Overseas and Safe Enforcement Act'' or the ''DISPOSE Act''.

(b) 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 the Judiciary of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on the Judiciary of the House of Representatives.

(2) BENEFICIARY COUNTRIES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''beneficiary countries'' means Colombia, Mexico, and Peru.

(B) UPDATES.—The Secretary of State, in consultation with the Attorney General and the Secretary of Defense, may add or remove 1 or more countries from the list of beneficiary countries under subparagraph (A) after providing written notification of such changes to the appropriate congressional committees.

(3) LISTED CHEMICAL.—The term ''listed chemical'' has the meaning given such term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(c) AUTHORIZATION.—

(1) ESTABLISHMENT.—The Secretary of State, in coordination with the Secretary of Defense and the Attorney General, may carry out the ''Precursor Chemical Destruction Initiative'' in beneficiary countries to achieve the purposes described in paragraph (2).

(2) PURPOSES.—The purposes described in this paragraph are—

(A) improving and increasing rates of seizure and destruction of listed chemicals in beneficiary countries;

(B) alleviating the backlog of seized listed chemicals and disposing the hazardous waste generated by illicit drug trafficking in beneficiary countries in an environmentally safe and effective manner;

(C) ensuring that seized listed chemicals are not reintroduced into the illicit drug production stream within beneficiary countries;

(D) freeing up storage space for future listed chemical seizures within beneficiary countries; or

(E) reducing the negative environmental impact of listed chemicals.

(d) IMPLEMENTATION PLAN; PROGRESS UPDATES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Attorney General and the Secretary of Defense, shall submit an implementation plan to the appropriate congressional committees that includes a timeline and stated objectives for actions to be taken in beneficiary countries in support of the Precursor Chemical Destruction Initiative.

(2) ELEMENTS.—The implementation plan required under paragraph (1) shall include—

(A) a multi-year strategy with a timeline, overview of objectives, budgetary projections, and anticipated outcomes for the region and for each beneficiary country;

(B) specific, measurable benchmarks to track the progress of the Precursor Chemical Destruction Initiative towards accomplishing the outcomes referred to in subparagraph (A);

(C) a plan for the delineation of the roles to be carried out by the Department of State, the Department of Justice, the Department of Defense, and any other Federal department or agency in carrying out the Precursor Chemical Destruction Initiative; and

(D) a plan for addressing security and government corruption and providing updates to the appropriate congressional committees on the results of such efforts.

(3) ANNUAL PROGRESS UPDATE.—Not later than 1 year after the submission of the implementation plan pursuant to paragraph (1), and annually thereafter, the Secretary of State, in coordination with the Attorney General and the Secretary of Defense, shall submit to the appropriate congressional committees a written description of the results achieved by the Precursor Chemical Destruction Initiative, including—

(A) the implementation of the strategy and plans described in paragraph (1);

(B) compliance with, and progress related to, meeting the benchmarks referred to in paragraph (2)(B); and

(C) the type and quantity of listed chemicals destroyed by each beneficiary country.

(e) FUNDING.—The Secretary of State shall use amounts otherwise appropriated for International Narcotics Control and Law Enforcement programs managed by the Department of State to carry out this section.

SA 2452. 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, add the following:

DIVISION F—STATE TRADE EXPANSION PROGRAM

SEC. 6001. SHORT TITLE.

This division may be cited as the ''State Trade Expansion Program Modernization Act of 2024''.

SEC. 6002. FINDINGS.

Congress finds the following:

(1) The State Trade Expansion Program established under section 22(l) of the Small Business Act (15 U.S.C. 649(l)) (in this section referred to as ''STEP'') was created by Congress in 2010 to grow the number of small business concerns (as defined under section 3 of such Act (15 U.S.C. 632) and in this section referred to as a ''small business concern'') that export, increase the value of goods exported by the small business sector, and help businesses identify new markets.

(2) Helping small firms in the United States begin to export or build upon their existing export capacity generates investment in local economies and spurs employment.

(3) Despite 95 percent of global consumers living outside of the United States, less than 4 percent of small business concerns in the United States export their products or services.

(4) Many small business concerns in the United States that could grow by exporting lack the dedicated staff, required technical skills, and necessary budgetary resources for international expansion.

(5) STEP provides vital assistance to small business concerns, particularly to those that have never had the opportunity to sell their products or services abroad.

(6) According to data of the Bureau of the Census, there were approximately 5,900,000 employer firms in the United States as of 2021, of which more than 1,200,000, or approximately 22 percent, were women-owned. However, according to the data, of the 128,460 exporting small firms, only 21,626, or 17 percent, were women-owned firms, meaning that, of small firms, 5 times as many male-owned firms export as women-owned firms. The data show that the overall disparity in business ownership between men and women is even greater among exporting businesses.

(7) According to research conducted by the Small Business Administration, smaller firms tend to produce fewer outputs and are less likely to export than larger firms. Data of the Bureau of the Census show that women-owned firms employ 33 percent fewer workers on average than male-owned firms and are less likely to enjoy the benefits of international trade.

(8) Exporting is a highly effective way for businesses to expand their markets and increase their productivity. As States expand export-enhancing activities through STEP, additional small firms will benefit from the higher demand for their goods and services and increased profits associated with international trade.

(9) During the first 10 years of operation, STEP enabled more than 12,000 small business concerns to explore export opportunities, helping them reach markets in 141 countries.

(10) Congress recognizes that STEP can be improved to reduce the administrative burden for grantees, streamline reporting and compliance requirements, give grantees more flexibility, make grant awards more transparent and consistent, and set more predictable application deadlines.

(11) Congress also recognizes that making awards under STEP more consistent and transparent will simplify the program and incentivize more States to participate so that small business concerns are supported in all States.

SEC. 6003. STREAMLINING APPLICATION, REPORTING, AND COMPLIANCE REQUIREMENTS.

(a) REQUIREMENT FOR FUNDING INFORMATION TO BE KEPT CURRENT.—Section 22(l)(3) of the Small Business Act (15 U.S.C. 649(l)(3)) is amended by adding at the end the following:

''(E) REQUIREMENT FOR FUNDING INFORMATION TO BE KEPT CURRENT.—The Associate Administrator shall—

''(i) maintain on the website of the Administration a publicly accessible list of links to documents containing the most up-to-date information about program requirements and application procedures, including the latest notice of funding opportunity, all active Director's Memos, and any determination made related to eligible expenditures or the classification of expenditures as direct or indirect; and

''(ii) update the list described in clause (i) before any new clarification, instruction, directive, requirement, determination, or classification relating to the program takes effect.''.

(b) TIMING OF FUNDING INFORMATION RELEASE.—Section 22(l)(3)(D) of the Small Business Act (15 U.S.C. 649(l)(3)(D)) is amended by adding at the end the following:

''(iii) TIMING.—The Associate Administrator shall—

''(I) publish information on how to apply for a grant under this subsection, including specific calculations and other determinations used to award such a grant, not later than March 31 of each year;

''(II) establish a deadline for the submission of applications that is—

''(aa) not earlier than 60 days after the date on which the information is published under subclause (I); and

''(bb) not later than—

''(AA) May 31 of each year; or

''(BB) in the event that full-year appropriations for the program for a fiscal year have not been enacted as of February 1 of such fiscal year, 120 days after full-year appropriations are enacted; and

''(III) announce grant recipients not later than—

''(aa) September 30 of each year; or

''(bb) in the event that full-year appropriations for the program for a fiscal year have not been enacted as of February 1 of such fiscal year, 210 days after full-year appropriations are enacted.''.

(c) APPLICATION STREAMLINING.—Section 22(l)(3)(D) of the Small Business Act (15 U.S.C. 649(l)(3)(D)), as amended by subsection (b) of this section, is amended by adding at the end the following:

''(iv) APPLICATION STREAMLINING.—

''(I) IN GENERAL.—The Associate Administrator shall establish a concise application for grants under the program that shall encompass all necessary information, including—

''(aa) the proposal of the State, territory, or commonwealth to manage the program;

''(bb) an overview of the trade office and staff of the State, territory, or commonwealth;

''(cc) a description of the key mission and objective, key activities planned, and estimated key performance indicators;

''(dd) a detailed budget, which, for a State, shall include a description of the cash, indirect costs, and in-kind contributions the State has committed to provide for the non-Federal share of the cost of the trade expansion program of the State to be carried out using a grant under the program; and

''(ee) for a State, whether the State is requesting to receive additional funds allocated under paragraph (5)(F), if applicable.

''(II) SCOPE.—The application established under subclause (I) shall—

''(aa) include all the information required for the technical proposal;

''(bb) eliminate any unnecessary or duplicative materials, except to the extent the duplication is due to the use of standard forms or documents that are not specific to the Administration and are used by other Federal grant programs; and

''(cc) to the extent feasible, use forms common to other Federal trade and export programs.''.

(d) ABILITY TO REVIEW APPLICATIONS AFTER AWARD.—Section 22(l)(3) of the Small Business Act (15 U.S.C. 649(l)(3)), as amended by subsection (a) of this section, is amended by adding at the end the following:

''(F) APPLICATION INFORMATION.—The Associate Administrator shall clearly communicate to applicants and grant recipients information about award decisions under this subsection, including—

''(i) for each unsuccessful applicant for a grant awarded under this subsection, providing recommendations to improve a subsequent application for such a grant;

''(ii) for each successful applicant for such a grant, providing an explanation for the amount awarded, if different from the amount requested in the application; and

''(iii) upon request, offering to have the program manager who reviewed the application discuss with the applicant how to improve a subsequent application for such a grant.''.

(e) BUDGET PLAN SUBMISSION AND REVISIONS.—Section 22(l)(3) of the Small Business Act (15 U.S.C. 649(l)(3)), as amended by subsection (d) of this section, is amended—

(1) in subparagraph (D)(i), by inserting '', including a budget plan for use of funds awarded under this subsection'' before the period at the end; and

(2) by adding at the end the following:

''(G) BUDGET PLAN REVISIONS.—

''(i) IN GENERAL.—A State, territory, or commonwealth receiving a grant under this subsection may revise the budget plan of the State, territory, or commonwealth submitted under subparagraph (D) after the disbursal of grant funds if—

''(I) the revision complies with allowable uses of grant funds under this subsection; and

''(II) such State, territory, or commonwealth submits notification of the revision to the Associate Administrator.

''(ii) EXCEPTION.—If a revision under clause (i) reallocates 10 percent or more of the amounts described in the budget plan of the State, territory, or commonwealth submitted under subparagraph (D), the State, territory, or commonwealth may not implement the revised budget plan without the approval of the Associate Administrator, unless the Associate Administrator fails to approve or deny the revised plan within 20 days after receipt of such revised plan.''.

(f) REPORTING BY RECIPIENTS; PROCESSING OF REIMBURSEMENTS.—Section 22(l)(7) of the Small Business Act (15 U.S.C. 649(l)(7)) is amended by adding at the end the following:

''(C) REPORTING BY RECIPIENTS; PROCESSING OF REIMBURSEMENTS.—

''(i) IN GENERAL.—The Associate Administrator shall establish for recipients of grants under the program a streamlined reporting process, template, or spreadsheet format to report information regarding the program and key performance indicators required by an Act of Congress that—

''(I) a State, territory, or commonwealth may use to upload required compliance reports relating to the grants;

''(II) minimizes the manual entry of specific data regarding eligible small business concerns, including performance data;

''(III) eliminates any duplicative or unnecessary reporting requirements that are not required for the Associate Administrator to—

''(aa) report the information specified in subparagraph (B);

''(bb) make allocations under paragraph (5)(B); or

''(cc) conduct necessary oversight of the program;

''(IV) to the extent feasible, accommodates the use and uploading of spreadsheets or templates generated from customer relationship management or spreadsheet software; and

''(V) may not require a State, territory, or commonwealth to submit information more frequently than twice per year.

''(ii) PROCESSING OF REIMBURSEMENT REQUESTS.—The Associate Administrator shall—

''(I) process information submitted by a State, territory, or commonwealth for purposes of obtaining reimbursement for eligible activities in a timely manner, without regard to whether the information is submitted semiannually, as described in clause (i)(V), or quarterly, if the State, territory, or commonwealth elects to submit information quarterly;

''(II) notify a State, territory, or commonwealth if such information is not processed on or before the date that is 21 days after the date such information is submitted; and

''(III) provide an estimated completion timeline with any notification under subclause (II).

''(iii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to prohibit a

State, territory, or commonwealth from submitting information for purposes of obtaining reimbursement for eligible activities on a quarterly basis, at the election of the State, territory, or commonwealth, respectively.''.

(g) REQUIREMENTS RELATED TO STATE EMPLOYEES.—Section 22(l)(3) of the Small Business Act (15 U.S.C. 649(l)(3)), as amended by subsection (e) of this section, is amended by adding at the end the following:

''(H) LIMITATION ON COLLECTION OF STATE OFFICIAL AND EMPLOYEE INFORMATION.—

''(i) IN GENERAL.—Subject to clause (ii), the Associate Administrator—

''(I) may only require that a State, territory, or commonwealth include with an application for a grant under the program detailed information, such as a position description and resume, for the State, territory, or commonwealth official or employee that would manage the grant;

''(II) may only require that a State, territory, or commonwealth receiving a grant under the program report the salary of a State, territory, or commonwealth official or employee to the extent that the State, territory, or commonwealth—

''(aa) includes such salary as part of the non-Federal share of the cost of the trade expansion program; or

''(bb) uses amounts received under the grant for the cost of such salary, in whole or in part; and

''(III) with respect to a State, territory, or commonwealth official or employee who is not directly managing a grant under the program, may only require the State, territory, or commonwealth to report the name, position, and contact information of the official or employee.

''(ii) EXCEPTIONS.—The Associate Administrator may require a State, territory, or commonwealth to provide information about a State, territory, or commonwealth official or employee that is relevant to any investigation into suspected mismanagement, fraud, or malfeasance or that is necessary to comply with Federal grant requirements.''.

(h) LIMITATION ON COMPLIANCE AUDITS.—Section 22(l) of the Small Business Act (15 U.S.C. 649(l)) is amended—

(1) by redesignating paragraphs (7), (8), and (9) as paragraphs (10), (11), and (12), respectively;

(2) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(3) by inserting after paragraph (7), as so redesignated, the following:

''(8) COMPLIANCE AUDITS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Associate Administrator may not conduct an audit of a State, territory, or commonwealth to evaluate compliance with this subsection more than once every 3 years.

''(B) EXCEPTIONS.—The Associate Administrator may conduct an audit of a State, territory, or commonwealth to evaluate compliance with this subsection more than once every 3 years if—

''(i) the amount allocated to the State, territory, or commonwealth under a grant under this subsection for a fiscal year is an increase of not less than 15 percent from the allocation for the State, territory, or commonwealth for the prior fiscal year;

''(ii) the Associate Administrator believes that amounts received by the State, territory, or commonwealth under a grant under this subsection are being used for ineligible activities or as part of fraudulent activity; or

''(iii) the most recent audit report shows evidence of material noncompliance with program requirements, in which case the Associate Administrator may conduct an audit annually until compliance is reestablished.''.

SEC. 6004. FUNDING TRANSPARENCY AND PREDICTABILITY.

(a) CAP ON REDUCTIONS IN GRANTS.—Section 22(l) of the Small Business Act (15 U.S.C. 649(l)) is amended by striking paragraph (4) and inserting the following:

''(4) LIMITATIONS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'current fiscal year' means the fiscal year for which the Administrator is determining the amount of a grant to be awarded to a State, territory, or commonwealth under the program; and

''(ii) the term 'prior fiscal year' means the most recent fiscal year before the current fiscal year for which a State, territory, or commonwealth received a grant under the program.

''(B) GENERAL LIMITATION ON REDUCTIONS IN GRANTS.—Subject to subparagraphs (C) and (D), the Administrator may not award a grant to a State, territory, or commonwealth under the program for the current fiscal year in an amount that is less than 80 percent of the amount received by the State, territory, or commonwealth under a grant under the program for the prior fiscal year.

''(C) POTENTIAL ADDITIONAL ADJUSTMENTS.—

''(i) EXCEPTION FOR REDUCTION IN APPROPRIATIONS.—Subject to subparagraph (D), if the total amount appropriated for the program for the current fiscal year is less than the amount appropriated for the program for the prior fiscal year, for purposes of applying subparagraph (B), the Administrator shall substitute for 'the amount received by the State, territory, or commonwealth under a grant under the program for the prior fiscal year' the product obtained by multiplying—

''(I) subject to clause (ii) of this subparagraph, the amount received by the State, territory, or commonwealth under a grant under the program for the prior fiscal year; by

''(II) the ratio of the appropriation for the current fiscal year to the appropriation for the prior fiscal year.

''(ii) EXCEPTION FOR GRANTEES THAT USE LESS THAN 80 PERCENT OF THE AMOUNT OF A GRANT.—Subject to subparagraph (D), if a State, territory, or commonwealth expends less than 80 percent of the amount of a grant under the program for the prior fiscal year before the end of the period of the grant for the prior fiscal year established under paragraph (3)(C)(iii)(I), for purposes of applying subparagraph (B) of this paragraph, if appropriations are not reduced, or applying clause (i) of this subparagraph, if appropriations are reduced, the Administrator shall substitute for 'the amount received by the State, territory, or commonwealth under a grant under the program for the prior fiscal year' the difference obtained by subtracting—

''(I) the amount equal to 50 percent of the amount remaining available under the grant under the program to the State, territory, or commonwealth for the prior fiscal year, as of the last day of such period; from

''(II) the amount of the grant under the program to the State, territory, or commonwealth for the prior fiscal year.

''(iii) EXCEPTION FOR INCREASE IN GRANTEES RESULTING IN INSUFFICIENT FUNDING.—If the number of States, territories, or commonwealths participating in the program has increased from the prior fiscal year to such an extent that funding is not sufficient to provide each grantee the minimum amount required under this paragraph (including any reductions under clause (i) or (ii) of this subparagraph, if applicable) the Administrator may make pro rata reductions to the minimum grant amount otherwise required under this paragraph on a one-time basis to ensure that all qualified applicants may receive grants.

''(D) VIOLATIONS.—The amount of a grant to a State, territory, or commonwealth may be less than the minimum amount determined under subparagraph (B) (including any substitution of amounts under clauses (i) and (ii) of subparagraph (C), as applicable), if the State, territory, or commonwealth has been found to have committed a significant violation of the rules or policies of the program.''.

(b) PERMITTING CARRYOVER OF UNUSED GRANT FUNDS.—Section 22(l)(3)(C) of the Small Business Act (15 U.S.C. 649(l)(3)(C)) is amended—

(1) in clause (ii), by striking ''40 percent'' and inserting ''30 percent''; and

(2) in clause (iii)—

(A) by striking ''The Associate Administrator'' and inserting the following:

''(I) IN GENERAL.—The Associate Administrator''; and

(B) by adding at the end the following:

''(II) GRANTEES THAT USE LESS THAN THE FULL AMOUNT OF A GRANT.—

''(aa) IN GENERAL.—Subject to item (bb), for a State, territory, or commonwealth that does not expend the entire amount of a grant under the program before the end of the period of the grant established under subclause (I), the State, territory, or commonwealth may expend amounts remaining available under the grant as of the last day of such period during the first fiscal year after such period, in an amount not to exceed 20 percent of the amount originally made available under such grant.

''(bb) FORFEITED GRANTS.—Item (aa) shall not apply to a grant under the program to a State, territory, or commonwealth that was forfeited due to a significant program violation by the State, territory, or commonwealth.

''(cc) RETURN OF GRANT FUNDS.—A State, territory, or commonwealth shall return to the Treasury—

''(AA) any amounts remaining available under a grant under the program at the end of the period of the grant established under subclause (I) that are not available for expenditure under item (aa) of this subclause; and

''(BB) any amounts that are available for expenditure under item (aa) and are not expended on or before the date that is 1 year after the last day of the original period of the grant established under subclause (I).''.

(c) FUNDING FORMULA.—Section 22(l) of the Small Business Act (15 U.S.C. 649(l)) is amended by inserting after paragraph (4), as amended by subsection (a) of this section, the following:

''(5) FUNDING FORMULA.—

''(A) MINIMUM ALLOCATION.—Subject to paragraph (4), and except as provided otherwise in this paragraph, the minimum amount of a grant under the program for a fiscal year—

''(i) for a territory or commonwealth, shall be the amount equal to 0.5 percent of the total amount appropriated for the program for the fiscal year; and

''(ii) for a State, shall be the amount equal to 0.75 percent of the total amount appropriated for the program for the fiscal year.

''(B) ADDITIONAL FUNDS.—

''(i) IN GENERAL.—Subject to clause (ii), amounts remaining for grants under the program for a fiscal year after the minimum allocation under subparagraph (A) shall be allocated among States receiving a grant under the program in accordance with the following metrics:

''(I) 20 percent of amounts remaining shall be proportionally allocated based on the ratio, for the most recently completed grant cycle for which complete reporting data is available, of the dollar value of export sales reported by a State that were initiated as a result of program activities undertaken by

eligible small business concerns that are located in the State to the amount of the grant received by the State.

''(II) 20 percent of amounts remaining shall be proportionally allocated based on the ratio, for the most recently completed grant cycle for which complete reporting data is available, of the total number of activities described in paragraph (2) undertaken by eligible small business concerns participating in the program that are located in the State to the amount of the grant received by the State.

''(III) 15 percent of amounts remaining shall be proportionally allocated based on the ratio, for the most recently completed grant cycle for which complete reporting data is available, of the number of eligible small business concerns participating in the program for the first time that are located in the State to the amount of the grant received by the State.

''(IV) 15 percent of amounts remaining shall be proportionally allocated based on the ratio, for the most recently completed grant cycle for which complete reporting data is available, of the number of eligible small business concerns participating in the program that are located in the State and that engaged in trade outside the United States for the first time to the amount of the grant received by the State.

''(V) 15 percent of amounts remaining shall be proportionally allocated based on the ratio, for the most recently completed grant cycle for which complete reporting data is available, of the total number of new markets reached by eligible small business concerns participating in the program that are located in the State to the amount of the grant received by the State.

''(VI) 15 percent of amounts remaining shall be proportionally allocated based on the ratio, for the most recently completed grant cycle, of the total number of eligible small business concerns participating in the program that are located in the State to the number of eligible small business concerns participating in the program that are located in the State and that meet 1 or more of the following criteria:

''(aa) Located in a low-income or moderate-income area.

''(bb) Located in a rural area.

''(cc) Located in an HUBZone, as that term is defined in section 31(b).

''(dd) Located in a community that has been designated as an empowerment zone or enterprise community under section 1391 of the Internal Revenue Code of 1986.

''(ee) Located in a community that has been designated as a promise zone by the Secretary of Housing and Urban Development.

''(ff) Located in a community that has been designated as a qualified opportunity zone under section 1400Z–1 of the Internal Revenue Code of 1986.

''(gg) Being owned by women.

''(ii) LIMITATION.—In allocating funds under each of subclauses (I) through (VI) of clause (i), the amount of funds allocated under such subclause to the State with the highest ratio for a metric may not be more than 10 times the amount of funds allocated under such subclause to the State with the lowest ratio that is greater than zero for that metric.

''(C) LIMIT ON REDUCTION BELOW GRANT BEFORE ENACTMENT.—In addition to the limitations under paragraph (4), and except to the extent a State elects to return funds under subparagraph (E), the amount of a grant to the State under the program for any fiscal year may not be less than the amount of the grant to the State under the program for the most recent full fiscal year before the date of enactment of the State Trade Expansion Program Modernization Act of 2024 for which the State received such a grant.

''(D) MATCHING REQUIREMENT FOR FORMULA FUNDS.—The Associate Administrator shall provide to each State receiving a grant under the program an award in the amount calculated in accordance with the funding formula under subparagraphs (A), (B), and (C) if the State has committed to provide the necessary cash, indirect costs, and in-kind contributions for the non-Federal share of the cost of the trade expansion program of the State, as required under paragraph (6).

''(E) RETURN OF GRANTS.—Not later than 15 days after the date on which the Associate Administrator notifies a State of the amount to be awarded to the State under a grant under the program for a fiscal year, the State may decline or return to the Associate Administrator, in whole or in part, such amounts.

''(F) DISTRIBUTION OF RETURNED AND REMAINING AMOUNTS.—

''(i) REMAINING AMOUNTS.—In this subparagraph, the term 'remaining amounts' means—

''(I) amounts declined or returned under subparagraph (E) for a fiscal year; or

''(II) amounts remaining for grants under the program for a fiscal year after allocating funds in accordance with subparagraphs (A), (B), and (C) due to reductions in the amount of grants because of the amount committed by States for the non-Federal share of the cost of the trade expansion program of the States.

''(ii) DISTRIBUTION.—The Associate Administrator shall distribute any remaining amounts for a fiscal year among the States receiving a grant under the program that requested to receive such remaining amounts, in an amount that is proportional to the allocations under subparagraphs (A), (B), and (C).

''(G) LIMITATION ON BASIS FOR REDUCING AMOUNTS.—The Associate Administrator may not reduce the amount determined to be allocated or distributed to a State under any subparagraph of this paragraph based on the proposed use of such amount by the State, except to the extent that such use is not an eligible use of funds for a grant under the program.

''(H) ROUNDING.—The total amount of a grant to a State, territory, or commonwealth under the program, as determined under this paragraph, shall be rounded to the nearest increment of $1,000.

''(I) APPLICATION.—

''(i) IN GENERAL.—The Associate Administrator shall award grants under this subsection based on the formula described in this paragraph, and without regard to paragraph (3)(B)—

''(I) for the second consecutive fiscal year for which the amount made available for the program is not less than $30,000,000; and

''(II) for each fiscal year after the fiscal year described in subclause (I) for which the amount made available for the program is not less than $30,000,000.

''(ii) AWARD WHEN NOT BASED ON FORMULA.—For any fiscal year for which grants are not awarded based on the formula described in this paragraph, the Associate Administrator shall award grants under this subsection on a competitive basis, taking into account the considerations described in paragraph (3)(B).

''(J) TRANSITION PLAN.—

''(i) INITIAL PLAN.—

''(I) IN GENERAL.—If the amount made available for the program for a fiscal year is not less than $30,000,000, the Associate Administrator shall develop a transition plan describing how the Administration intends to begin awarding grants based on the formula described in this paragraph, to ensure the Administration is prepared to award grants based on the formula described in this paragraph if the amount made available for the program for the next fiscal year is not less than $30,000,000.

''(II) ONE-TIME REQUIREMENT.—Subclause (I) shall not apply on and after the first day of the first fiscal year for which the Associate Administrator awards grants based on the formula described in this paragraph.

''(III) REQUIREMENT TO USE FORMULA.—The Associate Administrator shall award grants based on the formula described in this paragraph in accordance with the requirements under subparagraph (I), without regard to whether the Associate Administrator develops the transition plan required under subclause (I) of this clause.

''(ii) UPDATES.—If, for any fiscal year after the first fiscal year for which the Associate Administrator awards grants based on the formula described in this paragraph, the amount made available for the program for the fiscal year is less than $30,000,000, the Associate Administrator shall update the plan to award grants based on the formula described in this paragraph, to ensure the Administration is prepared to award grants based on the formula described in this paragraph if the amount made available for the program for the next fiscal year is not less than $30,000,000.

''(K) REPORTING.—Not later than 180 days after the end of each fiscal year for which the amount of grants under this subsection is determined under the formula described in this paragraph, the Associate Administrator 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 that provides the information used by the Associate Administrator to determine the amounts of grants under the formula, which shall include for the applicable fiscal year—

''(i) the number of States that applied for a grant under the program;

''(ii) the number of States that received a grant under the program;

''(iii) the raw data for each factor used to calculate award amounts in accordance with subparagraph (B), broken out by State;

''(iv) the utilization rates of each grantee, broken out by grantee;

''(v) the amount carried over by a grantee under paragraph (3)(C)(iii)(II)(aa), broken out by grantee;

''(vi) the amount returned to Treasury due to a failure to use the amounts under paragraph (3)(C)(iii)(II)(cc), broken out by grantee; and

''(vii) the amount returned to the Associate Administrator during the period described in subparagraph (E).''.

SEC. 6005. EXPANSION OF DEFINITION OF ELIGIBLE SMALL BUSINESS CONCERN; CHANGE TO SET ASIDE; CONFORMING CHANGES.

(a) EXPANSION OF DEFINITION OF ELIGIBLE SMALL BUSINESS CONCERN.—

(1) IN GENERAL.—Section 22(l)(1)(A) of the Small Business Act (15 U.S.C. 649(l)(1)(A)) is amended—

(A) in clause (iii)(II), by adding ''and'' at the end;

(B) by striking clause (iv); and

(C) by redesignating clause (v) as clause (iv).

(2) LIMITATION ON USE OF FUNDS FOR PARTICIPATION IN FOREIGN TRADE MISSIONS.—Section 22(l)(2)(A) of the Small Business Act (15 U.S.C. 649(l)(2)(A)) is amended by inserting ''by eligible small business concerns that have been in operation for not less than 1 year'' after ''trade missions''.

(b) CHANGE TO DEFINITIONS AND FEDERAL SHARE REQUIREMENTS.—Section 22(l) of the Small Business Act (15 U.S.C. 649(l)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively;

(B) by inserting before subparagraph (B), as so redesignated, the following:

''(A) the term 'commonwealth' means the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands;'';

(C) in subparagraph (E), as so redesignated, by striking ''and'' at the end;

(D) in subparagraph (F), as so redesignated, by striking ''States, the District'' and all that follows and inserting ''States and the District of Columbia; and''; and

(E) by adding at the end the following:

''(G) the term 'territory' means the United States Virgin Islands, Guam, and American Samoa.'';

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', territories, and commonwealths'' after ''States'';

(3) in paragraph (3)—

(A) by inserting '', territory, or commonwealth'' after ''State'' each place it appears, except in—

(i) subclause (II) of subparagraph (C)(iii), as added by section 6004(b) of this division;

(ii) clause (iv) of subparagraph (D), as added by section 6003(c) of this division;

(iii) subparagraph (G), as added by section 6003(e) of this division; and

(iv) subparagraph (H), as added by section 6003(g) of this division; and

(B) by inserting '', territories, or commonwealths'' after ''States'' each place it appears;

(4) in paragraph (6), as so redesignated by section 6003(h) of this division—

(A) in subparagraph (A), by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(C) for a territory or commonwealth, 100 percent.''; and

(5) in paragraph (10), as so redesignated by section 6003(h) of this division—

(A) by inserting '', territory, or commonwealth'' after ''State'' each place it appears, except in subparagraph (C), as added by section 6003(f) of this division; and

(B) by inserting '', territories, or commonwealths'' after ''States'' each place it appears.

SEC. 6006. SURVEY AND ANNUAL REPORT.

(a) SURVEY.—Section 22(l) of the Small Business Act (15 U.S.C. 649(l)) is amended by inserting after paragraph (8), as added by section 6003(h) of this division, the following:

''(9) SURVEY.—The Associate Administrator shall conduct an annual survey of each State, territory, or commonwealth that received a grant under this subsection during the preceding year to solicit feedback on the program and develop best practices for grantees.''.

(b) REPORT.—Paragraph (10)(B) of section 22(l) of the Small Business Act (15 U.S.C. 649(l)), as so redesignated by section 6003(h) of this division, is amended—

(1) in clause (i)—

(A) in subclause (III), by inserting '', including the total number of eligible small business concerns assisted by the program (disaggregated by small business concerns located in a low-income or moderate-income community, small business concerns owned and controlled by women, and rural small business concerns)'' before the semicolon at the end;

(B) in subclause (IV), by striking ''and'' at the end;

(C) in subclause (V)—

(i) by striking ''description of best practices'' and inserting ''detailed description of best practices''; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(VI) an analysis of the performance metrics described in clause (iii), including a determination of whether or not any goals relating to such performance metrics were met, and an analysis of the survey described in paragraph (9); and

''(VII) a description of lessons learned by grant recipients under this subsection that may apply to other assistance provided by the Administration.''; and

(2) by adding at the end the following:

''(iii) PERFORMANCE METRICS.—Annually, the Associate Administrator shall collect data on eligible small business concerns assisted by the program for the following performance metrics:

''(I) Total number of such concerns, disaggregated by eligible small business concerns that meet 1 or more of the following criteria:

''(aa) Located in a low-income or moderate-income area.

''(bb) Located in a rural area.

''(cc) Located in an HUBZone, as that term is defined in section 31(b).

''(dd) Located in a community that has been designated as an empowerment zone or enterprise community under section 1391 of the Internal Revenue Code of 1986.

''(ee) Located in a community that has been designated as a promise zone by the Secretary of Housing and Urban Development.

''(ff) Located in a community that has been designated as a qualified opportunity zone under section 1400Z–1 of the Internal Revenue Code of 1986.

''(gg) Being owned by women.

''(II) Total dollar amount of export sales by eligible small business concerns assisted by the program.

''(III) Number of such concerns that have not previously participated in an activity described in paragraph (2).

''(IV) Number of such concerns that, because of participation in the program, have become a first-time exporter.

''(V) Number of such concerns that, because of participation in the program, have accessed a new market.

''(VI) Number of such concerns that have begun exporting to each new market.''.

SEC. 6007. AUTHORIZATION OF APPROPRIATIONS.

Paragraph (12) of section 22(l) of the Small Business Act (15 U.S.C. 649(l)), as so redesignated by section 6003(h) of this division, is amended by striking ''fiscal years 2016 through 2020'' and inserting ''fiscal years 2025 through 2029''.

SEC. 6008. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, the Associate Administrator for International Trade of the Small Business Administration shall submit to Congress a report on the State Trade Expansion Program established under section 22(l) of the Small Business Act (15 U.S.C. 649(l)), as amended by this division, that includes a description of—

(1) the process developed for review of revised budget plans submitted under subparagraph (G) of section 22(l)(3) of the Small Business Act (15 U.S.C. 649(l)(3)), as added by section 6003(e) of this division;

(2) any changes made to streamline the application process under the State Trade Expansion Program to remove duplicative requirements and create a more transparent process;

(3) the process developed to share best practices by States, territories, and commonwealths described in paragraph (10)(B)(i)(V) of section 22(l) of the Small Business Act (15 U.S.C. 649(l)), as so redesignated by section 6003(h) of this division, particularly for first-time grant recipients under the State Trade Expansion Program or grant recipients that are facing problems using grant funds; and

(4) the process developed to communicate, both verbally and in writing, relevant information about the State Trade Expansion Program to all grant recipients in a timely manner.

SEC. 6009. SEVERABILITY.

If any provision of this division, an amendment made by this division, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this division and the amendments made by this division, and the application of the provision or amendment to any other person or circumstance, shall not be affected.

SA 2453. 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 D of title VIII, add the following:

SEC. 865. INCREASE IN GOVERNMENTWIDE GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

Section 15(g)(1)(A)(i) of the Small Business Act (15 U.S.C. 644(g)(1)(A)(i)) is amended by striking ''23 percent'' and inserting ''25 percent''.

SA 2454. 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 D of title VIII, add the following:

SEC. 865. SMALL BUSINESS SUBCONTRACTING IMPROVEMENTS.

(a) SHORT TITLE.—This section may be cited as the ''Small Business Subcontractor Utilization Act of 2024''.

(b) REQUIREMENTS TO ENSURE SUBCONTRACTORS ARE UTILIZED IN ACCORDANCE WITH THE SUBCONTRACTING PLAN.—

(1) IN GENERAL.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(A) in paragraph (3)—

(i) by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively;

(ii) by inserting after subparagraph (B) the following:

''(C) If a subcontracting plan is required with respect to this contract under paragraph (4) or (5) of section 8(d) of the Small Business Act—

''(i) at the same time as the contractor submits the subcontracting report with respect to this contract, the contractor shall provide to the contracting officer a utilization report that identifies, for each covered

small business subcontractor for this contract—

''(I) the service or product that the covered small business subcontractor is required to provide to the prime contractor;

''(II) the total contract dollars that are to be paid to the covered small business subcontractor;

''(III) the total contract dollars that have been paid to the covered small business subcontractor, to date;

''(IV) the estimated date range for the performance of the covered small business subcontractor on the contract; and

''(V) any change to the contract, including changes to the services and products required or total contract dollars, that impacts the ability of the prime contractor to utilize the covered small business subcontractor as anticipated during the bid and proposal process; and

''(ii) not later than 30 days after the deadline to submit to the contracting officer the subcontracting report with respect to this contract, the contractor shall provide to each covered small business subcontractor for this contract a utilization report that identifies, for that covered small business subcontractor—

''(I) the service or product that the covered small business subcontractor is required to provide to the prime contractor;

''(II) the total contract dollars that are to be paid to the covered small business subcontractor;

''(III) the total contract dollars that have been paid to the covered small business subcontractor, to date;

''(IV) the estimated date range for the performance of the covered small business subcontractor on the contract; and

''(V) any change to the contract, including changes to the services and products required or total contract dollars, that impacts the ability of the prime contractor to utilize the covered small business subcontractor as anticipated during the bid and proposal process.''; and

(iii) by adding at the end the following:

''(J) In this contract, the term 'covered small business subcontractor' means a first-tier subcontractor that—

''(i) is a small business concern; and

''(ii)(I) was used in preparing the bid or proposal of the prime contractor; or

''(II) provides goods or services to the prime contractor in performance of the contract.''; and

(B) by adding at the end the following:

''(18) NONCOMPLIANCE WITH SUBCONTRACTING PLAN.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'covered small business subcontractor' means a first-tier subcontractor that—

''(I) is a small business concern; and

''(II)(aa) was used in preparing the bid or proposal of the prime contractor; or

''(bb) provides goods or services to the prime contractor in performance of the contract; and

''(ii) the term 'subcontracting plan' means a subcontracting plan required under paragraph (4) or (5).

''(B) REVIEW.—A covered small business subcontractor is authorized to confidentially report to the contracting officer that the covered small business subcontractor is not being utilized in accordance with the subcontracting plan of the prime contractor. If reported, the contracting officer shall, in consultation with the Office of Small and Disadvantaged Business Utilization or the Office of Small Business Programs, determine whether the prime contractor made a good faith effort to utilize the covered small business subcontractor in accordance with the subcontracting plan.

''(C) ACTION.—After the review required under subparagraph (B), if the contracting officer determines that the prime contractor failed to make a good faith effort to utilize the covered small business subcontractor in accordance with the subcontracting plan, the contracting officer shall assess liquidated damages in accordance with paragraph (4)(F).''.

(2) RULEMAKING.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall promulgate regulations pursuant to this Act.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall, in consultation with relevant Federal agencies including the General Services Administration, submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives on the improvements that can be made to SAM.gov, the Electronic Subcontracting Reporting System (eSRS), the Federal Subaward Reporting System (FSRS), and any other successor database to improve the ability of contracting officers to evaluate whether prime contractors achieved their subcontracting goals and to make evidence-based determinations regarding whether small subcontractors are being utilized to the extent outlined in subcontracting plans.

SA 2455. 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 D of title VIII, add the following:

SEC. 865. REMOVING THE REASONABLE EXPECTATION REQUIREMENT FROM SOLE SOURCE CONTRACTS.

(a) WOMEN-OWNED SMALL BUSINESS CONCERNS.—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended—

(1) in paragraph (7)(A), by striking ''and the contracting officer'' and all that follows through ''offers''; and

(2) in paragraph (8)(A), by striking ''and the contracting officer'' and all that follows through ''offers''.

(b) HUBZONE PROGRAM.—Section 31(c)(2)(A)(i) of the Small Business Act (15 U.S.C. 657a(c)(2)(A)(i)) is amended by striking '', and the contracting officer'' and all that follows through ''offers for the contracting opportunity''.

(c) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36(c)(1) of the Small Business Act (15 U.S.C. 657f(c)(1)) is amended by striking ''and the contracting officer'' and all that follows through ''offers for the contracting opportunity''.

(d) REPORTING REGARDING SOLE SOURCE CONTRACTS.—Section 15(j) of the Small Business Act (15 U.S.C. 644(j)) is amended by adding at the end the following:

''(4)(A) Not later than December 31 of the first year beginning after the date of enactment of this paragraph, and every 2 years thereafter, the head of each Federal agency shall submit to the Administrator and Congress and make publicly available a report on sole source contracts awarded during the reporting period to small business concerns owned and controlled by women, HUBZone small business concerns (as defined in section 31(b)), and small business concerns owned and controlled by service-disabled veterans.

''(B) Each report required under subparagraph (A) shall, for each small business concern described in that subparagraph that was awarded a sole source contract during the reporting period—

''(i) include the dollar amount and number of sole source contracts awarded to the small business concern;

''(ii) specify the North American Industry Classification System code assigned to the small business concern; and

''(iii) provide the aggregate amount awarded to the small business concern under a sole source contract awarded on or after the date of enactment of this paragraph.''.

SA 2456. Mrs. SHAHEEN (for herself and Mr. CARDIN) 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 D of title VIII, add the following:

SEC. 865. AMENDMENTS TO CONTRACTING AUTHORITY FOR CERTAIN SMALL BUSINESS CONCERNS.

(a) SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS.—Section 8(a)(1)(D)(i)(II) of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)(II)) is amended—

(1) by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

(b) CERTAIN SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended—

(1) in paragraph (7)(B)—

(A) in clause (i), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(B) in clause (ii), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$4,000,000''; and

(2) in paragraph (8)(B)—

(A) in clause (i), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(B) in clause (ii), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$4,000,000''.

(c) QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.—Section 31(c)(2)(A)(ii) of the

Small Business Act (15 U.S.C. 657a(c)(2)(A)(ii)) is amended—

(1) in subclause (I), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) in subclause (II), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

(d) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36(c)(2) of the Small Business Act (15 U.S.C. 657f(c)(2)) is amended—

(1) in subparagraph (A), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) in subparagraph (B), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

SA 2457. Mrs. SHAHEEN (for herself, Mr. RUBIO, Mr. VAN HOLLEN, and Mr. YOUNG) 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 D of title VIII, add the following:

SEC. 865. MODIFYING UNCONDITIONAL OWNERSHIP AND CONTROL REQUIREMENTS FOR CERTAIN EMPLOYEE-OWNED SMALL BUSINESS CONCERNS.

(a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Small Business Administration;

(2) the term ''budget justification materials'' has the meaning given that term in section 3(b)(2) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note);

(3) the term ''eligible worker-owned cooperative'' has the meaning given that term in section 1042(c) of the Internal Revenue Code of 1986;

(4) the term ''employee stock ownership plan'' has the meaning given that term in section 4975(e) of the Internal Revenue Code of 1986; and

(5) the term ''small business concern owned and controlled by women'' has the meaning given that term in section 8(m)(1) of the Small Business Act (15 U.S.C. 637(m)(1)).

(b) REPORT ON OWNERSHIP AND CONTROL THROUGH AN EMPLOYEE STOCK OWNERSHIP PLAN OR ELIGIBLE WORKER-OWNED COOPERATIVE RELATING TO SET-ASIDE PROCUREMENT.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) employee stock ownership plans and eligible worker-owned cooperatives have unique ownership structures that create barriers to accessing set-aside procurement programs due to unconditional ownership and control requirements; and

(B) the ownership structures of an employee stock ownership plan or an eligible worker-owned cooperative should not prevent an otherwise eligible entity from accessing set-aside procurement programs.

(2) STUDY AND REPORT.—

(A) STUDY.—Not later than 180 days after the date of enactment of this Act, the Administrator, in coordination with stakeholders, including national certifying agencies approved by the Administrator for certifying small business concerns owned and controlled by women and relevant Federal agencies, shall complete a study and recommend alternatives to unconditional ownership and control requirements for employee stock ownership plans and eligible worker-owned cooperatives that would enable access to set-aside procurement programs.

(B) REPORT.—The Administrator shall—

(i) not later than 5 days after the date on which the Administrator completes the study required under subparagraph (A), make that study, including the recommendations developed under that subparagraph, publicly available on the website of the Small Business Administration; and

(ii) not later than 30 days after the date on which the Administrator completes the study required under subparagraph (A), submit to Congress the recommendations developed under that subparagraph and a plan to implement the recommendations for all set-aside procurement programs.

(C) NECESSARY STATUTORY CHANGES.—In the first budget justification materials submitted by the Administrator on or after the date on which the Administrator submits the recommendations and plan required under subparagraph (B)(ii), the Administrator shall identify any applicable statutory changes necessary to implement the recommendations.

(c) RULEMAKING.—Not later than 1 year after the submission of the recommendations and plan required under subsection (b)(2)(B)(ii), the Administrator shall issue or revise any applicable rules, informed by the recommendations in the report.

(d) DEFINITIONS.—Section 3(q) of the Small Business Act (15 U.S.C. 632(q)) is amended—

(1) in paragraph (2), by striking ''(not including any stock owned by an ESOP)'' each place it appears;

(2) by striking paragraph (6); and

(3) by redesignating paragraph (7) as paragraph (6).

SA 2458. Mrs. SHAHEEN (for herself and Mr. BUDD) 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 D of title VIII, add the following:

SEC. 865. ADDITION OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Section 9(cc) of the Small Business Act (15 U.S.C. 638(cc)§) is amended by inserting ''the National Aeronautics and Space Administration,'' after ''2025,''.

SA 2459. Mr. PETERS (for himself, Mr. LANKFORD, and Mr. BRAUN) 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, insert the following:

SEC. 10____. FEDERAL U.S. PHARMACEUTICAL SUPPLY CHAIN MAPPING.

(a) SHORT TITLE.—This section may be cited as the ''Mapping America's Pharmaceutical Supply Act'' or the ''MAPS Act''

(b) PHARMACEUTICAL SUPPLY CHAIN MAPPING.—The Secretary of Health and Human Services, in coordination with the heads of other relevant agencies, including the Secretary of Defense and the Secretary of Homeland Security, shall support efforts, including through public-private partnerships, to map the entire United States pharmaceutical supply chain, from inception to distribution, and use data analytics to identify supply chain vulnerabilities and other national security threats. Such activities shall include, at minimum—

(1) defining agency roles in monitoring the pharmaceutical supply chain and communicating supply chain vulnerabilities;

(2) establishing a database of drugs selected from the essential medicines list developed by the Food and Drug Administration in response to Executive Order 13944 (85 Fed. Reg. 49929) and any other relevant assessments or lists, as appropriate, to identify, in coordination with the private sector, a list of essential medicines, to be updated regularly and published on a timeframe that the Secretary of Health and Human Services, in coordination with the Secretary of Defense and the Secretary of Homeland Security, determines appropriate, which shall include the drugs and the active pharmaceutical ingredients of such drugs that—

(A) are reasonably likely to be required to respond to a public health emergency or to a chemical, biological, radiological, or nuclear threat; or

(B) the shortage of which would pose a significant threat to the United States health care system or at-risk populations; and

(3) with respect to drugs selected for inclusion in the database pursuant to paragraph (2), identifying—

(A) the location of establishments registered under subsection (b), (c), or (i) of section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360) involved in the production of active pharmaceutical ingredients and finished dosage forms, and the amount of such ingredients and finished dosage forms produced at each such establishment;

(B) to the extent available, the location of establishments so registered involved in the production of the key starting materials and excipients needed to produce the active pharmaceutical ingredients and finished dosage forms, and the amount of such materials and excipients produced at each such establishment; and

(C) any regulatory actions with respect to the establishments manufacturing such drugs, including with respect to labeling requirements, registration and listing information required to be submitted under section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360), inspections and related regulatory activities conducted under section 704 of such Act (21 U.S.C. 374), the seizure of such a drug pursuant to section 304 of such Act (21 U.S.C. 334), any recalls of such a drug; inclusion of such a drug on the drug shortage list under section 506E of such Act (21 U.S.C. 356e), or prior drug shortages reports of a discontinuance or interruption in

the production of such a drug under 506C of such Act (21 U.S.C. 355d).

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Secretary of Health and Human Services, in consultation with the heads of agencies with which such Secretary coordinates under subsection (b), shall submit a report to Congress on—

(1) progress on implementing subsection (b), including any timelines for full implementation, if any;

(2) gaps in data needed for full implementation of such subsection;

(3) how the database established under subsection (b)(2) increases Federal visibility into the pharmaceutical supply chain;

(4) how Federal agencies are able to use data analytics to conduct predictive modeling of anticipated drug shortages or national security threats; and

(5) the extent to which industry has cooperated in mapping the pharmaceutical supply chain and building the database described in subsection (b)(2).

(d) CONFIDENTIAL COMMERCIAL INFORMATION.—The exchange of information among the Secretary of Health and Human Services and the heads of other relevant agencies, including the Secretary of Defense and the Secretary of Homeland Security, for purposes of carrying out this section shall not be a violation of section 1905 of title 18, United States Code.

(e) CLARIFICATION.—The database established under this section shall not be publicly disclosed. Nothing this subsection shall be construed to relieve the Secretary of Health and Human Services from its obligation to provide information to Congress.

SA 2460. Mr. PETERS (for himself, Mrs. BLACKBURN, and Mr. BROWN) 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, insert the following:

SEC. 10___. ROLLING ACTIVE PHARMACEUTICAL INGREDIENT AND DRUG RESERVE.

(a) SHORT TITLE.—This section may be cited as the ''Rolling Active Pharmaceutical Ingredient and Drug Reserve Act'' or the ''RAPID Reserve Act''.

(b) ROLLING ACTIVE PHARMACEUTICAL INGREDIENT AND DRUG RESERVE.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall award contracts or cooperative agreements to eligible entities with respect to drugs and active pharmaceutical ingredients of such drugs that the Secretary determines to be critical and to have vulnerable supply chains. The Secretary shall publish the list of such drugs and active pharmaceutical ingredients of such drugs.

(c) REQUIREMENTS.—

(1) IN GENERAL.—An eligible entity, pursuant to a contract or cooperative agreement under subsection (b), shall agree to—

(A) maintain, in a satisfactory domestic establishment registered under section 510(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(b)) or in a satisfactory foreign establishment registered under section 510(i) of such Act that is located in a country that is a member of the Organisation for Economic Cooperation and Development, which may be an establishment owned and operated by the entity, or by a wholesaler, distributor, or other third-party under contract with the entity, a 6-month reserve, or other reasonable quantity, as determined by the Secretary, of—

(i) the active pharmaceutical ingredient of the eligible drug specified in the contract or cooperative agreement, which reserve shall be regularly replenished with a recently manufactured supply of such ingredient; and

(ii) the finished eligible drug product specified in the contract or cooperative agreement, which reserve shall be regularly replenished with a recently manufactured supply of such product;

(B) implement production of the eligible drug or an active pharmaceutical ingredient of the eligible drug, at the direction of the Secretary, under the terms of, and in such quantities as specified in, the contract or cooperative agreement; and

(C) enter into an arrangement with the Secretary under which the eligible entity—

(i) agrees to transfer a portion, as determined necessary, of the reserve of active pharmaceutical ingredient maintained pursuant to subparagraph (A)(i) to another drug manufacturer in the event that the Secretary determines there to be a need for additional finished eligible drug product and such eligible entity is unable to use the reserve of active pharmaceutical ingredient to manufacture a sufficient supply of such drug product; and

(ii) permits the Secretary to direct allocation of the reserve of active pharmaceutical ingredient so maintained in the event of a public health emergency or chemical, biological, radiological, or nuclear threat.

(2) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Commissioner of Food and Drugs, shall issue guidance on—

(A) the factors the Secretary will use to determine which eligible drugs, or active pharmaceutical ingredient of such drugs, have vulnerable supply chains and how a contract or cooperative agreement would help minimize the vulnerability or vulnerabilities identified;

(B) the factors the Secretary will consider in determining eligibility of an entity to participate in the program under this section, which shall include an entity's commitment to quality systems, including strong manufacturing infrastructure, reliable processes, and trained staff, as well as the entity's commitment to domestic manufacturing capacity and surge capacity, as appropriate; and

(C) requirements for entities receiving an award under this section, including the extent of excess manufacturing capacity the manufacturers will be required to generate, the amount of redundancy required, and requirements relating to advanced quality systems.

(3) PREFERENCE.—In awarding contracts and cooperative agreements under subsection (a), the Secretary shall give preference to eligible entities that will carry out the requirements of paragraph (1) through one or more domestic establishments registered under section 510(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(b)) capable of manufacturing the eligible drug. To the greatest extent practicable, the Secretary shall award contracts and cooperative agreements with manufacturers in a manner that strengthens domestic manufacturing, resiliency, and capacity of eligible drugs and their active pharmaceutical ingredients.

(d) ADDITIONAL CONTRACT AND COOPERATIVE AGREEMENT TERMS.—

(1) IN GENERAL.—Each contract or cooperative agreement under subsection (b) shall be subject to such terms and conditions as the Secretary may specify, including terms and conditions with respect to procurement, maintenance, storage, testing, and delivery of drugs, in alignment with inventory management and other applicable best practices, under such contract or cooperative agreement, which may consider, as appropriate, costs of transporting and handling such drugs.

(2) TERMS CONCERNING THE ACQUISITION, CONSTRUCTION, ALTERATION, OR RENOVATION OF ESTABLISHMENTS.—Notwithstanding section 6303 of title 41, United States Code, the Secretary may award a contract or cooperative agreement under this section to support the acquisition, construction, alteration, or renovation of non-Federally owned establishments—

(A) as determined necessary to carry out or improve preparedness and response capability at the State and local level; or

(B) for the production of drugs, devices, and supplies where the Secretary determines that such a contract or cooperative agreement is necessary to ensure sufficient amounts of such drugs, devices, and supplies.

(e) REQUIREMENTS IN AWARDING CONTRACTS.—To the greatest extent practicable, the Secretary shall award contracts and cooperative agreements under this section in a manner that—

(1) maximizes quality, minimizes cost, minimizes vulnerability of the United States to severe shortages or disruptions for eligible drugs and their active pharmaceutical ingredients, gives preference to domestic manufacturers, and encourages competition in the marketplace; and

(2) increases domestic production surge capacity and reserves of domestic-based manufacturing establishments for critical drugs and active pharmaceutical ingredients of such drugs.

(f) DEFINITIONS.—In this section:

(1) ACTIVE PHARMACEUTICAL INGREDIENT.—The term ''active pharmaceutical ingredient'' has the meaning given such term in section 744A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41).

(2) DRUG.—The term ''drug'' has the meaning given such term in section 201(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)).

(3) DRUG SHORTAGE; SHORTAGE.—The term ''drug shortage'' or ''shortage'' has the meaning given such term in section 506C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c).

(4) ELIGIBLE DRUG.—The term ''eligible drug'' means a drug, as determined by the Secretary, in coordination with the with Assistant Secretary for Preparedness and Response, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs—

(A) that is approved under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) or licensed under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k));

(B)(i) that is reasonably likely to be required to respond to a public health emergency or to a chemical, biological, radiological, or nuclear threat; or

(ii) the shortage of which would pose a significant threat to the United States health care system or at-risk populations; and

(C) that has a vulnerable supply chain, such as a geographic concentration of manufacturing, poor quality or safety issues, complex manufacturing or chemistry, or few manufacturers.

(5) ELIGIBLE ENTITY.—The term ''eligible entity'' means a person that—

(A)(i) is the holder of an approved application under subsection (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or subsection (k) of section 351 of the Public Health Service Act (42 U.S.C. 262) for an eligible drug;

(ii) maintains at least one domestic establishment registered under section 510(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(b)) or one foreign establishment registered under section 510(i) of such Act that is located in a country that is a member of the Organisation for Economic Cooperation and Development that is capable of manufacturing the eligible drug; and

(iii) has a strong record of good manufacturing practices of drugs;

(B)(i) is a manufacturer of an active pharmaceutical ingredient for an eligible drug, in partnership with an entity that meets the requirements of subparagraph (A);

(ii) maintains at least one domestic establishment registered under section 510(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(b)) or one foreign establishment registered under section 510(i) of such Act that is located in a country that is a member of the Organisation for Economic Cooperation and Development that is capable of manufacturing the active pharmaceutical ingredient; and

(iii) has a strong record of good manufacturing practices of active pharmaceutical ingredients; or

(C) is a distributor or wholesaler of an eligible drug, in partnership with an entity that meets the requirements of subparagraph (A).

(g) REPORTS TO CONGRESS.—Not later than 2 years after the date on which the first award is made under this section, and every 2 years thereafter, the Secretary shall submit a report to Congress detailing—

(1) the list of drugs determined to be eligible drugs, as described in subsection (f)(2), and the rationale behind selecting each such drug; and

(2) an update on the effectiveness of the program under this section, in a manner that does not compromise national security.

(h) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $500,000,000 for fiscal year 2024.

SEC. 10___. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) examine, such as through a survey or other means, excess or underutilized domestic manufacturing capacity for critical drugs and active pharmaceutical ingredients of such drugs, including capacity to manufacture different dosage forms, such as oral tablets and sterile injectable drugs, and the capacity to manufacture drugs with various characteristics, such as cytotoxic drugs and drugs requiring lyophilization; and

(2) prepare and submit a report to the Committee on Homeland Security and Governmental Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives that—

(A) includes—

(i) the results of the survey under paragraph (1);

(ii) an assessment of projected costs of utilizing and expanding existing domestic manufacturing capabilities and policies, as of the date of the report, that may help establish or strengthen domestic manufacturing capacity for key starting materials, excipients, active pharmaceutical ingredients, and finished dosage manufacturing establishments; and

(iii) an evaluation of policies designed to invest in advanced domestic manufacturing capabilities and capacity for critical active pharmaceutical ingredients and drug products; and

(B) shall be publicly available in an unclassified form, but may include a classified annex containing any information that the Comptroller General determines to be sensitive.

SA 2461. Mrs. MURRAY 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 title X, insert the following:

Subtitle I—Toxic Exposure Safety Act of 2024

SECTION 1096. SHORT TITLE.

This title may be cited as the ''Toxic Exposure Safety Act of 2024''.

SEC. 1097. ESTABLISHING A TOXIC SPECIAL EXPOSURE COHORT.

(a) EXPANSION OF COVERED EMPLOYEES AND DEFINITION OF COVERED ILLNESSES UNDER SUBTITLE E.—Section 3671 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s) is amended—

(1) in paragraph (1)—

(A) by striking ''employee determined under'' and inserting the following: ''employee determined—

''(A) under'';

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

(C) by adding at the end the following:

''(B) to have contracted a covered illness and be a member of the Toxic Special Exposure Cohort established under section 3671A.''; and

(2) by striking paragraph (2) and inserting the following:

''(2) The term 'covered illness' means an occupational illness or death resulting from exposure to a toxic substance, including—

''(A) all forms of cancer;

''(B) malignant mesothelioma;

''(C) pneumoconiosis, including silicosis, asbestosis, and other pneumoconiosis, and other asbestos-related diseases, including asbestos-related pleural disease;

''(D) any illness designated as a covered illness under section 3615(f)(3)(B)(i) or under section 1099B(g)(1)(B) of the Toxic Exposure Safety Act of 2024; and

''(E) any additional illness that the Secretary of Health and Human Services designates by regulation, as such Secretary determines appropriate based on—

''(i) the results of the report under section 3671A(c); and

''(ii) the determinations made by such Secretary in establishing a Toxic Special Exposure Cohort under section 3671A.''.

(b) DESIGNATION OF TOXIC SPECIAL EXPOSURE COHORT.—Subtitle E of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s et seq.) is amended by inserting after section 3671 the following:

''SEC. 3671A. ESTABLISHMENT OF THE TOXIC SPECIAL EXPOSURE COHORT.

''(a) CERTAIN DESIGNATIONS.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention—

''(1) shall establish a Toxic Special Exposure Cohort; and

''(2) as the Secretary determines appropriate in accordance with the rules promulgated under subsection (b), may designate classes of Department of Energy employees, Department of Energy contractor employees, or atomic weapons employees as members of the Toxic Special Exposure Cohort.

''(b) PROMULGATION OF RULES.—Not later than 1 year after the date of enactment of the Toxic Exposure Safety Act of 2024, the Secretary of Health and Human Services shall promulgate rules—

''(1) establishing a process to determine whether there are classes of Department of Energy employees, Department of Energy contractor employees, or other classes of employees employed at any Department of Energy facility—

''(A) who were at least as likely as not exposed to toxic substances at a Department of Energy facility; and

''(B) for whom the Secretary of Health and Human Services has determined, after taking into consideration the recommendations of the Advisory Board on Toxic Substances and Worker Health on the matter, that it is not feasible to estimate with sufficient accuracy the frequency, intensity, and duration of exposure they received; and

''(2) regarding how the Secretary of Health and Human Services will designate employees, or classes of employees, described in paragraph (1) as members of the Toxic Special Exposure Cohort established under subsection (a)(1), which shall include a requirement that the Secretary shall make initial determinations regarding such designations.

''(c) REPORT TO CONGRESS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Toxic Exposure Safety Act of 2024, the Secretary of Health and Human Services shall submit to the relevant committees of Congress a report that identifies each of the following:

''(A) A list of cancers and other illnesses associated with toxic substances that pose, or posed, a hazard in the work environment at any Department of Energy facility.

''(B) The minimum duration of work required to qualify for the Toxic Special Exposure Cohort established under subsection (a)(1).

''(C) The class of employees that are designated as members in the Toxic Special Exposure Cohort.

''(2) RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'relevant committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Appropriations, the Committee on Energy and Natural Resources, and the Committee on Health, Education, Labor, and Pensions of the Senate; and

''(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Energy and Commerce, and the Committee on Education and the Workforce of the House of Representatives.''.

(c) ALLOWING SUBTITLE B CLAIMS FOR ELIGIBLE EMPLOYEES WHO ARE MEMBERS OF THE TOXIC SPECIAL EXPOSURE COHORT.—Section 3621(1) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(1)) is amended by adding at the end the following:

''(D) A Department of Energy employee or atomic weapons employee who—

''(i) has contracted a covered illness (as defined in section 3671); and

''(ii) satisfies the requirements established by the Secretary of Health and Human Services for the Toxic Special Exposure Cohort under section 3671A.''.

(d) CLARIFICATION OF TOXIC SUBSTANCE EXPOSURE FOR COVERED ILLNESSES.—Section 3675(c)(1) of the Energy Employees Occupational Illness Compensation Program Act of

2000 (42 U.S.C. 7385s–4(c)(1)) is amended by inserting ''(including chemicals or combinations or mixtures of a toxic substance, including heavy metals, and radiation)'' after ''toxic substance'' each place such term appears.

SEC. 1098. PROVIDING INFORMATION REGARDING DEPARTMENT OF ENERGY FACILITIES.

Subtitle E of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s et seq.) is amended by inserting after section 3681 the following:

''SEC. 3681A. COMPLETION AND UPDATES OF SITE EXPOSURE MATRICES.

''(a) DEFINITION.—In this section, the term 'site exposure matrices' means an exposure assessment of a Department of Energy facility that identifies the toxic substances or processes that were used in each building or process of the facility, including the trade name (if any) of the substance.

''(b) IN GENERAL.—Not later than 180 days after the date of enactment of the Toxic Exposure Safety Act of 2024, the Secretary of Labor shall, in coordination with the Secretary of Energy, create or update site exposure matrices for each Department of Energy facility based on the records, files, and other data provided by the Secretary of Energy and such other information as is available, including information available from the former worker medical screening programs of the Department of Energy.

''(c) PERIODIC UPDATE.—Beginning 180 days after the initial creation or update described in subsection (b), and each 180 days thereafter, the Secretary shall update the site exposure matrices with all information available as of such time from the Secretary of Energy.

''(d) PUBLIC AVAILABILITY.—The Secretary of Labor shall make available to the public, on the primary website of the Department of Labor—

''(1) the site exposure matrices, as periodically updated under subsections (b) and (c);

''(2) each site profile prepared under section 3633(a);

''(3) any other database used by the Secretary of Labor to evaluate claims for compensation under this title; and

''(4) statistical data, in the aggregate and disaggregated by each Department of Energy facility, regarding—

''(A) the number of claims filed under this subtitle and the number of claims filed by members of the Toxic Special Exposure Cohort who are covered under subtitle B;

''(B) the types of illnesses claimed;

''(C) the number of claims filed for each type of illness and, for each claim, whether the claim was approved or denied;

''(D) the number of claimants receiving compensation; and

''(E) the length of time required to process each claim, as measured from the date on which the claim is filed to the final disposition of the claim.

''(e) REPORTING.—

''(1) IN GENERAL.—Beginning 180 days after the date of enactment of the Toxic Exposure Safety Act of 2024 and annually thereafter, the Secretary of Labor shall prepare and submit to Congress and to the Advisory Board on Toxic Substances and Worker Health a report—

''(A) identifying any substance that was previously included on any site exposure matrices and removed during the reporting period; and

''(B) explaining the rationale for removing each such substance from any site exposure matrices.

''(2) REPORTING PERIOD.—For purposes of this subsection—

''(A) the reporting period for the initial report prepared under paragraph (1) shall for the period beginning on January 1, 2005, and ending on the last day of the calendar year preceding the date of the report; and

''(B) for each subsequent report, the reporting period shall be for the calendar year preceding the date of the report.

''(f) FUNDING.—There is authorized and hereby appropriated to the Secretary of Energy, for fiscal year 2025 and each succeeding year, such sums as may be necessary to support the Secretary of Labor in creating or updating the site exposure matrices.''.

SEC. 1099. ASSISTING CURRENT AND FORMER EMPLOYEES UNDER THE EEOICPA.

(a) PROVIDING INFORMATION AND OUTREACH.—Subtitle A of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384d et seq.) is amended—

(1) by redesignating section 3614 as section 3616; and

(2) by inserting after section 3613 the following:

''SEC. 3614. INFORMATION AND OUTREACH.

''(a) INFORMATION.—The Secretary of Labor shall develop and distribute, through various means and in paper and digital formats, information (which may include responses to frequently asked questions) for current or former employees or current or former Department of Energy contractor employees about the programs under subtitles B and E and the claims process under such programs.

''(b) COPY OF EMPLOYEE'S CLAIMS RECORDS.—

''(1) IN GENERAL.—In maintaining and processing an employee's claim under subtitle B or E, the Secretary of Labor shall provide the employee with a copy of each record or other material obtained by the Department of Labor relating to the employee's claim under subtitle B or E not later than 15 days after the Department obtains such record or material.

''(2) CHOICE OF FORMAT.—The Secretary of Labor shall provide a copy described in paragraph (1) to an employee in paper form or, if selected by the employee, in electronic form.

''(3) REPORTS.—Beginning 180 days after the date of enactment of the Toxic Exposure Safety Act of 2024, and annually thereafter, the Secretary of Labor shall prepare and submit a report to Congress and the Advisory Board on Toxic Substances and Worker Health on the number of records or other materials requested or provided under this subsection, which shall include, for the preceding calendar year—

''(A) the number of records or other materials provided under this subsection within the time period required under paragraph (1);

''(B) the number of records or other materials provided under this subsection that were not provided within such time period; and

''(C) for the late records or other materials described in subparagraph (B), the average number of days taken to provide the records or other materials.

''(c) CONTACT OF EMPLOYEES BY INDUSTRIAL HYGIENISTS.—

''(1) IN GENERAL.—Upon a request of an industrial hygienist to contact or interview a current or former employee or Department of Energy contractor employee regarding the employee's claim under subtitle B or E, the Secretary of Labor shall, not later than 5 days after such request is made, allow the industrial hygienist to carry out the contact or interview.

''(2) REPORTS.—Beginning 180 days after the date of enactment of the Toxic Exposure Safety Act of 2024, and annually thereafter, the Secretary of Labor shall prepare and submit a report to Congress and the Advisory Board on Toxic Substances and Worker Health regarding the use of industrial hygienists by employees, including, for the preceding calendar year—

''(A) the number of requested contacts that have been allowed under paragraph (1);

''(B) the number of interviews conducted by industrial hygienists regarding employee claims under subtitle B or E;

''(C) of the interviews that were conducted—

''(i) the number of interviews that were not approved within the time period required under paragraph (1); and

''(ii) for the interviews described in clause (i), the average number of days taken to provide such approval;

''(D) the number of requests for contacts or interviews, if any, that were denied; and

''(E) a rationale for why requests for contacts or interviews were not approved in the time period required under paragraph (1), or were denied.''.

(b) EXTENDING APPEAL PERIOD.—Section 3677(a) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–6(a)) is amended by striking ''60 days'' and inserting ''1 year''.

(c) FUNDING.—Section 3684 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–13) is amended—

(1) by striking ''There is authorized'' and inserting the following:

''(a) IN GENERAL.—There is authorized'';

(2) by inserting before the period at the end the following: '', including the amounts necessary to carry out the requirements of section 3681A''; and

(3) by adding at the end the following:

''(b) ADMINISTRATIVE COSTS FOR DEPARTMENT OF ENERGY.—There is authorized and hereby appropriated to the Secretary of Energy for fiscal year 2025 and each succeeding year such sums as may be necessary to support the Secretary in carrying out the requirements of this title, including section 3681A.''.

SEC. 1099A. IMPROVEMENTS RELATING TO THE ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

(a) BOARD MEMBER TERMS.—

(1) AMENDMENT.—Section 3687(a)(2) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16(a)(2)) is amended—

(A) by striking ''(2) The President'' and inserting the following: ''(2) MEMBERS.—

''(A) IN GENERAL.—The President''; and

(B) by adding at the end the following:

''(B) TERMS.—A member appointed by the President under subparagraph (A) shall serve for a 5-year term.''.

(2) APPLICABILITY.—The amendments made by paragraph (1) shall apply with respect to an appointment (including a reappointment) made under section 3687(a)(2) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16(a)(2)) on or after the date of enactment of this Act.

(b) RECOMMENDATIONS REGARDING MEMBERS OF THE SPECIAL EXPOSURE COHORT.—Section 3687 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(F), by striking ''and'' after the semicolon;

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

(C) by adding at the end the following:

''(3) develop recommendations for the Secretary of Health and Human Services regarding—

''(A) whether there is a class of Department of Energy employees, Department of Energy contractor employees, or other employees at any Department of Energy facility who were at least as likely as not exposed to toxic substances at that facility but

for whom it is not feasible to estimate with sufficient accuracy the type, duration, or concentration of exposure dose they received, including from multiple toxic compounds and their transformations, individually or in combination; and

''(B) the conditions or requirements that should be met in order for an individual to be designated as a member of the Special Exposure Cohort under section 3671A; and

''(4) review all existing, as of the date of the review, rules and guidelines issued by the Secretary regarding presumption of causation and, as applicable, provide the Secretary with recommendations for updates to the rules and guidelines, or new rules and guidelines, regarding presumption of causation.'';

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

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

''(h) REQUIRED RESPONSES TO BOARD RECOMMENDATIONS.—Not later than 90 days after the date on which the Secretary of Labor or the Secretary of Health and Human Services receives recommendations in accordance with paragraph (1), (3), or (4) of subsection (b), such Secretary shall submit formal responses to each recommendation to the Board and Congress.''.

(c) CONTRACTOR SUPPORT.—Section 3687(c)(3) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16(c)(3)) is amended—

(1) by inserting ''or the Board'' after ''The Secretary''; and

(2) by adding at the end the following: ''Upon request by the Board for such support, the Secretary shall—

''(A) review and approve or deny the request; and

''(B) not later than 5 days after the request, notify the Board and Congress, in writing—

''(i) that the Secretary received a request for such support; and

''(ii) of the Secretary's decision regarding the request and, in the case of a denied request, the reasons for the denial.''.

(d) PROVISION OF HIGH-VALUE CONTRACT INFORMATION.—Section 3687(g) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16(g)) is amended—

(1) by striking ''The Secretary of Energy'' and inserting the following:

''(1) IN GENERAL.—The Secretary of Energy''; and

(2) by adding at the end the following:

''(2) HIGH-VALUE ADMINISTRATION CONTRACTS.—The Secretary of Labor shall provide the Board with a copy of each contract into which the Secretary enters under section 3681(b) that is equal to or greater than $1,000,000.''.

SEC. 1099B. RESEARCH PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF TOXIC EXPOSURES.

(a) DEFINITIONS.—In this section—

(1) the term ''Department of Energy facility'' has the meaning given the term in section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l);

(2) the term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) ESTABLISHMENT.—The Secretary, in collaboration with the Director of the Centers for Disease Control and Prevention, shall conduct or support research on the epidemiological impacts of exposures to toxic substances at Department of Energy facilities.

(c) USE OF FUNDS.—Research under subsection (b) may include research on the epidemiological, clinical, or health impacts on individuals who were exposed to toxic substances in or near the tank or other storage farms and other relevant Department of Energy facilities through their work at such sites.

(d) ELIGIBILITY AND APPLICATION.—Any institution of higher education or the National Academies of Sciences, Engineering, and Medicine may apply for funding under this section by submitting to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

(e) RESEARCH COORDINATION.—The Secretary shall coordinate activities under this section with similar activities conducted by the Department of Health and Human Services, Department of Veterans Affairs, the Department of Defense, and the heads of other executive agencies, to the extent that such departments and agencies have responsibilities that are related to the study of epidemiological, clinical, or health impacts of exposures to toxic substances.

(f) HEALTH STUDIES REPORTS.—Not later than 1 year after the end of the funding period for research under this section, each funding recipient shall prepare and submit to the Secretary and the Advisory Board on Toxic Substances and Worker Health a report that—

(1) summarizes the findings of the research; and

(2) includes recommendations for any additional studies.

(g) ASSISTANCE IN ACCESSING CLASSIFIED INFORMATION.—

(1) ESTABLISHMENT OF PROCESS.—The Secretary, Secretary of Energy, and Secretary of Labor shall jointly establish a process regarding the handling of classified information related to research supported under this section, which shall include expeditiously providing individuals conducting such research with appropriate security clearances, as needed and to the extent possible pursuant to existing procedures and requirements. Such process shall be informed by, and may be similar to, the process established under section 3681(c)(3) of the Energy Employees Occupational Illness Compensation Act of 2000, as amended by this title.

(2) REPORT.—By not later than 1 year after the date of enactment of this Act, the Secretary, Secretary of Energy, and the Secretary of Labor shall jointly prepare and submit a report to Congress and the Advisory Board on Toxic Substances and Worker Health regarding the process established under paragraph (1).

(h) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 120 days after the date on which the reports under subsection (f) are due, the Secretary shall—

(A) designate any classes of employees that the Secretary determines qualify for inclusion in the Toxic Special Exposure Cohort under section 3671A of the Energy Employees Occupational Illness Compensation Program Act of 2000 (as added by this title);

(B) designate, as the Secretary determines appropriate, illnesses as covered illnesses under section 3671(2)(D) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s(2)(D)); and

(C) prepare and submit to the relevant committees of Congress and the Advisory Board on Toxic Substances and Worker Health a report—

(i) summarizing the findings from the reports required under subsection (f);

(ii) identifying the classes of employees designated under subparagraph (A);

(iii) identifying any new illnesses that will be included as covered illnesses, pursuant to subparagraph (B) and section 3671(2)(D) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s(2)(D)); and

(iv) including the Secretary's recommendations for additional health studies relating to toxic substances, if the Secretary determines it necessary.

(2) RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''relevant committees of Congress'' means—

(A) the Committee on Armed Services, Committee on Appropriations, the Committee on Energy and Natural Resources, and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(B) the Committee on Armed Services, Committee on Appropriations, the Committee on Energy and Commerce, and the Committee on Education and the Workforce of the House of Representatives.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2025 through 2029.

SEC. 1099C. NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE REVIEW.

Subtitle A of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384d et seq.), as amended by section 1099, is further amended by inserting after section 3614 the following:

''SEC. 3615. NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE REVIEW.

''(a) PURPOSE.—The purpose of this section is to enable the National Academies of Sciences, Engineering, and Medicine, a non-Federal entity with appropriate expertise, to review and evaluate the available scientific evidence regarding associations between diseases and exposure to toxic substances found at Department of Energy cleanup sites.

''(b) DEFINITIONS.—In this section:

''(1) DEPARTMENT OF ENERGY CLEANUP SITE.—The term 'Department of Energy cleanup site' means a Department of Energy facility where cleanup operations are being carried out, or have been carried out, under the environmental management program of the Department of Energy.

''(2) HEALTH STUDIES REPORT.—The term 'health studies report' means a report submitted under section 1099B(f) of the Toxic Exposure Safety Act of 2024.

''(c) AGREEMENT.—Not later than 60 days after the date on which the health studies reports are due, the Secretary of Health and Human Services shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to carry out the requirements of this section.

''(d) REVIEW OF SCIENTIFIC AND MEDICAL EVIDENCE.—

''(1) IN GENERAL.—Under the agreement described in subsection (c), the National Academies of Sciences, Engineering, and Medicine shall, for the period of the agreement—

''(A) for each area recommended for additional study under the health studies reports or the report to Congress under section 1099B(g)(1)(C)(iv), review and summarize the scientific evidence relating to the area, including—

''(i) studies by the Department of Energy, Department of Labor, and Department of Veterans Affairs; and

''(ii) any other available and relevant scientific studies, to the extent that such studies are relevant to the occupational exposures that have occurred at Department of Energy cleanup sites; and

''(B) review and summarize the scientific and medical evidence concerning the association between exposure to toxic substances found at Department of Energy cleanup sites and adverse health outcomes.

''(2) SCIENTIFIC DETERMINATIONS CONCERNING DISEASES.—In conducting each review of scientific evidence under subparagraphs (A) and (B) of paragraph (1), the National Academies of Sciences, Engineering, and Medicine shall—

''(A) assess the strength of such evidence;

''(B) assess whether a statistical association between exposure to a toxic substance and an adverse health outcome exists, taking into account the strength of the scientific evidence and the appropriateness of the methods used to detect an association;

''(C) assess, to the extent possible, the risk of adverse health outcomes among those exposed to the toxic substance during service during the production and cleanup eras of the Department of Energy cleanup sites;

''(D) survey the impact to health of the toxic substance, focusing on hematologic, renal, urologic, hepatic, gastrointestinal, neurologic, dermatologic, respiratory, endocrine, ocular, ear, nasal, neoplastic, and oropharyngeal diseases and chemical sensitivities; and

''(E) determine whether a plausible biological mechanism or other evidence of a causal relationship exists between exposure to the toxic substance and an adverse health outcome.

''(e) ADDITIONAL SCIENTIFIC STUDIES.—If the National Academies of Sciences, Engineering, and Medicine determine, in the course of conducting the reviews under subsection (d), that additional studies are needed to resolve areas of continuing scientific uncertainty relating to toxic exposure at Department of Energy cleanup sites, the National Academies of Sciences, Engineering, and Medicine shall include, in the next report submitted under subsection (f), recommendations for areas of additional study, consisting of—

''(1) a list of health conditions and toxins that require further evaluation and study;

''(2) a review the current information available, as of the date of the report, relating to such health conditions and toxins;

''(3) the value of the information that would result from the additional studies; and

''(4) the cost and feasibility of carrying out additional studies.

''(f) REPORTS.—

''(1) IN GENERAL.—By not later than 2 years after the date of the agreement under subsection (c), and every 2 years thereafter for the duration of the agreement, the National Academies of Sciences, Engineering, and Medicine shall prepare and submit a report to—

''(A) the Secretary of Health and Human Services and the Secretary of Labor;

''(B) the Committee on Health, Education, Labor, and Pensions, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate; and

''(C) the Committee on Natural Resources, the Committee on Education and the Workforce, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the 2-year period covered by the report—

''(A) a description of—

''(i) the reviews and studies conducted under this section;

''(ii) the determinations and conclusions of the National Academies of Sciences, Engineering, and Medicine with respect to such reviews and studies; and

''(iii) the scientific evidence and reasoning that led to such conclusions;

''(B) the recommendations for further areas of study made under subsection (e) for the reporting period;

''(C) a description of any classes of employees that, based on the results of the reviews and studies and in accordance with the rules promulgated by the Secretary under section 3671A(b), may qualify for inclusion in the Toxic Special Exposure Cohort under section 3671A; and

''(D) the identification of any illness that the National Academies of Sciences, Engineering, and Medicine recommends, as a result of the reviews and studies, that the Secretary of Labor should designate as a covered illness under section 3671(2)(D).

''(3) REVIEW OF ILLNESS RECOMMENDATIONS.—Upon receipt of a report under paragraph (1), the Secretary of Labor, after consultation with the Secretary of Health and Human Services, shall—

''(A) review each covered illness recommendation by the National Academies of Sciences, Engineering, and Medicine under paragraph (2)(D); and

''(B) for each such recommendation and after consultation with the Advisory Board on Toxic Substances and Worker Health—

''(i) designate the illness as a covered illness under section 3671(2)(D); or

''(ii) determine that such illness does not qualify as a covered illness and submit an explanation for such determination to the committees of Congress described in subparagraphs (B) and (C) of paragraph (1).

''(g) LIMITATION ON AUTHORITY.—The authority to enter into agreements under this section shall be effective for a fiscal year to the extent that appropriations are available.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

''(i) SUNSET.—This section shall cease to be effective 10 years after the last day of the fiscal year in which the National Academies of Sciences, Engineering, and Medicine transmits to the Secretary the first report under subsection (f).''.

SEC. 1099D. EEOICPA PROGRAM OUTREACH.

(a) MAILING LISTS; SHARED PRIVACY RELEASE FORM.—Section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15) is amended—

(1) in subsection (f)—

(A) by striking ''The Secretary of Labor'' and inserting the following:

''(1) IN GENERAL.—The Secretary of Labor''; and

(B) by adding at the end the following:

''(2) MAILING LISTS AND PARTICIPANT ROLLS.—The Secretary of Labor and the Secretary of Energy shall—

''(A) by not later than 30 days after the date of enactment of the Toxic Exposure Safety Act of 2024, provide to the Ombudsman the mailing lists and rolls of participants for the programs under this subtitle and subtitle B, to enable the Ombudsman to engage in effective outreach; and

''(B) on a semiannual basis, update such mailing lists and rolls and share such updates with the Ombudsman.''; and

(2) by adding at the end the following:

''(h) SHARED PRIVACY RELEASE FORMS.—To the extent that the Secretary of Labor requires a claimant or potential claimant under this subtitle or subtitle B to complete a privacy release form, the Secretary shall ensure that such privacy release form can be used by, and is shared with, the Ombudsman, in order to reduce the burden on the claimant or potential claimant.''.

(b) REPORT REGARDING UNENROLLED QUALIFIED INDIVIDUALS.—

(1) IN GENERAL.—By not later than 1 year after the date of enactment of this title, the Secretary of Labor, after consultation with the Secretary of Energy, shall prepare a report regarding the number of individuals who may qualify for benefits under the programs carried out under subtitle B or E of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 73841; 7385s), but have not, as of the date of the study, enrolled in such programs.

(2) REPORT.—The Secretary of Labor shall submit the report required under paragraph (1) to—

(A) the Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Education and the Workforce, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives

SEC. 1099E. CLASSIFIED INFORMATION.

Section 3681(c) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–10(c)) is amended by adding at the end the following:

''(3) CLASSIFIED INFORMATION.—

''(A) IN GENERAL.—By not later than 1 year after the date of enactment of the Toxic Exposure Safety Act of 2024, the Secretary of Energy and the Secretary shall jointly establish a process regarding the handling of classified information related to claims under this subtitle and subtitle B, which shall include expeditiously providing employees or contractors of the Department of Labor with appropriate security clearances, as needed and to the extent possible pursuant to existing procedures and requirements.

''(B) REPORT.—By not later than 1 year after the date of enactment of the Toxic Exposure Safety Act of 2024, the Secretary of Energy and the Secretary shall jointly prepare and submit a report to Congress and the Advisory Board on Toxic Substances and Worker Health regarding the process established under subparagraph (A).''.

SEC. 1099F. CONFORMING AMENDMENTS.

The Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) is amended—

(1) in the table of contents—

(A) by redesignating the item relating to section 3614 as the item relating to section 3616;

(B) by inserting after the item relating to section 3613 the following:

''Sec. 3614. Information and outreach.
''Sec. 3615. National Academies of Sciences, Engineering, and Medicine review.'';

and

(C) by inserting after section 3651 the following:

''Subtitle E—Contractor Employee Compensation

''Sec. 3671. Definitions.
''Sec. 3671A. Establishment of the Toxic Special Exposure Cohort.
''Sec. 3672. Compensation to be provided.
''Sec. 3673. Compensation schedule for contractor employees.
''Sec. 3674. Compensation schedule for survivors.
''Sec. 3675. Determinations regarding contraction of covered illnesses.
''Sec. 3676. Applicability to certain uranium employees.
''Sec. 3677. Administrative and judicial review.
''Sec. 3678. Physicians services.
''Sec. 3679. Medical benefits.
''Sec. 3680. Attorney fees.
''Sec. 3681. Administrative matters.
''Sec. 3681A. Completion and updates of site exposure matrices.
''Sec. 3682. Coordination of benefits with respect to State workers compensation.

and

(2) in each of subsections (b)(1) and (c) of section 3612, by striking ''3614(b)'' and inserting ''3616(b)''.

SA 2462. Mr. CARDIN 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—International Freedom Protection

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''International Freedom Protection Act''.

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; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(2) RELEVANT FEDERAL AGENCIES.—The term ''relevant Federal agencies'' means—

(A) the Department of State; and

(B) the United States Agency for International Development.

(3) TRANSNATIONAL REPRESSION.—The term ''transnational repression''—

(A) means actions of a foreign government, or agents of a foreign government, involving the transgression of national borders through physical, digital, or analog means to intimidate, silence, coerce, harass, or harm members of diaspora populations, political opponents, civil society activists, journalists, or members of ethnic or religious minority groups to prevent their exercise of internationally recognized human rights; and

(B) may include—

(i) extrajudicial killings;

(ii) physical assaults and intimidation;

(iii) arbitrary detentions;

(iv) renditions;

(v) deportations;

(vi) unexplained or enforced disappearances;

(vii) physical or online surveillance or stalking;

(viii) unwarranted passport cancellation or control over other identification documents;

(ix) abuse of international law enforcement systems;

(x) unlawful asset freezes;

(xi) digital threats, such as cyberattacks, targeted surveillance and spyware, online harassment, and intimidation; and

(xii) coercion by proxy, such as harassment of, or threats or harm to, family and associates of private individuals who remain in their country of origin.

SEC. 1293. COMBATING TRANSNATIONAL REPRESSION ABROAD.

(a) STATEMENT OF POLICY ON TRANSNATIONAL REPRESSION.—It is the policy of the United States—

(1) to identify and address transnational repression, including by protecting targeted individuals and groups, as a direct threat to the United States national interests of upholding and promoting democratic values and internationally recognized human rights;

(2) to address transnational repression, including by protecting targeted individuals and groups;

(3) to strengthen the capacity of United States embassy and mission staff to counter transnational repression, including by—

(A) monitoring and documenting instances of transnational repression;

(B) conducting regular outreach with at-risk or affected populations to provide information regarding available resources without putting such people at further risk; and

(C) working with local and national law enforcement, as appropriate, to support victims of transnational repression;

(4) to develop policy and programmatic responses based on input from—

(A) vulnerable populations who are at risk of, or are experiencing, transnational repression;

(B) nongovernmental organizations working to address transnational repression; and

(C) the private sector;

(5) to provide training to relevant Federal personnel—

(A) to enhance their understanding of transnational repression; and

(B) to identify and combat threats of transnational repression;

(6) to strengthen documentation and monitoring by the United States Government of transnational repression by foreign governments in the United States, in foreign countries, and within international organizations; and

(7) to seek to hold perpetrators of transnational repression accountable, including through the use of targeted sanctions and visa restrictions.

(b) REPORT ON TRANSNATIONAL REPRESSION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter for the following 10 years, the Secretary of State and the Administrator of the United States Agency for International Development shall submit a classified report to the appropriate congressional committees that assesses the efforts of the United States Government to implement the policy objectives described in subsection (a).

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a detailed description and assessment of United States Government efforts to monitor, prevent, and respond to transnational repression abroad;

(B) a detailed accounting of the most common tactics of transnational repression;

(C) instances of transnational repression occurring within international organizations;

(D) a description of—

(i) efforts by personnel at United States embassies and missions to support victims of or those at risk of transnational repression; and

(ii) resources provided to United States embassies and missions to support such efforts; and

(E) a strategy to strengthen interagency efforts and coordination to combat transnational repression, which shall include—

(i) a plan, developed in consultation with partner governments, civil society, the business community, and other entities, to promote respect for rule of law and human rights in surveillance technology use, which shall include—

(I) protecting personal digital data from being used for the purposes of transnational repression;

(II) establishing safeguards to prevent the misuse of surveillance technology, including elements such as appropriate legal protections, a prohibition on discrimination, oversight and accountability mechanisms, transparency on the applicable legal framework, limiting biometric tools for surveillance to what is lawful and appropriate, testing and evaluation, and training; and

(III) working to ensure, as applicable, that such technologies are designed, developed, and deployed with safeguards to protect human rights (including privacy), consistent with the United Nations Guiding Principles on Business and Human Rights;

(ii) public diplomacy efforts and plans for, including the use of the voice, vote, and influence of the United States at international organizations, to promote awareness of and oppose acts of transnational repression;

(iii) a plan to develop or enhance global coalitions to monitor cases of transnational repression at international organizations and to strengthen alert mechanisms for key stakeholders worldwide;

(iv) a description, as appropriate, of how the United States Government has previously provided, and will continue to provide, support to civil society organizations in foreign countries in which transnational repression occurs—

(I) to improve the documentation, investigation, and research of cases, trends, and tactics of transnational repression; and

(II) to promote accountability and transparency in government actions impacting victims of transnational repression; and

(v) a description of new or existing emergency assistance mechanisms, to aid at-risk groups, communities, and individuals in countries abroad in which transnational repression occurs.

(3) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in classified form, but may include an unclassified annex.

(c) TRAINING OF UNITED STATES PERSONNEL.—The Secretary of State and the Administrator of the United States Agency for International Development shall develop and provide training to relevant personnel, including appropriate Foreign Service nationals, of the Department of State and the United States Agency for International Development, whether serving in the United States or overseas, to advance the purposes of this Act, including training on the identification of—

(1) physical and nonphysical threats of transnational repression;

(2) foreign governments that are most frequently involved in transnational repression;

(3) foreign governments that are known to frequently cooperate with other governments in committing transnational repression;

(4) digital surveillance and cyber tools commonly used in transnational repression;

(5) safe outreach methods for vulnerable populations at risk of transnational repression; and

(6) tools to respond to transnational repression threats, including relevant authorities which may be invoked.

(d) TRAINING OF FOREIGN SERVICE OFFICERS AND PRESIDENTIAL APPOINTEES.—Section 708(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4028(a)(1)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) for Foreign Service Officers and Presidential appointees, including chiefs of mission and USAID Mission Directors, in missions abroad who work on political, economic, public diplomacy, security, or development issues, a dedicated module of instruction on transnational repression (as such term is defined in section 1292(3) of the International Freedom Protection Act), including—

''(i) how to recognize threats of transnational repression;

''(ii) an overview of relevant laws that can be invoked to combat such threats; and

''(iii) how to support individuals experiencing transnational repression.''.

SEC. 1294. STRENGTHENING TOOLS TO COMBAT AUTHORITARIANISM.

(a) TRANSNATIONAL REPRESSION.—The President should consider the use of transnational repression by a foreign person in determining whether to impose sanctions with respect to such foreign person under—

(1) the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.); or

(2) any other relevant statutory provision granting human rights-related sanctions authority under which a foreign person has been sanctioned.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter until 5 years after such date of enactment, the Secretary of State shall submit a report to the appropriate congressional committees that, except as provided in paragraph (2), identifies each foreign person about whom the President has made a determination to impose sanctions pursuant to paragraphs (1) and (2) of subsection (a) based on the consideration of the use of transnational repression.

(2) EXCEPTION.—The report required under paragraph (1) may not identify individuals if such identification would interfere with law enforcement efforts.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS INELIGIBILITY.—

(1) INELIGIBILITY.—

(A) SIGNIFICANT CORRUPTION OR HUMAN RIGHTS VIOLATIONS.—Except as provided in paragraphs (2) and (3), a foreign government official shall be ineligible for entry into the United States if the Secretary of State determines that such official was knowingly directly or indirectly involved in—

(i) significant corruption, including corruption related to the extraction of natural resources; or

(ii) a gross violation of internationally recognized human rights (as defined in section 502B(d)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(1))), including the wrongful detention of—

(I) locally employed staff of a United States diplomatic mission; or

(II) a United States citizen or national.

(B) IMMEDIATE FAMILY MEMBERS.—The immediate family members of an official described in subparagraph (A) may be subject to the same restriction on entry into the United States as such official.

(C) REFERRAL.—The Secretary of State, in implementing this subsection, shall, as appropriate, provide information regarding the actions of officials described in subparagraph (A) to the Office of Foreign Assets Control of the Department of the Treasury, which shall determine whether to impose sanctions authorized under Federal law to block the transfer of property and interests in property, and all financial transactions, in the United States involving any such official.

(D) DESIGNATION OR DETERMINATION.—The Secretary of State shall publicly or privately designate or make the determination that the foreign government officials or party members about whom the Secretary has made such designation or determination regarding significant corruption or gross violations of internationally recognized human rights, and their immediate family members, without regard to whether any such individual has applied for a visa.

(2) EXCEPTIONS.—

(A) IN GENERAL.—Individuals are not ineligible for entry into the United States pursuant to paragraph (1) if such entry—

(i) would further important United States law enforcement objectives; or

(ii) is necessary to permit the United States to fulfill its obligations under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States or under other international obligations of the United States.

(B) SAVINGS PROVISION.—Nothing in paragraph (1) may be construed to derogate from United States Government obligations under applicable international agreements or obligations.

(3) WAIVER.—The Secretary of State may waive the application of paragraph (1) with respect to any individual if the Secretary determines that—

(A) such waiver would serve a compelling national interest of the United States; or

(B) the circumstances that caused such individual to be ineligible for entry into the United States have sufficiently changed.

(4) SEMIANNUAL REPORT.—

(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and every 180 days thereafter until 5 years after such date of enactment, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives. Each such report shall include—

(i) all relevant information relating to corruption or gross violations of internationally recognized human rights that was a factor in identifying, during the most recent 12-month period—

(I) individuals who are ineligible for entry into the United States under paragraph (1)(A); and

(II) individuals about whom the Secretary has made a designation or determination pursuant to paragraph (1)(D); and

(III) individuals who would be ineligible for entry into the United States under paragraph (1)(A), but were excluded from such restriction pursuant to paragraph (2);

(ii) a list of any waivers granted by the Secretary pursuant to paragraph (3); and

(iii) a description of the justification for each such waiver.

(B) POSTING OF REPORT.—The unclassified portion of each report required under subparagraph (A) shall be posted on a publicly accessible website of the Department of State.

(5) CLARIFICATION.—For purposes of paragraphs (1) and (4), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.

(d) RESTRICTION ON ASSISTANCE IN THE WAKE OF A COUP D'ÉTAT.—Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2751 et seq.) is amended by adding at the end the following:

''SEC. 620N. LIMITATION ON ASSISTANCE IN THE WAKE OF A COUP D'ÉTAT.

''(a) IN GENERAL.—Except as provided under subsections (b) and (d), no assistance may be provided under this Act or under the Arms Export Control Act (22 U.S.C. 2751) to the central government of any country in which the head of government, as recognized by the United States, was deposed by a military coup d'état or decree or a coup d'état or decree in which the military played a decisive role.

''(b) EXEMPTION FOR NATIONAL SECURITY.—

''(1) IN GENERAL.—The Secretary of State, after consultation with the heads of relevant Federal agencies, may exempt assistance from the restriction described in subsection (a), on a program by program basis for an annual renewable period, if the Secretary determines that the continuation of such assistance is in the national security interest of the United States.

''(2) JUSTIFICATION.—The Secretary of State shall provide a justification to the appropriate congressional committees for each exemption granted pursuant to paragraph (1) not later than 5 days after making such determination.

''(3) UPDATES.—The Secretary of State shall provide periodic updates, not less frequently than every 90 days, regarding the status of any assistance subject to the exemption granted pursuant to paragraph (1).

''(c) RESUMPTION OF ASSISTANCE.—Assistance to a foreign government that is subject to the restriction described in subsection (a) may be resumed if the Secretary of State certifies and reports to the appropriate congressional committees, not fewer than 30 days before the resumption of such assistance, that a democratically-elected government has taken office subsequent to the termination of assistance pursuant to subsection (a).

''(d) EXCEPTION FOR DEMOCRACY AND HUMANITARIAN ASSISTANCE.—The restriction under subsection (a) shall not apply to any assistance used—

''(1) to promote democratic elections or public participation in the democratic processes;

''(2) to support a democratic transition; or

''(3) for humanitarian purposes.

''(e) DEFINED TERM.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Foreign Relations of the Senate; and

''(2) the Committee on Foreign Affairs of the House of Representatives.''.

SEC. 1295. AMENDMENT TO REWARDS FOR JUSTICE PROGRAM.

Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

(1) in paragraph (13), by striking ''or'' at the end;

(2) in paragraph (14), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(15) the restraining, seizing, forfeiting, or repatriating of stolen assets linked to foreign government corruption and the proceeds of such corruption.''.

SEC. 1296. INVESTING IN DEMOCRACY RESEARCH AND DEVELOPMENT.

The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, should establish, within the Bureau of Democracy, Human Rights, and Labor, a program for democracy research and development that—

(1) supports research and development by the Department of State, the United States Agency for International Development, and the National Endowment for Democracy on policies and programs relating to democracy efforts;

(2) drives innovation within such agencies regarding the response to complex, multi-dimensional challenges to democracy;

(3) identifies lessons learned and best practices for democracy programs and diplomatic approaches to create feedback loops and shape future evidence-based programming and diplomacy;

(4) encourages private sector actors to establish and implement business practices that will—

(A) strengthen democratic institutions; and

(B) bolster democratic processes; and

(5) strengthens the resilience of democratic actors and institutions.

SEC. 1297. ADDRESSING AUTHORITARIANS IN THE MULTILATERAL SYSTEM.

It is the sense of Congress that the Secretary of State and the United States Permanent Representative to the United Nations should use the voice, vote, and influence of the United States at the United Nations and with other multilateral bodies—

(1)(A) to promote the full participation of civil society actors within the United Nations Human Rights Council and other multilateral bodies;

(B) to closely monitor instances of reprisals against such actors; and

(C) to support the use of targeted sanctions, censure of member states, and other diplomatic measures to hold responsible any person who engages in reprisals against human rights defenders and civil society within such multilateral bodies;

(2) to reform the process for suspending the rights of membership in the United Nations Human Rights Council for member states that commit gross and systemic violations of internationally recognized human rights, including—

(A) ensuring information detailing the member state's human rights record is publicly available before a vote for membership or a vote on suspending the rights of membership of such member state; and

(B) making publicly available the vote of each member state on the suspension of rights of membership from the United Nations Human Rights Council;

(3) to reform the rules for electing members to the United Nations Human Rights Council to seek to ensure that member states that have committed gross and systemic violations of internationally recognized human rights are not elected to the Human Rights Council; and

(4) to oppose the election to the United Nations Human Rights Council of any member state—

(A) that engages in a consistent pattern of gross violations of internationally recognized human rights, as determined pursuant to section 116 or 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n and 2304);

(B) the government of which has repeatedly provided support for acts of international terrorism, as determined pursuant to section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(C) that is designated as a Tier 3 country under section 110(b)(1)(C) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)(C));

(D) that is included on the list published by the Secretary of State pursuant to section 404(b)(1) of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c–1(b)(1)) as a government that recruits and uses child soldiers; or

(E) the government of which the United States determines to have committed genocide, crimes against humanity, war crimes, or ethnic cleansing.

SEC. 1298. CONFRONTING DIGITAL AUTHORITARIANISM.

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to combat digital authoritarianism, including the use of digital technologies, that—

(A) restricts the exercise of civil and political rights (as defined in the International Covenant on Civil and Political Rights, done at New York December 16, 1966);

(B) weakens democratic processes and institutions, including elections; or

(C) surveils, censors, or represses human rights defenders, democracy activists, civil society actors, independent media, or political opponents;

(2) to promote internet freedom; and

(3) to support efforts to counter government censorship and surveillance, including efforts—

(A) to bypass internet shutdowns and other forms of censorship, including blocks on services through circumvention technologies; and

(B) to provide digital security support and training for democracy activists, journalists, and other at-risk groups.

(b) REPORT.—Not later than 270 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 shall submit a report to the appropriate congressional committees that describes the efforts to implement the policy objectives described in subsection (a).

SEC. 1299. PROTECTING POLITICAL PRISONERS.

(a) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that includes, with respect to unjustly detained political prisoners worldwide—

(1) a description of existing Department of State processes and efforts to carry out the political prisoner-related activities described in subsection (b);

(2) an assessment of any resource gaps or institutional deficiencies that adversely impact the Department of State's ability to engage in the activities described in subsection (b) in order to respond to increasing numbers of unjustly detained political prisoners; and

(3) a strategy for enhancing the efforts of the Department of State and other Federal agencies to carry out the political prisoner-related activities described in subsection (b).

(b) POLITICAL PRISONER-RELATED ACTIVITIES.—The report required under subsection (a) shall include a description of the Department of State's efforts—

(1) to monitor regional and global trends concerning unjustly detained political prisoners and maintain information regarding individual cases;

(2) to consistently raise concerns regarding unjustly detained political prisoners, including specific individuals, through public and private engagement with foreign governments, public reporting, and multilateral engagement;

(3) to routinely—

(A) attend the trials of political prisoners;

(B) conduct wellness visits of political prisoners, to the extent practicable and pending approval from political prisoners or their legal counsel;

(C) visit political prisoners incarcerated under home arrest, subject to a travel ban, or confined in detention; and

(D) report on the well-being of such political prisoners;

(4) to regularly request information and specific actions related to individual prisoners' medical conditions, treatment, access to legal counsel, location, and family visits;

(5) to identify cases in which an imminent arrest, a potential re-arrest, or physical violence poses a risk to an at-risk individual;

(6) to utilize embassy resources to provide shelter or facilitate the safe evacuation of willing individuals and their families, whenever feasible; and

(7) to use sanctions and other accountability mechanisms to encourage the release of unjustly detained political prisoners.

SA 2463. Mr. CARDIN 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—International Trafficking Victims Protection Reauthorization Act of 2024

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''International Trafficking Victims Protection Reauthorization Act of 2024''.

PART I—COMBATING HUMAN TRAFFICKING ABROAD

SEC. 1292. UNITED STATES SUPPORT FOR INTEGRATION OF ANTI-TRAFFICKING IN PERSONS INTERVENTIONS IN MULTILATERAL DEVELOPMENT BANKS.

(a) REQUIREMENTS.—The Secretary of the Treasury, in consultation with the Secretary of State acting through the Ambassador-at-Large to Monitor and Combat Trafficking in Persons, shall instruct the United States Executive Director of each multilateral development bank (as defined in section 110(d) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d))) to encourage the inclusion of a counter-trafficking strategy, including risk assessment and mitigation efforts as needed, in proposed projects in countries listed—

(1) on the Tier 2 Watch List (required under section 110(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A)), as amended by section 104(a));

(2) under subparagraph (C) of section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) (commonly referred to as ''tier 3''); and

(3) as Special Cases in the most recent report on trafficking in persons required under such section (commonly referred to as the ''Trafficking in Persons Report'').

(b) BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, shall brief the appropriate congressional committees regarding the implementation of this section.

(c) GAO REPORT.—Not later than 2 years 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 that details the activities of the United States relating to combating human trafficking, including forced labor, within multilateral development projects.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 1293. EXPANDING PREVENTION EFFORTS AT THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—In order to strengthen prevention efforts by the United States abroad, the Administrator of the United States Agency for International Development (referred to in this section as the ''Administrator'') shall, to the extent practicable and appropriate—

(1) encourage the integration of activities to counter trafficking in persons (referred to in this section as ''C-TIP'') into broader assistance programming;

(2) determine a reasonable definition for the term ''C-TIP Integrated Development Programs,'' which shall include any programming to address health, food security, economic development, education, democracy and governance, and humanitarian assistance that includes a sufficient C-TIP element; and

(3) ensure that each mission of the United States Agency for International Development (referred to in this section as ''USAID'')—

(A) integrates a C-TIP component into development programs, project design, and methods for program monitoring and evaluation, as necessary and appropriate, when addressing issues, including—

(i) health;

(ii) food security;

(iii) economic development;

(iv) education;

(v) democracy and governance; and

(vi) humanitarian assistance;

(B) continuously adapts, strengthens, and implements training and tools related to the integration of a C-TIP perspective into the work of development actors; and

(C) encourages USAID Country Development Cooperation Strategies to include C-TIP components in project design, implementation, monitoring, and evaluation, as necessary and appropriate.

(b) REPORTS AND BRIEFINGS REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of an Act making appropriations for the Department of State, Foreign Operations, and Related Programs through fiscal year 2027, the Secretary of State, in consultation with the Administrator, shall submit to the appropriate congressional committees a report on obligations and expenditures of all funds managed by the Department of State and USAID in the prior fiscal year to combat human trafficking and forced labor, including integrated C-TIP activities.

(2) CONTENTS.—The report required by paragraph (1) shall include—

(A) a description of funding aggregated by program, project, and activity; and

(B) a description of the management structure at the Department of State and USAID used to manage such programs.

(3) BIENNIAL BRIEFING.—Not later than 6 months of after the date of the enactment of this Act, and every 2 years thereafter through fiscal year 2027, the Secretary of State, in consultation with the Administrator, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the implementation of subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 1294. COUNTER-TRAFFICKING IN PERSONS EFFORTS IN DEVELOPMENT COOPERATION AND ASSISTANCE POLICY.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 102(b)(4)(22 U.S.C. 2151–1(b)(4))—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(H) effective counter-trafficking in persons policies and programs.''; and

(2) in section 492(d)(1)(22 U.S.C. 2292a(d)(1))—

(A) by striking ''that the funds'' and inserting the following: ''that—

''(A) the funds'';

(B) in subparagraph (A), as added by subparagraph (A) of this paragraph, by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(B) in carrying out the provisions of this chapter, the President shall, to the greatest extent possible—

''(i) ensure that assistance made available under this section does not create or contribute to conditions that can be reasonably expected to result in an increase in trafficking in persons who are in conditions of heightened vulnerability as a result of natural and manmade disasters; and

''(ii) integrate appropriate protections into the planning and execution of activities authorized under this chapter.''.

SEC. 1295. TECHNICAL AMENDMENTS TO TIER RANKINGS.

(a) MODIFICATIONS TO TIER 2 WATCH LIST.—Section 110(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)), is amended—

(1) in the paragraph heading, by striking ''SPECIAL'' and inserting ''TIER 2''; and

(2) in subparagraph (A)—

(A) by striking ''of the following countries'' and all that follows through ''annual report, where—''and inserting ''of countries that have been listed pursuant to paragraph (1)(B) pursuant to the current annual report, in which—''; and

(B) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and moving such clauses (as so redesignated) 2 ems to the left.

(b) MODIFICATION TO SPECIAL RULE FOR DOWNGRADED AND REINSTATED COUNTRIES.—Section 110(b)(2)(F) of such Act (22 U.S.C. 7107(b)(2)(F)) is amended—

(1) in the matter preceding clause (i), by striking ''special watch list described in subparagraph (A)(iii) for more than 1 consecutive year after the country'' and inserting ''Tier 2 watch list described in subparagraph (A) for more than one year immediately after the country consecutively'';

(2) in clause (i), in the matter preceding subclause (I), by striking ''special watch list described in subparagraph (A)(iii)'' and inserting ''Tier 2 watch list described in subparagraph (A)''; and

(3) in clause (ii), by inserting ''in the year following such waiver under subparagraph (D)(ii)'' after ''paragraph (1)(C)''.

(c) CONFORMING AMENDMENTS.—

(1) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)), as amended by subsections (a) and (b), is further amended—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''special watch list'' and inserting ''Tier 2 watch list'';

(ii) in subparagraph (C)—

(I) in the subparagraph heading, by striking ''SPECIAL WATCH LIST'' and inserting ''TIER 2 WATCH LIST''; and

(II) by striking ''special watch list'' and inserting ''Tier 2 watch list''; and

(iii) in subparagraph (D)—

(I) in the subparagraph heading, by striking ''SPECIAL WATCH LIST'' and inserting ''TIER 2 WATCH LIST''; and

(II) in clause (i), by striking ''special watch list'' and inserting ''Tier 2 watch list'';

(B) in paragraph (3)(B), in the matter preceding clause (i), by striking ''clauses (i), (ii), and (iii) of''; and

(C) in paragraph (4)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking ''each country described in paragraph (2)(A)(ii)'' and inserting ''each country described in paragraph (2)(A)''; and

(ii) in subparagraph (D)(ii), by striking ''the Special Watch List'' and inserting ''the Tier 2 watch list''.

(2) FREDERICK DOUGLASS TRAFFICKING VICTIMS PREVENTION AND PROTECTION REAUTHORIZATION ACT OF 2018.—Section 204(b)(1) of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Public Law 115–425) is amended by striking ''special watch list'' and inserting ''Tier 2 watch list''.

(3) BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY ACT OF 2015.—Section 106(b)(6)(E)(iii) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4205(b)(6)(E)(iii) is amended by striking ''under section'' and all that follows and inserting ''under section 110(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A))''.

SEC. 1296. MODIFICATIONS TO THE PROGRAM TO END MODERN SLAVERY.

(a) IN GENERAL.—Section 1298 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 7114) is amended—

(1) in subsection (a)(1), by striking ''Not later than 90 days after the date of the enactment of this Act'' and inserting ''Not later than 90 days after the date of the enactment of the International Trafficking Victims Protection Reauthorization Act of 2024'';

(2) in subsection (g)—

(A) by striking ''APPROPRIATIONS'' in the heading and all that follows through ''There is authorized'' and inserting ''APPROPRIATIONS .—There is authorized''; and

(B) by striking paragraph (2); and

(3) in subsection (h)(1), by striking ''Not later than September 30, 2018, and September 30, 2020'' and inserting ''Not later than September 30, 2024, and September 30, 2028''.

(b) AWARD OF FUNDS.—All grants issued under the Program to End Modern Slavery of the Office to Monitor and Combat Trafficking in Persons shall be—

(1) awarded on a competitive basis; and

(2) subject to the regular congressional notification procedures applicable with respect to grants made available under section 1298(b) of the National Defense Authorization Act of 2017 (22 U.S.C. 7114(b)).

SEC. 1297. CLARIFICATION OF NONHUMANITARIAN, NONTRADE-RELATED FOREIGN ASSISTANCE.

(a) CLARIFICATION OF SCOPE OF WITHHELD ASSISTANCE.—Section 110(d)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(1)) is amended to read as follows:

''(1) WITHHOLDING OF ASSISTANCE.—The President has determined that—

''(A) the United States will not provide nonhumanitarian, nontrade-related foreign assistance to the central government of the country or funding to facilitate the participation by officials or employees of such central government in educational and cultural exchange programs, for the subsequent fiscal

year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance; and

''(B) the President will instruct the United States Executive Director of each multilateral development bank and of the International Monetary Fund to vote against, and to use the Executive Director's best efforts to deny, any loan or other utilization of the funds of the respective institution to that country (other than for humanitarian assistance, for trade-related assistance, or for development assistance that directly addresses basic human needs, is not administered by the central government of the sanctioned country, and is not provided for the benefit of that government) for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance.''.

(b) DEFINITION OF NON-HUMANITARIAN, NONTRADE RELATED ASSISTANCE.—Section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(10)) is amended to read as follows:

''(10) NONHUMANITARIAN, NONTRADE-RELATED FOREIGN ASSISTANCE.—

''(A) IN GENERAL.—The term 'nonhumanitarian, nontrade-related foreign assistance' means—

''(i) United States foreign assistance, other than—

''(I) with respect to the Foreign Assistance Act of 1961—

''(aa) assistance for international narcotics and law enforcement under chapter 8 of part I of such Act (22 U.S.C. 2291 et seq.);

''(bb) assistance for International Disaster Assistance under subsections (b) and (c) of section 491 of such Act (22 U.S.C. 2292);

''(cc) antiterrorism assistance under chapter 8 of part II of such Act (22 U.S.C. 2349aa et seq.); and

''(dd) health programs under chapters 1 and 10 of part I and chapter 4 of part II of such Act (22 U.S.C. 2151 et seq.);

''(II) assistance under the Food for Peace Act (7 U.S.C. 1691 et seq.);

''(III) assistance under sections 2(a), (b), and (c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(a), (b), (c)) to meet refugee and migration needs;

''(IV) any form of United States foreign assistance provided through nongovernmental organizations, international organizations, or private sector partners—

''(aa) to combat human and wildlife trafficking;

''(bb) to promote food security;

''(cc) to respond to emergencies;

''(dd) to provide humanitarian assistance;

''(ee) to address basic human needs, including for education;

''(ff) to advance global health security; or

''(gg) to promote trade; and

''(V) any other form of United States foreign assistance that the President determines, by not later than October 1 of each fiscal year, is necessary to advance the security, economic, humanitarian, or global health interests of the United States without compromising the steadfast U.S. commitment to combatting human trafficking globally; or

''(ii) sales, or financing on any terms, under the Arms Export Control Act (22 U.S.C. 2751 et seq.), other than sales or financing provided for narcotics-related purposes following notification in accordance with the prior notification procedures applicable to reprogrammings pursuant to section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

''(B) EXCLUSIONS.—The term 'nonhumanitarian, nontrade-related foreign assistance' shall not include payments to or the participation of government entities necessary or incidental to the implementation of a program that is otherwise consistent with section 110.''.

SEC. 1298. PREVENTING HUMAN TRAFFICKING BY FOREIGN MISSION OFFICIALS AND INTERNATIONAL ORGANIZATION PERSONNEL.

Section 203(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375c(b)) is amended by inserting after paragraph (4) the following:

''(5) NATIONAL EXPANSION OF IN-PERSON REGISTRATION PROGRAM.—The Secretary shall administer the Domestic Worker In-Person Registration Program for employees with A–3 visas or G–5 visas employed by accredited foreign mission members or international organization employees and shall expand this program nationally, which shall include—

''(A) after the arrival of each such employee in the United States, and annually during the course of such employee's employment, a description of the rights of such employee under applicable Federal and State law; and

''(B) provision of a copy of the pamphlet developed pursuant to section 202 to the employee with an A–3 visa or a G–5 visa; and

''(C) information on how to contact the National Human Trafficking Hotline.

''(6) MONITORING AND TRAINING OF A–3 AND G–5 VISA EMPLOYERS ACCREDITED TO FOREIGN MISSIONS AND INTERNATIONAL ORGANIZATIONS.—The Secretary shall—

''(A) inform embassies, international organizations, and foreign missions of the rights of A–3 and G–5 domestic workers under the applicable labor laws of the United States, including the fair labor standards described in the pamphlet developed pursuant to section 202. Information provided to foreign missions, embassies, and international organizations should include material on labor standards and labor rights of domestic worker employees who hold A–3 and G–5 visas;

''(B) inform embassies, international organizations, and foreign missions of the potential consequences to individuals holding a nonimmigrant visa issued pursuant to subparagraph (A)(i), (A)(ii), (G)(i), (G)(ii), or (G)(iii) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) who violate the laws described in subclause (I)(aa), including (at the discretion of the Secretary)—

''(i) the suspension of A–3 visas and G–5 visas;

''(ii) request for waiver of immunity;

''(iii) criminal prosecution;

''(iv) civil damages; and

''(v) permanent revocation of or refusal to renew the visa of the accredited foreign mission or international organization employee; and

''(C) require all accredited foreign mission and international organization employers of individuals holding A–3 visas or G–5 visas to report the wages paid to such employees on an annual basis.''.

SEC. 1299. EFFECTIVE DATES.

Sections 1295(b) and 1297 and the amendments made by those sections take effect on the date that is the first day of the first full reporting period for the report required by section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) after the date of the enactment of this Act.

PART II—AUTHORIZATION OF APPROPRIATIONS

SEC. 1299A. EXTENSION OF AUTHORIZATIONS UNDER THE VICTIMS OF TRAFFICKING AND VIOLENCE PROTECTION ACT OF 2000.

Section 113 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (a), by striking ''2018 through 2021, $13,822,000'' and inserting ''2024 through 2028, $17,000,000''; and

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by striking ''2018 through 2021, $65,000,000'' and inserting ''2024 through 2028, $102,500,000, of which $22,000,000 shall be made available each fiscal year to the United States Agency for International Development and the remainder of'';

(B) in subparagraph (C), by striking ''; and'' at the end and inserting a semicolon;

(C) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(E) to fund programs to end modern slavery, in an amount not to exceed $37,500,000 for each of the fiscal years 2024 through 2028.''.

SEC. 1299B. EXTENSION OF AUTHORIZATIONS UNDER THE INTERNATIONAL MEGAN'S LAW.

Section 11 of the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (34 U.S.C. 21509) is amended by striking ''2018 through 2021'' and inserting ''2024 through 2028''.

PART III—BRIEFINGS

SEC. 1299C. BRIEFING ON ANNUAL TRAFFICKING IN PERSON'S REPORT.

Not later than 30 days after the public designation of country tier rankings and subsequent publishing of the Trafficking in Persons Report, the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on—

(1) countries that were downgraded or upgraded in the most recent Trafficking in Persons Report; and

(2) the efforts made by the United States to improve counter-trafficking efforts in those countries, including foreign government efforts to better meet minimum standards to eliminate human trafficking.

SEC. 1299D. BRIEFING ON USE AND JUSTIFICATION OF WAIVERS.

Not later than 30 days after the President has determined to issue a waiver under section 110(d)(5) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(5)), the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on—

(a) each country that received a waiver;

(b) the justification for each such waiver; and

(c) a description of the efforts made by each country to meet the minimum standards to eliminate human trafficking.

PART IV—INTERNATIONAL CHILDREN WITH DISABILITIES PROTECTION ACT

SEC. 1299E. FINDINGS.

Congress makes the following findings:

(1) According to the United Nations Children's Fund (UNICEF), there are approximately 240,000,000 children and youth with disabilities in the world, including approximately 53,000,000 children under the age of 5.

(2) Millions of children, particularly children with intellectual and other developmental disabilities, are placed in large or small residential institutions and most of those children are left to grow up without love, support, and guidance of a family.

(3) The vast majority of children placed in residential institutions have at least one living parent or have extended family, many of whom would keep their children at home, if they had the support and legal protections necessary to do so.

(4) Leading child protection organizations have documented that children and adolescents raised without families in residential

institutions face high risk of violence, trafficking for forced labor or sex, forced abortion or sterilization, and criminal detention.

(5) According to the Department of State, persons with disabilities face a heightened risk of human trafficking, including children in residential institutions, who may be targeted by traffickers seeking to coerce them to leave or find ways to exploit them.

(6) According to the Department of State, residential institutions have been complicit or directly involved in human trafficking, even extending to the practice of recruiting children for residential institutions for such purposes.

(7) Children with disabilities placed in residential institutions remain vulnerable to human trafficking even after leaving, in part due to the physical and psychological damage such children have suffered, social isolation, and inadequate schooling, and traffickers target individuals who leave or age out of institutions.

SEC. 1299F. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) stigma and discrimination against children with disabilities, particularly intellectual and other developmental disabilities, and lack of support for community inclusion have left people with disabilities and their families economically and socially marginalized;

(2) organizations of persons with disabilities and family members of persons with disabilities are often too small to apply for or obtain funds from domestic or international sources or ineligible to receive funds from such sources;

(3) as a result of the factors described in paragraphs (1) and (2), key stakeholders have often been left out of public policymaking on matters that affect children with disabilities; and

(4) financial support, technical assistance, and active engagement of persons with disabilities and their families is needed to ensure the development of effective policies that protect families, ensure the full inclusion in society of children with disabilities, and promote the ability of persons with disabilities to live in the community with choices equal to others.

SEC. 1299G. DEFINITIONS.

In this part:

(1) DEPARTMENT.—The term ''Department'' means the Department of State.

(2) ELIGIBLE IMPLEMENTING PARTNER.—The term ''eligible implementing partner'' means a nongovernmental organization or other civil society organization that—

(A) has the capacity to administer grants directly or through subgrants that can be effectively used by local organizations of persons with disabilities; and

(B) has international expertise in the rights of persons with disabilities, including children with disabilities and their families.

(3) ORGANIZATION OF PERSONS WITH DISABILITIES.—The term ''organization of persons with disabilities'' means a nongovernmental civil society organization run by and for persons with disabilities and families of children with disabilities.

SEC. 1299H. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) assist partner countries in developing policies and programs that recognize, support, and protect the civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities, including children, such that the latter may grow and thrive in supportive family environments and make the transition to independent living as adults, and to counter human trafficking of children with disabilities within residential institutions;

(2) promote the development of advocacy and leadership skills among persons with disabilities and their families in a manner that enables effective civic engagement, including at the local, national, and regional levels, and promote policy reforms and programs that support full economic and civic inclusion of persons with disabilities and their families;

(3) promote the development of laws and policies that—

(A) strengthen families and protect against the unnecessary institutionalization of children with disabilities; and

(B) create opportunities for children and youth with disabilities to access the resources and support needed to achieve their full potential to live independently in the community with choices equal to others;

(4) promote the participation of persons with disabilities and their families in advocacy efforts and legal frameworks to recognize, support, and protect the civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities; and

(5) promote the sustainable action needed to bring about changes in law, policy, and programs to ensure full family inclusion of children with disabilities and the transition of children with disabilities to independent living as adults.

SEC. 1299I. INTERNATIONAL CHILDREN WITH DISABILITIES PROTECTION PROGRAM AND CAPACITY BUILDING.

(a) INTERNATIONAL CHILDREN WITH DISABILITIES PROTECTION PROGRAM.—

(1) IN GENERAL.—There is authorized to be established within the Department of State a program to be known as the ''International Children with Disabilities Protection Program'' (in this section referred to as the ''Program'') to carry out the policy described in section 1299H.

(2) CRITERIA.—In carrying out the Program under this section, the Secretary of State, in consultation with leading civil society groups with expertise in the protection of civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities, may establish criteria for priority activities under the Program in selected countries.

(3) DISABILITY INCLUSION GRANTS.—The Secretary of State may award grants to eligible implementing partners to administer grant amounts directly or through subgrants.

(4) SUBGRANTS.—An eligible implementing partner that receives a grant under paragraph (3) should provide subgrants and, in doing so, shall prioritize local organizations of persons with disabilities working within a focus country or region to advance the policy described in section 1299H.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Of funds made available in fiscal years 2025 through 2030 to carry out the purposes of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq), there are authorized to be appropriated to carry out this part amounts as follows:

(A) $2,000,000 for fiscal year 2025.

(B) $5,000,000 for each of fiscal years 2026 through 2030.

(2) CAPACITY-BUILDING AND TECHNICAL ASSISTANCE PROGRAMS.—Of the amounts authorized to be appropriated by paragraph (1), not less than $1,000,000 for each of fiscal years 2025 through 2030 should be available for capacity-building and technical assistance programs to—

(A) develop the leadership skills of persons with disabilities, legislators, policymakers, and service providers in the planning and implementation of programs to advance the policy described in section 1299H;

(B) increase awareness of successful models of the promotion of civil and political rights and fundamental freedoms, family support, and economic and civic inclusion among organizations of persons with disabilities and allied civil society advocates, attorneys, and professionals to advance the policy described in section 1299H; and

(C) create online programs to train policymakers, advocates, and other individuals on successful models to advance reforms, services, and protection measures that enable children with disabilities to live within supportive family environments and become full participants in society, which—

(i) are available globally;

(ii) offer low-cost or no-cost training accessible to persons with disabilities, family members of such persons, and other individuals with potential to offer future leadership in the advancement of the goals of family inclusion, transition to independent living as adults, and protection measures for children with disabilities; and

(iii) should be targeted to government policymakers, advocates, and other potential allies and supporters among civil society groups.

SEC. 1299J. ANNUAL REPORT ON IMPLEMENTATION.

(a) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not less frequently than annually through fiscal year 2030, the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report on—

(A) the programs and activities carried out to advance the policy described in section 1299H; and

(B) any broader work of the Department in advancing that policy.

(2) ELEMENTS.—Each report required by paragraph (1) shall include, with respect to each program carried out under section 1299I—

(A) the rationale for the country and program selection;

(B) the goals and objectives of the program, and the kinds of participants in the activities and programs supported;

(C) a description of the types of technical assistance and capacity building provided; and

(D) an identification of any gaps in funding or support needed to ensure full participation of organizations of persons with disabilities or inclusion of children with disabilities in the program.

(3) CONSULTATION.—In preparing each report required by paragraph (1), the Secretary of State shall consult with organizations of persons with disabilities.

SEC. 1299K. PROMOTING INTERNATIONAL PROTECTION AND ADVOCACY FOR CHILDREN WITH DISABILITIES.

(a) SENSE OF CONGRESS ON PROGRAMMING AND PROGRAMS.—It is the sense of Congress that—

(1) all programming of the Department and the United States Agency for International Development related to health systems; countering human trafficking, strengthening, primary and secondary education, and the protection of civil and political rights of persons with disabilities should seek to be consistent with the policy described in section 1299H; and

(2) programs of the Department and the United States Agency for International Development related to children, global health, countering human trafficking, and education—

(A) should—

(i) engage organizations of persons with disabilities in policymaking and program implementation; and

(ii) support full inclusion of children with disabilities in families; and

(B) should aim to avoid support for residential institutions for children with disabilities except in situations of conflict or emergency in a manner that protects family connections as described in subsection (b).

(b) SENSE OF CONGRESS ON CONFLICT AND EMERGENCIES.—It is the sense of Congress that—

(1) programs of the Department and the United States Agency for International Development serving children in situations of conflict or emergency, among displaced or refugee populations, or in natural disasters should seek to ensure that children with and without disabilities can maintain family ties; and

(2) in situations of emergency, if children are separated from parents or have no family, every effort should be made to ensure that children are placed with extended family, in kinship care, or in an adoptive or foster family.

SA 2464. Mr. CARDIN 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. INTERNATIONAL MONETARY FUND QUOTA.

The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end the following new section

''SEC. 75. QUOTA INCREASE.

''(a) IN GENERAL.—The United States Governor of the Fund may consent to an increase in the United States quota in the Fund of the dollar equivalent of 41,497,100,000 Special Drawing Rights.

''(b) SUBJECT TO APPROPRIATIONS.—The authority provided by subsection (a) shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.''.

SEC. 1292. EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT GENERAL CAPITAL INCREASE.

The European Bank for Reconstruction and Development Act (22 U.S.C. 2901 et seq.) is amended by adding at the end the following new paragraph:

''(13) CAPITAL INCREASE.—

''(A) SUBSCRIPTION AUTHORIZED.—

''(i) IN GENERAL.—The United States Governor of the Bank is authorized to subscribe on behalf of the United States to 40,000 additional shares of the paid-in capital stock of the Bank.

''(ii) SUBJECT TO APPROPRIATIONS.—Any subscription by the United States to additional paid-in capital stock of the Bank shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.

''(B) AUTHORIZATION OF APPROPRIATIONS.—In order to pay for the increase in the United States subscription to the Bank under subparagraph (A), there are authorized to be appropriated, without fiscal year limitation, $439,100,000, for payment by the Secretary of the Treasury.''.

SA 2465. Mr. CARDIN 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:

DIVISION F—DEPARTMENT OF STATE AUTHORIZATION ACT FOR FISCAL YEAR 2025

SEC. 9001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Department of State Authorization Act for Fiscal Year 2025''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 9002. DEFINITIONS.

In this division:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Agency for International Development.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) DEPARTMENT.—The term ''Department'' means the Department of State.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(5) USAID.—The term ''USAID'' means the United States Agency for International Development.

TITLE I—WORKFORCE MATTERS

SEC. 9101. COMMEMORATING THE 100TH ANNIVERSARY OF THE ROGERS ACT; CREATION OF THE DEPARTMENT OF STATE.

Congress recognizes and honors those who have served, or are presently serving, in the diplomatic corps of the United States, in commemorating the 100th Anniversary of the Act entitled, ''An Act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes'' (43 stat. 140, chapter 182), commonly known as the ''Rogers Act of 1924'', which on May 24, 1924, established what has come to be known as the Foreign Service. Today, the Department of State includes more than 13,000 Foreign Service personnel working alongside more than 11,000 civil service personnel and 45,000 locally engaged staff at more than 270 embassies and consulates.

SEC. 9102. WORKFORCE MODERNIZATION EFFORTS.

The Secretary should prioritize efforts to further modernize the Department, including—

(1) making workforce investments, including increasing wages for locally employed staff and providing other non-cash benefits, and hiring up to 100 new members of the Foreign Service above projected attrition to reduce overseas vacancies and mid-level staffing gaps;

(2) utilizing authorities that allow the Department to acquire or build and open new embassy compounds quicker and at significantly less cost to get diplomats on the front lines of strategic competition; and

(3) modernizing legacy systems and human resource processes.

SEC. 9103. TRAINING FLOAT OF THE DEPARTMENT OF STATE FOR CIVIL AND FOREIGN SERVICE PERSONNEL.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall develop and submit to the appropriate congressional committees a strategy to establish and maintain a ''training float'' by January 1, 2027, to allow for a minimum of 8 percent and up to 10 percent of members of the Civil and Foreign Service to participate in long-term training at any given time. The strategy shall include—

(1) a proposal to ensure that personnel in the training float remain dedicated to training or professional development activities;

(2) recommendations to maintain, and an assessment of the feasibility of maintaining, a minimum of 8 percent of personnel in the float at any given time; and

(3) any additional resources and authorities needed to maintain a training float contemplated by this section.

(b) MONITORING.—For any established training float, not later than 120 days after enactment of this Act, the Secretary shall ensure that personnel in such training float remain dedicated to training or professional development activities.

SEC. 9104. COMPETITIVE LOCAL COMPENSATION PLAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the effectiveness and stability of United States foreign missions are linked to the dedication and expertise of locally employed staff; and

(2) ensuring competitive compensation packages benchmarked against the local market is essential not only to retain valuable talent but also to reflect a commitment to employment practices abroad.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $47,500,000 for fiscal year 2025 to support implementation of a global baseline for prevailing wage rate goal for Local Compensation Plan positions at the 75th percentile.

SEC. 9105. LANGUAGE INCENTIVE PAY FOR CIVIL SERVICE EMPLOYEES.

The Secretary and Administrator may provide special monetary incentives to acquire or retain proficiency in foreign languages to civil service employees who serve in domestic positions that require critical language skills. The amounts of such incentives should be similar to the language incentive pay provided to members of the Foreign Service under the Foreign Service pursuant to section 704(b)(3) of the Foreign Service Act of 1980 (22 U.S.C. 4024(b)(3)).

SEC. 9106. STRATEGY FOR TARGETED RECRUITMENT OF CIVIL SERVANTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a strategy for targeted and proactive recruitment to fill open civil service positions, focusing on recruiting from schools or organizations, and on platforms targeting those with relevant expertise related to such positions.

SEC. 9107. ELECTRONIC MEDICAL RECORDS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Foreign Service personnel at the Department serve with distinction in austere places and under challenging conditions around the world with limited healthcare availability;

(2) the use of paper medical records, which require Foreign Service personnel to carry files containing protected health information from post to post, limits the availability of their health information to Department medical personnel during critical health incidents;

(3) electronic medical records are necessary, particularly as the Department opens new embassies in the South Pacific, thousands of miles from the nearest Department medical officer, who may not have access to up-to-date personnel medical files;

(4) the lack of electronic medical records is even more important for mental health records, as the Department only has a small number of regional medical officer psychiatrists and relies heavily on telehealth for most Foreign Service personnel; and

(5) due to the critical need for electronic medical records, it is imperative that the Department address the situation quickly and focus on secure commercially available or other successful systems utilized by public and private sector organizations with a track record of successfully implementing large-scale projects of this type.

(b) ELECTRONIC MEDICAL RECORDS REQUIREMENT.—Not later than December 31, 2027, the Secretary shall have fully implemented an electronic medical records process or system for all Foreign Service personnel and their Eligible Family Members that eliminates reliance on paper medical records and includes appropriate safeguards to protect personal privacy.

(c) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the appropriate congressional committees a report on the progress made towards meeting the requirement under subsection (b).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An updated timeline for implementation.

(B) An estimated completion date.

(C) The amounts expended to date on the required electronic medical records system.

(D) The estimated amount needed to complete the system.

(3) TERMINATION OF REQUIREMENT.—The reporting requirement under paragraph (1) shall cease upon notification to the appropriate congressional committees that electronic medical records have been completely implemented for all Foreign Service personnel.

SEC. 9108. OPTIONS FOR COMPREHENSIVE EVALUATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on options for integrating 360-degree reviews in personnel files for promotion panel consideration.

(b) EVALUATION SYSTEMS.—The report required by subsection (a) shall include—

(1) one or more options to integrate confidential 360-degree reviews, references, or

evaluations by superiors, peers, and subordinates, including consideration of automated reference requests; and

(2) other modifications or systems the Secretary considers relevant.

(c) ELEMENTS.—The report required by subsection (a) shall describe, with respect to each evaluation system included in the report—

(1) any legal constraints or considerations;

(2) the timeline required for implementation;

(3) any starting and recurring costs in comparison to current processes;

(4) the likely or potential implications for promotion decisions and trends; and

(5) the impact on meeting the personnel needs of the Foreign Service.

SEC. 9109. PORTABILITY OF PROFESSIONAL LICENSES.

(a) IN GENERAL.—Chapter 9 of the Foreign Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended by adding after section 908 (22 U.S.C. 4088) the following new section:

''SEC. 909. PORTABILITY OF PROFESSIONAL LICENSES.

''(a) IN GENERAL.—In any case in which a member of the Foreign Service or the spouse of a member of the Foreign Service has a covered United States license and such member of the Foreign Service or spouse relocates his or her residency because of an assignment or detail to a location that is not in the jurisdiction of the licensing authority that issued the covered license, such covered license shall be considered valid at a similar scope of practice and in the discipline applied for in the jurisdiction of such new residency for the duration of such an assignment or detail if such member of the Foreign Service or spouse—

''(1) provides a copy of the member's notification of assignment to the licensing authority in the jurisdiction in which the new residency is located;

''(2) remains in good standing with—

''(A) the licensing authority that issued the covered license; and

''(B) every other licensing authority that has issued to the member of the Foreign Service or spouse a license valid at a similar scope of practice and in the discipline applied in the jurisdiction of such licensing authority; and

''(3) submits to the authority of the licensing authority in the new jurisdiction for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.

''(b) INTERSTATE LICENSURE COMPACTS.—If a member of the Foreign Service or spouse of a member of the Foreign Service is licensed and able to operate in multiple jurisdictions through an interstate licensure compact, with respect to services provided in the jurisdiction of the interstate licensure compact by a licensee covered by such compact, the member of the Foreign Service or spouse of a member of the Foreign Service shall be subject to the requirements of the compact or the applicable provisions of law of the applicable State and not this section.

''(c) COVERED LICENSE DEFINED.—In this section, the term 'covered license' means a professional license or certificate—

''(1) that is in good standing with the licensing authority that issued such professional license or certificate;

''(2) that the member of the Foreign Service or spouse of a member of the Foreign Service has actively used during the two years immediately preceding the relocation described in subsection (a); and

''(3) that is not a license to practice law.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of the Foreign Service Act of 1980 is amended by inserting after the item relating to section 908 the following new item:

''Sec. 909. Portability of professional licenses.''.

SEC. 9110. EXPANDING OPPORTUNITIES FOR DEPARTMENT-PAID STUDENT INTERNSHIP PROGRAM.

(a) IN GENERAL.—Section 9201 of the Department of State Authorization Act of 2022 (22 U.S. 2737) is amended—

(1) in subsection (b)(2)(A), by inserting ''or have graduated from such an institution within the six months preceding application to the Program'' after ''paragraph (1)'';

(2) in subsection (c), by inserting ''and gives preference to individuals who have not previously completed internships within the Department of State and the United States Agency for International Development'' after ''career in foreign affairs''; and

(3) by adding at the end the following subsections:

''(k) WORK HOURS FLEXIBILITY.—Students participating in the Program may work fewer than 40 hours per week and a minimum of 24 hours per week to accommodate their academic schedules, provided that the total duration of the internship remains consistent with program requirements.

''(l) MENTORSHIP PROGRAM.—The Secretary and Administrator are authorized to establish a mentoring and coaching program that pairs Foreign Service or Civil Service employees with interns who choose to participate throughout the duration of their internship.''.

SEC. 9111. CAREER INTERMISSION PROGRAM ADJUSTMENT TO ENHANCE RETENTION.

(a) AUTHORITY TO EXTEND FEDERAL EMPLOYEE HEALTH BENEFIT COVERAGE.—The Secretary and Administrator are authorized to offer employees the option of extending Federal Employee Health Benefit coverage during pre-approved leave without pay for up to 3 years.

(b) RESPONSIBILITY FOR PREMIUM PAYMENTS.—If an employee elects to continue coverage pursuant to subsection (a) for longer than 365 days, the employee shall be responsible for 100 percent of the premium (employee share and government share) during such longer period.

SEC. 9112. PROFESSIONAL COUNSELING SERVICES.

(a) IN GENERAL.—The Secretary shall seek to increase the number of professional counselors, including licensed clinical social workers, providing services for employees under chief of mission authority. These positions may be filled under Limited Non-Career Appointment terms.

(b) EMPLOYMENT TARGETS.—Not later than 180 days after the date of the enactment of this division, the Secretary shall seek to employ not fewer than 4 additional professional counselors, including licensed clinical social workers, in the Bureau of Medical Services to work out of regional medical centers abroad.

SEC. 9113. ASSIGNMENT PROCESS MODERNIZATION.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall modernize the Foreign Service bidding process, and specifically implement the following elements:

(1) A stable-pair matching, preference-ranking system for non-directed Foreign Service employees and hiring bureaus, allowing for a more strategic alignment of workforce and resources.

(2) Incorporation of lessons learned from the previous stable-pair matching bidding pilot framework referred to as ''iMatch'', but applied more expansively to include non-directed assignments up through FS–01 positions, taking advantage of efficiency benefits such as tandem assignment functionalities.

(3) Mechanisms to ensure transparency, efficiency, effectiveness, accountability, and flexibility in the assignment process, while maintaining equal opportunities for all officers.

(4) An independent auditing process to ensure adherence to established rules, effectiveness in meeting the Department's needs, and prevention of bias or manipulation, including through the use of protected categories in making assignment decisions.

(b) CONSIDERATION OF CERTAIN PROMOTION ISSUES.—In parallel with assignment process modernization efforts, the Secretary shall—

(1) assess whether any point systems tied to promotion incentives should consider service in hard-to-fill or critical positions; and

(2) assess whether the practice of dividing the assignment process into winter and summer cycles is necessary or efficient compared to stable matching processes.

(c) REPORTING AND OVERSIGHT.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall provide the appropriate congressional committees a report on the implementation of the assignment process under this section, including—

(1) data on match rates, including in filling critical or priority positions, officer and hiring office satisfaction, and the impact on tandem placements;

(2) recommendations for further modifications to the bidding process;

(3) an overview of the strategy used to communicate any changes to the workforce; and

(4) results of analysis into additional transparency efforts, including those described in subsection (a)(3).

SEC. 9114. REPORT ON MODIFYING CONSULAR TOUR AND FIRST TOURS REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that evaluates the feasibility of—

(1) reducing, removing, and adding flexibility to the directed consular tours requirements for non-consular-coned generalist members of the Foreign Service; and

(2) requiring that first tours for members of the Foreign Service be assigned in the National Capital Region.

(b) ELEMENTS.—The report required under subsection (a) shall include a description of resources required to implement the changes described in such subsection, a timeline for implementation, and an assessment of the benefits and consequences of such changes, including any obstacles.

SEC. 9115. COMPREHENSIVE POLICY ON VETTING AND TRANSPARENCY.

(a) COMPREHENSIVE POLICY ON VETTING AND TRANSPARENCY.—Not later than one year after the date of the enactment of this Act, the Secretary shall develop a consistent and enhanced vetting process to ensure that individuals with substantiated claims of discrimination or harassment against them, to include when administrative or disciplinary actions are taken, are not considered for assignments to senior positions or promotions to senior grades within the Foreign Service.

(b) ELEMENTS OF COMPREHENSIVE VETTING POLICY.—Following the conclusion of any investigation into an allegation of discrimination or harassment, the Office of Civil Rights, Office of Global Talent Management, and other offices with responsibilities related to the investigation reporting directly to the Secretary shall jointly or individually submit a written summary of any findings of substantiated allegations, along with a summary of findings to the committee responsible for assignments to senior positions

prior to such committee rendering a recommendation for assignment.

(c) RESPONSE.—The Secretary shall develop a process for candidates to respond to any allegations that are substantiated and presented to the committee responsible for assignments to senior positions.

(d) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary shall submit to the Department workforce and the appropriate congressional committees a report on the number of candidates confirmed for senior diplomatic posts against whom there were substantiated allegations described in subsection (a).

(e) SENIOR POSITIONS DEFINED.—In this section, the term ''senior positions'' means Chief of Mission, Deputy Assistant Secretary, Deputy Chief of Mission, and Principal Officer (i.e., Consuls General) positions.

SEC. 9116. EFFICIENCY IN EMPLOYEE SURVEY CREATION AND CONSOLIDATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that employee surveys are crucial for understanding the needs and concerns of the workforce, and are most effective when they are strategically designed, collected, and the results transparent where possible.

(b) CONSOLIDATED RESOURCE REQUIREMENT.—The Department shall provide a consolidated resource of survey methods, best practices, and a repository of survey data to avoid survey fatigue, minimize duplicating surveys, increase confidence in survey data, and facilitate data-informed decision-making.

(c) TIMING.—The Secretary should determine the overall timing and administration of mandated surveys to ensure maximum participation and robust data sets.

SEC. 9117. FLEXIBILITY FOR PERSONNEL RETURNING FROM OVERSEAS ASSIGNMENTS WITH DOMESTICATED PETS.

(a) FLEXIBILITY FOR PERSONNEL RETURNING FROM OVERSEAS ASSIGNMENTS WITH DOMESTICATED PETS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Centers for Disease Control and Prevention, in consultation with the Secretary of State and other relevant heads of Federal agencies, shall make a determination whether to amend section 71.51 of title 42, Code of Federal Regulations (or successor regulations), to provide greater flexibility for employees of the Department, USAID, and other United States Government officials under chief of mission authority whose official duties require such employee to reside outside the United States for a minimum of one year and are seeking to return to the United States with a domesticated dog from a country that has a high risk of dog-maintained rabies virus variant, specifically to provide that—

(1) if vaccinated against a dog-maintained rabies virus variant (DMRVV) outside of the United States, the domesticated pet shall not be required to obtain a serologic titer test from a Centers for Disease Control-approved laboratory; and

(2) if vaccinated against DMRVV outside of the United States or vaccinated on arrival in the United States, the domesticated pet may complete the mandatory confinement period at the home of the Federal employee owner of the pet, rather than at a United States airport with a CDC quarantine station or a CDC-registered animal care facility, on the condition that such confinement is otherwise in compliance with section 71.51 of title 42, Code of Federal Regulations (or successor regulations).

(b) JUSTIFICATION.—If the Director of the Centers for Disease Control determines not to amend section 71.51 of title 42, Code of Federal Regulations (or successor regulations), as described in subsection (a), the Director, not later than 10 days after the date of making such determination, shall submit to the appropriate congressional committees a justification with a description of the relevant scientific analysis, as to why such regulations were not modified.

SEC. 9118. EMERGENCY EXCEPTIONS FOR GOVERNMENT-FINANCED AIR TRANSPORTATION.

(a) REDUCING HARDSHIP FOR FOREIGN SERVICE EMPLOYEES IN EMERGENCIES.—Notwithstanding subsections (a) and (c) of section 40118 of title 49, United States Code, the Department and USAID are authorized to pay for the transportation by a foreign air carrier (as that term is defined in section 40102 of such title) of Department and USAID personnel and any in-cabin or accompanying checked baggage or cargo if—

(1) such Federal personnel is traveling as a direct result of an approved emergency under sections 901 and 904 of the Foreign Service Act of 1980 (22 U.S.C. 4081, 4084) in addition to officially ordered or authorized departures; and

(2) the transportation is from a place—

(A) outside the United States to a place in the United States;

(B) in the United States to a place outside the United States; or

(C) outside the United States to another place outside the United States.

(b) LIMITATION.—In cases of emergency visitation travel, the amount that would otherwise have been paid to such an air carrier is less than the cost of transportation on the applicable foreign carrier, the Department personnel may pay the difference of such amount.

SEC. 9119. PER DIEM ALLOWANCE FOR NEWLY HIRED MEMBERS OF THE FOREIGN SERVICE.

(a) PER DIEM ALLOWANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), any newly hired Foreign Service employee who is in initial orientation training, or any other training expected to last less than 6 months in the Washington, D.C. area before transferring to the employee's first assignment overseas or domestically outside the Washington, D.C. area shall, for the duration of such training, receive a per diem allowance at the levels prescribed under subchapter I of chapter 57 of title 5, United States Code.

(2) LIMITATION ON LODGING EXPENSES.—A newly hired Foreign Service employee may not receive any lodging expenses under the applicable per diem allowance pursuant to paragraph (1) if that employee—

(A) has a permanent residence in the Washington, D.C., area (not including government-supplied housing during such orientation training or other training); and

(B) does not vacate such residence during such orientation training or other training.

(b) DEFINITIONS.—In this section—

(1) the term ''per diem allowance'' has the meaning given such term in section 5701 of title 5, United States Code; and

(2) the term ''Washington, D.C., area'' means the geographic area within a 50-mile radius of the Washington Monument.

SEC. 9120. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES AND TELEPHONE SERVICE CONTRACTS FOR MEMBERS OF THE FOREIGN SERVICE.

Section 907 of the Foreign Service Act of 1980 (22 U.S.C. 4087) is amended by striking ''Service who are posted abroad at a Foreign Service post'' and inserting ''Foreign Service who are posted in the United States or posted abroad''.

SEC. 9121. NEEDS-BASED CHILDCARE SUBSIDIES ENROLLMENT PERIOD.

Not later than 90 days after the date of the enactment of this Act, the Department and USAID shall—

(1) issue and maintain guidance on how to apply for any program authorized under section 630 of the Treasury and General Government Appropriations Act, 2002 (Public Law 107–67; 115 Stat. 552); and

(2) consider using maximum flexibilities to accept applications throughout the year or in accordance with Qualifying Life Event changes (as defined by the Federal Employees Health Benefits Program (FEHB)).

SEC. 9122. COMPTROLLER GENERAL REPORT ON DEPARTMENT TRAVELER EXPERIENCE.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review and submit to the appropriate congressional committees a report on the effect of section 40118 of title 49, United States Code (commonly referred to as the ''Fly America Act'') on Department travelers.

(b) ELEMENTS.—The report required under subsection (a) shall include an analysis of the extent to which the Fly America Act—

(1) disproportionately impacts Department personnel;

(2) impacts travelers, including their ability to find suitable flights and the ability to complete their travel in a timely and effective manner;

(3) increases or decreases costs to the United States Government;

(4) produces overly burdensome restrictions in times of urgent travel such as Emergency Visitation Travel and Ordered/Authorized Departure; and

(5) a description of other relevant issues the Comptroller General determines appropriate.

SEC. 9123. QUARTERLY REPORT ON GLOBAL FOOTPRINT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter for 5 years, the Secretary shall submit to the appropriate congressional committees a report on the global footprint of the Department.

(b) ELEMENTS.—The report required under subsection (a) shall include, for each diplomatic post—

(1) the number and type of Department employees assigned to the post; and

(2) the number of allocated positions that remain unfilled.

(c) FORM.—The report required under subsection (a) shall be submitted in classified form.

SEC. 9124. REPORT ON FORMER FEDERAL EMPLOYEES ADVISING FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Secretary shall submit to the appropriate congressional committees a report that identifies former United States Government senior officials who have been approved by the Secretary to advise foreign governments.

(b) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 9125. JOB SHARE AND PART-TIME EMPLOYMENT OPPORTUNITIES.

(a) IN GENERAL.—The Secretary shall establish and publish a Department policy on job share and part-time employment opportunities. The policy shall include a template for job sharing arrangements, a database of job share and part-time employment opportunities, and a point of contact in the Bureau of Global Talent Management.

(b) WORKPLACE FLEXIBILITY TRAINING.—The Secretary shall incorporate training on workplace flexibility, including the availability of job share and part-time employment opportunities, into employee

onboarding and every level of supervisory training.

(c) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary shall submit to the appropriate congressional committees a report on workplace flexibility at the Department, including data on the number of employees utilizing job share or part-time employment arrangements.

SEC. 9126. 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''.

TITLE II—ORGANIZATION AND OPERATIONS

SEC. 9201. STATE-OF-THE-ART BUILDING FACILITIES.

The Secretary should use existing waiver authorities to expedite upgrades and critical maintenance for the Harry S. Truman Federal Building, with the goal of having at least 85 percent of construction and upgrades completed by December 31, 2027.

SEC. 9202. PRESENCE OF CHIEFS OF MISSION AT DIPLOMATIC POSTS.

(a) REQUIREMENT FOR ARRIVAL AT DIPLOMATIC POST WITHIN 60 DAYS.—

(1) IN GENERAL.—The Secretary shall require that to be eligible for payment of travel expenses for initial arrival at the assigned post, a chief of mission must arrive at the post not later than 60 days after the date on which the chief of mission was confirmed by the Senate.

(2) EXCEPTIONS.—The restriction under paragraph (1) shall not apply to a chief of mission who arrives later than 60 days after confirmation by the Senate if the delay was caused by one or more of the following:

(A) A flight delay that was outside of the control of the chief of mission or the Department.

(B) A natural disaster, global health emergency, or other naturally occurring event that prevented the chief of mission from entering the country of the assigned post.

(C) Delay or refusal by the government of the host country to accept diplomatic accreditation.

(D) Family or medical emergency.

(E) Extenuating circumstances beyond the control of the chief of mission.

(3) WAIVER.—The Secretary may waive the requirement under paragraph (1) upon a determination that extenuating circumstances warrant such a waiver and upon submission of a brief description of the determination to the appropriate congressional committees.

(4) NOTIFICATION REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and in each case that a chief of mission arrives at an assigned post more than 60 days after confirmation, the Secretary shall submit to the appropriate congressional committees a report identifying any chief of mission who arrived at the assigned post more than 60 days after confirmation by the Senate, and includes a description of the justification.

(b) NOTIFICATIONS ON DEPARTURES OF CHIEFS OF MISSION.—Beginning on April 1, 2025, for 5 years, the Secretary shall notify the appropriate congressional committees of any chief of mission who has permanently departed from the assigned post within 90 days of the departure.

SEC. 9203. PERIODIC INSPECTOR GENERAL REVIEWS OF CHIEFS OF MISSION.

(a) IN GENERAL.—Beginning on April 1, 2025, and for a 3-year period thereafter, the Inspector General of the Department of State shall conduct management reviews of chiefs of mission, charge d'affaires, and other principal officers assigned overseas during inspection visits, when those officers have been at post more than 180 days.

(b) DISPOSITION.—Reviews conducted pursuant to subsection (a) shall be provided to the rating officer for formal discussion as part of the performance evaluation process. The management review shall remain in the employee's personnel file unless otherwise required by law. The subject of a review conducted pursuant to subsection (a) shall have the opportunity to respond to and comment on the review, and the response shall be included in the employee's file for promotion panel review.

(c) NOTIFICATION REQUIREMENT IN CASE OF SERIOUS MANAGEMENT CONCERNS.—The Inspector General of the Department of State shall notify the Secretary, the Deputy Secretary, and the appropriate congressional committees within 30 days of any review in which serious management concerns are raised and substantiated, and which is not otherwise submitted as part of the periodic inspection or report.

SEC. 9204. SPECIAL ENVOY FOR SUDAN.

(a) ESTABLISHMENT.—The President shall, with the advice and consent of the Senate, appoint a Special Envoy for Sudan at the Department (in this section referred to as the ''Special Envoy''). The Special Envoy shall report directly to the Secretary and should not hold another position in the Department while holding the position of Special Envoy.

(b) DUTIES.—The Special Envoy shall—

(1) lead United States diplomatic efforts to support negotiations and humanitarian response efforts related to alleviating the crisis in Sudan;

(2) be responsible for coordinating policy development and execution related to ending the conflict and a future path to national recovery and democratic transition in Sudan across all bureaus in the Department and coordinating with interagency partners; and

(3) consult regularly with the appropriate congressional committees, and keep such committees fully and currently informed on the status of diplomatic efforts and negotiations.

(c) STAFFING.—

(1) IN GENERAL.—The Secretary shall ensure that the Special Envoy is staffed with personnel approved by the envoy, including through reassignment of positions responsible for issues related to Sudan that currently exist within the Department, encouraging details or assignment of employees of the Department from regional and functional bureaus with expertise relevant to Sudan, or through request for interagency details of individuals with relevant experience from other United States Government departments or agencies, including the Department of Treasury.

(2) BRIEFING REQUIREMENTS.—Not later than 90 days after the date of the enactment of this Act, the Department should brief the appropriate congressional committees on the number of full-time equivalent positions supporting the Special Envoy and the relevant expertise and duties of any employees of the Department serving as detailees.

(d) SUNSET.—The position of the Special Envoy for Sudan shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 9205. SPECIAL ENVOY FOR BELARUS.

Section 6406(d) of the Department of State Authorization Act of 2023 (division F of Public Law 118–31; 22 U.S.C. 5811 note) is amended to read as follows:

''(d) ROLE.—The position of Special Envoy—

''(1) shall only exist while United States diplomatic operations in Belarus at the United States Embassy in Minsk, Belarus are suspended; and

''(2) shall oversee the operations and personnel of the Belarus Affairs Unit.''.

SEC. 9206. NATIONAL MUSEUM OF AMERICAN DIPLOMACY.

Title I of the State Department Basic Authorities Act of 1956 is amended by adding after section 64 (22 U.S.C. 2735a) the following:

''SEC. 65. NATIONAL MUSEUM OF AMERICAN DIPLOMACY.

''(a) ACTIVITIES.—

''(1) SUPPORT AUTHORIZED.—The Secretary is authorized to provide, by contract, grant, or otherwise, for the performance of appropriate museum visitor and educational outreach services and related events, including—

''(A) organizing programs and conference activities;

''(B) creating, designing, and installing exhibits; and

''(C) conducting museum shop services and food services in the public exhibition and related physical and virtual space utilized by the National Museum of American Diplomacy.

''(2) RECOVERY OF COSTS.—The Secretary of State is authorized to retain the proceeds obtained from customary and appropriate fees charged for the use of facilities, including venue rental for events consistent with the activities described in subsection (a)(1) and museum shop services and food services at the National Museum of American Diplomacy. Such proceeds shall be retained as a recovery of the costs of operating the Museum, credited to a designated Department account that exists for the purpose of funding the Museum and its programs and activities, and shall remain available until expended.

''(b) DISPOSITION OF DOCUMENTS, ARTIFACTS, AND OTHER ARTICLES.—

''(1) PROPERTY.—All historic documents, artifacts, or other articles acquired by the Department of State for the permanent museum collection and determined by the Secretary of State to be suitable for display by the National Museum of American Diplomacy shall be considered to be the property of the United States Government and shall be subject to disposition solely in accordance with this subsection.

''(2) SALE, TRADE, OR TRANSFER.—Whenever the Secretary of State makes a determination described in paragraph (3) with respect to a document, artifact, or other article described in paragraph (1), taking into account considerations such as the Museum's collections management policy and best professional museum practice, the Secretary may sell at fair market value, trade, or transfer such document, artifact, or other article without regard to the requirements of subtitle I of title 40, United States Code. The

proceeds of any such sale may be used solely for the advancement of the activities described in subsection (a)(1) of the National Museum of American Diplomacy and may not be used for any purpose other than the acquisition and direct care of the collections of the Museum.

''(3) DETERMINATIONS PRIOR TO SALE, TRADE, OR TRANSFER.—The determination described in this paragraph with respect to a document, artifact, or other article described in paragraph (1) is a determination that—

''(A) the document, artifact, or other article no longer serves to further the mission of the National Museum of American Diplomacy as set forth in the collections management policy of the Museum;

''(B) the sale at a fair market price based on an independent appraisal or trade or transfer of the document, artifact, or other article would serve to maintain or enhance the Museum collection; and

''(C) the sale, trade, or transfer of the document, artifact, or other article would be in the best interests of the United States.

''(4) LOANS.—In addition to the authorization under paragraph (2) relating to the sale, trade, or transfer of documents, artifacts, or other articles described in paragraph (1), the Secretary of State may—

''(A) loan the documents, artifacts, or other articles to other institutions, both foreign and domestic, for repair, study, or exhibition when not needed for use or display by the National Museum of American Diplomacy; and

''(B) borrow documents, artifacts, or other articles from other institutions or individuals, both foreign and domestic, for activities consistent with subsection (a)(1).''.

SEC. 9207. AUTHORITY TO ESTABLISH NEGOTIATIONS SUPPORT UNIT WITHIN DEPARTMENT OF STATE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there is a need for the United States Government to maintain a permanent institutional hub for technical expertise, strategic advice, and knowledge management in negotiations, mediation, and peace processes in order to prioritize and invest in diplomacy;

(2) the United States plays a role in enabling and supporting peace processes and complex political negotiations, the success of which is essential to stability and democracy around the world;

(3) the meaningful engagement of conflict-affected communities, particularly women, youth, and other impacted populations, is vital to durable, implementable, and sustainable peace;

(4) negotiation requires a specific technical and functional skillset, and thus institutional expertise in this practice area should include trained practitioners and subject matter experts;

(5) such skills should continue to be employed as the United States Government advises and contributes to peace processes, including those where the United States plays a supporting role or is led by multilateral and international partners; and

(6) training programs for United States diplomats should draw upon this expertise and United States lessons learned to help equip diplomats with skills to respond to peace processes and complex political negotiations, and how to request support.

(b) NEGOTIATIONS SUPPORT UNIT.—Section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(p) NEGOTIATIONS SUPPORT UNIT.—

''(1) AUTHORITY TO ESTABLISH.—The Secretary of State may establish within the Department of State a unit to be known as the 'Negotiations Support Unit' responsible for carrying out the functions described in paragraph (2), as appropriate.

''(2) FUNCTIONS.—The functions described in this paragraph are the following:

''(A) Serving as a permanent institutional hub and resource for negotiations and peace process expertise and knowledge management.

''(B) Advising the Secretary of State, other relevant senior officials, members of the Foreign Service, and employees of the Department of State on the substance, process, and strategy of negotiations, mediation, peace processes, and other complex political negotiations from strategy and planning to implementation.

''(C) Supporting the development and implementation of United States policy related to complex political negotiations and peace processes, including those led by multilateral and international partners.

''(D) Advising on mediation and negotiations programs to implement United States policy.

''(E) Supporting training for Foreign Services Officers and civil servants on tailored negotiation and mediation skills.

''(F) Working with other governments, international organizations, and nongovernmental organizations, as appropriate, to support the development and implementation of United States policy on peace processes and complex political negotiations.

''(G) Any additional duties the Secretary of State may prescribe.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for fiscal year 2025 for the establishment of the Negotiations Support Unit under paragraph (1).''.

SEC. 9208. PERIODIC BRIEFINGS FROM BUREAU OF INTELLIGENCE AND RESEARCH.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and at least every 90 days thereafter at a minimum for the next 3 years, the Secretary shall offer to the appropriate congressional committees a briefing on—

(1) any topic requested by one or more of the appropriate congressional committees;

(2) any topic of current importance to the national security of the United States; and

(3) any other topic the Secretary considers necessary.

(b) LOCATION.—The briefings required under subsection (a) shall be held at a secure facility that is suitable for review of information that is classified at the level of ''Top Secret/SCI''.

SEC. 9209. RESTRICTIONS ON THE USE OF FUNDS FOR SOLAR PANELS.

The Department may not use Federal funds to procure any solar energy products that were manufactured in the Xinjiang Uyghur Autonomous Region of the People's Republic of China or other regions in the country, which are known to be produced with forced labor.

SEC. 9210. RESPONSIVENESS TO CONGRESSIONAL RESEARCH SERVICE INQUIRIES.

(a) FINDINGS.— The Congressional Research Service is charged with rendering effective and efficient service to Congress and responding expeditiously, effectively, and efficiently to the needs of Congress.

(b) RESPONSES.—The Secretary and Administrator shall ensure that for any inquiry or request from the Congressional Research Service related to its support of Members of Congress and congressional staff—

(1) an initial answer responsive to the request is sent within 14 days of receipt of the inquiry;

(2) a complete answer responsive to the request is sent within 90 days of receipt of the inquiry, together with an explanation as to why the request was delayed; and

(3) Congressional Research Service staff shall be treated as congressional staff for any informal discussions or briefings.

SEC. 9211. MISSION IN A BOX.

(a) FINDINGS.—Congress makes the following findings:

(1) Increasing the United States' global diplomatic footprint is imperative to advance United States' national security interests, particularly in the face of a massive diplomatic expansion of our strategic competitors.

(2) Opening or re-opening diplomatic missions, often in small island nations where there is no United States Government presence, but one is needed to advance United States strategic objectives.

(3) Diplomatic missions should be resourced and equipped for success upon opening to allow diplomats to focus on advancing United States national interests in-country.

(4) The United States can and should move more swiftly to open new diplomatic missions and provide United States diplomats and locally employed staff with a workplace that meets locally appropriate quality, safety, and security standards.

(5) To do this, the Department must streamline and support the process of opening new posts to identify efficiencies and removing obstacles that are unduly complicating the opening of new diplomatic missions, particularly in small island states and similarly situated locations.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to appropriate committees of Congress a report on how the Department is creating a ''mission in a box'' concept to provide new such diplomatic missions the needed resources and authorities to quickly and efficiently stand up and operate a mission from the moment United States personnel arrive, or even before the opening of a new mission, particularly in small island nations.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a list of authorities and processes related to the opening of new diplomatic missions;

(B) a list of authorities and processes related to the opening of new diplomatic missions that the Department can waive to expediently stand up new diplomatic missions;

(C) essential functions that each new diplomatic mission should be able to carry out independently upon opening;

(D) a description of functions that another post or support center will need to carry out to support the new mission;

(E) a list of essential equipment that should be provided to each new diplomatic mission, the approval of which should be handled prior to or shortly after the opening of the new diplomatic mission, including arrangements for basic office equipment, vehicles, and housing;

(F) the number of recommended locally engaged staff and United States direct hires resident in-country;

(G) the number of non-resident support staff who are assigned to the new diplomatic mission, such as from another post or regional support center;

(H) a description of how medical and consular support services could be provided;

(I) procedures for requesting an expansion of the post's functions or physical platform after opening, should that be needed;

(J) any other authorities or processes that may be required to successfully and quickly stand up a new diplomatic mission, including any new authorities the Department may need;

(K) a list of incentives, in addition to pay differentials, being considered for such posts; and

(L) a description of any specialized training, including for management and security personnel supporting the establishment of such new embassies that may be required.

(c) SENIOR OFFICIAL TO LEAD NEW EMBASSY EXPANSION.—

(1) DESIGNATION.—The Secretary shall designate an assistant secretary-level senior official to expedite and make recommendations for the reform of procedures for opening new diplomatic missions abroad, particularly in small island states.

(2) RESPONSIBILITIES.—The senior official designated pursuant to paragraph (1) shall be responsible for proposing policy and procedural changes to the Secretary to—

(A) expediting the resourcing of new diplomatic missions by waiving or reducing when possible mandatory processes required to open new diplomatic missions, taking into account the threat environment and circumstances in the host country;

(B) when necessary, quickly adjudicating within the Department any decision points that arise during the planning and execution phases of the establishment of a new mission;

(C) ensuring new missions receive the management and operational support needed, including by designating such support be undertaken by another post, regional support center, or Department entities based in the United States; and

(D) ensuring that the authorities provided in the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of appendix G of Public Law 106–113), as amended by the Secure Embassy Construction and Counterterrorism Act of 2022 (section 9301 of Public Law 117–263; 136 Stat. 3879), are fully utilized in the planning for all new diplomatic missions.

(d) NEW DIPLOMATIC MISSION DEFINED.—In this section, the term ''new diplomatic mission'' means any bilateral diplomatic mission opened since January 1, 2020, in a country where there had not been a bilateral diplomatic mission since the date that is 20 years before the date of the enactment of this Act.

(e) SUNSET.—The authorities and requirements of this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 9212. REPORT ON UNITED STATES CONSULATE IN CHENGDU, PEOPLE'S REPUBLIC OF CHINA.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the effect of the suspension of operations at of the United States Consulate General in Chengdu, People's Republic of China, on July 27, 2020, on diplomatic and consular activities of the United States in Southwestern China, including the provision of consular services to United States citizens, and on relations with the people of Southwestern China, including in areas designated by the Government of the People's Republic of China as autonomous.

SEC. 9213. PERSONNEL REPORTING.

Not later than 60 days after the date of the enactment of this Act, and at least every 120 days thereafter for 5 years, the Secretary shall submit to the appropriate congressional committees a report—

(1) describing the on-board personnel levels, hiring, and attrition of the Civil Service, Foreign Service, eligible family members, locally employed staff, and contractor workforce of the Department, on an operating unit-by-operating unit basis; and

(2) including a status update on progress toward fiscal year hiring plans for Foreign Service and Civil Service.

SEC. 9214. SUPPORT CO-LOCATION WITH ALLIED PARTNER NATIONS.

The Secretary, following consultation with the appropriate congressional committees, may alter, repair, and furnish United States Government-owned and leased space for use by the government of a foreign country to facilitate co-location of such government in such space, on such terms and conditions as the Secretary may determine, including with respect to reimbursement of all or part of the costs of such alteration, repair, or furnishing. Reimbursements or advances of funds pursuant to this section may be credited to the currently applicable appropriation and shall be available for the purposes for which such appropriation is authorized.

SEC. 9215. STREAMLINE QUALIFICATION OF CONSTRUCTION CONTRACT BIDDERS.

Section 402 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4852) is amended—

(1) in subsection (a)—

(A) by inserting ''be awarded'' after ''joint venture persons may'';

(B) by striking ''bid on'' both places it appears; and

(C) in paragraph (1), by striking ''$10,000,000'' and inserting ''$25,000,000''; and

(2) in subsection (c)—

(A) in paragraph 1, by striking ''two'' and inserting ''three''; and

(B) in paragraph (2)—

(i) in subparagraph (D), by striking ''at a United States diplomatic or consular establishment abroad'' and inserting ''on a Federal contract abroad'';

(ii) by striking subparagraphs (E) and (G);

(iii) by redesignating subparagraph (F) as subparagraph (E); and

(iv) in subparagraph (E), as redesignated by clause (iii), by striking ''80'' ⟦both places it appears⟧ and inserting ''65''.

TITLE III—INFORMATION SECURITY AND CYBER DIPLOMACY

SEC. 9301. SUPPORTING DEPARTMENT OF STATE DATA ANALYTICS.

There is authorized to be appropriated for the Department of State for fiscal year 2025 $3,000,000 for bureaus to hire Chief Data Officers through the ''Bureau Chief Data Officer Program'', consistent with section 6302 of the Department of State Authorization Act of 2023 (division F of Public Law 118–31; 22 U.S.C. 2651a note).

SEC. 9302. REALIGNING THE REGIONAL TECHNOLOGY OFFICER PROGRAM.

Section 9508(a)(1) of the Department of State Authorizations Act of 2022 (division I of Public Law 117–263; 22 U.S.C. 10305(a)(1)) is amended by inserting '', and shall be administered by the Bureau for Cyberspace and Digital Policy'' before the period at the end.

SEC. 9303. MEASURES TO PROTECT DEPARTMENT DEVICES FROM THE PROLIFERATION AND USE OF FOREIGN COMMERCIAL SPYWARE.

(a) DEFINITIONS.—In this section:

(1) COVERED DEVICE.—The term ''covered device'' means any electronic mobile device, including smartphones, tablet computing devices, or laptop computing device, that is issued by the Department for official use.

(2) FOREIGN COMMERCIAL SPYWARE; SPYWARE.—The terms ''foreign commercial spyware'' and ''spyware'' have the meanings given those terms in section 1102A of the National Security Act of 1947 (50 U.S.C. 3232a).

(b) PROTECTION OF COVERED DEVICES.—

(1) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall—

(A) issue standards, guidance, best practices, and policies for Department and USAID personnel to protect covered devices from being compromised by foreign commercial spyware;

(B) survey the processes used by the Department and USAID to identify and catalog instances where a covered device was compromised by foreign commercial spyware over the prior 2 years and it is reasonably expected to have resulted in an unauthorized disclosure of sensitive information; and

(C) submit to the appropriate congressional committees a report on the measures in place to identify and catalog instances of such compromises for covered devices by foreign commercial spyware, which may be submitted in classified form.

(2) NOTIFICATIONS.—Not later than 60 days after the date on which an element of the Department becomes aware that a covered device was compromised by foreign commercial spyware, the Secretary, in coordination with relevant agencies, shall notify the appropriate congressional committees of the facts concerning such targeting or compromise, including—

(A) the location of the personnel whose covered device was compromised;

(B) the number of covered devices compromised;

(C) an assessment by the Secretary of the damage to the national security of the United States resulting from any loss of data or sensitive information; and

(D) an assessment by the Secretary of any foreign government or foreign organization or entity, and, to the extent possible, the foreign individuals, who directed and benefitted from any information acquired from the compromise.

SEC. 9304. REPORT ON CLOUD COMPUTING IN BUREAU OF CONSULAR AFFAIRS.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of the Bureau of Consular Affairs adoption of cloud-based products and services as well as options to require enterprise-wide adoption of cloud computing, including for all consular operations.

SEC. 9305. INFORMATION TECHNOLOGY PILOT PROJECTS.

Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Department of State should, in consultation with the Assistant Secretary of the Bureau of Consular Affairs, prioritize information technology systems with high potential to accelerate the passport renewal processes, reduce processing times, and reduce dependency on legacy systems.

SEC. 9306. LEVERAGING APPROVED TECHNOLOGY FOR ADMINISTRATIVE EFFICIENCIES.

The Secretary and Administrator shall ensure appropriate and secure technological solutions are authorized and available for employee use, where feasible, to promote technological fluency in the workforce, including the integration of secure tools in the evaluation process to ensure performance management standards while maximizing efficiency.

SEC. 9307. OFFICE OF THE SPECIAL ENVOY FOR CRITICAL AND EMERGING TECHNOLOGY.

(a) ESTABLISHMENT.—The Secretary shall establish an Office of the Special Envoy for Critical and Emerging Technology (referred to in this section as the ''Office''), which shall be located within the Bureau for Cyberspace and Digital Policy.

(b) LEADERSHIP.—

(1) SPECIAL ENVOY.—The Office shall be headed by a Special Envoy for Critical and Emerging Technology, who shall—

(A) be appointed by the President, by and with the advice and consent of the Senate; and

(B) have the rank and status of ambassador; and

(C) report to the Ambassador-at-Large for Cyberspace and Digital Policy.

(c) MEMBERSHIP.—The Office may include representatives or expert detailees from other key Federal agencies or research and technology-focused fellowship programs, as determined by the Special Envoy for Critical and Emerging Technology and with the consent of the Ambassador-at-Large for Cyberspace and Digital Policy, in coordination with appropriate senior officials of such agencies.

(d) PURPOSES.—The purposes of the Office shall include—

(1) establishing, in coordination with relevant bureaus, offices and other Federal agencies, an interagency security review process for proposals regarding United States Government-funded international collaboration on critical and emerging technologies and associated research;

(2) establishing and coordinating an interagency strategy to facilitate international cooperation with United States allies and partners regarding the development, use, and deployment of critical and emerging technologies and associated standards and safeguards for research security, intellectual property protection, and illicit knowledge transfer;

(3) facilitating technology partnerships with countries and relevant political and economic unions that are committed to—

(A) the rule of law and respect for human rights, including freedom of speech, and expression;

(B) the safe and responsible development and use of critical and emerging technologies and the establishment of related norms and standards, including for research security and the protection of sensitive data and technology;

(C) a secure internet architecture governed by a multi-stakeholder model instead of centralized government control;

(D) robust international cooperation to promote open and interoperable technological products and services that are necessary to freedom, innovation, transparency, and privacy; and

(E) multilateral coordination, including through diplomatic initiatives, information sharing, and other activities, to defend the principles described in subparagraphs (A) through (D) against efforts by state and nonstate actors to undermine them;

(4) supporting efforts to harmonize technology governance regimes with partners, coordinating on basic and pre-competitive research and development initiatives, and collaborating to pursue such opportunities in certain critical and emerging technologies;

(5) coordinating with other technology partners on export control policies for certain critical and emerging technologies, including countering illicit knowledge and data transfer related to certain critical and emerging technology research;

(6) conducting diplomatic engagement, in coordination with other bureaus, offices, and relevant Federal departments and agencies, with allies and partners to develop standards and coordinate policies designed to counter illicit knowledge and data transfer in academia related to critical and emerging technology research;

(7) coordinating with allies, partners, and other relevant Federal agencies to prevent the exploitation of research partnerships related to certain critical and emerging technologies;

(8) sharing information regarding the threat posed by the transfer of certain critical and emerging technologies to authoritarian governments, including the People's Republic of China and the Russian Federation, and the ways in which autocratic regimes are utilizing technology to erode individual freedoms and other foundations of open, democratic societies; and

(9) collaborating with private companies, trade associations, and think tanks to realize the purposes described in paragraphs (1) through (8).

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary, in coordination with the Director of National Intelligence and the heads of other relevant Federal agencies, as appropriate, shall submit to the appropriate congressional committees an unclassified report, with a classified index, if necessary, regarding—

(1) the activities of the Office related to paragraphs (1) through (9) of subsection (d), including any cooperative initiatives and partnerships pursued with United States allies and partners, and the results of such activities, initiatives, and partnerships;

(2) the activities of the Government of the People's Republic of China, the Chinese Communist Party, and the Russian Federation in sectors related to certain critical and emerging technologies and the threats they pose to the United States; and

(3) an inventory of all international research and development programs for critical and emerging technologies funded by the Department or USAID that include participation by institutions or organizations that are affiliated with, or receive support from, the Government of the People's Republic of China or the Government of the Russian Federation.

(f) CRITICAL AND EMERGING TECHNOLOGIES.—In this section, the term ''critical and emerging technologies'' means the technologies listed on the critical and emerging technologies list published by the National Science and Technology Council (NSTC) at the Office of Science and Technology Policy, as amended by subsequent updates to the list issued by the NSTC.

TITLE IV—PUBLIC DIPLOMACY

SEC. 9401. AFRICA BROADCASTING NETWORKS.

Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the United States Agency for Global Media shall submit to the appropriate congressional committees a report on the resources and timeline needed to establish within the Agency an organization the mission of which shall be to promote democratic values and institutions in Africa by providing objective, accurate, and relevant news and information to the people of Africa and counter disinformation from malign actors, especially in countries in which a free press is banned by the government or not fully established, about the region, the world, and the United States through uncensored news, responsible discussion, and open debate.

SEC. 9402. UNITED STATES AGENCY FOR GLOBAL MEDIA.

Section 306 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended—

(1) by redesignating subsections (f) and (g) as subsection (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection:

''(f) SUSPENSION AND DEBARMENT OF GRANTEES.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), a grantee may not be debarred or suspended without consultation with the Chief Executive Officer and a three-fourths majority vote of the Advisory Board in support of such action.

''(2) SUSPENSION.—

''(A) CRITERIA FOR SUSPENSION.—A grantee may not be suspended unless the Advisory Board determines that the criteria described in section 513.405 of title 22, Code of Federal Regulations, have been met.

''(B) SUSPENDING OFFICIAL.—The Advisory Board shall collectively serve as the suspending official (as described in section 513.105 of title 22, Code of Federal Regulations).

''(3) DEBARMENT.—

''(A) CRITERIA FOR DEBARMENT.—A grantee may not be debarred unless the Advisory Board determines that one or more of the causes described in section 513.305 of title 22, Code of Federal Regulations, has been established.

''(B) DEBARRING OFFICIAL.—The Advisory Board shall collectively serve as the debarring official (as described in section 513.105 of title 22, Code of Federal Regulations).''.

SEC. 9403. EXTENSION OF AUTHORIZATIONS TO SUPPORT UNITED STATES PARTICIPATION IN INTERNATIONAL FAIRS AND EXPOS.

Section 9601 of the Department of State Authorizations Act of 2022 (division I of Public Law 117–263; 136 Stat. 3909) is amended in subsection (b), by striking ''fiscal years 2023 and 2024'' and inserting ''fiscal years 2023, 2024, 2025, 2026, and 2027''.

SEC. 9404. RESEARCH AND SCHOLAR EXCHANGE PARTNERSHIPS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the strategic interest of the United States to strengthen relations with Sub-Saharan African states to promote shared interests in the areas of—

(A) democracy and good governance;

(B) education and human capital;

(C) trade and economic development;

(D) science and technology;

(E) biodiversity, food, and agriculture; and

(F) the preservation and management of natural resources, including critical minerals; and

(2) historically Black colleges and universities (referred to in this section as ''HBCUs'') have a long history of—

(A) cultivating diaspora relations with Sub-Saharan African states; and

(B) developing innovative solutions to some of the world's most pressing challenges.

(b) STRENGTHENED PARTNERSHIPS.—The Secretary and the Administrator should seek to strengthen and expand partnerships and educational exchange opportunities, including by working with HBCUs, which build the capacity and expertise of students, scholars, and experts from Sub-Saharan Africa in key development sectors.

(d) TECHNICAL ASSISTANCE.—The Administrator is authorized to—

(1) provide technical assistance to HBCUs to assist in fulfilling the goals of this section, including in developing contracts, operating agreements, legal documents, and related infrastructure; and

(2) upon request, provide feedback to HBCUs, to the maximum extent practicable, after a grant rejection from relevant Federal programs in order to improve future grant applications, as appropriate.

SEC. 9405. WAIVER OF PHYSICAL PRESENCE REQUIREMENT FOR CHILDREN OF RADIO FREE EUROPE/RADIO LIBERTY EMPLOYEES.

Section 320(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1431(a)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end; and

(2) by adding at the end of the following:

''(C) residing abroad as a result of employment with Radio Free Europe/Radio Liberty; or''.

TITLE V—DIPLOMATIC SECURITY

SEC. 9501. SECURE EMBASSY CONSTRUCTION AND COUNTERTERRORISM ACT REQUIREMENTS.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the

Secretary shall prescribe new guidance and requirements consistent with the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of appendix G of Public Law 106–113), as amended by the Secure Embassy Construction and Counterterrorism Act of 2022 (section 9301 of Public Law 117–263; 136 Stat. 3879) and submit to the appropriate congressional committees a report detailing such guidance and requirements, including the impact of implementation on United States diplomatic facilities and construction projects.

(b) CONSEQUENCE FOR NONCOMPLIANCE.—If the Secretary fails to meet the requirement under subsection (a) no Federal funds appropriated to the Department shall be used for official travel by senior staff in the executive office of the Diplomatic Security Service, including the Assistant Secretary for Diplomatic Security, until such time as the Secretary meets the requirement.

(c) WAIVER.—The Secretary may waive the restriction in subsection (b) to meet urgent and critical needs if the Secretary provides written notification to the appropriate congressional committees in advance of travel.

SEC. 9502. CONGRESSIONAL NOTIFICATION FOR SERIOUS SECURITY INCIDENTS.

Section 301(a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4833(a)), is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(2) by inserting after paragraph (1) the following new paragraph:

''(2) INITIAL CONGRESSIONAL NOTIFICATION.—The Secretary shall notify the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives not later than 8 days after a possible Serious Security Incident has taken place. Such notification shall include a preliminary description of the incident, of an incident described in paragraph (1), including any known individuals involved, when and where the incident took place, and the next steps in the investigation.''; and

(3) in paragraph (4), as redesignated by paragraph (1) of this section, by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

SEC. 9503. NOTIFICATIONS REGARDING SECURITY DECISIONS AT DIPLOMATIC POSTS.

Section 103(c) of section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4802(c)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking ''The Secretary'' and inserting ''(1) The Secretary''; and

(3) by adding at the end the following new paragraph:

''(2) The Secretary of State shall notify the appropriate congressional committees within 10 days of any decision to retain authority over or approve decisions at an overseas post, including the movement of personnel.''.

SEC. 9504. COUNTER-INTELLIGENCE INVESTIGATIONS OF SPECIAL IMMIGRANT VISA APPLICANTS AT CRITICAL HUMAN INTELLIGENCE THREAT POSTS.

(a) IN GENERAL.—The Secretary shall require all principal officers who are stationed at a Critical Human Intelligence Threat Post, before recommending any employee or honorably retired former employee of the United States Government abroad for special immigrant status, to ensure that such employees have been subject to an in-depth counter intelligence investigation conducted by the Regional Security Office (RSO) assigned to such post and the Department's Office of Counterintelligence (DS/DO/CI).

(b) EFFECT OF DEROGATORY COUNTER-INTELLIGENCE INFORMATION.—If an investigation conducted pursuant to subsection (a) reveals derogatory counter-intelligence information about an employee—

(1) a principal officer described in subsection (a) should not recommend such employee receive special immigrant status; and

(2) if applicable, the employee's security certification at such post shall be adjudicated by the RSO not later than 30 days after the conclusion of such investigation.

SEC. 9505. SECURITY CLEARANCE SUSPENSION PAY FLEXIBILITIES.

Section 610(c)(6) of the Foreign Service Act of 1980 (22 U.S.C. 4010(c)(6)) is amended by striking ''paragraph 1(B)'' and inserting ''this subsection''.

SEC. 9506. MODIFICATION TO NOTIFICATION REQUIREMENT FOR SECURITY CLEARANCE SUSPENSIONS AND REVOCATIONS.

Section 6710(a)(2) of the Department of State Authorization Act of 2023 (division F of Public Law 118–31; 22 U.S.C. 2651a note) is amended by striking ''revocation on'' and all that follows through ''or revocation'' and inserting ''revocation on—

''(A) the present employment status of the covered official and whether the job duties of the covered official have changed since such suspension or revocation;

''(B) the reason for such suspension or revocation;

''(C) the investigation of the covered official and the results of such investigation; and

''(D) any negative repercussions for the Department of State, the United States Government, or the national security of the United States as a result of the actions for which the security clearance was suspended or revoked.''.

SEC. 9507. DEPARTMENT OF STATE DOMESTIC PROTECTION MISSION.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Commerce, Science, and Transportation of the Senate;

(E) the Committee on Foreign Affairs of the House of Representatives;

(F) the Permanent Select Committee on Intelligence of the House of Representatives;

(G) the Committee on the Judiciary of the House of Representatives; and

(H) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) BUDGET.—The term ''budget'' means the budget for a fiscal year submitted by the President to Congress pursuant to section 1105(a) of title 31, United States Code.

(3) COVERED FACILITY OR ASSET.—The term ''covered facility or asset'' means any facility or asset that—

(A) the Secretary, in coordination with the Federal Aviation Administration, identifies as high-risk and a potential target for unlawful unmanned aircraft activity with respect to potentially impacted airspace, through a risk-based assessment;

(B) is located in the United States (including the territories and possessions of the United States);

(C) directly relates to the security and protective missions of the Department, including missions that are consistent with—

(i) section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709); and

(ii) the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4801 et seq.); and

(D) is limited to a specified period at a static location with respect to the fulfillment of personal protection responsibilities under—

(i) section 37(a)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709); or

(ii) paragraph (1)(D), (2)(B)(vii), or (2)(B)(viii) of section 103(a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4802(a)).

(4) ELECTRONIC COMMUNICATION; INTERCEPT; ORAL COMMUNICATION; WIRE COMMUNICATION.—The terms ''electronic communication'', ''intercept'', ''oral communication'', and ''wire communication'' have the meanings given such terms in section 2510 of title 18, United States Code.

(5) PERSONNEL.—The term ''personnel'' means officers, employees, and contractors of the Department who—

(A) have assigned duties involving the safety, security, or protection of personnel, facilities, or assets; and

(B) have been trained and certified to perform such duties, including training to counter unmanned aircraft threats and mitigate risks in the national airspace.

(6) RISK-BASED ASSESSMENT.—The term ''risk-based assessment'' includes an evaluation of—

(A) threat information specific to a covered facility or asset; and

(B) 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—

(i) the potential effects on manned aircraft and unmanned aircraft systems, aviation safety, airport operations, infrastructure, and air navigation services related to the use of any system or technology for carrying out the actions described in subsection (c)(1);

(ii) options for mitigating any identified impacts to the national airspace system related 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 (c)(1);

(iii) the potential consequences of the impacts of any actions described in subsection (c)(1) to the national airspace system and infrastructure if such actions are not mitigated;

(iv) 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;

(v) the setting and character of any covered facility or asset, whether located in a populated area or near other structures, whether the facility is open to the public, and whether the facility is also used for nongovernmental functions, and any potential for interference with wireless communications or for injury or damage to persons or property, or invasion of privacy interests; and

(vi) the potential consequences to national security, public safety, or law enforcement if threats posed by unmanned aircraft systems are not mitigated or resolved.

(7) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEMS.—The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given such terms in section 44801 of title 49, United States Code.

(b) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2) and notwithstanding any other provision of

law, the Secretary may authorize appropriate Department personnel, including personnel and contractors of the Bureau of Diplomatic Security responsible for the safety, security, or protection of personnel, facilities, or assets, to take such actions described in subsection (c)(1) that are necessary to mitigate a credible threat (as defined by the Secretary, in consultation with 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) CONTRACTOR ELIGIBILITY.—Contractors authorized pursuant to paragraph (1) to take actions described in subsection (c)(1)—

(A) shall be directly contracted by the Department;

(B) shall operate at a facility that is owned or leased by the Federal Government;

(C) may not conduct inherently governmental functions; and

(D) shall be trained and certified by the Department as meeting guidance and regulations established by the Department.

(c) ACTIONS DESCRIBED.—

(1) IN GENERAL.—The actions described in this paragraph are—

(A) detecting, identifying, monitoring, and tracking unmanned aircraft systems 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) warning the operator of an unmanned aircraft system or unmanned aircraft, including by passive or active means and direct or indirect physical, electronic, radio, and electromagnetic means;

(C) disrupting control of an unmanned aircraft system or unmanned aircraft, without prior consent, 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) seizing, exercising control of, or otherwise confiscating an unmanned aircraft system or unmanned aircraft; and

(E) using reasonable force to disable, damage, or destroy an unmanned aircraft system or unmanned aircraft.

(2) RESEARCH, TESTING, TRAINING, AND EVALUATION.—

(A) IN GENERAL.—Notwithstanding sections 32, 1030, and 1367 of title 18, United States Code, chapters 119 and 206 of such title 18, section 705 of the Communications Act of 1934 (47 U.S.C. 605), and section 46502 of title 49, United State Code, the Secretary shall conduct research, testing, training on, and evaluation of, any equipment, including electronic equipment, to determine its capability and utility before using any such technology for any action described in paragraph (1).

(B) ELIGIBLE PERSONNEL.—Personnel, including contractors, who are not responsible for the safety, security, or protection of people, facilities, or assets may engage in research, testing, training, and evaluation activities pursuant to this section.

(C) COORDINATION.—The Secretary shall coordinate procedures governing research, testing, training, and evaluation for carrying out any provision in this section with the Administrator of the Federal Aviation Administration before initiating such activities so the Administrator may ensure such activities do not adversely impact or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the national airspace system.

(d) FORFEITURE.—Any unmanned aircraft system or unmanned aircraft described in subsection (b)(1) seized by the Secretary is subject to forfeiture to the United States pursuant to chapter 46 of title 18, United States Code.

(e) RULEMAKING.—The Secretary and the Secretary of Transportation, in consultation with the Assistant Secretary of Commerce for Communications and Information—

(1) may prescribe regulations to carry out this section; and

(2) shall issue guidance in the respective areas of each Secretary to carry out this section.

(f) COORDINATION.—

(1) DEVELOPING REQUIRED ACTIONS.—The Secretary, in coordination with the Administrator of the Federal Aviation Administration and the Assistant Secretary of Commerce for Communications and Information, shall develop the actions described in subsection (c)(1).

(2) PRIOR COORDINATION.—The Secretary shall coordinate with the Administrator of the Federal Aviation Administration before initiating any action authorized under this section to ensure such action 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.

(3) GUIDANCE AND REGULATIONS.—The Secretary shall coordinate the development of guidance and regulations under subsection (e) with—

(A) the Federal Aviation Administration;

(B) the Federal Communications Commission; and

(C) the National Telecommunications and Information Administration.

(4) PRESERVATION OF SAFE AIR TRAVEL.—Before issuing any guidance pursuant to subsection (e) or otherwise implementing this section, the Secretary shall coordinate with the Administrator of the Federal Aviation Administration to ensure such guidance or implementation is designed to preserve—

(A) safe airport operations, navigation, and air traffic services; and

(B) the safe and efficient operation of the national airspace system.

(g) PRIVACY PROTECTION.—The regulations prescribed and the guidance issued pursuant to subsection (e) shall ensure that—

(1) the interception or acquisition of, access to, or maintenance or use of, communications to or from an unmanned aircraft system under this section is conducted in accordance with the First and Fourth Amendments to the United States Constitution and applicable provisions of Federal law;

(2) communications to or from an unmanned aircraft system are intercepted, acquired, or accessed only to the extent necessary to support the actions described in subsection (c);

(3) records of such communications are maintained only for as long as necessary, and in no event more than 180 days, unless the Secretary determines the maintenance of such records—

(A) is necessary to investigate or assist in the prosecution of a violation of law;

(B) is necessary to directly support an ongoing security, law enforcement, or national defense operations; or

(C) is required under Federal statue, regulation, or for the purpose of litigation; and

(4) such communications are not disclosed outside the Department unless such disclosure—

(A) is necessary to investigate or assist in the prosecution of a violation of law;

(B) would support the Department of Defense, a Federal law enforcement, intelligence, or security agency, or a State, local, Tribal, or territorial law enforcement agency;

(C) would support the enforcement activities of a regulatory agency of the Federal Government in connection with a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action relating to, an action described in subsection (c);

(D) is between the Department and a Federal, State, local, Tribal, or territorial law enforcement agency in the course of a security or protection operation of either agency or a joint operations of such agencies; or

(E) is otherwise required by law.

(h) BUDGET.—The Secretary shall submit to Congress, as a part of the budget presentation documents for each fiscal year beginning after the date of the enactment of this Act, a consolidated funding display that—

(1) identifies the funding source for the actions described in subsection (b)(1) within the Department; and

(2) is in unclassified form, but may contain a classified annex.

(i) ASSISTANCE AND SUPPORT.—

(1) FACILITIES AND SERVICES OF OTHER AGENCIES AND NON-FEDERAL ENTITIES.—

(A) IN GENERAL.—The Secretary may use, solicit, or accept from any other Federal agency, or any other public or private entity, supplies, services, or funds to facilitate or take the actions described in subsection (c), with or without reimbursement and notwithstanding any provision of law that would prevent such use or acceptance.

(B) AGREEMENTS.—In carrying out the security and protective missions of the Department, the Secretary may enter into agreements with other executive agencies and appropriate officials of other non-Federal public or private agencies or entities, to the extent necessary and proper to carry out the Secretary's responsibilities under this section.

(2) MUTUAL SUPPORT.—Upon the request of an agency or department conducting a mission specified in section 210G of the Homeland Security Act (6 U.S.C. 124n), section 130i of title 10, United States Code, or section 4510 of the Atomic Energy Defense Act (50 U.S.C. 2661), the Secretary may provide support or assistance in fulfilling the requesting agency's or department's roles and responsibilities for such mission—

(A) when exigent circumstances exist;

(B) that is limited to a specified period and location;

(C) the costs of which remain within available resources;

(D) that is carried out on a reimbursable or nonreimbursable basis; and

(E) that is coordinated with the Federal Aviation Administration.

(j) SEMIANNUAL BRIEFINGS.—Not later than 6 months after the date of the enactment of this Act and semiannually thereafter until the date that is 3 years after such date of enactment, the Secretary and the Secretary of Transportation shall jointly provide a briefing to the appropriate committees of Congress regarding the activities carried out pursuant to this section, which—

(1) shall include a description of—

(A) policies, programs, and procedures to mitigate or eliminate impacts of such activities to the National Airspace System;

(B) instances in which actions described in subsection (c)(1) have been taken;

(C) the guidance, policies, or procedures established to address privacy, civil rights, and civil liberties issues implicated by the actions authorized under this section and any changes or subsequent efforts that would significantly affect privacy, civil rights, or civil liberties;

(D) how the Secretary and the Secretary of Transportation have informed the public as

to the possible use of authorities under this section;

(E) how the Secretary and the Secretary of Transportation have engaged with Federal, State, and local law enforcement agencies to implement and use such authorities; and

(F) the impact of the authorities granted under this section on lawful operator access to national airspace and unmanned aircraft system integration into the national airspace system; and

(2) shall be in unclassified form, but may be accompanied by an additional classified briefing.

(k) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to vest in the Secretary any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration under title 49, United States Code; and

(2) to vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Secretary.

(l) SUNSET PROVISION.—The authority provided under subsection (b) shall terminate on the date that is 3 years after the date of the enactment of this Act.

TITLE VI—UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

SEC. 9601. PERSONAL SERVICE AGREEMENT AUTHORITY FOR THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

Section 636(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(a)) is amended by adding at the end the following new paragraph:

''(17) employing individuals or organizations, by contract, for services abroad for purposes of this Act [and title II of the Food for Peace Act], and individuals employed by contract to perform such services shall not by virtue of such employment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management (except that the Administrator of the United States Agency for International Development may determine the applicability to such individuals of section 5 of the State Department Basic Authorities Act of 1965 (22 U.S.C. 2672) regarding tort claims when such claims arise in foreign countries in connection with United States operations abroad, and of any other law administered by the Administrator concerning the employment of such individuals abroad), and such contracts are authorized to be negotiated, the terms of the contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making, and performance of contracts and performance of work in the United States.''.

SEC. 9602. CRISIS OPERATIONS AND DISASTER SURGE STAFFING.

Section 625 of the Foreign Assistance Act of 1961 (22 U.S.C. 2385) is amended by adding at the end the following new subsection:

''(k) CRISIS OPERATIONS AND DISASTER SURGE STAFFING.—(1) The United States Agency for International Development is authorized to appoint and employ personnel in the excepted service using funds authorized to be appropriated or otherwise made available under the heading 'Transition Initiatives' in an Act making appropriations for the Department of State, Foreign Operations, and Related Programs to carry out the provisions of part I and chapter 4 of part II of this Act of and section 509(b) of the Global Fragility Act of 2019 (title V of division J of Public Law 116–94) to prevent or respond to foreign crises and contexts with growing instability;

''(2) Funds authorized to carry out such purposes may be made available for the operating expenses and administrative costs of such personnel and may remain attributed to any minimum funding requirement for which they were originally made available.

''(3) The Administrator of the United States Agency for International Development shall coordinate with the Office of Personnel Management on implementation of this subsection.''.

SEC. 9603. EDUCATION ALLOWANCE WHILE ON MILITARY LEAVE.

Section 908 of the Foreign Service Act of 1980 (22 U.S.C. 4088) is amended by inserting ''or United States Agency for International Development'' after ''A Department''.

SEC. 9604. INCLUSION OF USAID IN THE PET TRANSPORTATION EXCEPTION TO THE FLY AMERICA ACT.

Section 6224(a)(1) of the Department of State Authorization Act of 2023 (division F of Public Law 118–31; 22 U.S.C. 4081a) is amended, in the matter preceding subparagraph (A)—

(1) by striking ''the Department is'' and inserting ''the Department and the United States Agency for International Development (USAID) are''; and

(2) by striking ''Department personnel'' and inserting ''Department and USAID personnel''.

TITLE VII—OTHER MATTERS

SEC. 9701. AUTHORIZATION OF APPROPRIATIONS TO PROMOTE UNITED STATES CITIZEN EMPLOYMENT AT THE UNITED NATIONS AND INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—The President should direct United States departments and agencies to, in coordination with the Secretary —

(1) fund and recruit Junior Professional Officers for positions at the United Nations and related specialized and technical organizations; and

(2) facilitate secondments, details, and transfers to agencies and specialized and technical bodies of the United Nations.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated an additional $20,000,000 for each of the fiscal years 2025 through 2031 for the Secretary to support Junior Professional Officers, details, transfers, and interns that advance United States interests at multilateral institutions and international organizations, including to recruit, train, and host events related to such positions, and to promote United States citizen candidates for employment and leadership positions at multilateral institutions and international organizations.

(c) AVAILABILITY.—Amounts appropriated pursuant to subsection (a) shall remain available until expended.

(d) CONGRESSIONAL NOTIFICATION.—Not later than 15 days prior to the obligation of funds authorized to be appropriated under this section, the Secretary shall submit to the appropriate congressional committees and the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a notification outlining the amount and proposed use of such funds.

SEC. 9702. AMENDMENT TO REWARDS FOR JUSTICE PROGRAM.

Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

(1) in paragraph (13), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(15) the restraining, seizing, forfeiting, or repatriating of stolen assets linked to foreign government corruption and the proceeds of such corruption.''.

SEC. 9703. PASSPORT AUTOMATION MODERNIZATION.

The Act entitled ''An Act to regulate the issue and validity of passports, and for other purposes'', approved July 3, 1926 (44 Stat. 887, 22 U.S.C. 211a), is amended—

(1) by inserting ''and through the use of Department of State electronic systems,'' after ''the insular possessions of the United States,''; and

(2) by striking ''person'' and inserting ''entity''.

SEC. 9704. CONCURRENCE PROVIDED BY CHIEFS OF MISSION FOR THE PROVISION OF DEPARTMENT OF DEFENSE SUPPORT TO CERTAIN DEPARTMENT OF DEFENSE OPERATIONS.

(a) NOTIFICATION REQUIRED.—Not later than 30 days after the date on which a chief of mission provides concurrence for the provision of support by the Department of Defense to entities or individuals engaged in facilitating or supporting operations of the Department of Defense within the area of responsibility of the chief of mission, the Secretary of State shall notify the appropriate congressional committees of the provision of such concurrence.

(b) ANNUAL REPORT REQUIRED.—Not later than January 31 of each year, the Secretary shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of any support described in subsection (a) that was provided with the concurrence of a chief of mission during the calendar year preceding the calendar year in which the report is submitted.

(2) An analysis of how the support described in paragraph (1) complements diplomatic lines of effort of the Department of State, including—

(A) Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) and associated Anti-Terrorism Assistance (ATA) programs;

(B) International Narcotics Control and Law Enforcement (INCLE) programs; and

(C) Foreign Military Sales (FMS), Foreign Military Financing (FMF), and associated training programs.

SEC. 9705. EXTENSION OF CERTAIN PAYMENT IN CONNECTION WITH THE INTERNATIONAL SPACE STATION.

Section 7(1) of Public Law 106–178 (50 U.S.C. 1701 note) is amended, in the undesignated matter following subparagraph (B), by striking ''December 31, 2025'' and inserting ''December 31, 2030''.

SEC. 9706. SUPPORT FOR CONGRESSIONAL DELEGATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) congressional travel is essential to fostering international relations, understanding global issues first-hand, and jointly advancing United States interests abroad; and

(2) only in close coordination and thanks to the dedication of personnel at United States embassies, consulates, and other missions abroad can the success of these vital trips be possible.

(b) IN GENERAL.—The Secretary shall reaffirm to all diplomatic posts the importance of Congressional travel and shall require all such posts to support congressional travel by members and staff of the appropriate congressional committees fully, by making such support available on any day of the week, including Federal and local holidays and, to the extent practical, requiring the direct involvement of mid-level or senior officers.

(c) EXCEPTION FOR SIMULTANEOUS HIGH-LEVEL VISITS.—The requirement under subsection (a) does not apply in the case of a simultaneous visit from the President, the

First Lady or First Gentleman, the Vice President, the Secretary of State, or the Secretary of Defense.

(d) TRAINING.—The Secretary shall require all designated control officers to have been trained on supporting congressional travel at posts abroad prior to the assigned congressional visit.

SEC. 9707. ELECTRONIC COMMUNICATION WITH VISA APPLICANTS.

Section 833(a)(5)(A) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)) is amended by adding at the end the following new clause:

''(vi) Mailings under this subsection may be transmitted by electronic means, including electronic mail. The Secretary of State may communicate with visa applicants using personal contact information provided to them or to the Secretary of Homeland Security by the applicant, petitioner, or designated agent or attorney.''.

SEC. 9708. ELECTRONIC TRANSMISSION OF VISA INFORMATION.

Section 222 of the Immigration and Nationality Act (8 U.S.C. 1202) is amended by adding at the end the following new subsection:

''(i) ELECTRONIC TRANSMISSION.—Notwithstanding any other provision of the immigration laws (as such term is defined in section 101(a)(17) of this Act (8 U.S.C. 1101(a)(17)), all requirements in the immigration laws for communications with visa applicants shall be deemed satisfied if electronic communications are sent to the applicant using personal contact information at an address for such communications provided by the applicant, petitioner, or designated agent or attorney. The Secretary of State shall take appropriate actions to allow applicants to update their personal contact information and to ensure that electronic communications can be securely transmitted to applicants.''.

SEC. 9709. MODIFICATION TO TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS.

Section 112b of title 1, United States Code, as most recently amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476), is further amended—

(1) by redesignating subsections (h) through (l) as subsections (i) through (m), respectively; and

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

''(h)(1) If the Secretary is aware or has reason to believe that the requirements of subsection (a), (b), or (c) have not been fulfilled with respect to an international agreement or qualifying non-binding instrument, the Secretary shall—

''(A) immediately bring the matter to the attention of the office or agency responsible for the agreement or qualifying non-binding instrument; and

''(B) request the office or agency to provide within 7 days the text or other information necessary to fulfill the requirements of the relevant subsection.

''(2) Upon receiving the text or other information requested pursuant to paragraph (1), the Secretary shall—

''(A) fulfill the requirements of subsection (a), (b), or (c), as the case may be, with respect to the agreement or qualifying non-binding instrument concerned—

''(i) by including such text or other information in the next submission required by subsection (a)(1);

''(ii) by providing such information in writing to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees before provision of the submission described in clause (i); or

''(iii) in relation to subsection (b), by making the text of the agreement or qualifying non-binding instrument and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to the agreement or instrument available to the public on the website of the Department within 15 days of receiving the text or other information requested pursuant to paragraph (1); and

''(B) provide to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees, either in the next submission required by subsection (a)(1) or before such submission, a written statement explaining the reason for the delay in fulfilling the requirements of subsection (a), (b), or (c), as the case may be.''.

SEC. 9710. INCLUSION OF COST ASSOCIATED WITH PRODUCING REPORTS.

(a) ESTIMATED COST OF REPORTS.—Beginning on October 1, 2026, and for the next three fiscal years, the Secretary shall require that any report produced for external distribution, including for distribution to Congress, include the total estimated cost of producing such report and the estimated number of personnel hours.

(b) ANNUAL TOTAL COST OF REPORTS.—Not later than 90 days after the end of each fiscal year, beginning with fiscal year 2025, and for the next three fiscal years, the Secretary shall submit to the appropriate congressional committees an annual report listing the reports issued for the prior fiscal year, the frequency of each report, the total estimated cost associated with producing such report, and the estimated number of personnel hours.

SEC. 9711. EXTRATERRITORIAL OFFENSES COMMITTED BY UNITED STATES NATIONALS SERVING WITH INTERNATIONAL ORGANIZATIONS.

(a) JURISDICTION.—Whoever, while a United States national or lawful permanent resident serving with the United Nations, its specialized agencies, or other international organization the Secretary has designated for purposes of this section and published in the Federal Register, or while accompanying such an individual, engages in conduct, or conspires or attempts to engage in conduct, outside the United States that would constitute an offense punishable by imprisonment for more than 1 year if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States, shall be subject to United States jurisdiction in order to be tried for that offense.

(b) DEFINITIONS.—In this section:

(1) ACCOMPANYING SUCH INDIVIDUAL.—The term ''accompanying such individual'' means—

(A) being a dependent or family member of a United States national or lawful permanent resident serving with the United Nations, its specialized agencies, or other international organization designated under subsection (a);

(B) residing with such United States national or lawful permanent resident serving with the United Nations, its specialized agencies, or other international organization designated under subsection (a); and

(C) not being a national of or ordinarily resident in the country where the offense is committed.

(2) SERVING WITH THE UNITED NATIONS, ITS SPECIALIZED AGENCIES, OR OTHER INTERNATIONAL ORGANIZATION AS THE SECRETARY OF STATE MAY DESIGNATE.—The term ''serving with the United Nations, its specialized agencies, or other international organization as the Secretary of State may designate'' under subsection (a) means—

(A) being a United States national or lawful permanent resident employed as an employee, a contractor (including a subcontractor at any tier), an employee of a contractor (or a subcontractor at any tier), an expert on mission, or an unpaid intern or volunteer of the United Nations, including any of its funds, programs or subsidiary bodies, or any of the United Nations specialized agencies, or of any international organization designated under subsection (a); and

(B) being present or residing outside the United States in connection with such employment.

(3) UNITED STATES NATIONAL.—The term ''United States national'' has the meaning given the term ''national of the United States'' in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

(c) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the application of extraterritorial jurisdiction related to any other Federal law.

SEC. 9712. EXTENSIONS.

(a) PASSPORT FEES.—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by striking ''September 30, 2010'' and inserting ''September 30, 2026''.

(b) USAID CIVIL SERVICE ANNUITANT WAIVER.—Section 625(j)(1)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)(B)) shall be applied by striking ''October 1, 2010'' and inserting ''September 30, 2026''.

(c) OVERSEAS PAY COMPARABILITY AND LIMITATION.—

(1) IN GENERAL.—The authority provided under section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1904) shall remain in effect through September 30, 2026.

(2) LIMITATION.—The authority described in paragraph (1) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1904)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(d) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided under section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212; 124 Stat. 2332)—

(1) shall remain in effect through September 30, 2026; and

(2) may be used to facilitate the assignment of persons for oversight of programs in Somalia, South Sudan, Syria, Venezuela, and Yemen.

(e) SECURITY REVIEW COMMITTEES.—The authority provided under section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan and shall apply to facilities in Ukraine through September 30, 2026, except that the notification and reporting requirements contained in such section shall include the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives.

SA 2466. Mr. CARDIN 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. _____. PEPFAR EXTENSION.

(a) INSPECTORS GENERAL; ANNUAL STUDY.—Section 101 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611) is amended—

(1) in subsection (f)(1)—

(A) in subparagraph (A), by striking ''March 25 of fiscal year 2025'' and inserting ''2030''; and

(B) in subparagraph (C)(iv)—

(i) by striking ''eleven'' and inserting ''16''; and

(ii) by striking ''2025'' and inserting ''2030'';

(2) in subsection (g)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''March 25, 2025'' and inserting ''September 30, 2030''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''2025'' and inserting ''2030''; and

(ii) by striking ''March 25, 2025'' and inserting ''September 30, 2030''.

(b) UNITED STATES FINANCIAL PARTICIPATION IN THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS, AND MALARIA.—Section 202(d) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''March 25 of fiscal year 2025'' and inserting ''2030'';

(ii) in clause (ii), by striking ''March 25 of fiscal year 2025'' and inserting ''2030''; and

(iii) by striking clause (v); and

(B) in subparagraph (B)(iii), by striking ''March 25 of fiscal year 2025'' and inserting ''2030''; and

(2) in paragraph (5), in the matter preceding subparagraph (A), by striking ''2024 and for fiscal year 2025 through March 25 of such fiscal year'' and inserting ''2030''.

(c) ALLOCATION OF FUNDS.—Section 403 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673) is amended—

(1) in subsection (b), by striking ''2024 and fiscal year 2025 through March 25 of such fiscal year'' and inserting ''2030''; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''2024 and for fiscal year 2025 through March 25 of such fiscal year'' and inserting ''2030''.

SA 2467. Mr. MERKLEY (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 D of title XII, add the following:

SEC. 1266. EXTENSION OF EXPORT PROHIBITION ON MUNITIONS ITEMS TO THE HONG KONG POLICE FORCE.

Section 3 of the Act entitled ''An Act to prohibit the commercial export of covered munitions items to the Hong Kong Police Force'', approved November 27, 2019 (Public Law 116–77; 133 Stat. 1174), is amended by striking ''shall expire'' and all that follows and inserting ''shall expire on the date on which the President certifies to the appropriate congressional committees that—

''(1) the Secretary of State has, on or after the date of the enactment of this paragraph, certified under section 205 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725) that Hong Kong warrants treatment under United States export control laws and regulations in the same manner as such laws were applied to Hong Kong before July 1, 1997;

''(2) the Hong Kong Police have not engaged in gross violations of human rights during the 1-year period ending on the date of such certification; and

''(3) there has been an independent examination of human rights concerns related to the crowd control tactics of the Hong Kong Police and the Government of the Hong Kong Special Administrative Region has adequately addressed those concerns.''.

SA 2468. 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 appropriate place in subtitle H of title X, insert the following:

SEC. 10.___ PROHIBITION ON EXPORT OF CRUDE AND REFINED OIL AND CERTAIN PETROLEUM PRODUCTS TO THE PEOPLE'S REPUBIIC OF CHINA

(a) IN GENERAL.—The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) is amended by inserting after section 101 the following:

''SEC. 102. PROHIBITION ON EXPORT OF CERTAIN PETROLEUM PRODUCTS TO THE PEOPLES REPUBIC OF CHINA.

(a) IN GENERAL.—Notwithstanding any other provision of law, no petroleum product described in subsection (b) that is produced in the United States may be exported from the United States to the People's Republic of China.

''(b) PETROLEUM PRODUCT DESCRIBED.—A petroleum product referred to in subsection (a) is

''(1) crude oil;

''(2) refined oil or a refined oil product;

''(3) residual fuel oil; or

''(4) any other petroleum product (other than natural gas or any natural gas liquid product).

(c) APPLICABILITY.—

(1) Petrolium products in transport.—Subsection (a) shall not apply to any petroleum product described in subsection (b) that is in theprocess of being transported from the United States to the People's Republic of China as of the date on which the prohibition under that subsection takes effect pursuant to subsection (d).

''(2) Naturatl gas.—Subsection (a) does not apply to natural gas or any natural gas liquid product.

(d) ''EFFECTIVE DATE.—The prohibition described in subsection (a) shall take effect on the date that is 10 days after the date of enactment of the China Oil Export Prohibition Act of 2023.''.

(b) CLERICAL AMENDMENT—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 89 Stat. 871; 114 Stat. 2034) is amended by inserting after the item relating to section 101 the following:

''Sec. 102. Prohibition on export of certain petroleum products to the People's Republic of China.''.

(c) CONFORMING AMENDMENT.—Section 101(b) of division O of the Consolidated Appropriations Act, 2016 (42 U.S.C. 6212a(b)) is amended by inserting ''and section 102 of the Energy Policy and Conservation Act'' after ''subsections (c) and (d)''.

SA 2469. 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 of subtitle H of title X, add the following:

SEC. 1095. DENIAL OF ASYLUM TO MEMBERS OF A COMMUNIST OR OTHER TOTALITARIAN PARTY.

Section 208(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (v), by striking ''or'' at the end;

(B) in clause (vi), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(vii) the alien is described in section 212(a)(3)(D)(i), except as provided in subparagraph (B)(iii).''; and

(2) in subparagraph (B), by adding at the end the following:

''(iii) EXCEPTION TO PARTY MEMBERSHIP.—

''(I) IN GENERAL.—Notwithstanding subparagraph (A)(vii), an alien who is described in section 212(a)(3)(D)(i) may be granted asylum pursuant to paragraph (1) if—

''(aa) the alien—

''(AA) has, before applying for asylum and through a service approved by the Federal Government, publicly renounced his or her membership in the Communist or totalitarian party of which the alien was a member or with which the alien was affiliated and denounces such party during the asylum adjudication process; and

''(BB) establishes, to the satisfaction of the Attorney General or the Secretary of Homeland Security, that the membership or affiliation of the alien with a Communist or totalitarian party is or was involuntary, limited to a period when the alien was younger than 16 years of age, automatic, by operation of law, without the alien's personal acquiescence, or solely for the purpose of obtaining employment, food rations, or other living essentials; and

''(bb) the Attorney General or the Secretary of Homeland Security, in consultation with the Director of National Intelligence, determines that the alien is not a danger to the security of the United States.

''(iv) WAIVER.—

''(I) IN GENERAL.—In the case of an alien described in section 212(a)(3)(D)(i) who is not eligible for asylum under clause (iii), the Attorney General or the Secretary of Homeland Security may waive the application of such section if the Attorney General or the Secretary, in consultation with the Director of National Intelligence, determines that such alien has significant information relating to national security.

''(II) CONDITIONS.—An alien may only be granted a waiver under this clause if—

''(aa) the alien, through a service approved by the Federal Government, publicly renounces his or her membership in the Communist or totalitarian party of which the alien was a member or with which the alien was affiliated and denounces such party during the asylum adjudication process; and

''(bb) the Attorney General or the Secretary of Homeland Security, in consultation with the Director of National Intelligence, determines that the alien is not a danger to the security of the United States.''.

SA 2470. 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 of subtitle D of title XII, add the following:

SEC. 1266. DUTIES ON MOTOR VEHICLES PRODUCED IN OR BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Notwithstanding any other provision of law, there shall be imposed with respect to each covered article imported into the United States a duty of $20,000, subject to adjustment under subsection (b).

(b) ADJUSTMENT OF DUTY FOR INFLATION.—

(1) IN GENERAL.—The Secretary of the Treasury shall adjust the amount of the duty provided for under subsection (a) on October 1, 2025, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2024.

(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the duty provided for under subsection (a), the Secretary—

(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

(B) may ignore any such increase of less than 1 percent.

(c) DEFINITIONS.—In this section:

(1) CONSUMER PRICE INDEX.—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.

(2) CONTROL.—The term ''control'' has the meaning given that term in section 800.208 of title 31, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

(3) COVERED ARTICLE.—The term ''covered article'' means an article—

(A) classified under chapter 8703 of the Harmonized Tariff Schedule of the United States; and

(B) produced or manufactured, or that underwent final assembly—

(i) in the People's Republic of China; or

(ii) by a person of the People's Republic of China.

(4) ENTITY OWNED, CONTROLLED, DIRECTED, OR OPERATED BY A PERSON OF THE PEOPLE'S REPUBLIC OF CHINA.—The term ''entity owned, controlled, directed, or operated by a person of the People's Republic of China'' includes any entity for which, on any date during the most recent 12-month period, not less than 25 percent of the equity interests in such entity are held directly or indirectly by 1 or more persons of the People's Republic of China, including through—

(A) interests in co-investment vehicles, joint ventures, or similar arrangements; or

(B) a derivative financial instrument or contractual arrangement between the entity and a person of the People's Republic of China, including any such instrument or contract that seeks to replicate any financial return with respect to such entity or interest in such entity.

(5) PERSON OF THE PEOPLE'S REPUBLIC OF CHINA.—The term ''person of the People's Republic of China'' means—

(A) the Government of the People's Republic of China;

(B) any agency, instrumentality, official, or agent of that Government;

(C) any entity the headquarters of which are located in the People's Republic of China;

(D) any entity organized under the laws of the People's Republic of China;

(E) any entity substantively involved in the industrial policies or military-civil fusion strategy of the People's Republic of China, including by accepting funding from, performing a service for, or receiving a subsidy from the People's Republic of China related to such policies or strategy; or

(F) any entity owned, controlled, directed, or operated by an entity described in any of subparagraphs (A) through (E).

SA 2471. 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 of subtitle F of title X, add the following:

SEC. 1291. CLARIFICATION OF COUNTRY OF ORIGIN OF CERTAIN PASSENGER MOTOR VEHICLES.

(a) IN GENERAL.—On and after the date that is 180 days after the date of the enactment of this Act, any article classified under heading 8703 of the Harmonized Tariff Schedule of the United States and produced, manufactured, or that underwent final assembly by a foreign adversary party or an entity owned, controlled, directed, or operated by a foreign adversary party shall be treated as originating in the foreign adversary.

(b) DEFINITIONS.—In this section:

(1) CONTROL.—The term ''control'' has the meaning given that term in section 800.208 of title 31, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

(2) ENTITY OWNED, CONTROLLED, DIRECTED, OR OPERATED BY A FOREIGN ADVERSARY PARTY.—The term ''entity owned, controlled, directed, or operated by a foreign adversary party'' includes any entity for which, on any date during the most recent 12-month period, not less than 25 percent of the equity interests in such entity are held directly or indirectly by 1 or more foreign adversary parties including through—

(A) interests in co-investment vehicles, joint ventures, or similar arrangements; or

(B) a derivative financial instrument or contractual arrangement between the entity and a foreign adversary party, including any such instrument or contract that seeks to replicate any financial return with respect to such entity or interest in such entity.

(3) FOREIGN ADVERSARY.—The term ''foreign adversary'' 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.

(E) The Republic of Cuba.

(F) Venezuela, while Nicolás Maduro is the president.

(G) The Syrian Arab Republic.

(4) FOREIGN ADVERSARY PARTY.—

(A) IN GENERAL.—The term ''foreign adversary party'' means any of the following:

(i) The government of a foreign adversary, including any agency, government instrumentality, official, or agent of such a government.

(ii) Any entity organized under the laws of a foreign adversary (or any political subdivision thereof).

(iii) Any entity the headquarters of which is located within a foreign adversary.

(B) INCLUSION OF CERTAIN ENTITIES OF THE PEOPLE'S REPUBLIC OF CHINA.—The term ''foreign adversary party'' includes any entity substantively involved in the industrial policies or military-civil fusion strategy of the People's Republic of China, including by accepting funding from, performing a service for, or receiving a subsidy from the People's Republic of China related to such policies or strategy.

SA 2472. 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 of subtitle F ot title XII, add the following:

SEC. 1291. REQUIREMENT FOR VEHICLES TO COMPLY WITH UNITED STATES-MEXICO-CANADA AGREEMENT TO QUALIFY FOR CERTAIN FEDERAL PROGRAMS.

(a) TAX CREDITS FOR CLEAN VEHICLES.—

(1) CLEAN VEHICLE CREDIT.—Section 30D(d) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1)(G), by striking ''the final assembly of which occurs within North America'' and inserting ''which qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4531)'', and

(B) by striking paragraph (5).

(2) CREDIT FOR QUALIFIED COMMERCIAL CLEAN VEHICLES.—Paragraph (1) of section 45W(c) of such Code is amended by striking ''section 30D(d)(1)(C)'' and inserting ''subparagraphs (C) and (G) of section 30D(d)(1)''.

(3) PREVIOUSLY-OWNED CLEAN VEHICLES.—Clause (i) of section 25E(c)(1)(D) of such Code is amended by inserting ''(G),'' after ''(F),''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to vehicles acquired after the date of the enactment of this Act.

(b) PUBLIC SCHOOL ENERGY IMPROVEMENT PROGRAM.—Section 40541(f) of the Investment Infrastructure and Jobs Act (42 U.S.C. 18831(f)) is amended by adding at the end the following:

''(5) USMCA-COMPLIANT VEHICLE REQUIREMENT.—

''(A) DEFINITION OF USMCA-COMPLIANT VEHICLE.—In this paragraph, the term 'USMCA-compliant vehicle' means a vehicle that qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4531).

''(B) REQUIREMENT.—Any alternative fueled vehicle purchased using a grant under this

section shall be required to be a USMCA-compliant vehicle.''.

(c) STATE ENERGY PROGRAM.—Section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322) is amended by adding at the end the following:

''(h) USMCA-COMPLIANT VEHICLE REQUIREMENT.—

''(1) DEFINITION OF USMCA-COMPLIANT VEHICLE.—In this subsection, the term 'USMCA-compliant vehicle' means a vehicle that qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4531).

''(2) REQUIREMENT.—Subject to paragraph (3), any vehicle purchased as part of a State energy conservation plan shall be required to be a USMCA-compliant vehicle.

''(3) MORE STRINGENT STATE LAW.—The requirement under paragraph (2) shall not apply in the case of a State energy conservation plan that requires vehicles purchased under the plan to be produced in the United States.''.

(d) BUS AND BUS FACILITIES GRANT PROGRAM.—Section 5339(b) of title 49, United States Code, is amended by adding at the end the following:

''(12) USMCA REQUIREMENT.—

''(A) USMCA-COMPLIANT VEHICLE.—In this paragraph, the term 'USMCA-compliant vehicle' means a vehicle that qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4531).

''(B) REQUIREMENT.—Any bus replaced, purchased, or leased using a grant under this subsection shall be a USMCA-compliant vehicle.''.

(e) LOW OR NO EMISSION PUBLIC TRANSPORTATION FUNDING PROGRAM.—Section 5339(c) of title 49, United States Code, is amended by adding at the end the following:

''(9) USMCA REQUIREMENT.—

''(A) USMCA-COMPLIANT VEHICLE.—In this paragraph, the term 'USMCA-compliant vehicle' means a vehicle that qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4531).

''(B) REQUIREMENT.—Any vehicle acquired or leased using a grant under this subsection shall be a USMCA-compliant vehicle.''.

(f) CLEAN SCHOOL BUS PROGRAM.—Section 741(a) of the Energy Policy Act of 2005 (42 U.S.C. 16091(a)) is amended—

(1) in paragraph (3)—

(A) by redesignating subparagraph (B) as clause (ii);

(B) in subparagraph (A), by striking ''(A) the Administrator'' and inserting the following:

''(B)(i) the Administrator''; and

(C) by inserting before subparagraph (B) (as so redesignated) the following:

''(A) qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4531); and''; and

(2) in paragraph (8)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately; and

(B) in the matter preceding clause (i) (as so redesignated), by striking ''that is certified'' and inserting the following: ''that—

''(A) qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4531); and

''(B) is certified''.

(g) CLEAN HEAVY-DUTY VEHICLES PROGRAM.—Section 132(d)(5) of the Clean Air Act (42 U.S.C. 7432(d)(5)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately; and

(2) in the matter preceding clause (i) (as so redesignated), by striking ''vehicle that has'' and inserting the following: ''vehicle that—

''(A) qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4531); and

''(B) has''.

SA 2473. 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 appropriate place, insert the following:

SEC. _____. TRUSTED FOREIGN AUDITING.

(a) INSPECTION OF REGISTERED PUBLIC ACCOUNTING FIRMS.—Section 104(i) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214(i)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (C) and (D), respectively; and

(B) by inserting before subparagraph (C), as so redesignated, the following:

''(A) the term 'compromised auditor' means, with respect to a registered public accounting firm, an independent branch or office of that firm (or a subsidiary of such a branch or office) that—

''(i) is subject to the jurisdiction and laws of the government of a covered country;

''(ii) is directly or indirectly controlled, directed, or materially influenced by a covered country;

''(iii) has a manager or owner, or conducts any operation, that is subject to the direct influence of a covered country; or

''(iv) has entered into any arrangement, agreement, or relationship with the government or political party of a covered country that could compromise the objectivity, integrity, or independence of the branch, office, or subsidiary in performing auditing or attestation services;

''(B) the term 'covered country' means—

''(i) any country (including any special administrative region of such country) identified as a threat to the national security of the United States in the most recent report submitted to Congress by the Director of National Intelligence pursuant to section 108B of the National Security Act of 1947 (50 U.S.C. 3043b) (commonly referred to as the 'Annual Threat Assessment'); or

''(ii) any covered nation (as defined in section 4872(d)(2) of title 10, United States Code);'';

(2) in paragraph (2)(A)—

(A) in the matter preceding clause (i), by striking ''paragraph (1)(A)'' and inserting ''paragraph (1)(C)''; and

(B) in clause (ii), by inserting ''is a compromised auditor that'' before ''the Board is unable''; and

(3) by adding at the end the following:

''(5) TRADING PROHIBITION.—If a covered issuer that is headquartered in a country of concern retains a compromised auditor to prepare an audit report described in paragraph (2)(A) for the covered issuer, the trading prohibition described in paragraph (3) shall apply to the covered issuer.''.

(b) PUBLIC HEARINGS.—Section 105(c) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7215(c)) is amended by striking paragraph (2) and inserting the following:

''(2) PUBLIC HEARINGS.—

''(A) DEFINITIONS.—In this paragraph, the terms 'compromised auditor' and 'covered issuer' have the meanings given those terms in section 104(i)(1).

''(B) CONDITIONS.—Hearings under this section shall not be public, unless—

''(i) a compromised auditor retained by a covered issuer is a party to the hearing; or

''(ii) otherwise ordered by the Board for good cause shown, with the consent of the parties to such hearing.''.

SA 2474. 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 appropriate place in subtitle H of title X, insert the following:

SEC. 10_____. MORATORIUM ON ENERGY DEVELOPMENT IN CERTAIN AREAS OF GULF OF MEXICO.

(a) DEFINITIONS.—In this section:

(1) MILITARY MISSION LINE.—The term ''Military Mission Line'' has the meaning given the term in section 102 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) MORATORIUM.—Effective during the period beginning on the date of enactment of this Act and ending on June 30, 2032, the Secretary shall not offer for leasing, preleasing, or any related activity for energy development of any kind—

(1) any area east of the Military Mission Line in the Gulf of Mexico; or

(2) any area of the outer Continental Shelf described in subparagraph (A), (B), or (C) of paragraph (2) of subsection (d), if oil, gas, wind, or any other form of energy exploration, leasing, or development in that area has been identified in a report under that subsection as having any adverse effect on the national security of the United States or the military readiness or testing capabilities of the Department of Defense.

(c) ENVIRONMENTAL EXCEPTIONS.—Notwithstanding subsection (b), the Secretary may issue leases in areas described in that subsection for environmental conservation purposes, including the purposes of shore protection, beach nourishment and restoration, wetlands restoration, and habitat protection.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and not later than June 30, 2031, the Secretary of Defense shall submit to the Committees on Appropriations and Armed Services of the Senate and the Committees on Appropriations and Armed Services of the House of Representatives a report that describes the impact of oil, gas, wind, and any other form of energy exploration, leasing, or development in areas of the outer Continental Shelf described in paragraph (2) on the national security of the United States and the military readiness and testing capabilities of the Department of Defense.

(2) AREAS DESCRIBED.—The areas of the outer Continental Shelf referred to in paragraph (1) are the following:

(A) Any area west of the Military Mission Line in the Eastern Gulf of Mexico Planning Area.

(B) The South Atlantic Planning Area.

(C) The Straits of Florida Planning Area.

SA 2475. 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 of subtitle A of title IX, add the following:

SEC. 910. ELIMINATION OF THE CHIEF DIVERSITY OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—

(1) REPEAL OF POSITION.—

(A) IN GENERAL.—Section 147 of title 10, United States Code, is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 147.

(2) CONFORMING REPEAL.—Section 913 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3802) is repealed.

(b) PROHIBITION ON ESTABLISHMENT OF SIMILAR POSITIONS.—No Federal funds may be obligated or expended to establish a position within the Department of Defense that is the same as or substantially similar to—

(1) the position of Chief Diversity Officer, as described in section 147 of title 10, United States Code, as such section was in effect on the day before the date of the enactment of this Act; or

(2) the position of Senior Advisor for Diversity and Inclusion, as described in section 913(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3803), as such section was in effect on the day before the date of the enactment of this Act.

SA 2476. 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 of title V, add the following:

Subtitle L—Ensuring Military Readiness Act of 2024

SEC. 599E. SHORT TITLE.

This subtitle may be cited as the ''Ensuring Military Readiness Act of 2024''.

SEC. 599F. LIMITATIONS ON MILITARY SERVICE BY INDIVIDUALS WHO IDENTIFY AS TRANSGENDER.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations regarding service of individuals who identify as transgender as follows:

(1) Persons who identify as transgender with a history of diagnosis of gender dysphoria are disqualified from military service except under the following limited circumstances:

(A) Individuals may serve in the Armed Forces if they have been stable for 36 consecutive months in their biological sex prior to accession.

(B) Members of the Armed Forces diagnosed with gender dysphoria after entering into service may be retained if they do not undergo gender transition procedures and remain deployable within applicable retention standards for their biological sex.

(C) Members of the Armed Forces serving as of the date of the enactment of this Act who have been diagnosed with gender dysphoria may continue to serve only in their biological sex, irrespective of any changes previously made to their gender marker in the Defense Enrollment Eligibility Reporting System (DEERS), and receive medically necessary treatment for gender dysphoria. Such treatment may not include gender transition procedures.

(2) Persons who identify as transgender who seek or have undergone gender transition are disqualified from military service.

(3) Persons who identify as transgender without a history or diagnosis of gender dysphoria, who are otherwise qualified for service and meet all physical and mental requirements, may serve in the Armed Forces in their biological sex.

SEC. 599G. REVISED REGULATIONS REGARDING GENDER MARKINGS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations updating the Defense Enrollment Eligibility Reporting System (DEERS) to require the gender markers for members of the Armed Forces to match their biological sex, irrespective of any previous changes allowed.

SEC. 599H. DEFINITIONS.

In this subtitle:

(1) CROSS-SEX HORMONES.—The term ''cross-sex hormones'' means testosterone or other androgens given to biological females at doses that are profoundly larger or more potent than would normally occur naturally in healthy biological females, or estrogen given to biological males at doses that are profoundly larger or more potent than would normally occur naturally in healthy biological males.

(2) GENDER.—The term ''gender'' means the psychological, behavioral, social, and cultural aspects of being male or female.

(3) GENDER DYSPHORIA.—The term ''gender dysphoria'' means a marked incongruence between one's experienced or expressed gender and biological sex.

(4) GENDER TRANSITION.—The term ''gender transition'' means the process by which a person goes from identifying with and living as a gender that corresponds to his or her biological sex to identifying with and living as a gender different from his or her biological sex, and may involve social, legal, or physical changes.

(5) GENDER TRANSITION PROCEDURES.—The term ''gender transition procedures''—

(A) means—

(i) any medical or surgical intervention, including physician's services, inpatient and outpatient hospital services, or prescribed drugs related to gender transition, that seeks to alter or remove physical or anatomical characteristics or features that are typical for the individual's biological sex or to instill or create physiological or anatomical characteristics that resemble a sex different from the individual's birth sex, including medical services that provide puberty-blocking drugs, cross-sex hormones, or other mechanisms to promote the development of feminizing or masculinizing features (in the opposite sex); and

(ii) genital or non-genital gender transition surgery performed for the purpose of assisting an individual with a gender transition; and

(B) does not include—

(i) services to those born with a medically verifiable disorder of sex development, including a person with external biological sex characteristics that are irresolvably ambiguous, such as those born with 46 XX chromosomes with virilization, 46 XY chromosomes with undervirilization, or having both ovarian and testicular tissue;

(ii) services provided when a physician has otherwise diagnosed a disorder of sexual development, in which the physician has determined through genetic or biochemical testing that the person does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a biological male or biological female; or

(iii) the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of gender transition procedures, whether or not the gender transition procedure was performed in accordance with State and Federal law or whether or not funding for the gender transition procedure is permissible.

(6) GENDER TRANSITION SURGERY.—The term ''gender transition surgery'' means any medical or surgical service that seeks to surgically alter or remove healthy physical or anatomical characteristics or features that are typical for the individual's biological sex in order to instill or create physiological or anatomical characteristics that resemble a sex different from the individual's birth sex, including genital or non-genital gender reassignment surgery performed for the purpose of assisting an individual with a gender transition.

(7) GENITAL GENDER TRANSITION SURGERY.—The term ''genital gender transition surgery'' includes surgical procedures such as penectomy, orchiectomy, vaginoplasty, clitoroplasty, or vulvoplasty for biologically male patients or hysterectomy, ovariectomy, reconstruction of the fixed part of the urethra with or without a metoidioplasty or a phalloplasty, vaginectomy, scrotoplasty, or implantation of erection or testicular prostheses for biologically female patients, when performed for the purpose of assisting an individual with a gender transition.

(8) NON-GENITAL GENDER TRANSITION SURGERY.—The term ''non-genital gender transition surgery''—

(A) includes, when performed for the purpose of assisting an individual with a gender transition—

(i) surgical procedures such as augmentation mammoplasty, facial feminization surgery, liposuction, lipofilling, voice surgery, thyroid cartilage reduction, gluteal augmentation (implants or lipofilling), hair reconstruction, or various aesthetic procedures for biologically male patients; or

(ii) subcutaneous mastectomy, voice surgery, liposuction, lipofilling, pectoral implants or various aesthetic procedures for biologically female patients; and

(B) does not include any procedure undertaken because the individual suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the individual in imminent danger of death or impairment of major bodily function unless surgery is performed, unless the procedure is for the purpose of a gender transition.

(9) PUBERTY-BLOCKING DRUGS.—The term ''puberty-blocking drugs'' means, when used to delay or suppress pubertal development in children for the purpose of assisting an individual with a gender transition—

(A) Gonadotropin-releasing hormone (GnRH) analogues or other synthetic drugs used in biological males to stop luteinizing hormone secretion and therefore testosterone secretion; and

(B) synthetic drugs used in biological females that stop the production of estrogen and progesterone.

(10) SEX; BIRTH SEX; BIOLOGICAL SEX.—The terms ''sex'', ''birth sex,'' and ''biological

sex'' refer to the biological indication of male and female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads, and non-ambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender.

SA 2477. 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:

Strike section 2848 and insert the following:

SEC. 2848. EXTENSION OF PROHIBITION ON JOINT USE OF HOMESTEAD AIR RESERVE BASE WITH CIVIL AVIATION.

Section 2874 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263; 136 Stat. 3014) is amended by striking ''September 30, 2026'', and inserting ''September 30, 2036''.

SA 2478. 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 of title XII, add the following:

Subtitle G—Hong Kong Human Rights and Democracy Reauthorization Act of 2024

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Hong Kong Human Rights and Democracy Reauthorization Act of 2024''.

SEC. 1292. EXTENSION OF ANNUAL REPORTING REQUIREMENT.

Section 5 of the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116–76; 22 U.S.C. 5701 note) is amended by striking ''7 years after'' and inserting ''12 years after''.

SEC. 1293. SUNSET.

Section 7(h) of the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116–76; 22 U.S.C. 5701 note) is amended by striking ''5 years after'' and inserting ''10 years after''.

SA 2479. 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 of title XII, add the following:

Subtitle G—Hong Kong Economic and Trade Office (HKETO) Certification Act

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Hong Kong Economic and Trade Office (HKETO) Certification Act''.

SEC. 1292. DETERMINATION ON WHETHER TO EXTEND CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES TO THE HONG KONG ECONOMIC AND TRADE OFFICES IN THE UNITED STATES.

(a) DETERMINATION REQUIRED.—Not later than 30 days after the date of the enactment of this Act, and thereafter as part of each certification required by the Secretary of State under section 205(a)(1)(A) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725(a)(1)(A)), the Secretary of State shall, as part of such certification, include a separate determination that—

(1) the Hong Kong Economic and Trade Offices—

(A) merit extension and application of the privileges, exemptions, and immunities specified in subsection (b); or

(B) no longer merit extension and application of the privileges, exemptions, and immunities specified in subsection (b); and

(2) a detailed report justifying that determination, which may include considerations related to United States national security interests.

(b) PRIVILEGES, EXEMPTIONS, AND IMMUNITIES SPECIFIED.—The privileges, exemptions, and immunities specified in this subsection are the privileges, exemptions, and immunities extended and applied to the Hong Kong Economic and Trade Offices under section 1 of the Act entitled ''An Act to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices'', approved June 27, 1997 (22 U.S.C. 288k).

(c) EFFECT OF DETERMINATION.—

(1) TERMINATION.—If the Secretary of State determines under subsection (a)(1)(B) that the Hong Kong Economic and Trade Offices no longer merit extension and application of the privileges, exemptions, and immunities specified in subsection (b), the Hong Kong Economic and Trade Offices shall terminate operations not later than 180 days after the date on which that determination is delivered to the appropriate congressional committees, as part of the certification required under section 205(a)(1)(A) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725(a)(1)(A)).

(2) CONTINUED OPERATIONS.—If the Secretary of State determines under subsection (a)(1)(A) that the Hong Kong Economic and Trade Offices merit extension and application of the privileges, exemptions, and immunities specified in subsection (b), the Hong Kong Economic and Trade Offices may continue operations for the one-year period following the date of the certification that includes that determination or until the next certification required under section 205(a)(1)(A) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725(a)(1)(A)) is submitted, whichever occurs first, unless a disapproval resolution is enacted under subsection (d).

(d) CONGRESSIONAL REVIEW.—

(1) DISAPPROVAL RESOLUTION.—In this subsection, the term ''disapproval resolution'' means only a joint resolution of either House of Congress—

(A) the title of which is the following: ''A joint resolution disapproving the determination by the President that the Hong Kong Economic and Trade Offices continue to merit extension and application of certain privileges, exemptions, and immunities.''; and

(B) the sole matter after the resolving clause of which is the following: ''Congress disapproves of the determination by the Secretary of State under section 1292(a)(1)(A) of the Hong Kong Economic and Trade Office (HKETO) Certification Act that the Hong Kong Economic and Trade Offices merit extension and application of certain privileges, exemptions, and immunities, on _____.'', with the blank space being filled with the appropriate date.

(2) INTRODUCTION.—A disapproval resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) HONG KONG ECONOMIC AND TRADE OFFICES.—The term ''Hong Kong Economic and Trade Offices'' has the meaning given that term in section 1(c) of the Act entitled ''An Act to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices'', approved June 27, 1997 (22 U.S.C. 288k).

SEC. 1293. LIMITATION ON CONTRACTING RELATING TO HONG KONG ECONOMIC AND TRADE OFFICES.

(a) IN GENERAL.—On and after the date of the enactment of this Act, an entity of the United States Government may enter into an agreement or partnership with the Hong Kong Economic and Trade Offices to promote tourism, culture, business, or other matters relating to Hong Kong only if—

(1) the Secretary of State has submitted to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a determination under section 1292(a)(1)(A) that the Hong Kong Economic and Trade Offices merit extension and application of certain privileges, exemptions, and immunities;

(2) a disapproval resolution under section 1292(d) is not enacted during the 90-day period following the submission of that determination; and

(3) the agreement or partnership does not promote efforts by the Government of the Hong Kong Special Administrative Region and the Government of the People's Republic of China—

(A) to justify the dismantling of the autonomy of Hong Kong and the freedoms and rule of law guaranteed by the Sino-British Joint Declaration of 1984; and

(B) to portray within the United States the Government of the Hong Kong Special Administrative Region or the Government of the People's Republic of China as protecting the rule of law or the human rights and civil liberties of the people of Hong Kong.

(b) HONG KONG ECONOMIC AND TRADE OFFICES DEFINED.—In this section, the term ''Hong Kong Economic and Trade Offices'' has the meaning given that term in section 1(c) of the Act entitled ''An Act to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices'', approved June 27, 1997 (22 U.S.C. 288k).

SEC. 1294. POLICY OF UNITED STATES ON PROMOTION OF AUTONOMY OF GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

It is the policy of the United States—

(1) to ensure that entities of the United States Government do not knowingly assist in the promotion of Hong Kong as a free and autonomous city or the Government of the Hong Kong Special Administrative Region as committed to protecting the human rights of the people of Hong Kong or fully maintaining the rule of law required for human rights and economic prosperity as long as the Secretary of State continues to determine under section 205(a)(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725(a)(1)) that Hong Kong does not enjoy a high degree

of autonomy from the People's Republic of China and does not warrant treatment under the laws of the United States in the same manner as those laws were applied to Hong Kong before July 1, 1997;

(2) to recognize that promotion of Hong Kong as described in paragraph (1) should be considered propaganda for the efforts of the People's Republic of China to dismantle rights and freedom guaranteed to the residents of Hong Kong by the International Covenant on Civil and Political Rights and the Sino-British Joint Declaration of 1984;

(3) to ensure that entities of the United States Government do not engage in or assist with propaganda of the People's Republic of China regarding Hong Kong; and

(4) to engage with the Government of the Hong Kong Special Administrative Region, through all relevant entities of the United States Government, seeking the release of political prisoners, the end of arbitrary detentions, the resumption of a free press and fair and free elections open to all candidates, and the restoration of an independent judiciary.

SA 2480. 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 of title XII, add the following:

Subtitle G—Taiwan Protection and National Resilience Act of 2024

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Taiwan Protection and National Resilience Act of 2024''.

SEC. 1292. STRATEGY FOR COUNTERING THE PEOPLE'S REPUBLIC OF CHINA.

(a) IDENTIFICATION OF VULNERABILITIES AND LEVERAGE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense shall jointly, in consultation with the Secretary of Commerce, the Secretary of the Treasury, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, submit to the appropriate committees of Congress a report that identifies—

(1) goods and services from the United States that are relied on by the People's Republic of China such that that reliance presents a strategic opportunity and source of leverage against the People's Republic of China, including during a conflict; and

(2) procurement practices of the United States Government that are reliant on trade with the People's Republic of China and other inputs from the People's Republic of China, such that that reliance presents a strategic vulnerability and source of leverage that the Chinese Communist Party could exploit, including during a conflict.

(b) STRATEGY TO RESPOND TO COERCIVE ACTION.—

(1) IN GENERAL.—Not later than 180 days after the submission of the report required by subsection (a), the Secretary of the Treasury, in coordination with the Secretary of State and in consultation with the Secretary of the Defense, the Secretary of Commerce, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, shall submit to the appropriate committees of Congress a report, utilizing the findings of the report required by subsection (a), that describes a comprehensive sanctions strategy to advise policymakers on policies the United States and allies and partners of the United States could adopt with respect to the People's Republic of China in response to any coercive action, including an invasion, by the People's Republic of China that infringes upon the territorial sovereignty of Taiwan by preventing access to international waterways, airspace, or telecommunications networks.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include policies that—

(A) restrict the access of the People's Liberation Army to oil, natural gas, munitions, and other supplies needed to conduct military operations against Taiwan, United States facilities in the Pacific and Indian Oceans, and allies and partners of the United States in the region;

(B) diminish the capacity of the industrial base of the People's Republic of China to manufacture and deliver defense articles to replace those lost in operations of the People's Liberation Army against Taiwan, the United States, and allies and partners of the United States;

(C) inhibit the ability of the People's Republic of China to evade United States and multilateral sanctions through third parties, including through secondary sanctions;

(D) identify specific sanctions-related tools that may be effective in responding to coercive action described in paragraph (1) and assess the feasibility of the use and impact of the use of those tools;

(E) identify and resolve potential impediments to coordinating sanctions-related efforts with respect to responding to or deterring aggression against Taiwan with allies and partners of the United States;

(F) identify industries, sectors, or goods and services with respect to which the United States, working with allies and partners of the United States, can take coordinated action through sanctions or other economic tools that will have a significant negative impact on the economy of the People's Republic of China; and

(G) identify tactics used by the Government of the People's Republic of China to influence the public in the United States and Taiwan through propaganda and disinformation campaigns, including such campaigns focused on delegitimizing Taiwan or legitimizing a forceful action by the People's Republic of China against Taiwan.

(c) RECOMMENDATIONS FOR REDUCTION OF VULNERABILITIES AND LEVERAGE.—Not later than 180 days after the submission of the report required by subsection (a), the Secretary of State and the Secretary of Defense shall jointly, in consultation with the Secretary of Commerce, the Secretary of the Treasury, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, submit to the appropriate committees of Congress a report that—

(1) identifies critical sectors within the United States economy that rely on trade with the People's Republic of China and other inputs from the People's Republic of China (including active pharmaceutical ingredients, rare earth minerals, and metallurgical inputs), such that those sectors present a strategic vulnerability and source of leverage that the Chinese Communist Party or the People's Republic of China could exploit; and

(2) makes recommendations to Congress on steps that can be taken to reduce the sources of leverage described in paragraph (1) and subsection (a)(1), including through—

(A) provision of economic incentives and making other trade and contracting reforms to support United States industry and job growth in critical sectors and to indigenize production of critical resources; and

(B) policies to facilitate ''near- or friend-shoring'', or otherwise developing strategies to facilitate that process with allies and partners of the United States, in other sectors for which domestic reshoring would prove infeasible for any reason.

(d) FORM.—The reports required by subsections (a), (b), and (c) shall be submitted in unclassified form but may include a classified annex.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1293. RULE OF CONSTRUCTION ON MAINTAINING ONE CHINA POLICY.

Nothing in this subtitle may be construed as a change to the one China policy of the United States, which is guided by the Taiwan Relations Act (22 U.S.C. 3301 et seq.), the three United States-People's Republic of China Joint Communiqués, and the Six Assurances.

SEC. 1294. RULE OF CONSTRUCTION REGARDING NOT AUTHORIZING THE USE OF FORCE.

Nothing in this subtitle may be construed as authorizing the use of military force.

SA 2481. 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 of title XII, add the following:

Subtitle G—South China Sea and East China Sea Sanctions Act of 2024

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''South China Sea and East China Sea Sanctions Act of 2024''.

SEC. 1292. SANCTIONS WITH RESPECT TO CHINESE PERSONS RESPONSIBLE FOR CHINA'S ACTIVITIES IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

(a) INITIAL IMPOSITION OF SANCTIONS.—On and after the date that is 120 days after the date of the enactment of this Act, the President may impose the sanctions described in subsection (b) with respect to any Chinese person, including any senior official of the Government of the People's Republic of China, that the President determines—

(1) is responsible for or significantly contributes to large-scale reclamation, construction, militarization, or ongoing supply of outposts in disputed areas of the South China Sea;

(2) is responsible for or significantly contributes to, or has engaged in, directly or indirectly, actions, including the use of coercion, to inhibit another country from protecting its sovereign rights to access offshore resources in the South China Sea, including in such country's exclusive economic

zone, consistent with such country's rights and obligations under international law;

(3) is responsible for or complicit in, or has engaged in, directly or indirectly, actions that significantly threaten the peace, security, or stability of disputed areas of the South China Sea or areas of the East China Sea administered by Japan or the Republic of Korea, including through the use of vessels and aircraft by the People's Republic of China to occupy or conduct extensive research or drilling activity in those areas;

(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to, or in support of, any person subject to sanctions pursuant to paragraph (1), (2), or (3); or

(5) is owned or controlled by, or has acted for or on behalf of, directly or indirectly, any person subject to sanctions pursuant to paragraph (1), (2), or (3).

(b) SANCTIONS DESCRIBED.—The sanctions that may be imposed with respect to a person described in subsection (a) are the following:

(1) BLOCKING OF PROPERTY.—The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the person 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) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an alien, the alien may 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.—An alien described in subparagraph (A) may be subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) may—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the alien's possession.

(3) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the person.

(4) EXPORT SANCTION.—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to the person under—

(A) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(B) any other statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

(5) INCLUSION ON ENTITY LIST.—The President may include the entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(6) BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing equity or debt instruments of the person.

(7) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the person.

(8) CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.—In the case of a foreign financial institution, the President may prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by the foreign financial institution.

(c) EXCEPTIONS.—

(1) 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 subsection (b)(1).

(2) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(3) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Paragraphs (2) and (3) of subsection (b) shall not apply if admission of an alien to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success, June 26, 1947, and entered into force, November 21, 1947, between the United Nations and the United States.

(4) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(d) IMPLEMENTATION; PENALTIES.—

(1) 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.

(2) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under subsection (b)(1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(e) DEFINITIONS.—In this section:

(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) ALIEN.—The term ''alien'' has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(3) CHINESE PERSON.—The term ''Chinese person'' means—

(A) an individual who is a citizen or national of the People's Republic of China; or

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

(4) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) PERSON.—The term ''person'' means any individual or entity.

(7) 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;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SEC. 1293. SENSE OF CONGRESS REGARDING PORTRAYALS OF THE SOUTH CHINA SEA OR THE EAST CHINA SEA AS PART OF CHINA.

It is the sense of Congress that the Government Publishing Office should not publish any map, document, record, electronic resource, or other paper of the United States (other than materials relating to hearings held by committees of Congress or internal work product of a Federal agency) portraying or otherwise indicating that it is the position of the United States that the territory or airspace in the South China Sea that is disputed among two or more parties or the territory or airspace of areas administered by Japan or the Republic of Korea, including in the East China Sea, is part of the territory or airspace of the People's Republic of China.

SEC. 1294. SENSE OF CONGRESS ON 2016 PERMANENT COURT OF ARBITRATION'S TRIBUNAL RULING ON ARBITRATION CASE BETWEEN PHILIPPINES AND PEOPLE'S REPUBLIC OF CHINA.

(a) FINDING.—Congress finds that on July 12, 2016, a tribunal of the Permanent Court of Arbitration found in the arbitration case between the Philippines and the People's Republic of China under the United Nations Convention on the Law of the Sea that the People's Republic of China's claims, including those to offshore resources and ''historic rights'', were unlawful, and that the tribunal's ruling is final and legally binding on both parties.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States and the international community should reject the unlawful claims of the People's Republic of China within the exclusive economic zone or on the continental shelf of the Philippines, as well as the maritime claims of the People's Republic of China beyond a 12-nautical-mile territorial sea from the islands it claims in the South China Sea;

(2) the provocative behavior of the People's Republic of China, including coercing other countries with claims in the South China Sea and preventing those countries from accessing offshore resources, undermines peace and stability in the South China Sea;

(3) the international community should—

(A) support and adhere to the ruling described in subsection (a) in compliance with international law; and

(B) take all necessary steps to support the rules-based international order in the South China Sea; and

(4) all claimants in the South China Sea should—

(A) refrain from engaging in destabilizing activities, including illegal occupation or efforts to unlawfully assert control over disputed claims;

(B) ensure that disputes are managed without intimidation, coercion, or force;

(C) clarify or adjust claims in accordance with international law; and

(D) uphold the principle that territorial and maritime claims, including over territorial waters or territorial seas, must be derived from land features and otherwise comport with international law.

SEC. 1295. REPORT ON COUNTRIES THAT RECOGNIZE CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the sovereignty of the People's Republic of China over territory or airspace disputed by one or more countries in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(c) PUBLIC AVAILABILITY.—The Secretary of State shall publish the unclassified part of the report required by subsection (a) on a publicly available website of the Department of State.

SA 2482. 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 of subtitle F of title XII, add the following:

SEC. 1291. UNITED STATES LEGAL GOLD AND MINING PARTNERSHIP.

(a) SHORT TITLE.—This section may be cited as the ''United States Legal Gold and Mining Partnership Act''.

(b) FINDINGS.—Congress makes the following findings:

(1) The illicit mining, trafficking, and commercialization of gold in the Western Hemisphere—

(A) negatively affects the region's economic and social dynamics;

(B) strengthens transnational criminal organizations and other international illicit actors; and

(C) has a deleterious impact on the environment, indigenous peoples, and food security.

(2) A lack of economic opportunities and the weak rule of law promote illicit activities, such as illicit gold mining, which increases the vulnerability of individuals in mining areas, including indigenous communities, who have been subjected to trafficking in persons, other human rights abuses, and population displacement in relation to mining activity, particularly in the artisanal and small-scale mining sector.

(3) Illicit gold mining in Latin America often involves and benefits transnational criminal organizations, drug trafficking organizations, terrorist groups, and other illegal armed groups that extort miners and enter into illicit partnerships with them in order to gain revenue from the illicit activity.

(4) Illicit gold supply chains are international in nature and frequently involve—

(A) the smuggling of gold and supplies, such as mercury;

(B) trade-based money laundering; and

(C) other cross-border flows of illicit assets.

(5) In Latin America, mineral traders and exporters, local processors, and shell companies linked to transnational criminal networks and illegally armed groups all play a key role in the trafficking, laundering, and commercialization of illicit gold from the region.

(6) According to a report on illegally mined Gold in Latin America by the Global Initiative Against Transnational Organized Crime—

(A) more than 70 percent of the gold mined in several Latin American countries, such as Colombia, Ecuador, and Peru, is mined through illicit means; and

(B) about 80 percent of the gold mined in Venezuela is mined through illicit means and a large percentage of such gold is sold—

(i) to Mibiturven, a joint venture operated by the Maduro regime composed of Minerven, a gold processor that has been designated by the Office of Foreign Assets Control of the Department of the Treasury, pursuant to Executive Order 13850 (relating to blocking property of additional persons contributing to the situation in Venezuela), and Marilyns Proje Yatirim, S.A., a Turkish company; or

(ii) through other trafficking and commercialization networks from which the Maduro regime benefits financially.

(7) Illegal armed groups and foreign terrorist organizations, such as the Ejército de Liberación Nacional (National Liberation Army—ELN), work with transnational criminal organizations in Venezuela that participate in the illicit mining, trafficking, and commercialization of gold.

(8) Transnational criminal organizations based in Venezuela, such as El Tren de Aragua, have expanded their role in the illicit mining, trafficking, and commercialization of gold to increase their criminal profits.

(9) Nicaragua's gold exports during 2021 were valued at an estimated $989,000,000 in value, of which

(A) gold valued at an estimated $898,000,000 was shipped to the United States;

(B) gold valued at an estimated $48,700,000 was shipped to Switzerland;

(C) gold valued at an estimated $39,000,000 was shipped to the United Arab Emirates; and

(D) gold valued at an estimated $3,620,000 was shipped to Austria.

(c) 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 Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Financial Services of the House of Representatives .

(2) ARTISANAL AND SMALL-SCALE MINING; ASM.—The terms ''artisanal and small-scale mining'' and ''ASM'' refer to a form of mining common in the developing world that—

(A) typically employs rudimentary, simple, and low-cost extractive technologies and manual labor-intensive techniques;

(B) is frequently subject to limited regulation; and

(C) often features harsh and dangerous working conditions.

(3) ILLICIT ACTORS.—The term ''illicit actors'' includes—

(A) any person included on any list of—

(i) United States-designated foreign terrorist organizations;

(ii) specially designated global terrorists (as defined in section 594.310 of title 31, Code of Federal Regulations);

(iii) significant foreign narcotics traffickers (as defined in section 808 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1907); or

(iv) blocked persons, as maintained by the Office of Foreign Assets Control of the Department of the Treasury; and

(B) drug trafficking organizations.

(4) KEY STAKEHOLDERS.—The term ''key stakeholders'' means private sector organizations, industry representatives, and civil society groups that represent communities in areas affected by illicit mining and trafficking of gold, including indigenous groups, that are committed to the implementation of the Legal Gold and Mining Partnership Strategy.

(5) LEGAL GOLD AND MINING PARTNERSHIP STRATEGY; STRATEGY.—The terms ''Legal Gold and Mining Partnership Strategy'' and ''Strategy'' mean the strategy developed pursuant to subsection (d).

(6) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term ''relevant Federal departments and agencies'' means—

(A) the Department of State;

(B) the Department of the Treasury;

(C) the Department of Homeland Security, including U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement;

(D) the Department of Justice, including the Federal Bureau of Investigation and the Drug Enforcement Administration;

(E) the Department of the Interior;

(F) the United States Agency for International Development; and

(G) other Federal agencies designated by the President.

(d) LEGAL GOLD AND MINING PARTNERSHIP STRATEGY.—

(1) STRATEGY REQUIRED.—The Secretary of State, in coordination with the heads of relevant Federal departments and agencies, shall develop a comprehensive, multi-year strategy, which shall be known as the Legal Gold and Mining Partnership Strategy (referred to in this subsection as the ''Strategy''), to combat illicit gold mining in the Western Hemisphere.

(2) ELEMENTS.—The Strategy shall include policies, programs, and initiatives—

(A) to interrupt the linkages between ASM and illicit actors that profit from ASM in the Western Hemisphere;

(B) to deter ASM in environmentally protected areas, such as national parks and conservation zones, to prevent mining-related contamination of critical natural resources, such as water resources, soil, tropical forests, and other flora and fauna, and aerosol contamination linked to detrimental health impacts;

(C) to counter the financing and enrichment of actors involved in the illicit mining, trafficking, and commercialization of gold, and the abetting of their activities by—

(i) promoting the exercise of due diligence and the use of responsible sourcing methods in the purchase and trade of ASM;

(ii) preventing and prohibiting foreign persons who control commodity trading chains linked to illicit actors from enjoying the benefits of access to the territory, markets or financial system of the United States, and halting any such ongoing activity by such foreign persons;

(iii) combating related impunity afforded to illicit actors by addressing corruption in government institutions; and

(iv) supporting the capacity of financial intelligence units, customs agencies, and other government institutions focused on anti-money laundering initiatives and combating the financing of criminal activities and terrorism to exercise oversight consistent with the threats posed by illicit gold mining;

(D) to build the capacity of foreign civilian law enforcement institutions in the Western Hemisphere to effectively counter—

(i) linkages between illicit gold mining, illicit actors, money laundering, and other financial crimes, including trade-based money laundering;

(ii) linkages between illicit gold mining, illicit actors, trafficking in persons, and forced or coerced labor, including sex work and child labor;

(iii) the cross-border trafficking of illicit gold, and the mercury, cyanide, explosives, and other hazardous materials used in illicit gold mining; and

(iv) surveillance and investigation of illicit and related activities that are related to or are indicators of illicit gold mining activities;

(E) to ensure the successful implementation of the existing Memoranda of Understanding signed with the Governments of Peru and of Colombia in 2017 and 2018, respectively, to expand bilateral cooperation to combat illicit gold mining;

(F) to work with governments in the Western Hemisphere, bolster the effectiveness of anti-money laundering efforts to combat the financing of illicit actors in Latin America and the Caribbean and counter the laundering of proceeds related to illicit gold mining by—

(i) fostering international and regional cooperation and facilitating intelligence sharing, as appropriate, to identify and disrupt financial flows related to the illicit gold mining, trafficking, and commercialization of gold and other minerals and illicit metals; and

(ii) supporting the formulation of strategies to ensure the compliance of reporting institutions involved in the mining sector and to promote transparency in mining-sector transactions;

(G) to support foreign government efforts—

(i) to increase regulations of the ASM sector;

(ii) to facilitate licensing and formalization processes for ASM miners;

(iii) to create and implement environmental safeguards to reduce the negative environmental impact of mining on sensitive ecosystems; and

(iv) to develop mechanisms to support regulated cultural artisanal mining and artisanal mining as a job growth area;

(H) to engage the mining industry to encourage the building of technical expertise in best practices, environmental safeguards, and access to new technologies;

(I) to support the establishment of gold commodity supply chain due diligence, responsible sourcing, tracing and tracking capacities, and standards-compliant commodity certification systems in countries in Latin America and the Caribbean, including efforts recommended in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk Areas, Third Edition (2016);

(J) to engage with civil society to reduce the negative environmental impacts of ASM, particularly—

(i) the use of mercury in preliminary refining;

(ii) the destruction of tropical forests;

(iii) the construction of illegal and unregulated dams and the resulting valley floods;

(iv) the pollution of water resources and soil; and

(v) the release of dust, which can contain toxic chemicals and heavy metals that can cause severe health problems;

(K) to aid and encourage ASM miners—

(i) to formalize their business activities, including through skills training, technical and business assistance, and access to financing, loans, and credit;

(ii) to utilize environmentally safe and sustainable mining practices, including by scaling up the use of mercury-free gold refining technologies, and mining methods and technologies that do not result in deforestation, forest destruction, air pollution, water and soil-contamination, and other negative environmental impacts associated with ASM;

(iii) to reduce the costs associated with formalization and compliance with mining regulations;

(iv) to fully break away from the influence of illicit actors who leverage the control of territory and use violence to extort miners and push them into illicit arrangements;

(v) to adopt and utilize environmentally safe and sustainable mining practices, including—

(I) mercury-free gold refining technologies; and

(II) extractive techniques that do not result in—

(aa) forest clearance and water contamination; or

(bb) the release of dust or uncontrolled tailings containing toxic chemicals;

(vi) to pursue alternative livelihoods outside the mining sector; and

(vii) to fully access public social services in ASM-dependent communities;

(L) to support and encourage socioeconomic development programs, law enforcement capacity-building programs, and support for relevant international initiatives, including by providing assistance to achieve such ends by implementing the Strategy;

(M) to interrupt the illicit gold trade in Nicaragua, including through the use of United States punitive measures against the government led by President Daniel Ortega and Vice-President Rosario Murillo and their collaborators pursuant to Executive Order 14088 (relating to taking additional steps to address the national emergency with respect to the situation in Nicaragua), which was issued on October 24, 2022;

(N) to assist local journalists with investigations of illicit mining, trafficking, and commercialization of gold and its supplies in the Western Hemisphere; and

(O) to promote responsible sourcing and due diligence at all levels of gold supply chains.

(3) CHALLENGES ASSESSED.—The Strategy shall include an assessment of the challenges posed by, and policy recommendations to address—

(A) linkages between ASM sector production and trade, particularly relating to gold, to the activities of illicit actors, including linkages that help to finance or enrich such illicit actors or abet their activities;

(B) linkages between illicit or grey market trade, and markets in gold and other metals or minerals and legal trade and commerce in such commodities, notably with respect to activities that abet the entry of such commodities into legal commerce, including—

(i) illicit cross-border trafficking, including with respect to goods, persons and illegal narcotics;

(ii) money-laundering;

(iii) the financing of illicit actors or their activities; and

(iv) the extralegal entry into the United States of—

(I) metals or minerals, whether of legal foreign origin or not; and

(II) the proceeds of such metals or minerals;

(C) linkages between the illicit mining, trafficking, and commercialization of gold, diamonds, and precious metals and stones, and the financial and political activities of the regime of Nicolás Maduro of Venezuela;

(D) factors that—

(i) produce linkages between ASM miners and illicit actors, prompting some ASM miners to utilize mining practices that are environmentally damaging and unsustainable, notably mining or related ore processing practices that—

(I) involve the use of elemental mercury; or

(II) result in labor, health, environmental, and safety code infractions and workplace hazards; and

(ii) lead some ASM miners to operate in the extralegal or poorly regulated informal sector, and often prevent such miners from improving the socioeconomic status of themselves and their families and communities, or hinder their ability to formalize their operations, enhance their technical and business capacities, and access finance of fair market prices for their output;

(E) mining-related trafficking in persons and forced or coerced labor, including sex work and child labor; and

(F) the use of elemental mercury and cyanide in ASM operations, including the technical aims and scope of such usage and its impact on human health and the environment, including flora, fauna, water resources, soil, and air quality.

(4) FOREIGN ASSISTANCE.—The Strategy shall describe—

(A) existing foreign assistance programs that address elements of the Strategy; and

(B) additional foreign assistance resources needed to fully implement the Strategy.

(5) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the President shall submit the Strategy to the appropriate congressional committees.

(6) BRIEFING.—Not later than 180 days after submission of the Strategy, and semiannually thereafter for the following 3 years, the Secretary of State, or the Secretary's designee, shall provide a briefing to the appropriate congressional committees regarding the implementation of the strategy, including efforts to leverage international support and develop a public-private partnership to build responsible gold value chains with other governments.

(e) CLASSIFIED BRIEFING ON ILLICIT GOLD MINING IN VENEZUELA.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, or the Secretary's designee, in coordination with the Director of National Intelligence, shall provide a classified briefing to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives that describes—

(1) the activities related to illicit gold mining, including the illicit mining, trafficking, and commercialization of gold, inside Venezuelan territory carried out by illicit actors, including defectors from the Revolutionary Armed Forces of Colombia (FARC)

and members of the National Liberation Army (ELN); and

(2) Venezuela's illicit gold trade with foreign governments, including the Government of the Republic of Turkey and the Government of the Islamic Republic of Iran.

(f) INVESTIGATION OF THE ILLICIT GOLD TRADE IN VENEZUELA.—The Secretary of State, in coordination with the Secretary of the Treasury, the Attorney General, and allied and partner governments in the Western Hemisphere, shall—

(1) lead a coordinated international effort to carry out financial investigations to identify and track assets taken from the people and institutions in Venezuela that are linked to money laundering and illicit activities, including mining-related activities, by sharing financial investigations intelligence, as appropriate and as permitted by law; and

(2) provide technical assistance to help eligible governments in Latin America establish legislative and regulatory frameworks capable of imposing and effectively implementing targeted sanctions on—

(A) officials of the Maduro regime who are directly engaged in the illicit mining, trafficking, and commercialization of gold; and

(B) foreign persons engaged in the laundering of illicit gold assets linked to designated terrorist and drug trafficking organizations.

(g) LEVERAGING INTERNATIONAL SUPPORT.—In implementing the Legal Gold and Mining Partnership Strategy pursuant to subsection (d), the President should direct United States representatives accredited to relevant multilateral institutions and development banks and United States ambassadors in the Western Hemisphere to use the influence of the United States to foster international cooperation to achieve the objectives of this Act, including—

(1) marshaling resources and political support; and

(2) encouraging the development of policies and consultation with key stakeholders to accomplish such objectives and provisions.

(h) PUBLIC-PRIVATE PARTNERSHIP TO BUILD RESPONSIBLE GOLD VALUE CHAINS.—

(1) BEST PRACTICES.—The Administrator of the United States Agency for International Development (referred to in this subsection as the ''Administrator''), in coordination with the Governments of Colombia, of Ecuador, and of Peru, and with other democratically-elected governments in the region, shall consult with the Government of Switzerland regarding best practices developed through the Swiss Better Gold Initiative, a public-private partnership that aims to improve transparency and traceability in the international gold trade.

(2) IN GENERAL.—The Administrator shall coordinate with the Governments of Colombia, Ecuador, Peru, and other democratically-elected governments in the region determined by the Administrator to establish a public-private partnership to advance the best practices identified in paragraph (1), including supporting programming in participating countries that will—

(A) support formalization and compliance with appropriate environmental and labor standards in ASM gold mining;

(B) increase access to financing for ASM gold miners who are taking significant steps to formalize their operations and comply with labor and environmental standards;

(C) enhance the traceability and support the establishment of a certification process for ASM gold;

(D) support a public relations campaign to promote responsibly-sourced gold;

(E) include representatives of local civil society to work towards soliciting the free and informed consent of those living on lands with mining potential;

(F) facilitate contact between vendors of responsibly-sourced gold and United States companies; and

(G) promote policies and practices in participating countries that are conducive to the formalization of ASM gold mining and promoting adherence of ASM to internationally-recognized best practices and standards.

(3) MEETING.—The Secretary of State or the Administrator, without delegation and in coordination with the governments of participating countries, should—

(A) host a meeting with senior representatives of the private sector and international governmental and nongovernmental partners; and

(B) make commitments to improve due diligence and increase the responsible sourcing of gold.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State $10,000,000 to implement the Legal Gold and Mining Partnership Strategy developed pursuant to subsection (d).

SA 2483. 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 of subtitle F of title XII, add the following:

SEC. 1291. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN FINANCIAL INSTITUTIONS OF COUNTRIES OF CONCERN.

(a) IN GENERAL.—The President shall impose one or more of the sanctions described in subsection (b) with respect to each covered financial institution that uses the Cross-Border Interbank Payment System (commonly referred to as ''CIPS''), the System for Transfer of Financial Messages (commonly referred to as ''SPFS''), or the System for Electronic Payment Messaging (commonly referred to as ''SEPAM'') to clear, verify, settle, or otherwise conduct transactions with any other covered financial institution.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) PROPERTY BLOCKING.—The exercise of 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 a covered 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.

(2) RESTRICTIONS ON CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.—A prohibition on the opening or maintaining in the United States of a correspondent account or a payable-through account by a covered financial institution subject to subsection (a).

(3) EXECUTIVE OFFICERS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An executive officer of a covered financial institution subject to subsection (a) who is an 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.).

(B) 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—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—This section 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.

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Subsection (b)(3) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success, June 26, 1947, and entered into force, November 21, 1947, between the United Nations and the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under subsection (b)(1) shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(d) IMPLEMENTATION; PENALTIES.—

(1) 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.

(2) 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.

(e) DELEGATION.—Not later than 90 days after the date of the enactment of this Act, the President shall—

(1) make a determination with respect to if and how the President will delegate the requirements and authorities under this section; and

(2) notify the appropriate congressional committees of that determination.

(f) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the President shall prescribe such regulations as are necessary to carry out this section.

(g) REPORT REQUIRED.—

(1) 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—

(A) describing the scope and usage of CIPS, SPFS, or SEPAM around the world, including usage rates by country;

(B) assessing the risks that widespread adoption of CIPS, SPFS, or SEPAM poses to the national security of the United States;

(C) assessing the ability of CIPS, SPFS, and SEPAM in helping countries of concern circumvent United States and international sanctions; and

(D) making recommendations to further preserve and strengthen the influence of the United States in the global financial system.

(2) FORM.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(h) DEFINITIONS.—In this section:

(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 Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(4) COVERED FINANCIAL INSTITUTION.—The term ''covered financial institution'' means a financial institution—

(A) located in—

(i) a country of concern; or

(ii) territory controlled by an entity holding itself out to be the government of the Republic of South Ossetia, the State of Alania, the Donetsk People's Republic, the Luhansk People's Republic, the Republic of Abkhazia, or the Pridnestrovian Moldavian Republic;

(B) organized under the laws of a country of concern, any jurisdiction within a country of concern, or an entity described in subparagraph (A)(ii), including a foreign branch of such an institution;

(C) wherever located, owned or controlled by the government of a country of concern or an entity described in subparagraph (A)(ii); or

(D) wherever located, owned or controlled by a financial institution described in subparagraph (A), (B), or (C).

(5) COUNTRY OF CONCERN.—The term ''country of concern''—

(A) has the meaning given the term ''foreign adversary'' in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c)(2)); and

(B) includes—

(i) the People's Republic of China (including the Special Administrative Regions of China, including Hong Kong and Macau);

(ii) the Russian Federation;

(iii) Iran;

(iv) North Korea;

(v) Cuba; and

(vi) Venezuela under the regime of Nicolás Maduro.

(6) 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.

SA 2484. 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 of subtitle H of title X, add the following:

SEC. 1095. EVALUATION OF HHS CYBERSECURITY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Inspector General of the Department of Health and Human Services shall evaluate the cybersecurity practices and protocols of the Department through the conduct of penetration tests and other testing procedures to determine how systems processing, transmitting, or storing mission critical or sensitive data by, for, or on behalf of the Department is currently, or could be compromised and—

(1) expose patient data, including Medicare numbers of individuals; or

(2) impact patient safety.

(b) REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter—

(1) the Secretary of Health and Human Services shall submit to Congress a report that describes how the Secretary will update the cybersecurity practices and protocols of the Department of Health and Human Services to adapt to the latest cyberattack strategies; and

(2) the Inspector General of the Department of Health and Human Services shall submit to Congress a report that describes—

(A) how the Inspector General is currently using Federal funds of the Inspector General to carry out subsection (a); and

(B) additional funding or legislative changes required for the Inspector General to maintain the evaluation described in subsection (a).

SA 2485. Mr. RUBIO (for himself and Mr. BRAUN) 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. IMPROVING ACCESS TO MATERNAL HEALTH FOR MILITARY AND DEPENDENT MOMS ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Improving Access to Maternal Health for Military and Dependent Moms Act of 2024''.

(b) DEFINITIONS.—In this section:

(1) COVERED INDIVIDUAL.—The term ''covered individual'' means—

(A) a covered beneficiary; or

(B) a dependent.

(2) COVERED BENEFICIARY; DEPENDENT; TRICARE PROGRAM.—The terms ''covered beneficiary'', ''dependent'', and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

(3) MATERNAL HEALTH.—The term ''maternal health'' means care during labor, birthing, prenatal care, and postpartum care.

(4) MATERNITY CARE DESERT.— The term ''maternity care desert'' means a county in the United States that does not have—

(A) a hospital or birth center offering obstetric care; or

(B) an obstetric provider.

(5) PRENATAL CARE.—The term ''prenatal care'' means medical care provided to maintain and improve fetal and maternal health during pregnancy.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

(c) REPORT ON ACCESS TO MATERNAL HEALTH CARE WITHIN THE MILITARY HEALTH SYSTEM.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives a report on access to maternal health care within the military health system for covered individuals, during the preceding 2 year period.

(2) CONTENTS.—The report required under paragraph (1) shall include the following:

(A) With respect to military medical treatment facilities:

(i) An analysis of the availability of maternal health care for covered individuals who access the military health system through such facilities.

(ii) An identification of staffing shortages in positions relating to maternal health and childbirth, including obstetrician-gynecologists, certified nurse midwives, and labor and delivery nurses.

(iii) A description of specific challenges faced by covered individuals in accessing maternal health care at such facilities.

(iv) An analysis of the timeliness of access to maternal health care, including wait times for and travel times to appointments.

(v) A description of how such facilities track patient satisfaction with maternal health services.

(vi) A process to establish continuity of prenatal care and postpartum care for covered individuals who experience a permanent change of station during a pregnancy.

(vii) An identification of barriers with regard to continuity of prenatal care and postpartum care during permanent changes of station.

(viii) A description of military-specific health challenges impacting covered individuals who receive maternal healthcare at military medical treatment facilities, and a description of how the Department tracks such challenges.

(ix) For the 10-year period preceding the date of the submission of the report, the amount of funds annually expended—

(I) by the Department of Defense on maternal health care; and

(II) by covered individuals on out-of-pocket costs associated with maternal health care.

(x) An identification of each medical facility of the Department of Defense located in a maternity care desert.

(xi) Recommendations and legislative proposals—

(I) to address staffing shortages that impact the positions described in clause (ii);

(II) to improve the delivery and availability of maternal health services through military medical treatment facilities and improve patient experience; and

(III) to improve continuity of prenatal care and postpartum care for covered individuals during a permanent change of station.

(B) With respect to providers within the TRICARE program network that are not located at or affiliated with a military medical treatment facility:

(i) An analysis of the availability of maternal health care for covered individuals who access the military health system through such providers.

(ii) An identification of staffing shortages for such providers in positions relating to

maternal health and childbirth, including obstetrician-gynecologists, certified nurse midwives, and labor and delivery nurses.

(iii) A description of specific challenges faced by covered individuals in accessing maternal health care from such providers.

(iv) An analysis of the timeliness of access to maternal health care, including wait times for and travel times to appointments.

(v) A description of how such providers track patient satisfaction with maternal health services.

(vi) A process to establish continuity of prenatal care and postpartum care for covered individuals who experience a permanent change of station during a pregnancy.

(vii) An identification of barriers with regard to continuity of prenatal care and postpartum care during permanent changes of station.

(viii) The number of dependents who choose to access maternal health care through such providers.

(ix) For the 10-year period preceding the date of the submission of the report, the amount of funds annually expended—

(I) by the Department of Defense on maternal health care; and

(II) by covered individuals on out-of-pocket costs associated with maternal health care.

(x) Recommendations and legislative proposals—

(I) to address staffing shortages that impact the positions described in clause (ii);

(II) to improve the delivery and availability of maternal health services through the TRICARE program and improve patient experience;

(III) to improve continuity of prenatal care and postpartum care for covered individuals during a permanent change of station; and

(IV) to improve the ability of contractors under the TRICARE program to build a larger network of providers for maternal health, including obstetrician-gynecologists, certified nurse midwives, and labor and delivery nurses.

SA 2486. 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 of subtitle H of title X, add the following:

SEC. 1095. PROHIBITION ON CERTAIN FOREIGN ENTITIES FUNDING ENVIRONMENTAL LITIGATION.

(a) DEFINITIONS.—In this section:

(1) COVERED LAW.—The term ''covered law'' means any of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), including section 11(g) of that Act (16 U.S.C. 1540(g));

(B) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including sections 505 and 509(b)(1) of that Act (33 U.S.C. 1365, 1369(b)(1));

(C) the Marine Protection, Research, and Sanctuaries Act of 1972 (commonly known as the ''Ocean Dumping Act'') (33 U.S.C. 1401 et seq.), including section 105(g) of that Act (33 U.S.C. 1415(g));

(D) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.), including section 11 of that Act (33 U.S.C. 1910);

(E) the Clean Air Act (42 U.S.C. 7401 et seq.), including sections 304 and 307(b) of that Act (42 U.S.C. 7604, 7607(b));

(F) the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), including section 12 of that Act (42 U.S.C. 4911); and

(G) the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8301 et seq.), including section 725 of that Act (42 U.S.C. 8435).

(2) COVERED PROGRAMMATIC ACTIVITY.—The term ''covered programmatic activity'' means any activity carried out by the Department of Defense under or subject to a covered law, including an environmental impact statement, an environmental assessment, a biological opinion, or a biological assessment.

(3) FOREIGN ENTITY.—

(A) IN GENERAL.—The term ''foreign entity'' means—

(i) a government of a foreign country and a foreign political party;

(ii) a natural person who is not—

(I) a lawful permanent resident of the United States;

(II) a citizen or national of the United States; or

(III) any other protected individual (as defined in section 274B(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1324b(a)(3)); and

(iii) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

(B) INCLUSIONS.—The term ''foreign entity'' includes—

(i) any person owned by, controlled by, or subject to the jurisdiction or direction of an entity described in subparagraph (A);

(ii) any person, wherever located, who acts as an agent, representative, or employee of an entity described in subparagraph (A);

(iii) any person who acts in any other capacity at the order, request, or under the influence, direction, or control, of—

(I) an entity described in subparagraph (A); or

(II) a person the activities of which are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in majority part by an entity described in subparagraph (A);

(iv) any person who directly or indirectly through any contract, arrangement, understanding, relationship, or otherwise, owns 25 percent or more of the equity interests of an entity described in subparagraph (A);

(v) any person with significant responsibility to control, manage, or direct an entity described in subparagraph (A);

(vi) any person, wherever located, who is a citizen or resident of a country controlled by an entity described in subparagraph (A); and

(vii) any corporation, partnership, association, or other organization organized under the laws of a country controlled by an entity described in subparagraph (A).

(b) PROHIBITION.—Notwithstanding any other provision of law, no foreign entity may fund litigation under a covered law—

(1) against the Department of Defense with respect to a permit of incidental take or another permit issued under a covered law with respect to a covered programmatic activity; or

(2) against the National Marine Fisheries Service, the United States Fish and Wildlife Service, the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, the Corps of Engineers, the Department of Energy, the Coast Guard, or any other Federal agency that issues to the Department of Defense a permit of incidental take or another permit under a covered law for a covered programmatic activity with respect to that permit.

SA 2487. 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 of subtitle H of subtitle X, add the following:

SEC. 1095. DUTIES ON ELECTROMAGNETS, BATTERY CELLS, ELECTRIC STORAGE BATTERIES, AND PHOTOVOLTAIC CELLS IMPORTED FROM CERTAIN COUNTRIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, there shall be imposed a duty at the rate specified in subsection (b) on each article that is imported into the United States and classified under any of the following headings or subheadings of the Harmonized Tariff Schedule of the United States:

(1) 8505.

(2) 8506.

(3) 8507.

(4) 8541.42.00.

(5) 8541.43.00.

(b) RATES OF DUTY SPECIFIED.—The rate of duty specified in this subsection with respect to an article described in subsection (a) is—

(1) 25 percent ad valorem on and after the date of the enactment of this Act if the article was produced or manufactured, or underwent final assembly, in a country other than—

(A) an ally described in section 3(b)(2) of the Arms Export Control Act (22 U.S.C. 2753(b)(2));

(B) a country designated by the President as a major non-NATO ally under section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k);

(C) Mexico, if the United States-Mexico-Canada Agreement, or a successor agreement, is in effect;

(D) Costa Rica, El Salvador, Guatemala, Honduras, and the Dominican Republic, if the Dominican Republic-Central America Free Trade Agreement, or a successor agreement, is in effect;

(E) Chile, if the United States-Chile Free Trade Agreement, or a successor agreement, is in effect; and

(F) India, for a period of 10 years beginning on the date of the enactment of this Act;

(2) if the article was produced or manufactured, or underwent final assembly, by a person of the People's Republic of China in a country described in paragraph (1), 150 percent ad valorem on and after such date of enactment; and

(3) if the article was produced or manufactured, or underwent final assembly, in the People's Republic of China—

(A) 150 percent ad valorem during the period—

(i) beginning on such date of enactment; and

(ii) ending on the day before the date that is 1 year after such date of enactment;

(B) 300 percent ad valorem during the period—

(i) beginning on the date that is 1 year after such date of enactment; and

(ii) ending on the day before the date that is 2 years after such date of enactment; and

(C) 450 percent ad valorem during the period—

(i) beginning on the date that is 2 years after such date of enactment; and

(ii) ending on the day before the date that is 3 years after such date of enactment; and

(D) 800 percent ad valorem on and after the date that is 3 year after such date of enactment.

(c) ADDITIONAL DUTIES.—The duty imposed under subsection (a) with respect to an article described in that subsection is in addition to any other duty applicable to the article.

(d) DEFINITIONS.—In this section:

(1) CONTROL.—The term ''control'' has the meaning given that term in section 800.208 of title 31, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

(2) OWNED, CONTROLLED, DIRECTED, OR OPERATED.—The term ''owned, controlled, directed, or operated'', with respect to an entity, includes any entity for which, on any date during the most recent 12-month period, not less than 25 percent of the equity interests in such entity are held directly or indirectly by 1 or more persons of the People's Republic of China described in any of subparagraphs (A) through (E) of paragraph (3), including through—

(A) interests in co-investment vehicles, joint ventures, or similar arrangements; or

(B) a derivative financial instrument or contractual arrangement between the entity and such a person, including any such instrument or contract that seeks to replicate any financial return with respect to such entity or interest in such entity.

(3) PERSON OF THE PEOPLE'S REPUBLIC OF CHINA.—The term ''person of the People's Republic of China'' means—

(A) the Government of the People's Republic of China;

(B) any agency, instrumentality, official, or agent of that Government;

(C) any entity the headquarters of which are located in the People's Republic of China;

(D) any entity organized under the laws of the People's Republic of China;

(E) any entity substantively involved in the industrial policies or military-civil fusion strategy of the People's Republic of China, including by accepting funding from, performing a service for, or receiving a subsidy from the People's Republic of China related to such policies or strategy; or

(F) any entity owned, controlled, directed, or operated by an entity described in any of subparagraphs (A) through (E).

SA 2488. 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 appropriate place in subtitle H of title X, insert the following:

SEC. 10_____. NATURAL GAS EXPORTS TO ALLIES AND STRATEGIC PARTNERS.

(a) FINDING.—Congress finds that expediting the approval of natural gas export applications for projects intended to increase the capacity of the United States to export natural gas to allies and strategic partners will—

(1) empower United States natural gas exporters to better assist the strategic and national security interests of the United States and allies and strategic partners of the United States; and

(2) lead to job growth, economic development, and energy security.

(b) NATURAL GAS EXPORTS.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking ''(c) For purposes'' and inserting the following:

''(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

''(1) DEFINITION OF COVERED NATION.—

''(A) IN GENERAL.—In this subsection, the term 'covered nation'—

''(i) means an ally described in section 3(b)(2) of the Arms Export Control Act (22 U.S.C. 2753(b)(2)); and

''(ii) during the period described in subparagraph (B), includes Cyprus, Moldova, Sweden, Taiwan, and Ukraine.

''(B) PERIOD DESCRIBED.—The period described in this subparagraph is the period—

''(i) beginning on the date of enactment of the Expediting Natural Gas Exports to Allies Act of 2023; and

''(ii) ending on December 31, 2030, or such later date as the President determines is in the interest of national defense (as defined in section 702 of the Defense Production Act of 1950 (50 U.S.C. 4552)) or is otherwise in the interests of the United States.

''(2) EXPEDITED APPROVAL.—Except as provided in paragraph (3), for purposes'';

(2) in paragraph (2) (as so designated), by inserting ''the exportation of natural gas to a covered nation,'' before ''or the exportation''; and

(3) by adding at the end the following:

''(3) EXCLUSIONS.—

''(A) NATIONS SUBJECT TO SANCTIONS.—The Commission shall not grant expedited approval under paragraph (2) of an application for exportation of natural gas to any nation that is subject to sanctions or trade restrictions imposed by the United States.

''(B) NATIONS DESIGNATED BY CONGRESS.—The Commission shall not grant expedited approval under paragraph (2) of an application for exportation of natural gas to any nation designated by an Act of Congress as excluded from such expedited approval for reasons of national security.''.

(c) EFFECT.—The amendments made by subsection (b) shall not affect any Federal authorization to export natural gas from the United States to a foreign nation or to import natural gas into the United States from a foreign nation that is in effect on the date of enactment of this Act.

SA 2489. 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 B of title X, add the following:

SEC. 1014. VETERANS BORDER PATROL SKILLBRIDGE PILOT PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Veterans Border Patrol Training Act''.

(b) BORDER PATROL SKILLBRIDGE PILOT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in collaboration with the Secretary of Defense and the Secretary of Veterans Affairs, shall establish an interdepartmental pilot program through which the Department of Homeland Security shall use the Department of Defense SkillBridge Program to train and hire transitioning servicemembers as Border Patrol agents for U.S. Customs and Border Protection.

(2) EMPLOYMENT SKILLS TRAINING.—In carrying out the pilot program established pursuant to paragraph (1), the Secretary of Homeland Security, in collaboration with the Secretary of Defense, shall use the authorities available under section 1143 of title 10, United States Code, to train and facilitate the transition of members of the armed forces to service as Border Patrol agents.

(c) ANNUAL REPORTS.—Not later than 1 year after the pilot program is established pursuant to section (b)(1), and annually thereafter until the date referred to in subsection (d), the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Armed Services of the Senate, the Committee on Veterans' Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on Armed Services of the House of Representatives, and the Committee on Veterans' Affairs of the House of Representatives that includes, with respect to the reporting period—

(1) the number of participants in the pilot program;

(2) the number of eligible participants who applied to be part of the pilot program; and

(3) the number of pilot program participants who are—

(A) members the Armed Forces;

(B) reserve members of the Armed Forces;

(C) commissioned officers or non-commissioned officers;

(D) enlisted members of the Armed Forces;

(E) veterans;

(F) spouses of such members of the Armed Forces or veterans; and

(G) dependents of such members of the Armed Forces or veterans.

(d) SUNSET DATE.—The pilot program established pursuant to subsection (b) shall terminate on the date that is 5 years after the date on which such program is established.

SA 2490. 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 title XII, add the following:

Subtitle I—Caribbean and Latin America Maritime Security Initiative Act

SEC. 1291. SHORT TITLE.

This Act may be cited as the ''Caribbean and Latin America Maritime Security Initiative Act''.

SEC. 1292. SUPPORT FOR IMPLEMENTATION OF BILATERAL AGREEMENTS CONCERNING ILLICIT TRANSNATIONAL MARITIME ACTIVITY IN THE CARIBBEAN AND LATIN AMERICA.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Commandant of the Coast Guard, and in consultation with the Secretary of State, may provide covered assistance to the Coast Guard for the execution of existing maritime law enforcement agreements between the United States and countries in the Caribbean and Latin America that were entered into to combat transnational organized illegal maritime activity, including illegal, unreported, and unregulated fishing.

(b) EFFECT ON MILITARY TRAINING AND READINESS.—The Secretary of Defense shall ensure that the provision of covered assistance under this section does not negatively affect military training, operations, readiness, or other military requirements.

(c) FUNDS.—If the Secretary of Defense provides covered assistance under subsection (a) during fiscal year 2025 or any subsequent fiscal year, the Secretary shall provide such covered assistance using amounts available for that fiscal year for the Department of Defense for operation and maintenance.

(d) DEFINITIONS.—In this section:

(1) COVERED ASSISTANCE.—The term ''covered assistance'' means any of the following:

(A) The use of surface and air assets as bases of operations and information collection platforms.

(B) Communication infrastructure.

(C) Information sharing.

(D) The provision of logistic support, supplies, and services (as such term is defined in section 2350 of title 10, United States Code).

(E) Allowing the participation of enforcement units of countries in the Caribbean and Latin America in shiprider agreements with the Coast Guard for the enforcement of fisheries regulations that address illegal, unreported, and unregulated fishing.

(2) ILLEGAL, UNREPORTED, AND UNREGULATED FISHING.—The term ''illegal, unreported, and unregulated fishing'' means any activity set out in paragraph 3 of the 2001 Food and Agriculture Organization of the United Nations International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported, and Unregulated Fishing.

SEC. 1293. AUTHORIZATION OF IMPOSITION OF SANCTIONS WITH RESPECT TO ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.

(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to any foreign person or foreign vessel (regardless of ownership) that the President determines—

(1) is responsible for, complicit in, or has directly or indirectly participated in—

(A) illegal, unreported, or unregulated fishing; or

(B) except as part of a conservation effort, the sale, supply, purchase, or transfer (including transportation) of endangered species, as defined in section 3(6) of the Endangered Species Act of 1973 (16 U.S.C. 1532(6));

(2) is a leader or official of an entity, including a government entity, that has engaged in, or the members of which have engaged in, any of the activities described in paragraph (1) during the tenure of the leader or official;

(3) has ever owned, operated, chartered, or controlled a vessel during which time the personnel of the vessel engaged in any of the activities described in paragraph (1); or

(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of—

(A) any of the activities described in paragraph (1); or

(B) any foreign person engaged in any such activity.

(b) SANCTIONS DESCRIBED.—The sanctions that may be imposed under subsection (a) with respect to a foreign person or foreign vessel are the following:

(1) BLOCKING OF PROPERTY.—Notwithstanding section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701), the exercise of all powers granted to the President 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 a foreign person described in 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) INADMISSIBILITY TO THE UNITED STATES.—In the case of a foreign person described in subsection (a) who is an individual, or any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, a foreign person described in subsection (a) that is an entity—

(A) ineligibility for a visa to enter and inadmissibility to the United States; and

(B) revocation of any valid visa or travel documentation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)).

(3) PROHIBITION ON ACCESS TO THE UNITED STATES.—In the case of a foreign vessel described in subsection (a), denial of access to United States ports.

(4) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The President may prohibit any United States financial institution from making loans or providing credits to a foreign person described in subsection (a).

(5) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which a foreign person or foreign vessel described in subsection (a) has any interest.

(6) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose any of the sanctions described in this subsection that are applicable on the principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authorities as such officer or officers, who are knowingly responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing, or participated in, any activity described in subsection (a).

(c) REPORT REQUIRED.—Not later than 1 year after the implementation of this section, and annually thereafter, the President shall submit a report on the imposition of sanctions under this section to—

(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(d) NATIONAL INTEREST WAIVER.—The President may waive the imposition of sanctions under subsection (a) with respect to a foreign person or foreign vessel if the President determines that such a waiver is in the national interests of the United States.

(e) EXCEPTIONS.—

(1) EXCEPTIONS FOR AUTHORIZED INTELLIGENCE AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section 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, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Sanctions under subsection (b)(2) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on June 26, 1947, and entered into force on November 21, 1947, between the United Nations and the United States, or the Convention on Consular Relations, done at Vienna on April 24, 1963, and entered into force on March 19, 1967, or other international obligations.

(3) EXCEPTION FOR SAFETY OF VESSELS AND CREW.—Sanctions under this section shall not apply with respect to a person providing provisions to a vessel if such provisions are intended for the safety and care of the crew aboard the vessel or the maintenance of the vessel to avoid any environmental or other significant damage.

(4) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for—

(A) the sale of—

(i) agricultural commodities or food (other than fish or fish products obtained through illegal, unreported, or unregulated fishing); or

(ii) medicine or medical devices; or

(B) the provision of humanitarian assistance.

(f) IMPLEMENTATION; PENALTIES.—

(1) 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.

(2) 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.

(g) RULEMAKING.—

(1) IN GENERAL.—The head of any Federal agency responsible for the implementation of this section may 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).

(2) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(h) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN; LAWFULLY ADMITTED FOR PERMANENT RESIDENCE.—The terms ''admission'', ''admitted'', ''alien'', and ''lawfully admitted for permanent residence'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(3) 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;

(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 located in the United States.

SA 2491. Mr. KAINE (for himself and Mr. YOUNG) 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. ___. REPEALS OF AUTHORIZATIONS FOR MILITARY FORCE.

(a) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION.—

The Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1; 105 Stat. 3; 50 U.S.C. 1541 note) is hereby repealed.

(b) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.—The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

SA 2492. Ms. ROSEN 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 D of title VIII, add the following:

SEC. 865. SMALL BUSINESS LOANS FOR NONPROFIT CHILD CARE PROVIDERS.

(a) IN GENERAL.—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

''(10) NONPROFIT CHILD CARE PROVIDERS.—

''(A) DEFINITION.—In this paragraph, the term 'covered nonprofit child care provider' means an organization—

''(i) that—

''(I) is in compliance with licensing requirements for child care providers of the State in which the organization is located;

''(II) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

''(III) is primarily engaged in providing child care for children from birth to compulsory school age; and

''(IV) is in compliance with the size standards established under this subsection for business concerns in the applicable industry;

''(ii) for which each employee and regular volunteer complies with the criminal background check requirements under section 658H(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f(b));

''(iii) that may—

''(I) provide care for school-age children outside of school hours or outside of the school year; or

''(II) offer preschool or prekindergarten educational programs; and

''(iv) subject to any exemption under Federal law applicable to the organization, that certifies to the Administrator that the organization will not discriminate in any business practice, including providing services to the public, on the basis of race, color, religion, sex, sexual orientation, marital status, age, disability, or national origin.

''(B) ELIGIBILITY FOR CERTAIN LOAN PROGRAMS.—

''(i) IN GENERAL.—Notwithstanding any other provision of this subsection, a covered nonprofit child care provider shall be deemed to be a small business concern for purposes of loans under section 7(a) of this Act or financing under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.).

''(ii) LOAN GUARANTEE.—A covered nonprofit child care center provider—

''(I) shall obtain a guarantee of timely payment of the loan or financing from another person or entity to be eligible for a loan or financing of more than $500,000 under the authority under clause (i); and

''(II) shall not be required to obtain a guarantee of timely payment of the loan or financing to be eligible for a loan or financing that is not more than $500,000 under the authority under clause (i).

''(C) LIMITATION ON BASIS FOR INELIGIBILITY.—The Administrator may not determine that a covered nonprofit child care center provider is not eligible for a loan or financing described in subparagraph (B)(i) on the basis that the proceeds of the loan or financing will be used for a religious activity protected under the First Amendment to the Constitution of the United States, as interpreted by the courts of the United States.''.

(b) REPORTING.—

(1) DEFINITION.—In this subsection, the term ''covered nonprofit child care provider'' has the meaning given the term in paragraph (10) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)), as added by subsection (a).

(2) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator of the Small Business Administration shall submit to Congress a report that contains—

(A) for the year covered by the report—

(i) the number of loans made under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) and the number of financings provided under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) to covered nonprofit child care providers; and

(ii) the amount of such loans made and the amount of such financings provided to covered nonprofit child care providers; and

(B) any other information determined relevant by the Administrator.

SA 2493. Ms. ROSEN (for herself and Mrs. FISCHER) 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 X, insert the following:

SEC. _____. TELEPHONE HELPLINE FOR ASSISTANCE FOR VETERANS AND OTHER ELIGIBLE INDIVIDUALS.

(a) MAINTENANCE OF HELPLINE.—

(1) IN GENERAL.—The Secretary shall maintain a toll-free telephone helpline that a covered individual may use to obtain information about, or through which a covered individual may be directed to, any service or benefit provided under a law administered by the Secretary.

(2) CONTRACT FOR DIRECTION OF CALLS AUTHORIZED.—The Secretary may enter into a contract with a third-party to direct calls made to the toll-free helpline maintained pursuant to paragraph (1) to the appropriate office regarding a service or benefit described in that paragraph.

(3) LIVE INDIVIDUAL REQUIRED.—The Secretary shall ensure that a covered individual using the telephone helpline maintained pursuant to paragraph (1) has the option to speak with a live individual.

(b) DEFINITIONS.—In this section:

(1) COVERED INDIVIDUAL.—The term ''covered individual'' means—

(A) a veteran;

(B) an individual acting on behalf of a veteran; or

(C) an individual, other than a veteran, who is eligible to receive a benefit or service under a law administered by the Secretary.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Veterans Affairs.

(3) VETERAN.—The term ''veteran'' has the meaning given the term in section 2002(b) of title 38, United States Code.

SA 2494. Ms. ROSEN (for herself, Mrs. FISCHER, Mr. RICKETTS, and Mr. PADILLA) 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. 10____. HELPING EMERGENCY RESPONDERS OVERCOME ACT.

(a) SHORT TITLE.—This section may be cited as the ''Helping Emergency Responders Overcome Act'' or the ''HERO Act''.

(b) DATA SYSTEM TO CAPTURE NATIONAL PUBLIC SAFETY OFFICER SUICIDE INCIDENCE.—The Public Health Service Act is amended by inserting after section 317V of such Act (42 U.S.C. 247b–24) the following:

''SEC. 317W. DATA SYSTEM TO CAPTURE NATIONAL PUBLIC SAFETY OFFICER SUICIDE INCIDENCE.

''(a) IN GENERAL.—The Secretary, in coordination with other agencies as the Secretary determines appropriate, may—

''(1) develop and maintain a data system, to be known as the Public Safety Officer Suicide Reporting System, for the purposes of—

''(A) collecting data on the suicide incidence among public safety officers; and

''(B) facilitating the study of successful interventions to reduce suicide among public safety officers; and

''(2) integrate such system into the National Violent Death Reporting System, so long as the Secretary determines such integration to be consistent with the purposes described in paragraph (1).

''(b) DATA COLLECTION.—In collecting data for the Public Safety Officer Suicide Reporting System, the Secretary shall, at a minimum, collect the following information:

''(1) The total number of suicides in the United States among all public safety officers in a given calendar year.

''(2) Suicide rates for public safety officers in a given calendar year, disaggregated by—

''(A) age and gender of the public safety officer;

''(B) State;

''(C) occupation; including both the individual's role in their public safety agency and their primary occupation in the case of volunteer public safety officers;

''(D) where available, the status of the public safety officer as volunteer, paid-on-call, or career; and

''(E) where available, the status of the public safety officer as active or retired.

''(c) DATA PRIVACY AND SECURITY.—In developing and maintaining the Public Safety Officer Suicide Reporting System, the Secretary shall ensure that all applicable Federal privacy and security protections are followed to ensure that—

''(1) the confidentiality and anonymity of suicide victims and their families are protected, including so as to ensure that data cannot be used to deny benefits; and

''(2) data is sufficiently secure to prevent unauthorized access.

''(d) REPORTING.—

''(1) ANNUAL REPORT.—Not later than 2 years after the date of enactment of the Helping Emergency Responders Overcome Act, and biannually thereafter, the Secretary shall submit a report to the Congress on the suicide incidence among public safety officers. Each such report shall—

''(A) include the number and rate of such suicide incidence, disaggregated by age, gender, and State of employment;

''(B) identify characteristics and contributing circumstances for suicide among public safety officers;

''(C) disaggregate rates of suicide by—

''(i) occupation;

''(ii) status as volunteer, paid-on-call, or career, where available; and

''(iii) status as active or retired, where available;

''(D) include recommendations for further study regarding the suicide incidence among public safety officers;

''(E) specify in detail any obstacles in collecting suicide rates for volunteers and include recommended improvements to overcome such obstacles;

''(F) identify options for interventions to reduce suicide among public safety officers; and

''(G) describe procedures to ensure the confidentiality and anonymity of suicide victims and their families, as described in subsection (c)(1).

''(2) PUBLIC AVAILABILITY.—Upon the submission of each report to the Congress under paragraph (1), the Secretary shall make the full report publicly available on the website of the Centers for Disease Control and Prevention.

''(e) DEFINITION.—In this section, the term 'public safety officer' means—

''(1) a public safety officer as defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968; or

''(2) a public safety telecommunicator as described in detailed occupation 43–5031 in the Standard Occupational Classification Manual of the Office of Management and Budget (2018).

''(f) PROHIBITED USE OF INFORMATION.—Notwithstanding any other provision of law, if an individual is identified as deceased based on information contained in the Public Safety Officer Suicide Reporting System, such information may not be used to deny or rescind life insurance payments or other benefits to a survivor of the deceased individual.''.

(c) PEER-SUPPORT BEHAVIORAL HEALTH AND WELLNESS PROGRAMS WITHIN FIRE DEPARTMENTS AND EMERGENCY MEDICAL SERVICE AGENCIES.—

(1) IN GENERAL.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by adding at the end the following:

''SEC. 320C. PEER-SUPPORT BEHAVIORAL HEALTH AND WELLNESS PROGRAMS WITHIN FIRE DEPARTMENTS AND EMERGENCY MEDICAL SERVICE AGENCIES.

''(a) IN GENERAL.—The Secretary may award grants to eligible entities for the purpose of establishing or enhancing peer-support behavioral health and wellness programs within fire departments and emergency medical services agencies.

''(b) PROGRAM DESCRIPTION.—A peer-support behavioral health and wellness program funded under this section shall—

''(1) use career and volunteer members of fire departments or emergency medical services agencies to serve as peer counselors;

''(2) provide training to members of career, volunteer, and combination fire departments or emergency medical service agencies to serve as such peer counselors;

''(3) purchase materials to be used exclusively to provide such training; or

''(4) disseminate such information and materials as are necessary to conduct the program.

''(c) DEFINITION.—In this section:

''(1) The term 'eligible entity' means a nonprofit organization with expertise and experience with respect to the health and life safety of members of fire and emergency medical services agencies.

''(2) The term 'member'—

''(A) with respect to an emergency medical services agency, means an employee who is a member of a rescue squad or ambulance crew (as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284)), regardless of rank or whether the employee receives compensation; and

''(B) with respect to a fire department, means any employee, regardless of rank or whether the employee receives compensation, of a Federal, State, Tribal, or local fire department who is responsible for responding to calls for emergency service.''.

(2) TECHNICAL CORRECTION.—Effective as if included in the enactment of the Children's Health Act of 2000 (Public Law 106–310), the amendment instruction in section 1603 of such Act is amended by striking ''Part B of the Public Health Service Act'' and inserting ''Part B of title III of the Public Health Service Act''.

(d) DEVELOPMENT OF RESOURCES FOR EDUCATING MENTAL HEALTH PROFESSIONALS ABOUT TREATING FIRE FIGHTERS AND EMERGENCY MEDICAL SERVICES PERSONNEL.—

(1) IN GENERAL.—The Administrator, in consultation with the Secretary of Health and Human Services, shall develop and make publicly available resources that may be used by the Federal Government and other entities to educate mental health professionals about—

(A) the culture of Federal, State, Tribal, and local career, volunteer, and combination fire departments and emergency medical services agencies;

(B) the different stressors experienced by firefighters and emergency medical services personnel, supervisory firefighters and emergency medical services personnel, and chief officers of fire departments and emergency medical services agencies;

(C) challenges encountered by retired firefighters and emergency medical services personnel; and

(D) evidence-based therapies for mental health issues common to firefighters and emergency medical services personnel within such departments and agencies.

(2) CONSULTATION.—In developing resources under paragraph (1), the Administrator, in coordination with the Secretary of Health and Human Services, shall consult with national fire and emergency medical services organizations.

(3) DEFINITIONS.—In this subsection:

(A) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Fire Administration.

(B) CHIEF OFFICER.—The term ''chief officer'' means any individual who is responsible for the overall operation of a fire department or an emergency medical services agency, irrespective of whether such individual also serves as a firefighter or emergency medical services personnel.

(C) EMERGENCY MEDICAL SERVICES PERSONNEL.—The term ''emergency medical services personnel'' means an employee who is a member of a rescue squad or ambulance crew (as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284)), regardless of rank or whether the employee receives compensation.

(D) FIREFIGHTER.—The term ''firefighter'' means any employee, regardless of rank or whether the employee receives compensation, of a Federal, State, Tribal, or local fire department who is responsible for responding to calls for emergency service.

(e) BEST PRACTICES AND OTHER RESOURCES FOR ADDRESSING POSTTRAUMATIC STRESS DISORDER IN PUBLIC SAFETY OFFICERS.—

(1) DEVELOPMENT; UPDATES.—The Secretary of Health and Human Services shall—

(A) develop and assemble evidence-based best practices and other resources to identify, prevent, and treat posttraumatic stress disorder and co-occurring disorders in public safety officers; and

(B) reassess and update, as the Secretary determines necessary, such best practices and resources, including based upon the options for interventions to reduce suicide among public safety officers identified in the annual reports required by section 317W(d)(1)(F) of the Public Health Service Act, as added by subsection (b).

(2) CONSULTATION.—In developing, assembling, and updating the best practices and resources under paragraph (1), the Secretary of Health and Human Services shall consult with, at a minimum, the following:

(A) Public health experts.

(B) Mental health experts with experience in studying suicide and other profession-related traumatic stress.

(C) Clinicians with experience in diagnosing and treating mental health issues.

(D) Relevant national police, fire, and emergency medical services organizations.

(3) AVAILABILITY.—The Secretary of Health and Human Services shall make the best practices and resources under paragraph (1) available to Federal, State, and local fire, law enforcement, and emergency medical services agencies.

(4) FEDERAL TRAINING AND DEVELOPMENT PROGRAMS.—The Secretary of Health and Human Services shall work with Federal departments and agencies, including the United States Fire Administration, to incorporate education and training on the best practices and resources under paragraph (1) into Federal training and development programs for public safety officers.

(5) DEFINITION.—In this section, the term ''public safety officer'' means—

(A) a public safety officer, as defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284); or

(B) a public safety telecommunicator, as described in detailed occupation 43–5031 in the Standard Occupational Classification Manual of the Office of Management and Budget (2018).

SA 2495. 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. GRANTS FOR STATE, COUNTY, AND TRIBAL VETERANS' CEMETERIES THAT ALLOW INTERMENT OF CERTAIN PERSONS ELIGIBLE FOR INTERMENT IN NATIONAL CEMETERIES.

Section 2408 of title 38, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following new subsection (k):

''(k)(1) The Secretary may not establish a condition for a grant under this section that

restricts the ability of a State, county, or tribal organization receiving such a grant to allow the interment of any person described in paragraph (8) or (10) of section 2402(a) of this title in a veterans' cemetery owned by that State or county or on trust land owned by, or held in trust for, that tribal organization.

''(2) The Secretary may not deny an application for a grant under this section solely on the basis that the State, county, or tribal organization receiving such grant may use funds from such grant to expand, improve, operate, or maintain a veterans' cemetery in which interment of persons described in paragraph (8) or (10) of section 2402(a) of this title is allowed.

''(3)(A) When requested by a State, county, or tribal organization in receipt of a grant made under this section, the Secretary shall—

''(i) determine whether a person is eligible for burial in a national cemetery under paragraph (8) or (10) of section 2402(a) of this title; and

''(ii) advise the grant recipient of the determination.

''(B) A grant recipient described in subparagraph (A) may use a determination of the Secretary under such subparagraph as a determination of the eligibility of the person concerned for burial in the cemetery for which the grant was made.''.

SA 2496. Mr. SCHATZ (for himself, Mr. CRUZ, and 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, insert the following new title:

TITLE ___—MAKING SOCIAL MEDIA SAFER FOR CHILDREN AND TEENS

Subtitle A—Kids Off Social Media Act

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Kids Off Social Media Act''.

SEC. ___2. DEFINITIONS.

In this subtitle:

(1) PERSONALIZED RECOMMENDATION SYSTEM.—The term ''personalized recommendation system'' means a fully or partially automated system used to suggest, promote, or rank content, including other users or posts, based on the personal data of users.

(2) CHILD.—The term ''child'' means an individual under the age of 13.

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) KNOW OR KNOWS.—The term ''know'' or ''knows'' means to have actual knowledge or knowledge fairly implied on the basis of objective circumstances.

(5) PERSONAL DATA.—The term ''personal data'' has the same meaning as the term ''personal information'' as defined in section 1302 of the Children's Online Privacy Protection Act (15 U.S.C. 6501) .

(6) SOCIAL MEDIAL PLATFORM.—

(A) IN GENERAL.—The term ''social media platform'' means a public-facing website, online service, online application, or mobile application that—

(i) is directed to consumers;

(ii) collects personal data;

(iii) primarily derives revenue from advertising or the sale of personal data; and

(iv) as its primary function provides a community forum for user-generated content, including messages, videos, and audio files among users where such content is primarily intended for viewing, resharing, or platform-enabled distributed social endorsement or comment.

(B) LIMITATION.—The term ''social medial platform'' does not include a platform that, as its primary function for consumers, provides or facilitates any of the following:

(i) The purchase and sale of commercial goods.

(ii) Teleconferencing or videoconferencing services that allow reception and transmission of audio or video signals for real-time communication, provided that the real-time communication is initiated by using a unique link or identifier to facilitate access.

(iii) Crowd-sourced reference guides such as encyclopedias and dictionaries.

(iv) Cloud storage, file sharing, or file collaboration services, including such services that allow collaborative editing by invited users.

(v) The playing or creation of video games.

(vi) Content that consists primarily of news, sports, sports coverage, entertainment, or other information or content that is not user-generated but is preselected by the platform and for which any chat, comment, or interactive functionality is incidental, directly related to, or dependent on the provision of the content provided by the platform.

(vii) Business, product, or travel information including user reviews or rankings of such businesses, products, or other travel information.

(viii) Educational information, experiences, training, or instruction provided to build knowledge, skills, or a craft, district-sanctioned or school-sanctioned learning management systems and school information systems for the purposes of schools conveying content related to the education of students, or services or services on behalf of or in support of an elementary school or secondary school, as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(ix) An email service.

(x) A wireless messaging service, including such a service provided through short message service or multimedia messaging protocols, that is not a component of, or linked to, a social media platform and where the predominant or exclusive function of the messaging service is direct messaging consisting of the transmission of text, photos, or videos that are sent by electronic means, where messages are transmitted from the sender to the recipient and are not posted publicly or within a social media platform.

(xi) A broadband internet access service (as such term is defined for purposes of section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation).

(xii) A virtual private network or similar service that exists solely to route internet traffic between locations.

(7) TEEN.—The term ''teen'' means an individual over the age of 12 and under the age of 17.

(8) USER.—The term ''user'' means, with respect to a social media platform, an individual who registers an account or creates a profile on the social media platform.

SEC. ___3. NO CHILDREN UNDER 13.

(a) NO ACCOUNTS FOR CHILDREN UNDER 13.—A social media platform shall not permit an individual to create or maintain an account or profile if it knows that the individual is a child.

(b) TERMINATION OF EXISTING ACCOUNTS BELONGING TO CHILDREN.—A social media platform shall terminate any existing account or profile of a user who the social media platform knows is a child.

(c) DELETION OF CHILDREN'S PERSONAL DATA.—

(1) IN GENERAL.—Subject to paragraph (2), upon termination of an existing account or profile of a user pursuant to subsection (b), a social media platform shall immediately delete all personal data collected from the user or submitted by the user to the social media platform.

(2) CHILDREN'S ACCESS TO PERSONAL DATA.—To the extent technically feasible and not in violation of any licensing agreement, a social media platform shall allow the user of an existing account or profile that the social media platform has terminated under subsection (b), from the date such termination occurs to the date that is 90 days after such date, to request, and shall provide to such user upon such request, a copy of the personal data collected from the user or submitted by the user to the social media platform both—

(A) in a manner that is readable and which a reasonable person can understand; and

(B) in a portable, structured, and machine-readable format.

(d) RULE OF CONSTRUCTION.—Nothing in subsection (c) shall be construed to prohibit a social media platform from retaining a record of the termination of an account or profile and the minimum information necessary for the purposes of ensuring compliance with this section.

SEC. ___3. PROHIBITION ON THE USE OF PERSONALIZED RECOMMENDATION SYSTEMS ON CHILDREN OR TEENS.

(a) IN GENERAL.—

(1) PROHIBITION ON USE OF PERSONALIZED RECOMMENDATION SYSTEMS ON CHILDREN OR TEENS.—Except as provided in paragraph (2), a social media platform shall not use the personal data of a user or visitor in a personalized recommendation system to display content if the platform knows that the user or visitor is a child or teen.

(2) EXCEPTION.—A social media platform may use a personalized recommendation system to display content to a child or teen if the system only uses the following personal data of the child or teen:

(A) The type of device used by the child or teen.

(B) The languages used by the child or teen to communicate.

(C) The city or town in which the child or teen is located.

(D) The fact that the individual is a child or teen.

(E) The age of the child or teen.

(b) RULE OF CONSTRUCTION.—The prohibition in subsection (a) shall not be construed to—

(1) prevent a social media platform from providing search results to a child or teen deliberately or independently searching for (such as by typing a phrase into a search bar or providing spoken input), or specifically requesting, content, so long as such results are not based on the personal data of the child or teen (except to the extent permitted under subsection (a)(2));

(2) prevent a social media platform from taking reasonable measures to—

(A) block, detect, or prevent the distribution of unlawful or obscene material;

(B) block or filter spam, or protect the security of a platform or service; or

(C) prevent criminal activity; or

(3) prohibit a social media platform from displaying user-generated content that has been selected, followed, or subscribed to by a teen account holder as long as the display of the content is based on a chronological format.

SEC. ___4. DETERMINATION OF WHETHER AN OPERATOR HAS KNOWLEDGE FAIRLY IMPLIED ON THE BASIS OF OBJECTIVE CIRCUMSTANCES THAT AN INDIVIDUAL IS A CHILD OR TEEN.

(a) RULES OF CONSTRUCTION.—For purposes of enforcing this subtitle, in making a determination as to whether a social media platform has knowledge fairly implied on the basis of objective circumstances that a user is a child or teen, the Commission or the attorney general of a State, as applicable, shall rely on competent and reliable evidence, taking into account the totality of circumstances, including whether a reasonable and prudent person under the circumstances would have known that the user is a child or teen.

(b) PROTECTIONS FOR PRIVACY.—Nothing in this subtitle, including a determination described in subsection (a), shall be construed to require a social media platform to—

(1) implement an age gating or age verification functionality; or

(2) affirmatively collect any personal data with respect to the age of users that the social media platform is not already collecting in the normal course of business.

(c) RESTRICTION ON USE AND RETENTION OF PERSONAL DATA.—If a social media platform or a third party acting on behalf of a social media platform voluntarily collects personal data for the purpose of complying with this subtitle, the social media platform or a third party shall not—

(1) use any personal data collected specifically for a purpose other than for sole compliance with the obligations under this subtitle; or

(2) retain any personal data collected from a user for longer than is necessary to comply with the obligations under this subtitle or than is minimally necessary to demonstrate compliance with this subtitle.

SEC. ___5. ENFORCEMENT.

(a) ENFORCEMENT BY COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of this subtitle shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this subtitle in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this subtitle.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this subtitle shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) AUTHORITY PRESERVED.—Nothing in this subtitle shall be construed to limit the authority of the Commission under any other provision of law.

(b) ENFORCEMENT BY STATES.—

(1) AUTHORIZATION.—Subject to paragraph (3), in any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of a social media platform in a practice that violates this subtitle, the attorney general of the State may, as parens patriae, bring a civil action against the social media platform on behalf of the residents of the State in an appropriate district court of the United States to—

(A) enjoin that practice;

(B) enforce compliance with this subtitle;

(C) on behalf of residents of the States, obtain damages, restitution, or other compensation, each of which shall be distributed in accordance with State law; or

(D) obtain such other relief as the court may consider to be appropriate.

(2) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—The attorney general of a State shall notify the Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before the filing of the civil action.

(ii) CONTENTS.—The notification required under clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) Clause (i) shall not apply with respect to the filing of an action by an attorney general of a State under this paragraph if the attorney general of the State determines that it not feasible to provide the notice required in that clause before filing the action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—Upon receiving notice under subparagraph (A)(i), the Commission shall have the right to intervene in the action that is the subject of the notice.

(3) EFFECT OF INTERVENTION.—If the Commission intervenes in an action under paragraph (1), it shall have the right—

(A) to be heard with respect to any matter that arises in that action; and

(B) file a petition for appeal.

(4) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to—

(A) conduct investigations;

(B) administer oaths or affirmations; or

(C) compel the attendance of witnesses or the production of documentary or other evidence.

(5) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—In any case in which an action is instituted by or on behalf of the Commission for a violation of this subtitle, no State may , during the pendency of that action, institute a separate civil action under paragraph (1) against any defendant named in the complaint in the action instituted by or on behalf of the Commission for that violation.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

SEC. ___6. RELATIONSHIP TO OTHER LAWS.

The provisions of this subtitle shall preempt any State law, rule, or regulation only to the extent that such State law, rule, or regulation conflicts with a provision of this subtitle. Nothing in this subtitle shall be construed to prohibit a State from enacting a law, rule, or regulation that provides greater protection to children or teens than the protection provided by the provisions of this subtitle. Nothing in this subtitle shall be construed to—

(1) affect the application of—

(A) section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ''Family Educational Rights and Privacy Act of 1974'') or other Federal or State laws governing student privacy; or

(B) the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501 et seq.) or any rule or regulation promulgated under such Act; or

(2) authorize any action that would conflict with section 18(h) of the Federal Trade Commission Act (15 U.S.C. 57a(h)).

SEC. ___7. EFFECTIVE DATE.

This subtitle shall take effect 1 year after the date of enactment of this Act.

Subtitle B—Eyes on the Board Act of 2024

SEC. ___8. SHORT TITLE.

This subtitle may be cited as the ''Eyes on the Board Act of 2024''.

SEC. ___9. UPDATING THE CHILDREN'S INTERNET PROTECTION ACT TO INCLUDE SOCIAL MEDIA PLATFORMS.

(a) IN GENERAL.—Section 1721 of the Children's Internet Protection Act (title XVII of Public Law 106–554) is amended—

(1) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

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

''(f) LIMITATION ON USE OF SCHOOL BROADBAND SUBSIDIES FOR ACCESS TO SOCIAL MEDIA PLATFORMS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COMMISSION.—The term 'Commission' means the Federal Communications Commission.

''(B) SOCIAL MEDIA PLATFORM.—The term 'social media platform'—

''(i) means any website, online service, online application, or mobile application that—

''(I) serves the public; and

''(II) primarily provides a forum for users to communicate user-generated content, including messages, videos, images, and audio files, to other online users; and

''(ii) does not include—

''(I) an internet service provider;

''(II) electronic mail;

''(III) an online service, application, or website—

''(aa) that consists primarily of content that is not user-generated, but is preselected by the provider; and

''(bb) for which any chat, comment, or interactive functionality is incidental to, directly related to, or dependent on the provision of content described in item (aa);

''(IV) an online service, application, or website—

''(aa) that is non-commercial and primarily designed for educational purposes; and

''(bb) the revenue of which is not primarily derived from advertising or the sale of personal data;

''(V) a wireless messaging service, including such a service provided through a short messaging service or multimedia service protocols—

''(aa) that is not a component of, or linked to, a website, online service, online application, or mobile application described in clause (i); and

''(bb) the predominant or exclusive function of which is direct messaging consisting of the transmission of text, photos, or videos that—

''(AA) are sent by electronic means from the sender to a recipient; and

''(BB) are not posted publicly or on a website, online service, online application, or mobile application described in clause (i);

''(VI) a teleconferencing or video conferencing service that allows for the reception and transmission of audio or video signals for real-time communication that is initiated by using a unique link or identifier to facilitate access;

''(VII) a product or service that primarily functions as business-to-business software or a cloud storage, file sharing, or file collaboration service; or

''(VIII) an organization that is not organized to carry on business for the profit of

the organization or of the members of the organization.

''(C) TECHNOLOGY PROTECTION MEASURE.—The term 'technology protection measure' means a specific technology that blocks or filters access to a social media platform.

''(2) REQUIREMENTS WITH RESPECT TO SOCIAL MEDIA PLATFORMS.—

''(A) IN GENERAL.—

''(i) CERTIFICATION REQUIRED.—An elementary or secondary school that is subject to paragraph (5) of section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) (referred to in this paragraph as 'section 254(h)') may not receive services at discount rates under section 254(h) unless the school, school board, local educational agency, or other authority with responsibility for administration of the school—

''(I) submits to the Commission the certification described in subparagraph (B); and

''(II) ensures that the use of the school's supported services, devices, and networks is in accordance with the certification described in subclause (I).

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) may be construed to prohibit—

''(I) district-sanctioned or school-sanctioned learning management systems and school information systems used for purposes of schools conveying content related to the education of students; or

''(II) a teacher from using a social media platform in the classroom for educational purposes.

''(B) CERTIFICATION WITH RESPECT TO STUDENTS AND SOCIAL MEDIA.—

''(i) IN GENERAL.—A certification under this subparagraph is a certification that the applicable school, school board, local educational agency, or other authority with responsibility for administration of the school—

''(I) is enforcing a policy of preventing students of the school from accessing social media platforms on any supported service, device, or network that includes—

''(aa) monitoring the online activities of any such service, device, or network to determine if those students are accessing social media platforms; and

''(bb) the operation of a technology protection measure with respect to those services, devices, and networks that protects against access by those students to a social media platform; and

''(II) is enforcing the operation of the technology protection measure described in subclause (I) during any use of supported services, devices, or networks by students of the school.

''(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph may be construed to require the applicable school, school board, local educational agency, or other authority to track an individual website, online application, or mobile application that a student is attempting to access (or any search terms used by, or the browsing history of, a student) beyond the identity of the website or application and whether access to the website or application is blocked by a technology protection measure because the website or application is a social media platform.

''(C) TIMING OF IMPLEMENTATION.—

''(i) IN GENERAL.—In the case of a school to which this paragraph applies, the certification under this paragraph shall be made—

''(I) with respect to the first program funding year under section 254(h) after the date of enactment of the Eyes on the Board Act of 2024, not later than 120 days after the beginning of that program funding year; and

''(II) with respect to any subsequent funding year, as part of the application process for that program funding year.

''(ii) PROCESS.—

''(I) SCHOOLS WITH MEASURES IN PLACE.—A school covered by clause (i) that has in place measures meeting the requirements necessary for certification under this paragraph shall certify its compliance with this paragraph during each annual program application cycle under section 254(h), except that, with respect to the first program funding year after the date of enactment of the Eyes on the Board Act of 2024, the certification shall be made not later than 120 days after the beginning of that first program funding year.

''(II) SCHOOLS WITHOUT MEASURES IN PLACE.—

''(aa) FIRST 2 PROGRAM YEARS.—A school covered by clause (i) that does not have in place measures meeting the requirements for certification under this paragraph—

''(AA) for the first program year after the date of enactment of the Eyes on the Board Act of 2024 in which the school is applying for funds under section 254(h), shall certify that the school is undertaking such actions, including any necessary procurement procedures, to put in place measures meeting the requirements for certification under this paragraph; and

''(BB) for the second program year after the date of enactment of the Eyes on the Board Act of 2024 in which the school is applying for funds under section 254(h), shall certify that the school is in compliance with this paragraph.

''(bb) SUBSEQUENT PROGRAM YEARS.—Any school that is unable to certify compliance with such requirements in such second program year shall be ineligible for services at discount rates or funding in lieu of services at such rates under section 254(h) for such second year and all subsequent program years under section 254(h), until such time as such school comes into compliance with this paragraph.

''(III) WAIVERS.—Any school subject to subclause (II) that cannot come into compliance with subparagraph (B) in such second program year may seek a waiver of subclause (II)(aa)(BB) if State or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required by such subclause. A school, school board, local educational agency, or other authority with responsibility for administration of the school shall notify the Commission of the applicability of such subclause to the school. Such notice shall certify that the school in question will be brought into compliance before the start of the third program year after the date of enactment of the Eyes on the Board Act of 2024 in which the school is applying for funds under section 254(h).

''(D) NONCOMPLIANCE.—

''(i) FAILURE TO SUBMIT CERTIFICATION.—Any school that knowingly fails to comply with the application guidelines regarding the annual submission of a certification required by this paragraph shall not be eligible for services at discount rates or funding in lieu of services at such rates under section 254(h).

''(ii) FAILURE TO COMPLY WITH CERTIFICATION.—Any school that knowingly fails to ensure the use of its computers in accordance with a certification under subparagraph (B) shall reimburse any funds and discounts received under section 254(h) for the period covered by such certification.

''(iii) REMEDY OF NONCOMPLIANCE.—

''(I) FAILURE TO SUBMIT.—A school that has failed to submit a certification under clause (i) may remedy the failure by submitting the certification to which the failure relates. Upon submittal of such certification, the school shall be eligible for services at discount rates under section 254(h).

''(II) FAILURE TO COMPLY.—A school that has failed to comply with a certification as described in clause (ii) may remedy the failure by ensuring the use of its computers in accordance with such certification. Upon submittal to the Commission of a certification or other appropriate evidence of such remedy, the school shall be eligible for services at discount rates under section 254(h).

''(E) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to consider a school, school board, local educational agency, or other authority with responsibility for the administration of a school in violation of this paragraph if that school, school board, local educational agency, or other authority makes a good faith effort to comply with this paragraph and to correct a known violation of this paragraph within a reasonable period of time.

''(3) ENFORCEMENT.—The Commission shall—

''(A) not later than 120 days after the date of enactment of the Eyes on the Board Act of 2024, amend the rules of the Commission to carry out this subsection; and

''(B) enforce this subsection, and any rules issued under this subsection, as if this subsection and those rules were part of the Communications Act of 1934 (47 U.S.C. 151 et seq.) or the rules issued under that Act.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) is amended—

(1) in paragraph (5)(E)—

(A) in clause (i), in the matter preceding subclause (I), by striking ''1721(h)'' and inserting ''1721(i)''; and

(B) in clause (ii)(I), by striking ''1721(h)'' and inserting ''1721(i)''; and

(2) in paragraph (6)(E)—

(A) in clause (i), in the matter preceding subclause (I), by striking ''1721(h)'' and inserting ''1721(i)''; and

(B) in clause (ii)(I), by striking ''1721(h)'' and inserting ''1721(i)''.

SEC. __10. EMPOWERING TRANSPARENCY WITH RESPECT TO SCREEN TIME IN SCHOOLS.

(a) IN GENERAL.—Section 254(h)(5)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(5)(B)) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) in clause (iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iv) has adopted a screen time policy that includes guidelines, disaggregated by grade, for the number of hours and uses of screen time that may be assigned to students, whether during school hours or as homework, on a regular basis.''.

(b) CERTIFICATION AND REPORTING.—Beginning in the first funding year that begins after the date of enactment of this Act, each school seeking support under section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) (without regard to whether the school submits an application directly for that support or such an application is submitted on behalf of the school by a consortium or school district) shall, as a condition of receiving that support—

(1) certify that the school will comply with the requirements of this section and the amendments made by this section for the year covered by the application; and

(2) provide to the Federal Communications Commission (referred to in this section as the ''Commission'') a copy of the screen time policy of the school to which the certification relates.

(c) COMMISSION REQUIREMENTS.—Not later than 120 days after the date of enactment of this Act, the Commission shall amend the rules of the Commission to carry out this section and the amendments made by this section.

SEC. __11. INTERNET SAFETY POLICIES.

Section 254 of the Communications Act of 1934 (47 U.S.C. 254) is amended—

(1) in subsection (h)(5)—

(A) in subparagraph (A)(i)—

(i) in subclause (I), by inserting ''and copies of the Internet safety policy and screen time policy to which each such certification pertains'' before the semicolon at the end; and

(ii) in subclause (II)—

(I) by striking ''Commission'' and all that follows through the end of the subclause and inserting the following: ''Commission—

''(aa) a certification that an Internet safety policy and screen time policy described in subclause (I) have been adopted and implemented for the school; and''; and

(II) by adding at the end the following:

''(bb) copies of the Internet safety policy and screen time policy described in item (aa); and''; and

(B) by adding at the end the following:

''(G) DATABASE OF INTERNET SAFETY AND SCREEN TIME POLICIES.—The Commission shall establish an easily accessible, public database that contains each Internet safety policy and screen time policy submitted to the Commission under subclauses (I) and (II) of subparagraph (A)(i).''; and

(2) in subsection (l), by striking paragraph (3) and inserting the following:

''(3) AVAILABILITY FOR REVIEW.—A copy of each Internet safety policy adopted by a library under this subsection shall be made available to the Commission, upon request of the Commission, by the library for purposes of the review of the Internet safety policy by the Commission.''.

Subtitle C—Severability

SEC. __12. SEVERABILITY.

If any provision of this title or an amendment made by this title is determined to be unenforceable or invalid, the remaining provisions of this title and amendments made by this title shall not be affected.

SA 2497. Mr. COONS (for himself, Mr. GRAHAM, Mr. TILLIS, Mr. HEINRICH, Mr. KING, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. RICKETTS, Ms. HIRONO, 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 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, and the heads of three other relevant Federal departments or agencies with responsibilities that include management of land or marine conservation areas, as determined by the Secretary, 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 2498. Mr. MANCHIN (for himself and Mrs. MURRAY) 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 4601, in the table under the heading ''AIR NATIONAL GUARD'', for the item relating to the Mclaughlin Air National Guard Base in West Virginia, in the Project Title column, strike ''(DESIGN)''.

In section 4601, in the table under the heading ''AIR NATIONAL GUARD'', for the item relating to the Mclaughlin Air National Guard Base in West Virginia, in the Senate Authorized column, strike ''3,200'' and insert ''32,000''.

In section 4601, in the table under the heading ''AIR FORCE'', for the item relating to unspecified minor military construction in unspecified worldwide locations, in the Senate Authorized column, strike ''129,600'' and insert ''100,800''.

SA 2499. 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, add the following:

DIVISION E—ECONOMIC DEVELOPMENT REAUTHORIZATION ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Economic Development Reauthorization Act of 2024''.

TITLE LI—PUBLIC WORKS AND ECONOMIC DEVELOPMENT

SEC. 5101. FINDINGS AND DECLARATIONS.

Section 2 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121) is amended to read as follows:

''SEC. 2. FINDINGS AND DECLARATIONS.

''(a) FINDINGS.—Congress finds that—

''(1) there continue to be areas of the United States—

''(A) experiencing chronic high unemployment, underemployment, outmigration, and low per capita incomes; and

''(B) facing sudden and severe economic dislocations because of structural economic changes, changing trade patterns, certain Federal actions (including environmental requirements that result in the removal of economic activities from a locality), impacts from natural disasters, and transitioning industries, including energy generation, steel production, and mining;

''(2) economic growth in the States, cities, and rural areas of the United States is produced by expanding economic opportunities, expanding free enterprise through trade, promoting resilience in public infrastructure, creating conditions for job creation, job retention, and business development, and by capturing the opportunities to lead the industries of the future, including advanced technologies, clean energy production, and advanced manufacturing technologies;

''(3) the goal of Federal economic development programs is to raise the standard of living for all citizens and increase the wealth and overall rate of growth of the economy by encouraging communities to develop a more competitive and diversified economic base by—

''(A) creating an environment that promotes economic activity by improving and expanding modern public infrastructure;

''(B) promoting job creation, retention, and workforce readiness through increased innovation, productivity, and entrepreneurship; and

''(C) empowering local and regional communities experiencing chronic high unemployment, underemployment, low labor force participation, and low per capita income to develop private sector business and attract increased private sector capital investment;

''(4) while economic development is an inherently local process, the Federal Government should work in partnership with public and private State, regional, Tribal, and local organizations to maximize the impact of existing resources and enable regions, communities, and citizens to participate more fully in the American dream and national prosperity;

''(5) in order to avoid duplication of effort and achieve meaningful, long-lasting results, Federal, State, Tribal, and local economic development activities should have a clear focus, improved coordination, a comprehensive approach, and simplified and consistent requirements;

''(6) Federal economic development efforts will be more effective if the efforts are coordinated with, and build on, the trade, workforce investment, scientific research, environmental protection, transportation, and technology programs of the United States, including through the consolidation and alignment of plans and strategies to promote effective economic development;

''(7) rural communities face unique challenges in addressing infrastructure needs, sometimes lacking the necessary tax base for required upgrades, and often encounter limited financing options and capacity, which can impede new development and long-term economic growth; and

''(8) assisting communities and regions in becoming more resilient to the effects of extreme weather threats and events will promote economic development and job creation.

''(b) DECLARATIONS.—In order to promote a strong, growing, resilient, competitive, and secure economy throughout the United States, the opportunity to pursue, and be employed in, high-quality jobs with family-sustaining wages, and to live in communities that enable business creation and wealth, Congress declares that—

''(1) assistance under this Act should be made available to both rural- and urban-distressed communities;

''(2) local communities should work in partnership with neighboring communities, States, Indian tribes, and the Federal Government to increase the capacity of the local communities to develop and implement comprehensive economic development strategies to alleviate economic distress and enhance competitiveness in the global economy;

''(3) whether suffering from long-term distress or a sudden dislocation, distressed communities should be encouraged to support entrepreneurship to take advantage of the development opportunities afforded by technological innovation and expanding newly opened global markets; and

''(4) assistance under this Act should be made available to modernize and promote recycling, promote the productive reuse of abandoned industrial facilities and the redevelopment of brownfields, and invest in public assets that support travel and tourism and outdoor recreation.''.

SEC. 5102. DEFINITIONS.

(a) IN GENERAL.—Section 3 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122) is amended—

(1) by redesignating paragraphs (1) through (12) as paragraphs (3), (4), (5), (6), (7), (8), (9), (12), (13), (14), (16), and (17), respectively;

(2) by inserting before paragraph (3) (as so redesignated) the following:

''(1) BLUE ECONOMY.—The term 'blue economy' means the sustainable use of marine, lake, or other aquatic resources in support of economic development objectives.

''(2) CAPACITY BUILDING.—The term 'capacity building' includes all activities associated with early stage community-based project formation and conceptualization, prior to project predevelopment activity, including grants to local community organizations for planning participation, community outreach and engagement activities, research, and mentorship support to move projects from formation and conceptualization to project predevelopment.'';

(3) in paragraph (5) (as so redesignated), in subparagraph (A)(i), by striking ''to the extent appropriate'' and inserting ''to the extent determined appropriate by the Secretary'';

(4) in paragraph (6) (as so redesignated), in subparagraph (A)—

(A) in clause (v), by striking ''or'' at the end;

(B) in clause (vi), by striking the period at end and inserting a semicolon; and

(C) by adding at the end the following:

''(vii) an economic development organization; or

''(viii) a public-private partnership for public infrastructure.'';

(5) by inserting after paragraph (9) (as so redesignated) the following:

''(10) OUTDOOR RECREATION.—The term 'outdoor recreation' means all recreational activities, and the economic drivers of those activities, that occur in nature-based environments outdoors.

''(11) PROJECT PREDEVELOPMENT.—The term 'project predevelopment' means a measure required to be completed before the initiation of a project, including—

''(A) planning and community asset mapping;

''(B) training;

''(C) technical assistance and organizational development;

''(D) feasibility and market studies;

''(E) demonstration projects; and

''(F) other predevelopment activities determined by the Secretary to be appropriate.'';

(6) by striking paragraph (12) (as so redesignated) and inserting the following:

''(12) REGIONAL COMMISSION.—The term 'Regional Commission' means any of the following:

''(A) The Appalachian Regional Commission established by section 14301(a) of title 40, United States Code.

''(B) The Delta Regional Authority established by section 382B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–1(a)(1)).

''(C) The Denali Commission established by section 303(a) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277).

''(D) The Great Lakes Authority established by section 15301(a)(4) of title 40, United States Code.

''(E) The Mid-Atlantic Regional Commission established by section 15301(a)(5) of title 40, United States Code.

''(F) The Northern Border Regional Commission established by section 15301(a)(3) of title 40, United States Code.

''(G) The Northern Great Plains Regional Authority established by section 383B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–1(a)(1)).

''(H) The Southeast Crescent Regional Commission established by section 15301(a)(1) of title 40, United States Code.

''(I) The Southern New England Regional Commission established by section 15301(a)(6) of title 40, United States Code.

''(J) The Southwest Border Regional Commission established by section 15301(a)(2) of title 40, United States Code.'';

(7) by inserting after paragraph (14) (as so redesignated) the following:

''(15) TRAVEL AND TOURISM.—The term 'travel and tourism' means any economic activity that primarily serves to encourage recreational or business travel in or to the United States.''; and

(8) in paragraph (17) (as so redesignated), by striking ''established as a University Center for Economic Development under section 207(a)(2)(D)'' and inserting ''established under section 207(c)(1)''.

(b) CONFORMING AMENDMENT.—Section 207(a)(3) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3147(a)(3)) is amended by striking ''section 3(4)(A)(vi)'' and inserting ''section 3(6)(A)(vi)''.

SEC. 5103. INCREASED COORDINATION.

Section 103 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3133) is amended by striking subsection (b) and inserting the following:

''(b) MEETINGS.—

''(1) IN GENERAL.—To carry out subsection (a), or for any other purpose relating to economic development activities, the Secretary may convene meetings with Federal agencies, State and local governments, economic development districts, Indian tribes, and other appropriate planning and development organizations.

''(2) REGIONAL COMMISSIONS.—

''(A) IN GENERAL.—In addition to meetings described in paragraph (1), not later than 1 year after the date of enactment of the Economic Development Reauthorization Act of 2024, and not less frequently than every 2 years thereafter, the Secretary shall convene a meeting with the Regional Commissions in furtherance of subsection (a).

''(B) ATTENDEES.—The attendees for a meeting convened under this paragraph shall consist of—

''(i) the Secretary, acting through the Assistant Secretary of Commerce for Economic Development, serving as Chair;

''(ii) the Federal Cochairpersons of the Regional Commissions, or their designees; and

''(iii) the State Cochairpersons of the Regional Commissions, or their designees.

''(C) PURPOSE.—The purposes of a meeting convened under this paragraph shall include—

''(i) to enhance coordination between the Economic Development Administration and the Regional Commissions in carrying out economic development programs;

''(ii) to reduce duplication of efforts by the Economic Development Administration and the Regional Commissions in carrying out economic development programs;

''(iii) to develop best practices and strategies for fostering regional economic development; and

''(iv) any other purposes as determined appropriate by the Secretary.

''(D) REPORT.—Where applicable and pursuant to subparagraph (C), not later than 1 year after a meeting under this paragraph, the Secretary shall prepare and make publicly available a report detailing, at a minimum—

''(i) the planned actions by the Economic Development Administration and the Regional Commissions to enhance coordination or reduce duplication of efforts and a timeline for implementing those actions; and

''(ii) any best practices and strategies developed.''.

SEC. 5104. GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT.

(a) IN GENERAL.—Section 201 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''or for the improvement of waste management and recycling systems'' after ''development facility''; and

(B) in paragraph (2), by inserting ''increasing the resilience'' after ''expansion,'';

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''successful establishment or expansion'' and inserting ''successful establishment, expansion, or retention,''; and

(B) in subparagraph (C), by inserting ''and underemployed'' after ''unemployed'';

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following:

''(c) ADDITIONAL CONSIDERATIONS.—In awarding grants under subsection (a) and subject to the criteria in subsection (b), the Secretary may also consider the extent to which a project would—

''(1) lead to economic diversification in the area, or a part of the area, in which the project is or will be located;

''(2) address and mitigate impacts from extreme weather events, including development of resilient infrastructure, products, and processes;

''(3) benefit highly rural communities without adequate tax revenues to invest in long-term or costly infrastructure;

''(4) increase access to high-speed broadband;

''(5) support outdoor recreation to spur economic development, with a focus on rural communities;

''(6) promote job creation or retention relative to the population of the impacted region with outsized significance;

''(7) promote travel and tourism; or

''(8) promote blue economy activities.''.

SEC. 5105. GRANTS FOR PLANNING AND GRANTS FOR ADMINISTRATIVE EXPENSES.

Section 203 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3143) is amended—

(1) by redesignating subsection (d) as subsection (e);

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

''(d) ADMINISTRATIVE EXPENSES.—Administrative expenses that may be paid with a grant under this section include—

''(1) expenses related to carrying out the planning process described in subsection (b);

''(2) expenses related to project predevelopment;

''(3) expenses related to updating economic development plans to align with other applicable State, regional, or local planning efforts; and

''(4) expenses related to hiring professional staff to assist communities in—

''(A) project predevelopment and implementing projects and priorities included in—

''(i) a comprehensive economic development strategy; or

''(ii) an economic development planning grant;

''(B) identifying and using other Federal, State, and Tribal economic development programs;

''(C) leveraging private and philanthropic investment;

''(D) preparing disaster coordination and preparation plans; and

''(E) carrying out economic development and predevelopment activities in accordance with professional economic development best practices.''; and

(3) in subsection (e) (as so redesignated), in paragraph (4)—

(A) in subparagraph (E), by striking ''; and'' and inserting ''(including broadband);'';

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

''(F) address and mitigate impacts of extreme weather; and''.

SEC. 5106. COST SHARING.

(a) IN GENERAL.—Section 204 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3144) is amended—

(1) in subsection (a)(1), by striking ''50'' and inserting ''60'';

(2) in subsection (b)—

(A) by striking ''In determining'' and inserting the following:

''(1) IN GENERAL.—In determining''; and

(B) by adding at the end the following:

''(2) REGIONAL COMMISSION FUNDS.—Notwithstanding any other provision of law, any funds contributed by a Regional Commission for a project under this title may be considered to be part of the non-Federal share of the costs of the project.''; and

(3) in subsection (c)—

(A) in paragraph (2), by inserting ''or can otherwise document that no local matching funds are reasonably obtainable'' after ''or political subdivision'';

(B) in paragraph (3)—

(i) by striking ''section 207'' and inserting ''section 203 or 207''; and

(ii) by striking ''project if'' and all that follows through the period at the end and inserting ''project.''; and

(C) by adding at the end the following:

''(4) DISASTER ASSISTANCE.—In the case of a grant provided under section 209 for a project for economic recovery in response to a major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary may increase the Federal share under paragraph (1) up to 100 percent of the total cost of the project.

''(5) SMALL COMMUNITIES.—In the case of a grant to a political subdivision of a State (as described in section 3(6)(A)(iv)) that has a population of fewer than 10,000 residents and meets 1 or more of the eligibility criteria described in section 301(a), the Secretary may increase the Federal share under paragraph (1) up to 100 percent of the total cost of the project.''.

(b) CONFORMING AMENDMENT.—Section 703 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3233) is amended—

(1) by striking subsection (b); and

(2) by striking the section designation and heading and all that follows through ''In addition'' in subsection (a) and inserting the following:

''SEC. 703. AUTHORIZATION OF APPROPRIATIONS FOR DISASTER ECONOMIC RECOVERY ACTIVITIES.

''In addition''.

SEC. 5107. REGULATIONS ON RELATIVE NEEDS AND ALLOCATIONS.

Section 206 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3146) is amended—

(1) in paragraph (1), by striking subparagraph (B) and inserting the following:

''(B) the per capita income levels, the labor force participation rate, and the extent of underemployment in eligible areas; and''; and

(2) in paragraph (4), by inserting ''and retention'' after ''creation''.

SEC. 5108. RESEARCH AND TECHNICAL ASSISTANCE; UNIVERSITY CENTERS.

Section 207 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3147) is amended—

(1) in subsection (a)(2)(A), by inserting '', project predevelopment,'' after ''planning''; and

(2) by adding at the end the following:

''(c) UNIVERSITY CENTERS.—

''(1) ESTABLISHMENT.—In accordance with subsection (a)(2)(D), the Secretary may make grants to institutions of higher education to serve as university centers.

''(2) GEOGRAPHIC COVERAGE.—The Secretary shall ensure that the network of university centers established under this subsection provides services in each State.

''(3) DUTIES.—To the maximum extent practicable, a university center established under this subsection shall—

''(A) collaborate with other university centers;

''(B) collaborate with economic development districts and other relevant Federal economic development technical assistance and service providers to provide expertise and technical assistance to develop, implement, and support comprehensive economic development strategies and other economic development planning at the local, regional, and State levels, with a focus on innovation, entrepreneurship, workforce development, and regional economic development;

''(C) provide technical assistance, business development, and technology transfer services to businesses in the area served by the university center;

''(D) establish partnerships with 1 or more commercialization intermediaries that are public or nonprofit technology transfer organizations eligible to receive a grant under section 602 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s–9);

''(E) promote local and regional capacity building; and

''(F) provide to communities and regions assistance relating to data collection and analysis and other research relating to economic conditions and vulnerabilities that can inform economic development and adjustment strategies.

''(4) CONSIDERATION.—In making grants under this subsection, the Secretary shall consider the significant role of regional public universities in supporting economic development in distressed communities through the planning and the implementation of economic development projects and initiatives.''.

SEC. 5109. INVESTMENT PRIORITIES.

Title II of the Public Works and Economic Development Act of 1965 is amended by inserting after section 207 (42 U.S.C. 3147) the following:

''SEC. 208. INVESTMENT PRIORITIES.

''(a) IN GENERAL.—Subject to subsection (b), for a project to be eligible for assistance under this title, the project shall be consistent with 1 or more of the following investment priorities:

''(1) CRITICAL INFRASTRUCTURE.—Economic development planning or implementation projects that support development of public facilities, including basic public infrastructure, transportation infrastructure, or telecommunications infrastructure.

''(2) WORKFORCE.—Economic development planning or implementation projects that—

''(A) support job skills training to meet the hiring needs of the area in which the project is to be carried out and that result in well-paying jobs; or

''(B) otherwise promote labor force participation.

''(3) INNOVATION AND ENTREPRENEURSHIP.—Economic development planning or implementation projects that—

''(A) support the development of innovation and entrepreneurship-related infrastructure;

''(B) promote business development and lending; or

''(C) foster the commercialization of new technologies that are creating technology-driven businesses and high-skilled, well-paying jobs of the future.

''(4) ECONOMIC RECOVERY RESILIENCE.—Economic development planning or implementation projects that enhance the ability of an area to withstand and recover from adverse short-term or long-term changes in economic conditions, including effects from industry contractions or impacts from natural disasters.

''(5) MANUFACTURING.—Economic development planning or implementation projects that encourage job creation, business expansion, technology and capital upgrades, and productivity growth in manufacturing, including efforts that contribute to the competitiveness and growth of domestic suppliers or the domestic production of innovative, high-value products and production technologies.

''(b) CONDITIONS.—If the Secretary plans to use an investment priority that is not described in subsection (a), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notification that explains the basis for using that investment priority.

''(c) SAVINGS CLAUSE.—Nothing in this section waives any other requirement of this Act.''.

SEC. 5110. GRANTS FOR ECONOMIC ADJUSTMENT.

Section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) is amended—

(1) in subsection (c)—

(A) in paragraph (4), by striking ''or'' at the end;

(B) in paragraph (5)—

(i) by inserting '', travel and tourism, natural resource-based, blue economy, or agricultural'' after ''manufacturing''; and

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

(C) by adding at the end the following:

''(6) economic dislocation in the steel industry due to the closure of a steel plant, primary steel economy contraction events (including temporary layoffs and shifts to part-time work), or job losses in the steel industry or associated with the departure or contraction of the steel industry, for help in economic restructuring of the communities.'';

(2) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(3) by inserting after section (c) the following:

''(d) ASSISTANCE TO COAL COMMUNITIES.—

''(1) DEFINITIONS.—In this subsection:

''(A) COAL ECONOMY.—The term 'coal economy' means the complete supply chain of coal-reliant industries, including—

''(i) coal mining;

''(ii) coal-fired power plants;

''(iii) transportation or logistics; and

''(iv) manufacturing.

''(B) CONTRACTION EVENT.—The term 'contraction event' means the closure of a facility or a reduction in activity relating to a coal-reliant industry, including an industry described in any of clauses (i) through (iv) of subparagraph (A).

''(2) AUTHORIZATION.—On the application of an eligible recipient, the Secretary may make grants for projects in areas adversely impacted by a contraction event in the coal economy.

''(3) ELIGIBILITY.—

''(A) IN GENERAL.—In carrying out this subsection, the Secretary shall determine the eligibility of an area based on whether the eligible recipient can reasonably demonstrate that the area—

''(i) has been adversely impacted by a contraction event in the coal economy within the previous 25 years; or

''(ii) will be adversely impacted by a contraction event in the coal economy.

''(B) PROHIBITION.—No regulation or other policy of the Secretary may limit the eligibility of an eligible recipient for a grant under this subsection based on the date of a contraction event except as provided in subparagraph (A)(i).

''(C) DEMONSTRATING ADVERSE IMPACT.—For the purposes of this paragraph, an eligible recipient may demonstrate an adverse impact by demonstrating—

''(i) a loss in employment;

''(ii) a reduction in tax revenue; or

''(iii) any other factor, as determined to be appropriate by the Secretary.

''(e) ASSISTANCE TO NUCLEAR HOST COMMUNITIES.—

''(1) DEFINITIONS.—In this subsection:

''(A) COMMISSION.—The term 'Commission' means the Nuclear Regulatory Commission.

''(B) COMMUNITY ADVISORY BOARD.—The term 'community advisory board' means a community committee or other advisory organization that aims to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect.

''(C) DECOMMISSION.—The term 'decommission' has the meaning given the term in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

''(D) LICENSEE.—The term 'licensee' has the meaning given the term in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

''(E) NUCLEAR HOST COMMUNITY.—The term 'nuclear host community' means an eligible recipient that has been impacted, or reasonably demonstrates to the satisfaction of the Secretary that it will be impacted, by a nuclear power plant licensed by the Commission that—

''(i) is not co-located with an operating nuclear power plant;

''(ii) is at a site with spent nuclear fuel; and

''(iii) as of the date of enactment of the Economic Development Reauthorization Act of 2024—

''(I) has ceased operations; or

''(II) has provided a written notification to the Commission that it will cease operations.

''(2) AUTHORIZATION.—On the application of an eligible recipient, the Secretary may make grants—

''(A) to assist with economic development in nuclear host communities; and

''(B) to fund community advisory boards in nuclear host communities.

''(3) REQUIREMENT.—In carrying out this subsection, to the maximum extent practicable, the Secretary shall implement the recommendations described in the report submitted to Congress under section 108 of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5577) entitled 'Best Practices for Establishment and Operation of Local Community Advisory Boards Associated with Decommissioning Activities at Nuclear Power Plants'.

''(4) DISTRIBUTION OF FUNDS.—The Secretary shall establish a methodology to ensure, to the maximum extent practicable, geographic diversity among grant recipients under this subsection.''.

SEC. 5111. RENEWABLE ENERGY PROGRAM.

Section 218 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3154d) is amended—

(1) in the section heading, by striking ''**BRIGHTFIELDS DEMONSTRATION**'' and inserting ''**RENEWABLE ENERGY**'';

(2) by striking subsection (a) and inserting the following:

''(a) DEFINITION OF RENEWABLE ENERGY SITE.—In this section, the term 'renewable energy site' means a brownfield site that is redeveloped through the incorporation of 1 or more renewable energy technologies, including solar, wind, geothermal, ocean, and emerging, but proven, renewable energy technologies.'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''DEMONSTRATION PROGRAM'' and inserting ''ESTABLISHMENT'';

(B) in the matter preceding paragraph (1), by striking ''brightfield'' and inserting ''renewable energy''; and

(C) in paragraph (1), by striking ''solar energy technologies'' and inserting ''renewable energy technologies described in subsection (a),''; and

(4) by striking subsection (d).

SEC. 5112. WORKFORCE TRAINING GRANTS.

Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) is amended by adding at the end the following:

''SEC. 219. WORKFORCE TRAINING GRANTS.

''(a) IN GENERAL.—On the application of an eligible recipient, the Secretary may make grants to support the development and expansion of innovative workforce training programs through sectoral partnerships leading to quality jobs and the acquisition of equipment or construction of facilities to support workforce development activities.

''(b) ELIGIBLE USES.—Funds from a grant under this section may be used for—

''(1) acquisition or development of land and improvements to house workforce training activities;

''(2) acquisition, design and engineering, construction, rehabilitation, alteration, expansion, or improvement of such a facility, including related equipment and machinery;

''(3) acquisition of machinery or equipment to support workforce training activities;

''(4) planning, technical assistance, and training;

''(5) sector partnerships development, program design, and program implementation; and

''(6) in the case of an eligible recipient that is a State, subject to subsection (c), a State program to award career scholarships to train individuals for employment in critical industries with high demand and vacancies necessary for further economic development of the applicable State that—

''(A) requires significant post-secondary training; but

''(B) does not require a post-secondary degree.

''(c) CAREER SCHOLARSHIPS STATE GRANT PROGRAM.—

''(1) IN GENERAL.—The Secretary may award grants to States for the purpose described in subsection (b)(6).

''(2) APPLICATION.—To be eligible to receive a grant under this subsection, the Chief Executive of a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, which shall include, at a minimum, the following:

''(A) A method for identifying critical industry sectors driving in-State economic growth that face staffing challenges for in-demand jobs and careers.

''(B) A governance structure for the implementation of the program established by the State, including defined roles for the consortia of agencies of such State, at a minimum, to include the State departments of

economic development, labor, and education, or the State departments or agencies with jurisdiction over those matters.

''(C) A strategy for recruiting participants from at least 1 community that meets 1 or more of the criteria described in section 301(a).

''(D) A plan for how the State will develop a tracking system for eligible programs, participant enrollment, participant outcomes, and an application portal for individual participants.

''(3) SELECTION.—The Secretary shall award not more than 1 grant under this subsection to any State.

''(4) ELIGIBLE USES.—A grant under this subsection may be used for—

''(A) necessary costs to carry out the matters described in this subsection, including tuition and stipends for individuals that receive a career scholarship grant, subject to the requirements described in paragraph (6); and

''(B) program implementation, planning, technical assistance, or training.

''(5) FEDERAL SHARE.—Notwithstanding section 204, the Federal share of the cost of any award carried out with a grant made under this subsection shall not exceed 70 percent.

''(6) PARTICIPANT AMOUNTS.—A State shall ensure that grant funds provided under this subsection to each individual that receives a career scholarship grant under the program established by the applicable State is the lesser of the following amounts:

''(A) In a case in which the individual is also eligible for a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) for enrollment at the applicable training program for any award year of the training program, $11,000 minus the amount of the awarded Federal Pell Grant.

''(B) For an individual not described in paragraph (1), the lesser of—

''(i) $11,000; and

''(ii) the total cost of the training program in which the individual is enrolled, including tuition, fees, career navigation services, textbook costs, expenses related to assessments and exams for certification or licensure, equipment costs, and wage stipends (in the case of a training program that is an earn-and-learn program).

''(d) COORDINATION.—The Secretary shall coordinate the development of new workforce development models with the Secretary of Labor and the Secretary of Education.''.

SEC. 5113. CONGRESSIONAL NOTIFICATION REQUIREMENTS.

Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) (as amended by section 5112) is amended by adding at the end the following:

''SEC. 220. CONGRESSIONAL NOTIFICATION REQUIREMENTS.

''(a) IN GENERAL.—In the case of a project described in subsection (b), the Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives notice, in accordance with subsection (c), of the award of a grant for the project not less than 3 business days before notifying an eligible recipient of their selection for that award.

''(b) PROJECTS DESCRIBED.—A project referred to in subsection (a) is a project that the Secretary has selected to receive a grant administered by the Economic Development Administration in an amount not less than $100,000.

''(c) REQUIREMENTS.—A notification under subsection (a) shall include—

''(1) the name of the project;

''(2) the name of the applicant;

''(3) the region in which the project is to be carried out;

''(4) the State in which the project is to be carried out;

''(5) the amount of the grant awarded;

''(6) a description of the project; and

''(7) any additional information, as determined to be appropriate by the Secretary.

''(d) PUBLIC AVAILABILITY.—The Secretary shall make a notification under subsection (a) publicly available not later than 60 days after the date on which the Secretary provides the notice.''.

SEC. 5114. SPECIFIC FLEXIBILITIES RELATED TO DEPLOYMENT OF HIGH-SPEED BROADBAND.

Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) (as amended by section 5113) is amended by adding at the end the following:

''SEC. 221. HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.

''(a) DEFINITIONS.—In this section:

''(1) BROADBAND PROJECT.—The term 'broadband project' means, for the purposes of providing, extending, expanding, or improving high-speed broadband service to further the goals of this Act—

''(A) planning, technical assistance, or training;

''(B) the acquisition or development of land; or

''(C) the acquisition, design and engineering, construction, rehabilitation, alteration, expansion, or improvement of facilities, including related machinery, equipment, contractual rights, and intangible property.

''(2) ELIGIBLE RECIPIENT.—The term 'eligible recipient' includes—

''(A) a public-private partnership; and

''(B) a consortium formed for the purpose of providing, extending, expanding, or improving high-speed broadband service between 1 or more eligible recipients and 1 or more for-profit organizations.

''(3) HIGH-SPEED BROADBAND.—The term 'high-speed broadband' means the provision of 2-way data transmission with sufficient downstream and upstream speeds to end users to permit effective participation in the economy and to support economic growth, as determined by the Secretary.

''(b) BROADBAND PROJECTS.—

''(1) IN GENERAL.—On the application of an eligible recipient, the Secretary may make grants under this title for broadband projects, which shall be subject to the provisions of this section.

''(2) CONSIDERATIONS.—In reviewing applications submitted under paragraph (1), the Secretary shall take into consideration geographic diversity of grants provided, including consideration of underserved markets, in addition to data requested in paragraph (3).

''(3) DATA REQUESTED.—In reviewing an application submitted under paragraph (1), the Secretary shall request from the Federal Communications Commission, the Administrator of the National Telecommunications and Information Administration, the Secretary of Agriculture, and the Appalachian Regional Commission data on—

''(A) the level and extent of broadband service that exists in the area proposed to be served; and

''(B) the level and extent of broadband service that will be deployed in the area proposed to be served pursuant to another Federal program.

''(4) INTEREST IN REAL OR PERSONAL PROPERTY.—For any broadband project carried out by an eligible recipient that is a public-private partnership or consortium, the Secretary shall require that title to any real or personal property acquired or improved with grant funds, or if the recipient will not acquire title, another possessory interest acceptable to the Secretary, be vested in a public partner or eligible nonprofit organization or association for the useful life of the project, after which title may be transferred to any member of the public-private partnership or consortium in accordance with regulations promulgated by the Secretary.

''(5) PROCUREMENT.—Notwithstanding any other provision of law, no person or entity shall be disqualified from competing to provide goods or services related to a broadband project on the basis that the person or entity participated in the development of the broadband project or in the drafting of specifications, requirements, statements of work, or similar documents related to the goods or services to be provided.

''(6) BROADBAND PROJECT PROPERTY.—

''(A) IN GENERAL.—The Secretary may permit a recipient of a grant for a broadband project to grant an option to acquire real or personal property (including contractual rights and intangible property) related to that project to a third party on such terms as the Secretary determines to be appropriate, subject to the condition that the option may only be exercised after the Secretary releases the Federal interest in the property.

''(B) TREATMENT.—The grant or exercise of an option described in subparagraph (A) shall not constitute a redistribution of grant funds under section 217.

''(c) NON-FEDERAL SHARE.—In determining the amount of the non-Federal share of the cost of a broadband project, the Secretary may provide credit toward the non-Federal share for the present value of allowable contributions over the useful life of the broadband project, subject to the condition that the Secretary may require such assurances of the value of the rights and of the commitment of the rights as the Secretary determines to be appropriate.''.

SEC. 5115. CRITICAL SUPPLY CHAIN SITE DEVELOPMENT GRANT PROGRAM.

Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) (as amended by section 5114) is amended by adding at the end the following:

''SEC. 222. CRITICAL SUPPLY CHAIN SITE DEVELOPMENT GRANT PROGRAM.

''(a) IN GENERAL.—On the application of an eligible recipient, the Secretary may make grants under the 'Critical Supply Chain Site Development grant program' (referred to in this section as the 'grant program') to carry out site development or expansion projects for the purpose of making the site ready for manufacturing projects.

''(b) CONSIDERATIONS.—In providing a grant to an eligible recipient under the grant program, the Secretary may consider whether—

''(1) the proposed improvements to the site will improve economic conditions for rural areas, Tribal communities, or areas that meet 1 or more of the criteria described in section 301(a);

''(2) the project is consistent with regional economic development plans, which may include a comprehensive economic development strategy;

''(3) the eligible recipient has initiatives to prioritize job training and workforce development; and

''(4) the project supports industries determined by the Secretary to be of strategic importance to the national or economic security of the United States.

''(c) PRIORITY.—In awarding grants to eligible recipients under the grant program, the Secretary shall give priority to eligible recipients that propose to carry out a project that—

''(1) has State, local, private, or nonprofit funds being contributed to assist with site development efforts; and

''(2) if the site development or expansion project is carried out, will result in a demonstrated interest in the site by commercial entities or other entities.

''(d) USE OF FUNDS.—A grant provided under the grant program may be used for the following activities relating to the development or expansion of a site:

''(1) Investments in site utility readiness, including—

''(A) construction of on-site utility infrastructure;

''(B) construction of last-mile infrastructure, including road infrastructure, water infrastructure, power infrastructure, broadband infrastructure, and other physical last-mile infrastructure;

''(C) site grading; and

''(D) other activities to extend public utilities or services to a site, as determined appropriate by the Secretary.

''(2) Investments in site readiness, including—

''(A) land assembly;

''(B) environmental reviews;

''(C) zoning;

''(D) design;

''(E) engineering; and

''(F) permitting.

''(3) Investments in workforce development and sustainability programs, including job training and retraining programs.

''(4) Investments to ensure that disadvantaged communities have access to on-site jobs.

''(e) PROHIBITION.—In awarding grants under the grant program, the Secretary shall not require an eligible recipient to demonstrate that a private company or investment has selected the site for development or expansion.''.

SEC. 5116. UPDATED DISTRESS CRITERIA AND GRANT RATES.

Section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a)) is amended by striking paragraph (3) and inserting the following:

''(3) UNEMPLOYMENT, UNDEREMPLOYMENT, OR ECONOMIC ADJUSTMENT PROBLEMS.—The area is an area that the Secretary determines has experienced or is about to experience a special need arising from actual or threatened severe unemployment, underemployment, or economic adjustment problems resulting from severe short-term or long-term changes in economic conditions.

''(4) LOW MEDIAN HOUSEHOLD INCOME.—The area has a median household income of 80 percent or less of the national average.

''(5) WORKFORCE PARTICIPATION.—The area has—

''(A) a labor force participation rate of 90 percent or less of the national average; or

''(B) a prime-age employment gap of 5 percent or more.

''(6) EXPECTED ECONOMIC DISLOCATION AND DISTRESS FROM ENERGY INDUSTRY TRANSITIONS.—The area is an area that is expected to experience actual or threatened severe unemployment or economic adjustment problems resulting from severe short-term or long-term changes in economic conditions from energy industries that are experiencing accelerated contraction.''.

SEC. 5117. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES.

Section 302 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3162) is amended—

(1) in subsection (a)(3)(A), by inserting ''including to mitigate and adapt to extreme weather,'' after ''enhances and protects the environment,''; and

(2) by adding at the end the following:

''(d) EXCEPTION.—This section shall not apply to grants awarded under section 207 or grants awarded under section 209(c)(2) that are regional in scope.''.

SEC. 5118. OFFICE OF TRIBAL ECONOMIC DEVELOPMENT.

Title V of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3191 et seq.) is amended by adding at the end the following:

''SEC. 508. OFFICE OF TRIBAL ECONOMIC DEVELOPMENT.

''(a) ESTABLISHMENT.—There is established within the Economic Development Administration an Office of Tribal Economic Development (referred to in this section as the 'Office').

''(b) PURPOSES.—The purposes of the Office shall be—

''(1) to coordinate all Tribal economic development activities carried out by the Secretary;

''(2) to help Tribal communities access economic development assistance programs, including the assistance provided under this Act;

''(3) to coordinate Tribal economic development strategies and efforts with other Federal agencies; and

''(4) to be a participant in any negotiated rulemakings or consultations relating to, or having an impact on, projects, programs, or funding that benefit Tribal communities.

''(c) TRIBAL ECONOMIC DEVELOPMENT STRATEGY.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Economic Development Reauthorization Act of 2024, the Office shall initiate a Tribal consultation process to develop, and not less frequently than every 3 years thereafter, update, a strategic plan for Tribal economic development for the Economic Development Administration.

''(2) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of enactment of the Economic Development Reauthorization Act of 2024 and not less frequently than every 3 years thereafter, the Office shall submit to Congress the strategic plan for Tribal economic development developed under paragraph (1).

''(d) OUTREACH.—The Secretary shall establish a publicly facing website to help provide a comprehensive, single source of information for Indian tribes, Tribal leaders, Tribal businesses, and citizens in Tribal communities to better understand and access programs that support economic development in Tribal communities, including the economic development programs administered by Federal agencies or departments other than the Department.

''(e) DEDICATED STAFF.—The Secretary shall ensure that the Office has sufficient staff to carry out all outreach activities under this section.''.

SEC. 5119. OFFICE OF DISASTER RECOVERY AND RESILIENCE.

Title V of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3191 et seq.) (as amended by section 5118) is amended by adding at the end the following:

''SEC. 509. OFFICE OF DISASTER RECOVERY AND RESILIENCE.

''(a) ESTABLISHMENT.—The Secretary shall establish an Office of Disaster Recovery and Resilience—

''(1) to direct and implement the post-disaster economic recovery responsibilities of the Economic Development Administration pursuant to subsections (c)(2) and (e) of section 209 and section 703;

''(2) to direct and implement economic recovery and enhanced resilience support function activities as directed under the National Disaster Recovery Framework; and

''(3) support long-term economic recovery in communities in which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), or otherwise impacted by an event of national significance, as determined by the Secretary, through—

''(A) convening and deploying an economic development assessment team;

''(B) hosting or attending convenings related to identification of additional Federal, State, local, and philanthropic entities and resources;

''(C) exploring potential flexibilities related to existing awards;

''(D) provision of technical assistance through staff or contractual resources; and

''(E) other activities determined by the Secretary to be appropriate.

''(b) APPOINTMENT AND COMPENSATION AUTHORITIES.—

''(1) APPOINTMENT.—The Secretary is authorized to appoint such temporary personnel as may be necessary to carry out the responsibilities of the Office of Disaster Recovery and Resilience, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, governing appointments in the competitive service and compensation of personnel.

''(2) CONVERSION OF EMPLOYEES.—Notwithstanding chapter 33 of title 5, United States Code, or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, the Secretary is authorized to convert a temporary employee appointed under this subsection to a permanent appointment in the competitive service in the Economic Development Administration under merit promotion procedures if—

''(A) the employee has served continuously for at least 2 years under 1 or more appointments under this subsection; and

''(B) the employee's performance has been at an acceptable level of performance throughout the period or periods referred to in subparagraph (A).

''(3) COMPENSATION.—An individual converted under this subsection shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure.

''(c) DISASTER TEAM.—

''(1) ESTABLISHMENT.—As soon as practicable after the date of enactment of this section, the Secretary shall establish a disaster team (referred to in this section as the 'disaster team') for the deployment of individuals to carry out responsibilities of the Office of Disaster Recovery and Resilience after a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and the Department has been activated by the Federal Emergency Management Agency.

''(2) MEMBERSHIP.—

''(A) DESIGNATION OF STAFF.—As soon as practicable after the date of enactment of this section, the Secretary shall designate to serve on the disaster team—

''(i) employees of the Office of Disaster Recovery and Resilience;

''(ii) employees of the Department who are not employees of the Economic Development Administration; and

''(iii) in consultation with the heads of other Federal agencies, employees of those agencies, as appropriate.

''(B) CAPABILITIES.—In designating individuals under subparagraph (A), the Secretary shall ensure that the disaster team includes a sufficient quantity of—

''(i) individuals who are capable of deploying rapidly and efficiently to respond to major disasters and emergencies; and

''(ii) highly trained full-time employees who will lead and manage the disaster team.

''(3) TRAINING.—The Secretary shall ensure that appropriate and ongoing training is provided to members of the disaster team to ensure that the members are adequately trained regarding the programs and policies of the Economic Development Administration relating to post-disaster economic recovery efforts.

''(4) EXPENSES.—In carrying out this section, the Secretary may—

''(A) use, with or without reimbursement, any service, equipment, personnel, or facility of any Federal agency with the explicit support of that agency, to the extent such use does not impair or conflict with the authority of the President or the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to direct Federal agencies in any major disaster or emergency declared under that Act; and

''(B) provide members of the disaster team with travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of services for, or relating to, the disaster team.''.

SEC. 5120. ESTABLISHMENT OF TECHNICAL ASSISTANCE LIAISONS.

Title V of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3191 et seq.) (as amended by section 5119) is amended by adding at the end the following:

''SEC. 510. TECHNICAL ASSISTANCE LIAISONS.

''(a) IN GENERAL.—A Regional Director of a regional office of the Economic Development Administration may designate a staff member to act as a 'Technical Assistance Liaison' for any State served by the regional office.

''(b) ROLE.—A Technical Assistance Liaison shall—

''(1) work in coordination with an Economic Development Representative to provide technical assistance, in addition to technical assistance under section 207, to eligible recipients that are underresourced communities, as determined by the Technical Assistance Liaison, that submit applications for assistance under title II; and

''(2) at the request of an eligible recipient that submitted an application for assistance under title II, provide technical feedback on unsuccessful grant applications.

''(c) TECHNICAL ASSISTANCE.—The Secretary may enter into a contract or cooperative agreement with an eligible recipient for the purpose of providing technical assistance to eligible recipients that are underresourced communities that have submitted or may submit an application for assistance under this Act.''.

SEC. 5121. ANNUAL REPORT TO CONGRESS.

Section 603(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3213(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by inserting ''areas'' after ''rural''; and

(B) in subparagraph (B), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4)(A) include a list of all of the grants provided by the Economic Development Administration for projects located in, or that primarily benefit, rural areas;

''(B) an explanation of the process used to determine how each project referred to in subparagraph (A) would benefit a rural area; and

''(C) a certification that each project referred to in subparagraph (A)—

''(i) is located in a rural area; or

''(ii) will primarily benefit a rural area.''.

SEC. 5122. MODERNIZATION OF ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce (referred to in this section as the ''Secretary'') shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the efforts of the Secretary to facilitate efficient, timely, and predictable environmental reviews of projects funded by the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.), including through expanded use of categorical exclusions, environmental assessments, or programmatic environmental impact statements.

(b) REQUIREMENTS.—In completing the report under subsection (a), the Secretary shall—

(1) describe the actions the Secretary will take to implement the amendments to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) made by section 321 of the Fiscal Responsibility Act of 2023 (Public Law 118–5; 137 Stat. 38);

(2) describe the existing categorical exclusions most frequently used by the Secretary to streamline the environmental review of projects funded by the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.); and

(3) consider—

(A) the adoption of additional categorical exclusions, including those used by other Federal agencies, that would facilitate the environmental review of projects funded by the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.);

(B) the adoption of new programmatic environmental impact statements that would facilitate the environmental review of projects funded by the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.); and

(C) agreements with other Federal agencies that would facilitate a more efficient process for the environmental review of projects funded by the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.).

(c) RULEMAKING.—Not later than 2 years after the submission of the report under subsection (a), the Secretary shall promulgate a final rule implementing, to the maximum extent practicable, measures considered by the Secretary under subsection (b) that are necessary to streamline the environmental review of projects funded by the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.).

SEC. 5123. GAO REPORT ON ECONOMIC DEVELOPMENT PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) COMPTROLLER GENERAL.—The term ''Comptroller General'' means the Comptroller General of the United States.

(2) REGIONAL COMMISSION.—The term ''Regional Commission'' has the meaning given the term in section 3 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122).

(b) REPORT.—Not later than September 30, 2026, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that evaluates economic development programs administered by the Economic Development Administration and the Regional Commissions.

(c) CONTENTS.—In carrying out the report under subsection (b), the Comptroller General shall—

(1) evaluate the impact of programs described in that subsection on economic outcomes, including job creation and retention, the rate of unemployment and underemployment, labor force participation, and private investment leveraged;

(2) describe efforts by the Economic Development Administration and the Regional Commissions to document the impact of programs described in that subsection on economic outcomes described in paragraph (1);

(3) describe efforts by the Economic Development Administration and the Regional Commissions to carry out coordination activities described in section 103 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3133);

(4) consider other factors, as determined to be appropriate by the Comptroller General of the United States, to assess the effectiveness of programs described in subsection (b); and

(5) make legislative recommendations for improvements to programs described in subsection (b) as applicable.

SEC. 5124. GAO REPORT ON ECONOMIC DEVELOPMENT ADMINISTRATION REGULATIONS AND POLICIES.

(a) DEFINITIONS.—In this section:

(1) COMPTROLLER GENERAL.—The term ''Comptroller General'' means the Comptroller General of the United States.

(2) SMALL COMMUNITY.—The term ''small community'' means a community of less than 10,000 year-round residents.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that evaluates economic development regulations and policies administered by the Economic Development Administration that have hindered the ability of communities to apply for and administer Economic Development Administration grants.

(c) CONTENTS.—In carrying out the report under subsection (b), the Comptroller General shall—

(1) review regulations and grant application processes promulgated by the Assistant Secretary of Commerce for Economic Development;

(2) evaluate the technical capacity of eligible recipients (as defined in section 3 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122)) to apply for Economic Development Administration grants;

(3) provide recommendations for improving the administration and timely disbursement of grants awarded by the Economic Development Administration, including for improving the communication with grantees regarding timelines for disbursement of funds;

(4) identify barriers to small communities applying for Economic Development Administration grants, in consultation with—

(A) State economic development representatives;

(B) secretaries of State departments of economic development;

(C) representatives for small communities that have received Economic Development Administration grants; and

(D) representatives for small communities that have never applied for Economic Development Administration grants; and

(5) provide recommendations for simplifying and easing the ability for grant applicants to navigate the Economic Development Administration grant application process, including through a review of regulations, including environmental regulations, not in the jurisdiction of the Economic Development Administration to identify possible grant application process improvements.

SEC. 5125. GAO STUDY ON RURAL COMMUNITIES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States (referred to in this section as the ''Comptroller General'') shall conduct a study to evaluate the impacts of funding provided by the Economic Development Administration to distressed communities (as described in section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a))) located in rural areas.

(b) CONTENTS.—In carrying out the study under subsection (a), the Comptroller General shall—

(1) identify not less than 5 geographically diverse distressed communities in rural areas; and

(2) for each distressed community identified under paragraph (1), examine the impacts of funding provided by the Economic Development Administration on—

(A) the local jobs and unemployment of the community; and

(B) the availability of affordable housing in the community.

(c) REPORT.—On completion of the study under subsection (a), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study and any recommendations that result from the study.

SEC. 5126. GENERAL AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 701 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231) is amended—

(1) by redesignating subsection (b) as subsection (k); and

(2) by striking subsection (a) and inserting the following:

''(a) GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT.—There are authorized to be appropriated to carry out section 201, to remain available until expended—

''(1) $170,000,000 for fiscal year 2025;

''(2) $195,000,000 for fiscal year 2026;

''(3) $220,000,000 for fiscal year 2027;

''(4) $245,000,000 for fiscal year 2028; and

''(5) $270,000,000 for fiscal year 2029.

''(b) GRANTS FOR PLANNING AND GRANTS FOR ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to carry out section 203, to remain available until expended—

''(1) $90,000,000 for fiscal year 2025;

''(2) $100,000,000 for fiscal year 2026;

''(3) $110,000,000 for fiscal year 2027;

''(4) $120,000,000 for fiscal year 2028; and

''(5) $130,000,000 for fiscal year 2029.

''(c) GRANTS FOR TRAINING, RESEARCH, AND TECHNICAL ASSISTANCE.—There are authorized to be appropriated to carry out section 207, to remain available until expended—

''(1) $25,000,000 for fiscal year 2025;

''(2) $30,000,000 for fiscal year 2026;

''(3) $35,000,000 for fiscal year 2027;

''(4) $40,000,000 for fiscal year 2028; and

''(5) $45,000,000 for fiscal year 2029.

''(d) GRANTS FOR ECONOMIC ADJUSTMENT.—There are authorized to be appropriated to carry out section 209 (other than subsections (d) and (e)), to remain available until expended—

''(1) $65,000,000 for fiscal year 2025;

''(2) $75,000,000 for fiscal year 2026;

''(3) $85,000,000 for fiscal year 2027;

''(4) $95,000,000 for fiscal year 2028; and

''(5) $105,000,000 for fiscal year 2029.

''(e) ASSISTANCE TO COAL COMMUNITIES.—There is authorized to be appropriated to carry out section 209(d) $75,000,000 for each of fiscal years 2025 through 2029, to remain available until expended.

''(f) ASSISTANCE TO NUCLEAR HOST COMMUNITIES.—There are authorized to be appropriated to carry out section 209(e), to remain available until expended—

''(1) to carry out paragraph (2)(A), $35,000,000 for each of fiscal years 2025 through 2029; and

''(2) to carry out paragraph (2)(B), $5,000,000 for each of fiscal years 2025 through 2027.

''(g) RENEWABLE ENERGY PROGRAM.—There is authorized to be appropriated to carry out section 218 $5,000,000 for each of fiscal years 2025 through 2029, to remain available until expended.

''(h) WORKFORCE TRAINING GRANTS.—There is authorized to be appropriated to carry out section 219 $50,000,000 for each of fiscal years 2025 through 2029, to remain available until expended, of which $10,000,000 for each of fiscal years 2025 through 2029 shall be used to carry out subsection (c) of that section.

''(i) CRITICAL SUPPLY CHAIN SITE DEVELOPMENT GRANT PROGRAM.—There is authorized to be appropriated to carry out section 222 $20,000,000 for each of fiscal years 2025 through 2029, to remain available until expended.

''(j) TECHNICAL ASSISTANCE LIAISONS.—There is authorized to be appropriated to carry out section 510 $5,000,000 for each of fiscal years 2025 through 2029, to remain available until expended.''.

(b) CONFORMING AMENDMENT.—Title VII of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231 et seq.) is amended by striking section 704.

SEC. 5127. TECHNICAL CORRECTION.

Section 1 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 note; Public Law 89–136) is amended by striking subsection (b) and inserting the following:

''(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE LII—REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT

SEC. 5201. REGIONAL COMMISSION AUTHORIZATIONS.

Section 15751 of title 40, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—There is authorized to be appropriated to each Commission to carry out this subtitle $40,000,000 for each of fiscal years 2025 through 2029.''.

SEC. 5202. REGIONAL COMMISSION MODIFICATIONS.

(a) MEMBERSHIP OF COMMISSIONS.—Section 15301 of title 40, United States Code, is amended—

(1) in subsection (b)(2)(C)—

(A) by striking ''An alternate member'' and inserting the following:

''(i) IN GENERAL.—An alternate member''; and

(B) by adding at the end the following:

''(ii) STATE ALTERNATES.—If the alternate State member is unable to vote in accordance with clause (i), the alternate State member may delegate voting authority to a designee, subject to the condition that the executive director shall be notified, in writing, of the designation not less than 1 week before the applicable vote is to take place.''; and

(2) in subsection (f), by striking ''a Federal employee'' and inserting ''an employee''.

(b) DECISIONS OF COMMISSIONS.—Section 15302 of title 40, United States Code, is amended—

(1) in subsection (a), by inserting ''or alternate State members, including designees'' after ''State members''; and

(2) by striking subsection (c) and inserting the following:

''(c) QUORUMS.—

''(1) IN GENERAL.—Subject to paragraph (2), a Commission shall determine what constitutes a quorum for meetings of the Commission.

''(2) REQUIREMENTS.—Any quorum for meetings of a Commission shall include—

''(A) the Federal Cochairperson or the alternate Federal Cochairperson; and

''(B) a majority of State members or alternate State members, including designees (exclusive of members representing States delinquent under section 15304(c)(3)(C)).''.

(c) ADMINISTRATIVE POWERS AND EXPENSES OF COMMISSIONS.—Section 15304(a) of title 40, United States Code, is amended—

(1) in paragraph (5), by inserting '', which may be done without a requirement for the Commission to reimburse the agency or local government'' after ''status'';

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively;

(3) by inserting after paragraph (7) the following:

''(8) collect fees for services provided and retain and expend such fees;'';

(4) in paragraph (9) (as so redesignated), by inserting ''leases (including the lease of office space for any term),'' after ''cooperative agreements,''; and

(5) in paragraph (10) (as so redesignated), by striking ''maintain a government relations office in the District of Columbia and''.

(d) MEETINGS OF COMMISSIONS.—Section 15305(b) of title 40, United States Code, is amended by striking ''with the Federal Cochairperson'' and all that follows through the period at the end and inserting the following: ''with—

''(1) the Federal Cochairperson; and

''(2) at least a majority of the State members or alternate State members (including designees) present in-person or via electronic means.''.

(e) ANNUAL REPORTS.—Section 15308(a) of title 40, United States Code, is amended by striking ''90'' and inserting ''180''.

SEC. 5203. TRANSFER OF FUNDS AMONG FEDERAL AGENCIES.

(a) IN GENERAL.—Chapter 153 of subtitle V of title 40, United States Code, is amended—

(1) by redesignating section 15308 as section 15309; and

(2) by inserting after section 15307 the following:

''§ 15308. Transfer of funds among Federal agencies

''(a) IN GENERAL.—Subject to subsection (c), for purposes of this subtitle, each Commission may transfer funds to and accept transfers of funds from other Federal agencies.

''(b) TRANSFER OF FUNDS TO OTHER FEDERAL AGENCIES.—Funds made available to a Commission may be transferred to other Federal agencies if the funds are used consistently with the purposes for which the funds were specifically authorized and appropriated.

''(c) TRANSFER OF FUNDS FROM OTHER FEDERAL AGENCIES.—Funds may be transferred to any Commission under this section if—

''(1) the statutory authority for the funds provided by the Federal agency does not expressly prohibit use of funds for authorities being carried out by a Commission; and

''(2) the Federal agency that provides the funds determines that the activities for which the funds are to be used are otherwise eligible for funding under such a statutory authority.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 153 of subtitle V of title 40, United States Code, is amended by striking the item relating to section 15308 and inserting the following:

''15308. Transfer of funds among Federal agencies.

''15309. Annual reports.''.

SEC. 5204. ECONOMIC AND INFRASTRUCTURE DEVELOPMENT GRANTS.

Section 15501 of title 40, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (4) through (9) as paragraphs (6) through (11), respectively; and

(B) by inserting after paragraph (3) the following:

''(4) in coordination with relevant Federal agencies, to design, build, implement, or update infrastructure to support resilience to extreme weather events;

''(5) to promote the production of housing to meet economic development and workforce needs;''; and

(2) in subsection (b), by striking ''(7)'' and inserting ''(9)''.

SEC. 5205. FINANCIAL ASSISTANCE.

(a) IN GENERAL.—Chapter 155 of subtitle V of title 40, United States Code, is amended by adding at the end the following:

''§ 15507. Payment of non-Federal share for certain Federal grant programs

''Amounts made available to carry out this subtitle shall be available for the payment of the non-Federal share for any project carried out under another Federal grant program—

''(1) for which a Commission is not the sole or primary funding source; and

''(2) that is consistent with the authorities of the applicable Commission.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 155 of subtitle V of title 40, United States Code, is amended by adding at the end the following:

''15507. Payment of non-Federal share for certain Federal grant programs.''.

SEC. 5206. NORTHERN BORDER REGIONAL COMMISSION AREA.

Section 15733 of title 40, United States Code, is amended—

(1) in paragraph (1), by inserting ''Lincoln,'' after ''Knox,'';

(2) in paragraph (2), by inserting ''Merrimack,'' after ''Grafton,''; and

(3) in paragraph (3), by inserting ''Wyoming,'' after ''Wayne,''.

SEC. 5207. SOUTHWEST BORDER REGIONAL COMMISSION AREA.

Section 15732 of title 40, United States Code, is amended—

(1) in paragraph (3)—

(A) by inserting ''Bernalillo,'' before ''Catron,'';

(B) by inserting ''Cibola, Curry, De Baca,'' after ''Chaves,'';

(C) by inserting ''Guadalupe,'' after ''Grant,'';

(D) by inserting ''Lea,'' after ''Hidalgo,'';

(E) by inserting ''Roosevelt,'' after ''Otero,''; and

(F) by striking ''and Socorro'' and inserting ''Socorro, Torrance, and Valencia''; and

(2) in paragraph (4)—

(A) by inserting ''Guadalupe,'' after ''Glasscock,''; and

(B) by striking ''Tom Green Upton,'' and inserting ''Tom Green, Upton,''.

SEC. 5208. GREAT LAKES AUTHORITY AREA.

Section 15734 of title 40, United States Code, is amended, in the matter preceding paragraph (1), by inserting ''the counties which contain, in part or in whole, the'' after ''consist of''.

SEC. 5209. ADDITIONAL REGIONAL COMMISSION PROGRAMS.

(a) IN GENERAL.—Subtitle V of title 40, United States Code, is amended by adding at the end the following:

''CHAPTER 159—ADDITIONAL REGIONAL COMMISSION PROGRAMS

''Sec.

''15901. State capacity building grant program.

''15902. Demonstration health projects.

''§ 15901. State capacity building grant program

''(a) DEFINITIONS.—In this section:

''(1) COMMISSION STATE.—The term 'Commission State' means a State that contains 1 or more eligible counties.

''(2) ELIGIBLE COUNTY.—The term 'eligible county' means a county described in subchapter II of chapter 157.

''(3) PROGRAM.—The term 'program' means a State capacity building grant program established by a Commission under subsection (b).

''(b) ESTABLISHMENT.—Each Commission shall establish a State capacity building grant program to provide grants to Commission States in the area served by the Commission for the purposes described in subsection (c).

''(c) PURPOSES.—The purposes of a program are to support the efforts of the Commission—

''(1) to better support business retention and expansion in eligible counties;

''(2) to create programs to encourage job creation and workforce development in eligible counties, including projects and activities, in coordination with other relevant Federal agencies, to strengthen the water sector workforce and facilitate the sharing of best practices;

''(3) to partner with universities in distressed counties (as designated under section 15702(a)(1))—

''(A) to strengthen the capacity to train new professionals in fields for which there is a shortage of workers;

''(B) to increase local capacity for project management, project execution, and financial management; and

''(C) to leverage funding sources;

''(4) to prepare economic and infrastructure plans for eligible counties;

''(5) to expand access to high-speed broadband in eligible counties;

''(6) to provide technical assistance that results in Commission investments in transportation, water, wastewater, and other critical infrastructure;

''(7) to promote workforce development to support resilient infrastructure projects;

''(8) to develop initiatives to increase the effectiveness of local development districts in eligible counties;

''(9) to implement new or innovative economic development practices that will better position eligible counties to compete in the global economy; and

''(10) to identify and address important regional impediments to prosperity and to leverage unique regional advantages to create

economic opportunities for the region served by the Commission.

''(d) USE OF FUNDS.—

''(1) IN GENERAL.—Funds from a grant under a program may be used to support a project, program, or related expense of the Commission State in an eligible county.

''(2) LIMITATION.—Funds from a grant under a program shall not be used for—

''(A) the purchase of furniture, fixtures, or equipment;

''(B) the compensation of—

''(i) any State member of the Commission (as described in section 15301(b)(1)(B)); or

''(ii) any State alternate member of the Commission (as described in section 15301(b)(2)(B)); or

''(C) the cost of supplanting existing State programs.

''(e) ANNUAL WORK PLAN.—

''(1) IN GENERAL.—For each fiscal year, before providing a grant under a program, each Commission State shall provide to the Commission an annual work plan that includes the proposed use of the grant.

''(2) APPROVAL.—No grant under a program shall be provided to a Commission State unless the Commission has approved the annual work plan of the State.

''(f) AMOUNT OF GRANT.—

''(1) IN GENERAL.—The amount of a grant provided to a Commission State under a program for a fiscal year shall be based on the proportion that—

''(A) the amount paid by the Commission State (including any amounts paid on behalf of the Commission State by a nonprofit organization) for administrative expenses for the applicable fiscal year (as determined under section 15304(c)); bears to

''(B) the amount paid by all Commission States served by the Commission (including any amounts paid on behalf of a Commission State by a nonprofit organization) for administrative expenses for that fiscal year (as determined under that section).

''(2) REQUIREMENT.—To be eligible to receive a grant under a program for a fiscal year, a Commission State (or a nonprofit organization on behalf of the Commission State) shall pay the amount of administrative expenses of the Commission State for the applicable fiscal year (as determined under section 15304(c)).

''(3) APPROVAL.—For each fiscal year, a grant provided under a program shall be approved and made available as part of the approval of the annual budget of the Commission.

''(g) GRANT AVAILABILITY.—Funds from a grant under a program shall be available only during the fiscal year for which the grant is provided.

''(h) REPORT.—Each fiscal year, each Commission State shall submit to the relevant Commission and make publicly available a report that describes the use of the grant funds and the impact of the program in the Commission State.

''(i) CONTINUATION OF PROGRAM AUTHORITY FOR NORTHERN BORDER REGIONAL COMMISSION.—With respect to the Northern Border Regional Commission, the program shall be a continuation of the program under section 6304(c) of the Agriculture Improvement Act of 2018 (40 U.S.C. 15501 note; Public Law 115–334) (as in effect on the day before the date of enactment of this section).

''§ 15902. Demonstration health projects

''(a) PURPOSE.—To demonstrate the value of adequate health facilities and services to the economic development of the region, a Commission may make grants for the planning, construction, equipment, and operation of demonstration health, nutrition, and child care projects (referred to in this section as a 'demonstration health project'), including hospitals, regional health diagnostic and treatment centers, and other facilities and services necessary for the purposes of this section.

''(b) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section is—

''(1) an entity described in section 15501(a);

''(2) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)));

''(3) a hospital (as defined in section 1861 of the Social Security Act (42 U.S.C. 1395x)); or

''(4) a critical access hospital (as defined in that section).

''(c) PLANNING GRANTS.—

''(1) IN GENERAL.—A Commission may make grants for planning expenses necessary for the development and operation of demonstration health projects for the region served by the Commission.

''(2) MAXIMUM COMMISSION CONTRIBUTION.—The maximum Commission contribution for a demonstration health project that receives a grant under paragraph (1) shall be made in accordance with section 15501(d).

''(3) SOURCES OF ASSISTANCE.—A grant under paragraph (1) may be provided entirely from amounts made available to carry out this section or in combination with amounts provided under other Federal grant programs.

''(4) FEDERAL SHARE FOR GRANTS UNDER OTHER FEDERAL GRANT PROGRAMS.—Notwithstanding any provision of law limiting the Federal share in other Federal grant programs, amounts made available to carry out this subsection may be used to increase the Federal share of another Federal grant up to the maximum contribution described in paragraph (2).

''(d) CONSTRUCTION AND EQUIPMENT GRANTS.—

''(1) IN GENERAL.—A grant under this section for construction or equipment of a demonstration health project may be used for—

''(A) costs of construction;

''(B) the acquisition of privately owned facilities—

''(i) not operated for profit; or

''(ii) previously operated for profit if the Commission finds that health services would not otherwise be provided in the area served by the facility if the acquisition is not made; and

''(C) the acquisition of initial equipment.

''(2) STANDARDS FOR MAKING GRANTS.—A grant under paragraph (1)—

''(A) shall be approved in accordance with section 15503; and

''(B) shall not be incompatible with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291 et seq.), the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.), and other laws authorizing grants for the construction of health-related facilities, without regard to any provisions in those laws relating to appropriation authorization ceilings or to allotments among the States.

''(3) MAXIMUM COMMISSION CONTRIBUTION.—The maximum Commission contribution for a demonstration health project that receives a grant under paragraph (1) shall be made in accordance with section 15501(d).

''(4) SOURCES OF ASSISTANCE.—A grant under paragraph (1) may be provided entirely from amounts made available to carry out this section or in combination with amounts provided under other Federal grant programs.

''(5) CONTRIBUTION TO INCREASED FEDERAL SHARE FOR OTHER FEDERAL GRANTS.—Notwithstanding any provision of law limiting the Federal share in another Federal grant program for the construction or equipment of a demonstration health project, amounts made available to carry out this subsection may be used to increase Federal grants for component facilities of a demonstration health project to a maximum of 90 percent of the cost of the facilities.

''(e) OPERATION GRANTS.—

''(1) IN GENERAL.—A grant under this section for the operation of a demonstration health project may be used for—

''(A) the costs of operation of the facility; and

''(B) initial operating costs, including the costs of attracting, training, and retaining qualified personnel.

''(2) STANDARDS FOR MAKING GRANTS.—A grant for the operation of a demonstration health project shall not be made unless the facility funded by the grant is—

''(A) publicly owned;

''(B) owned by a public or private nonprofit organization;

''(C) a private hospital described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code; or

''(D) a private hospital that provides a certain amount of uncompensated care, as determined by the Commission, and applies for the grant in partnership with a State, local government, or Indian Tribe.

''(3) MAXIMUM COMMISSION CONTRIBUTION.—The maximum Commission contribution for a demonstration health project that receives a grant under paragraph (1) shall be made in accordance with section 15501(d).

''(4) SOURCES OF ASSISTANCE.—A grant under paragraph (1) may be provided entirely from amounts made available to carry out this section or in combination with amounts provided under other Federal grant programs for the operation of health-related facilities or the provision of health and child development services, including parts A and B of title IV and title XX of the Social Security Act (42 U.S.C. 601 et seq., 621 et seq., 1397 et seq.).

''(5) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share in the other Federal programs described in paragraph (4), amounts made available to carry out this subsection may be used to increase the Federal share of a grant under those programs up to the maximum contribution described in paragraph (3).

''(f) PRIORITY HEALTH PROGRAMS.—If a Commission elects to make grants under this section, the Commission shall establish specific regional health priorities for such grants that address—

''(1) addiction treatment and access to resources helping individuals in recovery;

''(2) workforce shortages in the healthcare industry; or

''(3) access to services for screening and diagnosing chronic health issues.''.

(b) REPEAL.—Section 6304(c) of the Agriculture Improvement Act of 2018 (40 U.S.C. 15501 note; Public Law 115–334) is repealed.

(c) CLERICAL AMENDMENT.—The table of chapters for subtitle V of title 40, United States Code, is amended by inserting after the item relating to chapter 157 the following:

''159. Additional Regional Commission Programs ..... 15901''.

SEC. 5210. TRIBAL AND COLONIA PARTICIPATION IN SOUTHWEST BORDER REGION.

(a) IN GENERAL.—Chapter 155 of subtitle V of title 40, United States Code (as amended by section 5205(a)), is amended by adding at the end the following:

''§ 15508. Waiver of matching requirement for Indian tribes and colonias in Southwest Border Regional Commission programs

''(a) DEFINITION OF COLONIA.—

''(1) IN GENERAL.—In this section, the term 'colonia' means a community—

''(A) that is located—

''(i) in the State of Arizona, California, New Mexico, or Texas;

''(ii) not more than 150 miles from the border between the United States and Mexico; and

''(iii) outside a standard metropolitan statistical area that has a population exceeding 1,000,000;

''(B) that—

''(i) lacks a potable water supply;

''(ii) lacks an adequate sewage system; or

''(iii) lacks decent, safe, and sanitary housing; and

''(C) that has been treated or designated as a colonia by a Federal or State program.

''(b) WAIVER.—Notwithstanding any other provision of law, in the case of assistance provided to a colonia or an Indian tribe under this subtitle by the Southwest Border Regional Commission, the Federal share of the cost of the project carried out with that assistance may be up to 100 percent, as determined by the selection official, the State Cochairperson (or an alternate), and the Federal Cochairperson (or an alternate).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 155 of subtitle V of title 40, United States Code (as amended by section 5205(b)), is amended by inserting after the item relating to section 15507 the following:

''15508. Waiver of matching requirement for Indian tribes and colonias in Southwest Border Regional Commission programs.''.

SEC. 5211. ESTABLISHMENT OF MID-ATLANTIC REGIONAL COMMISSION.

(a) ESTABLISHMENT.—Section 15301(a) of title 40, United States Code, is amended by adding at the end the following:

''(5) The Mid-Atlantic Regional Commission.''.

(b) DESIGNATION OF REGION.—

(1) IN GENERAL.—Subchapter II of chapter 157 of title 40, United States Code, is amended by adding at the end the following:

''§ 15735. Mid-Atlantic Regional Commission.

''The region of the Mid-Atlantic Regional Commission shall include the following counties:

''(1) DELAWARE.—Each county in the State of Delaware.

''(2) MARYLAND.—Each county in the State of Maryland that is not already served by the Appalachian Regional Commission.

''(3) PENNSYLVANIA.—Each county in the Commonwealth of Pennsylvania that is not already served by the Appalachian Regional Commission.''.

(2) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 157 of title 40, United States Code, is amended by adding at the end the following:

''15735. Mid-Atlantic Regional Commission.''.

(c) APPLICATION.—Section 15702(c) of title 40, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) APPLICATION.—Paragraph (2) shall not apply to a county described in paragraph (2) or (3) of section 15735.''.

SEC. 5212. ESTABLISHMENT OF SOUTHERN NEW ENGLAND REGIONAL COMMISSION.

(a) ESTABLISHMENT.—Section 15301(a) of title 40, United States Code (as amended by section 5211(a)), is amended by adding at the end the following:

''(6) The Southern New England Regional Commission.''.

(b) DESIGNATION OF REGION.—

(1) IN GENERAL.—Subchapter II of chapter 157 of title 40, United States Code (as amended by section 5211(b)(1)), is amended by adding at the end the following:

''§ 15736. Southern New England Regional Commission

''The region of the Southern New England Regional Commission shall include the following counties:

''(1) RHODE ISLAND.—Each county in the State of Rhode Island.

''(2) CONNECTICUT.—The counties of Hartford, Middlesex, New Haven, New London, Tolland, and Windham in the State of Connecticut.

''(3) MASSACHUSETTS.—Each county in the Commonwealth of Massachusetts.''.

(2) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 157 of title 40, United States Code (as amended by section 5211(b)(2)), is amended by adding at the end the following:

''15736. Southern New England Regional Commission.''.

(c) APPLICATION.—Section 15702(c)(3) of title 40, United States Code (as amended by section 5211(c)), is amended—

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

(2) by striking ''to a county'' and inserting the following: ''to—

''(A) a county''; and

(3) by adding at the end the following:

''(B) the Southern New England Regional Commission.''.

SEC. 5213. DENALI COMMISSION REAUTHORIZATION.

(a) REAUTHORIZATION.—Section 312(a) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) is amended by striking ''$15,000,000 for each of fiscal years 2017 through 2021'' and inserting ''$35,000,000 for each of fiscal years 2025 through 2029''.

(b) POWERS OF THE COMMISSION.—Section 305 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) is amended—

(1) in subsection (d), in the first sentence, by inserting ''enter into leases (including the lease of office space for any term),'' after ''award grants,''; and

(2) by adding at the end the following:

''(e) USE OF FUNDS TOWARD NON-FEDERAL SHARE OF CERTAIN PROJECTS.—Notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, the Commission may use amounts made available to the Commission for the payment of such a non-Federal share for programs undertaken to carry out the purposes of the Commission.''.

(c) SPECIAL FUNCTIONS OF THE COMMISSION.—Section 307 of the Denali Commission Act of 1998 (42 U.S.C. 4321 note; Public Law 105–277) is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) through (e) as subsections (a) through (d), respectively; and

(3) in subsection (c) (as so redesignated), by inserting '', including interagency transfers,'' after ''payments''.

(d) CONFORMING AMENDMENT.—Section 309(c)(1) of the Denali Commission Act of 1998 (42 U.S.C. 4321 note; Public Law 105–277) is amended by inserting ''of Transportation'' after ''Secretary''.

SEC. 5214. DENALI HOUSING FUND.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a nonprofit organization;

(B) a limited dividend organization;

(C) a cooperative organization;

(D) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); and

(E) a public entity, such as a municipality, county, district, authority, or other political subdivision of a State.

(2) FEDERAL COCHAIR.—The term ''Federal Cochair'' means the Federal Cochairperson of the Denali Commission.

(3) FUND.—The term ''Fund'' means the Denali Housing Fund established under subsection (b)(1).

(4) LOW-INCOME.—The term ''low-income'', with respect to a household means that the household income is less than 150 percent of the Federal poverty level for the State of Alaska.

(5) MODERATE-INCOME.—The term ''moderate-income'', with respect to a household, means that the household income is less than 250 percent of the Federal poverty level for the State of Alaska.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(b) DENALI HOUSING FUND.—

(1) ESTABLISHMENT.—There shall be established in the Treasury of the United States the Denali Housing Fund, to be administered by the Federal Cochair.

(2) SOURCE AND USE OF AMOUNTS IN FUND.—

(A) IN GENERAL.—Amounts allocated to the Federal Cochair for the purpose of carrying out this section shall be deposited in the Fund.

(B) USES.—The Federal Cochair shall use the Fund as a revolving fund to carry out the purposes of this section.

(C) INVESTMENT.—The Federal Cochair may invest amounts in the Fund that are not necessary for operational expenses in bonds or other obligations, the principal and interest of which are guaranteed by the Federal Government.

(D) GENERAL EXPENSES.—The Federal Cochair may charge the general expenses of carrying out this section to the Fund.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund $5,000,000 for each of fiscal years 2025 through 2029.

(c) PURPOSES.—The purposes of this section are—

(1) to encourage and facilitate the construction or rehabilitation of housing to meet the needs of low-income households and moderate-income households; and

(2) to provide housing for public employees.

(d) LOANS AND GRANTS.—

(1) IN GENERAL.—The Federal Cochair may provide grants and loans from the Fund to eligible entities under such terms and conditions the Federal Cochair may prescribe.

(2) PURPOSE.—The purpose of a grant or loan under paragraph (1) shall be for planning and obtaining federally insured mortgage financing or other financial assistance for housing construction or rehabilitation projects for low-income and moderate-income households in rural Alaska villages.

(e) PROVIDING AMOUNTS TO STATES FOR GRANTS AND LOANS.—The Federal Cochair may provide amounts to the State of Alaska, or political subdivisions thereof, for making the grants and loans described in subsection (d).

(f) LOANS.—

(1) LIMITATION ON AVAILABLE AMOUNTS.—A loan under subsection (d) for the cost of planning and obtaining financing (including the cost of preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, application and mortgage commitment fees, legal fees, and construction loan fees and discounts) of a project described in that subsection may be for not more than 90 percent of that cost.

(2) INTEREST.—A loan under subsection (d) shall be made without interest, except that a loan made to an eligible entity established for profit shall bear interest at the prevailing market rate authorized for an insured or guaranteed loan for that type of project.

(3) PAYMENT.—

(A) IN GENERAL.—The Federal Cochair shall require payment of a loan made under this

section under terms and conditions the Secretary may require by not later than the date of completion of the project.

(B) CANCELLATION.—For a loan other than a loan to an eligible entity established for profit, the Secretary may cancel any part of the debt with respect to a loan made under subsection (d) if the Secretary determines that a permanent loan to finance the project cannot be obtained in an amount adequate for repayment of a loan made under subsection (d).

(g) GRANTS.—

(1) IN GENERAL.—A grant under this section for expenses incidental to planning and obtaining financing for a project described in this section that the Federal Cochair considers unrecoverable from the proceeds of a permanent loan made to finance the project—

(A) may not be made to an eligible entity established for profit; and

(B) may not exceed 90 percent of those expenses.

(2) SITE DEVELOPMENT COSTS AND OFFSITE IMPROVEMENTS.—

(A) IN GENERAL.—The Federal Cochair may make grants and commitments for grants under terms and conditions the Federal Cochair may require to eligible entities for reasonable site development costs and necessary offsite improvements, such as sewer and water line extensions, if the grant or commitment—

(i) is essential to ensuring that housing is constructed on the site in the future; and

(ii) otherwise meets the requirements for assistance under this section.

(B) MAXIMUM AMOUNTS.—The amount of a grant under this paragraph may not—

(i) with respect to the construction of housing, exceed 40 percent of the cost of the construction; and

(ii) with respect to the rehabilitation of housing, exceed 10 percent of the reasonable value of the rehabilitation, as determined by the Federal Cochair.

(h) INFORMATION, ADVICE, AND TECHNICAL ASSISTANCE.—The Federal Cochair may provide, or contract with public or private organizations to provide, information, advice, and technical assistance with respect to the construction, rehabilitation, and operation by nonprofit organizations of housing for low-income or moderate-income households, or for public employees, in rural Alaska villages under this section.

SEC. 5215. DELTA REGIONAL AUTHORITY REAUTHORIZATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 382M(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–12(a)) is amended by striking ''$30,000,000 for each of fiscal years 2019 through 2023'' and inserting ''$40,000,000 for each of fiscal years 2025 through 2029''.

(b) TERMINATION OF AUTHORITY.—Section 382N of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–13) is repealed.

(c) FEES.—Section 382B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–1(e)) is amended—

(1) in paragraph (9)(C), by striking ''and'' at the end;

(2) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(11) collect fees for the Delta Doctors program of the Authority and retain and expend those fees.''.

(d) SUCCESSION.—Section 382B(h)(5)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–1(h)(5)(B)) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following:

''(iii) assuming the duties of the Federal cochairperson and the alternate Federal cochairperson for purposes of continuation of normal operations in the event that both positions are vacant; and''.

(e) INDIAN TRIBES.—Section 382C(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–2(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting '', Indian Tribes,'' after ''States''; and

(2) in paragraph (1), by inserting '', Tribal,'' after ''State''.

SEC. 5216. NORTHERN GREAT PLAINS REGIONAL AUTHORITY REAUTHORIZATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 383N(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–12(a)) is amended by striking ''$30,000,000 for each of fiscal years 2008 through 2018'' and inserting ''$40,000,000 for each of fiscal years 2025 through 2029''.

(b) TERMINATION OF AUTHORITY.—Section 383O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–13) is repealed.

SA 2500. 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 subtitle H of title X, add the following:

SEC. 1095. DELAWARE RIVER BASIN CONSERVATION REAUTHORIZATION.

(a) FINDINGS.—Section 3501(2) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1771) is amended by inserting ''Maryland,'' after ''Delaware,''.

(b) DEFINITIONS OF BASIN AND BASIN STATE.—Section 3502 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1773) is amended—

(1) in paragraph (1)—

(A) by striking ''4-State'' and inserting ''5-State''; and

(B) by inserting ''Maryland,'' after ''Delaware,''; and

(2) in paragraph (2), by inserting ''Maryland,'' after ''Delaware,''.

(c) COST SHARING.—Section 3504(c)(1) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1775) is amended—

(1) by striking ''The Federal share'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share''; and

(2) by adding at the end the following:

''(B) SMALL, RURAL, AND DISADVANTAGED COMMUNITIES.—

''(i) IN GENERAL.—Subject to clause (ii), the Federal share of the cost of a project funded under the grant program that serves a small, rural, or disadvantaged community shall be 90 percent of the total cost of the project, as determined by the Secretary.

''(ii) WAIVER.—The Secretary may increase the Federal share under clause (i) to 100 percent of the total cost of the project if the Secretary determines that the grant recipient is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.''.

(d) SUNSET.—Section 3507 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1775) is amended by striking ''2023'' and inserting ''2030''.

SA 2501. Mr. CARPER (for himself 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 of subtitle H of title X, add the following:

SEC. 1095. ADMINISTRATION OF RISK-BASED SURVEYS TO CERTAIN EDUCATIONAL INSTITUTIONS.

(a) DEVELOPMENT REQUIRED.—The Secretary of Defense, acting through the Voluntary Education Institutional Compliance Program of the Department of Defense, shall develop a risk-based survey for oversight of covered educational institutions.

(b) SCOPE.—

(1) IN GENERAL.—The scope of the risk-based survey developed under subsection (a) shall be determined by the Secretary.

(2) SPECIFIC ELEMENTS.—At a minimum, the scope determined under paragraph (1) shall include the following:

(A) Rapid increase or decrease in enrollment.

(B) Rapid increase in tuition and fees.

(C) Complaints tracked and published from students pursuing programs of education, based on severity or volume of the complaints.

(D) Student completion rates.

(E) Indicators of financial stability.

(F) Review of the advertising and recruiting practices of the educational institution, including those by third-party contractors of the educational institution.

(G) Matters for which the Federal Government or a State government brings an action in a court of competent jurisdiction against an educational institution, including matters in cases in which the Federal Government or the State comes to a settled agreement on such matters outside of the court.

(c) ACTION OR EVENT.—

(1) SUSPENSION.—If, pursuant to a risk-based survey under this section, the Secretary determines that an educational institution has experienced an action or event described in paragraph (2), the Secretary may suspend the participation of the institution in Department of Defense programs for a period of two years, or such other period as the Secretary determines appropriate.

(2) ACTION OR EVENT DESCRIBED.—An action or event described in this paragraph is any of the following:

(A) The receipt by an educational institution of payments under the heightened cash monitoring level 2 payment method pursuant to section 487(c)(1)(B) of the Higher Education Act of 1965 (20 U.S.C. 1094).

(B) Punitive action taken by the Attorney General, the Federal Trade Commission, or any other Federal department or agency for misconduct or misleading marketing practices that would violate the standards defined by the Secretary of Veterans Affairs.

(C) Punitive action taken by a State against an educational institution.

(D) The loss, or risk of loss, by an educational institution of an accreditation from an accrediting agency or association, including notice of probation, suspension, an order to show cause relating to the educational institution's academic policies and practices

or to its financial stability, or revocation of accreditation.

(E) The placement of an educational institution on provisional certification status by the Secretary of Education.

(d) DATABASE.—The Secretary shall establish a searchable database or use an existing system, as the Secretary considers appropriate, to serve as a central repository for information required for or collected during site visits for the risk-based survey developed under subsection (a), so as to improve future oversight of educational institutions.

(e) COVERED EDUCATIONAL INSTITUTION.—In this section, the term ''covered educational institution'' means an educational institution selected by the Secretary based on quantitative, publicly available metrics indicating risk designed to separate low-risk and high-risk institutions, to focus on high-risk institutions.

SA 2502. Mr. CARPER (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 end of subtitle H of title X, add the following:

SEC. 1095. EXTENSION OF CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 5 of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (6 U.S.C. 621 note) is amended by striking ''July 27, 2023'' and inserting ''October 1, 2026''.

SA 2503. 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 subtitle H of title X, add the following:

SEC. 1095. IMPROVING COORDINATION BETWEEN FEDERAL AND STATE AGENCIES AND THE DO NOT PAY WORKING SYSTEM.

(a) IN GENERAL.—Section 801(a) of title VIII of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking paragraph (7) and inserting the following:

''(7) by adding at the end the following paragraph:

'''(11) The Commissioner of Social Security shall, to the extent feasible, provide information furnished to the Commissioner under paragraph (1) to the agency operating the Do Not Pay working system described in section 3354(c) of title 31, United States Code, for the authorized uses of the Do Not Pay working system through a cooperative arrangement with such agency, provided that the requirements of subparagraphs (A) and (B) of paragraph (3) are met with respect to such arrangement with such agency.'.''.

(b) CONFORMING AMENDMENT.—Section 801(b)(2) of title VIII of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking ''on the date that is 3 years after the date of enactment of this Act'' and inserting ''on December 28, 2026''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 28, 2026.

SA 2504. 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 subtitle E of title VII, add the following:

SEC. 750. MEDICAL TESTING AND RELATED SERVICES FOR FIREFIGHTERS OF DEPARTMENT OF DEFENSE.

(a) PROVISION OF SERVICES.—During the annual periodic health assessment of each firefighter of the Department of Defense, or at such other intervals as may be indicated in subsection (b), the Secretary of Defense shall offer to the firefighter (at no cost to the firefighter) appropriate medical testing and related services to detect, document the presence or absence of, and prevent, certain cancers.

(b) CRITERIA.—Services required to be offered under subsection (a) shall meet, at a minimum, the following criteria:

(1) BREAST CANCER.—With respect to breast cancer screening, if the firefighter is a female firefighter—

(A) such services shall include the provision of a mammogram to the firefighter—

(i) if the firefighter is 40 years old to 49 years old (inclusive), not less frequently than twice each year;

(ii) if the firefighter is 50 years old or older, not less frequently than annually; and

(iii) as clinically indicated (without regard to age); and

(B) in connection with the provision of a mammogram under subparagraph (A), a licensed radiologist shall review the most recent mammogram provided to the firefighter, as compared to prior mammograms so provided, and provide to the firefighter the results of such review.

(2) COLON CANCER.—With respect to colon cancer screening—

(A) if the firefighter is 40 years old or older, or as clinically indicated without regard to age, such services shall include the communication to the firefighter of the risks and benefits of stool-based blood testing;

(B) such services shall include the provision, at regular intervals, of visual examinations (such as a colonoscopy, CT colonoscopy, or flexible sigmoidoscopy) or stool-based blood testing (such as high-sensitivity guaiac fecal occult blood test (gFOBT), fecal immunochemical test (FIT), or multi-targeted stool DNA test (mt–sDNA) for firefighters—

(i) who are 45 years old or older;

(ii) as clinically indicated; or

(iii) who are at increased risk of colon cancer, as determined by the American Cancer Society, or successor organization;

(C) in connection with the provision of a visual examination or stool-based blood testing under subparagraph (B), a licensed physician shall review and provide to the firefighter the results of such examination or testing, as the case may be.

(3) PROSTATE CANCER.—With respect to prostate cancer screening, if the firefighter is a male firefighter, such services shall include the communication to the firefighter of the risks and benefits of prostate cancer screenings, such as the prostate-specific antigen test, to screen for prostate cancer—

(A) not less frequently than annually if the firefighter—

(i) is 50 years old or older; or

(ii) is 40 years old or older and is at increased risk of prostate cancer, as determined by the American Cancer Society, or successor organization; and

(B) as clinically indicated (without regard to age).

(4) OTHER CANCERS.—Such services shall include routine screenings for any other cancer the risk or occurrence of which the Director of the Centers for Disease Control and Prevention has identified as higher among firefighters than among the general public, the provision of which shall be carried out during the annual periodic health assessment of the firefighter.

(c) OPTIONAL NATURE.—A firefighter of the Department of Defense may opt out of the receipt of medical testing or a related service provided under subsection (a).

(d) USE OF CONSENSUS TECHNICAL STANDARDS.—In providing medical testing and related services under subsection (a), the Secretary shall use consensus technical standards in accordance with section 12(d) of the National Technology Transfer and Advancement Act of 1995 (Public Law 104–113; 15 U.S.C. 272 note).

(e) DOCUMENTATION.—

(1) IN GENERAL.—In providing medical testing and related services under subsection (a), the Secretary—

(A) shall document the acceptance rates of such tests offered and the rates of such tests performed;

(B) shall document tests results to identify trends in the rates of cancer occurrences among firefighters; and

(C) may collect and maintain additional information from the recipients of such tests and other services to allow for appropriate scientific analysis.

(2) PRIVACY.—In analyzing any information of an individual documented, collected, or maintained under paragraph (1), in addition to complying with other applicable privacy laws, the Secretary shall ensure the name and any other personally identifiable information of the individual is removed from such information prior to the analysis.

(3) SHARING WITH CENTERS FOR DISEASE CONTROL AND PREVENTION.—The Secretary may share data from any tests performed under subsection (a) with the Director of the Centers for Disease Control and Prevention, as appropriate, to increase the knowledge and understanding of cancer occurrences among firefighters.

(f) FIREFIGHTER DEFINED.—In this section, the term ''firefighter'' means someone whose primary job or military occupational specialty is being a firefighter.

SA 2505. 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 appropriate place, insert the following:

SEC. _____. RECYCLING AND COMPOSTING ACCOUNTABILITY.

(a) DEFINITIONS.—

(1) IN GENERAL.—In this section:

(A) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(B) CIRCULAR MARKET.—The term ''circular market'' means a market that utilizes industrial processes and economic activities to enable post-industrial and post-consumer materials used in those processes and activities to maintain their highest values for as long as possible.

(C) COMPOST.—The term ''compost'' means a product that—

(i) is manufactured through the controlled aerobic, biological decomposition of biodegradable materials;

(ii) has been subjected to medium and high temperature organisms, which—

(I) significantly reduce the viability of pathogens and weed seeds; and

(II) stabilize carbon in the product such that the product is beneficial to plant growth; and

(iii) is typically used as a soil amendment, but may also contribute plant nutrients.

(D) COMPOSTABLE MATERIAL.—The term ''compostable material'' means material that is a feedstock for creating compost, including—

(i) wood;

(ii) agricultural crops;

(iii) paper;

(iv) certified compostable products associated with organic waste;

(v) other organic plant material;

(vi) marine products;

(vii) organic waste, including food waste and yard waste; and

(viii) such other material that is composed of biomass that can be continually replenished or renewed, as determined by the Administrator.

(E) COMPOSTING FACILITY.—The term ''composting facility'' means a location, structure, or device that transforms compostable materials into compost.

(F) 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).

(G) MATERIALS RECOVERY FACILITY.—

(i) IN GENERAL.—The term ''materials recovery facility'' means a dedicated facility where primarily residential recyclable materials, which are diverted from disposal by the generator and collected separately from municipal solid waste, are mechanically or manually sorted into commodities for further processing into specification-grade commodities for sale to end users.

(ii) EXCLUSION.—The term ''materials recovery facility'' does not include a solid waste management facility that may process municipal solid waste to remove recyclable materials.

(H) RECYCLABLE MATERIAL.—The term ''recyclable material'' means a material that is obsolete, previously used, off-specification, surplus, or incidentally produced for processing into a specification-grade commodity for which a circular market currently exists or is being developed.

(I) RECYCLING.—The term ''recycling'' means the series of activities—

(i) during which recyclable materials are processed into specification-grade commodities, and consumed as raw-material feedstock, in lieu of virgin materials, in the manufacturing of new products;

(ii) that may include sorting, collection, processing, and brokering; and

(iii) that result in subsequent consumption by a materials manufacturer, including for the manufacturing of new products.

(J) STATE.—The term ''State'' has the meaning given the term in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(2) DEFINITION OF PROCESSING.—In subparagraphs (G), (H), and (I) of paragraph (1), the term ''processing'' means any mechanical, manual, or other method that—

(A) transforms a recyclable material into a specification-grade commodity; and

(B) may occur in multiple steps, with different steps, including sorting, occurring at different locations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) recycling and composting conserve resources, protect the environment, and are important to the United States economy;

(2) the United States recycling and composting infrastructure encompass each of the entities that collect, process, broker, and consume recyclable materials and compostable materials sourced from commercial, industrial, institutional, and residential sources;

(3) the residential segment of the United States recycling and composting infrastructure is facing challenges from—

(A) confusion over what materials are recyclable materials or compostable materials;

(B) reduced export markets;

(C) growing, but still limited, domestic end markets; and

(D) an ever-changing and heterogeneous supply stream;

(4) in some areas, recycling and composting infrastructure is in need of revitalization; and

(5) in an effort to address those challenges, the United States must use a combination of tactics to improve recycling and composting in the United States.

(c) REPORT ON COMPOSTING INFRASTRUCTURE CAPABILITIES.—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(1) prepare a report, or expand work under the National Recycling Strategy to include data, describing the capability of the United States to implement a national composting strategy for compostable materials for the purposes of reducing contamination rates for recycling, including—

(A) an evaluation of existing Federal, State, and local laws that may present barriers to implementation of a national composting strategy;

(B)(i) an evaluation of existing composting programs of States, units of local government, and Indian Tribes; and

(ii) a description of best practices based on those programs;

(C) an evaluation of existing composting infrastructure in States, units of local government, and Indian Tribes for the purposes of estimating cost and approximate land needed to expand composting programs; and

(D) a study of the practices of manufacturers and companies that are moving to using compostable packaging and food service ware for the purpose of making the composting process the end-of-life use of those products; and

(2) not later than 2 years after the date of enactment of this Act, submit the report prepared under paragraph (1) to Congress.

(d) REPORT ON FEDERAL AGENCY RECYCLING PRACTICES.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until 2033, the Comptroller General of the United States, in consultation with the Administrator, shall make publicly available a report describing—

(1) the total annual recycling and composting rates reported by all Federal agencies;

(2) the total annual percentage of products containing recyclable material, compostable material, or recovered materials purchased by all Federal agencies, including—

(A) the total quantity of procured products containing recyclable material or recovered materials listed in the comprehensive procurement guidelines published under section 6002(e) of the Solid Waste Disposal Act (42 U.S.C. 6962(e)); and

(B) the total quantity of compostable material purchased;

(3) recommendations for updating—

(A) the comprehensive procurement guidelines published under section 6002(e) of the Solid Waste Disposal Act (42 U.S.C. 6962(e)); and

(B) the environmentally preferable purchasing program established under section 6604(b)(11) of the Pollution Prevention Act of 1990 (42 U.S.C. 13103(b)(11)); and

(4) the activities of each Federal agency that promote recycling or composting.

(e) IMPROVING DATA AND REPORTING.—

(1) INVENTORY OF MATERIALS RECOVERY FACILITIES.—Not later than 1 year after the date of enactment of this Act, and biannually thereafter, the Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(A) prepare an inventory of public and private materials recovery facilities in the United States, including—

(i) the number of materials recovery facilities in each unit of local government in each State; and

(ii) a description of the materials that each materials recovery facility can process, including—

(I) in the case of plastic, a description of—

(aa) the types of accepted resin, if applicable; and

(bb) the packaging or product format, such as a jug, a carton, or film;

(II) food packaging and service ware, such as a bottle, cutlery, or a cup;

(III) paper;

(IV) aluminum, such as an aluminum beverage can, food can, aerosol can, or foil;

(V) steel, such as a steel food or aerosol can;

(VI) other scrap metal;

(VII) glass; or

(VIII) any other material not described in any of subclauses (I) through (VII) that a materials recovery facility can process; and

(B) submit the inventory prepared under subparagraph (A) to Congress.

(2) ESTABLISHMENT OF A COMPREHENSIVE BASELINE OF DATA FOR THE UNITED STATES RECYCLING SYSTEM.—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall determine, with respect to the United States—

(A) the number of community curbside recycling and composting programs;

(B) the number of community drop-off recycling and composting programs;

(C) the types and forms of materials accepted by each community curbside recycling, drop-off recycling, or composting program;

(D) the number of individuals with access to recycling and composting services to at least the extent of access to disposal services;

(E) the number of individuals with barriers to accessing recycling and composting services to at least the extent of access to disposal services;

(F) the inbound contamination and capture rates of community curbside recycling, drop-off recycling, or composting programs;

(G) where applicable, other available recycling or composting programs within a community, including store drop-offs; and

(H) the average costs and benefits to States, units of local government, and Indian Tribes of recycling and composting programs.

(3) STANDARDIZATION OF RECYCLING REPORTING RATES.—

(A) COLLECTION OF RATES.—

(i) IN GENERAL.—The Administrator may use amounts made available under subsection (h) to biannually collect from each State the nationally standardized rate of recyclable materials in that State that have been successfully diverted from the waste stream and brought to a materials recovery facility or composting facility.

(ii) CONFIDENTIAL OR PROPRIETARY BUSINESS INFORMATION.—Information collected under clause (i) shall not include any confidential or proprietary business information, as determined by the Administrator.

(B) USE.—Using amounts made available under subsection (h), the Administrator may use the rates collected under subparagraph (A) to further assist States, units of local government, and Indian Tribes—

(i) to reduce the overall waste produced by the States and units of local government; and

(ii) to increase recycling and composting rates.

(4) REPORT ON END MARKETS.—

(A) IN GENERAL.—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(i) provide an update to the report submitted under section 306 of the Save Our Seas 2.0 Act (Public Law 116–224; 134 Stat. 1096) to include an addendum on the end-market sale of all recyclable materials, in addition to recycled plastics as described in that section, from materials recovery facilities that process recyclable materials collected from households and publicly available recyclable materials drop-off centers, including—

(I) the total, in dollars per ton, domestic sales of bales of recyclable materials; and

(II) the total, in dollars per ton, international sales of bales of recyclable materials;

(ii) prepare a report on the end-market sale of compost from all compostable materials collected from households and publicly available compost drop-off centers, including the total, in dollars per ton, of domestic sales of compostable materials; and

(iii) not later than 2 years after the date of enactment of this Act, submit to Congress the update to the report prepared under clause (i) and the report prepared under clause (ii).

(B) CONFIDENTIAL OR PROPRIETARY BUSINESS INFORMATION.—Information collected under clauses (i) and (ii) of subparagraph (A) shall not include any confidential or proprietary business information, as determined by the Administrator.

(f) STUDY ON THE DIVERSION OF RECYCLABLE MATERIALS FROM A CIRCULAR MARKET.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop a metric for determining the proportion of recyclable materials in commercial and municipal waste streams that are being diverted from a circular market.

(2) STUDY; REPORT.—Not later than 1 year after the development of a metric under paragraph (1), the Administrator shall conduct a study of, and submit to Congress a report on, the proportion of recyclable materials in commercial and municipal waste streams that, during each of the 10 calendar years preceding the year of submission of the report, were diverted from a circular market.

(3) DATA.—The report under paragraph (2) shall provide data on specific recyclable materials, including aluminum, plastics, paper and paperboard, textiles, and glass, that were prevented from remaining in a circular market through disposal or elimination, and to what use those specific recyclable materials were lost.

(4) EVALUATION.—The report under paragraph (2) shall include an evaluation of whether the establishment or improvement of recycling programs would—

(A) improve recycling rates; or

(B) reduce the quantity of recyclable materials being unutilized in a circular market.

(g) VOLUNTARY GUIDELINES.—The Administrator shall—

(1) in consultation with States, units of local government, and Indian Tribes, develop, based on the results of the studies, reports, inventory, and data determined under subsections (c) through (f), and provide to States, units of local government, and Indian Tribes, through the Model Recycling Program Toolkit or a similar resource, best practices that the States, units of local government, and Indian Tribes may use to enhance recycling and composting, including—

(A) labeling techniques for containers of waste, compostable materials, and recycling, with the goal of creating consistent, readily available, and understandable labeling across jurisdictions;

(B) pamphlets or other literature readily available to constituents;

(C) primary and secondary school educational resources on recycling;

(D) web and media-based campaigns; and

(E) guidance for the labeling of recyclable materials and compostable materials that minimizes contamination and diversion of those materials from waste streams toward recycling and composting systems; and

(2) not later than 2 years after the date of enactment of this Act, submit to Congress a report describing the best practices developed under paragraph (1).

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $4,000,000 for each of fiscal years 2025 through 2029.

SA 2506. Mr. KELLY 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 K of title V, insert the following:

SEC. 599C. CRIMINAL PENALTY FOR VIOLATIONS OF PROHIBITION ON FORMER MEMBERS OF THE ARMED FORCES ACCEPTING EMPLOYMENT WITH CERTAIN FOREIGN GOVERNMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Members of the Armed Forces gain skills, knowledge, and training through their service that are integral to the mission of the United States military.

(2) The specialized skillsets gained through service in the United States Armed Forces are the product of unique United States Government training.

(3) Public reports have revealed the People's Republic of China has employed, or contracted through intermediaries, former United States military personnel and former military personnel of countries that are allies of the United States to train Chinese military personnel on specialized skills.

(4) The closest allies of the United States, including the United Kingdom, Australia, and New Zealand, are taking steps to stop their former military personnel from training the armed forces of foreign adversaries, including instituting policy and legal reviews and consideration of criminal penalties to prevent that type of post-military service activity.

(5) Allowing individuals to be employed or engaged in the provision of training to foreign adversaries in specialized skillsets gained through service in the United States Armed Forces poses a significant risk for exploitation by foreign adversaries against United States interests.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national security interests of the United States that former members of the Armed Forces be prohibited from taking employment or holding positions that provide substantial support to the military of a foreign government that is an adversary of the United States, such as the Government of the People's Republic of China or the Government of the Russian Federation, to prevent the exploitation of specialized United States military competencies and capabilities by those governments.

(c) CRIMINAL PENALTY.—

(1) IN GENERAL.—Section 207 of title 18, United States Code, is amended by adding at the end the following new subsection:

''(m) PROHIBITION ON FORMER MEMBERS OF THE ARMED FORCES ACCEPTING POST-SERVICE EMPLOYMENT WITH CERTAIN FOREIGN GOVERNMENTS.—

''(1) IN GENERAL.—A covered individual who violates the prohibition under section 989(a) of title 10 by knowingly and willfully occupying a covered post-service position shall be punished as provided in section 216(a)(2) of this title.

''(2) PROOF OF STATE OF MIND.—In prosecution under paragraph (1), the Government is required to prove that the defendant knew that the entity with which the defendant occupied a covered post-service position was providing advice or services relating to national security, intelligence, military, or internal security to a government described in section 989(h)(2)(A) of title 10.

''(3) JURISDICTION.—An offense under paragraph (1) shall be subject to extraterritorial Federal jurisdiction.

''(4) DEFINITIONS.—In this subsection, the terms 'covered individual' and 'covered post-service position' have the meanings given those terms in section 989 of title 10.''.

(2) APPLICABILITY.—Subsection (m) of section 207 of title 18, United States Code, as added by paragraph (1), applies with respect to a violation described in that subsection that occurs, in whole or in part, after December 31, 2024.

(d) AMENDMENTS TO SECTION 989 OF TITLE 10.—

(1) NOTICE.—Subsection (c)(1) of section 989 of title 10, United States Code, is amended by inserting '', including violations punishable under section 207(m) of title 18'' after ''violations of the prohibition''.

(2) REFERRALS FOR PROSECUTION.—Subsection (d) of such section is amended—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(3) refer the case to the Attorney General for prosecution under section 207(m) of title 18.''.

SA 2507. 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 of subtitle F of title III, add the following:

SEC. 358. LIMITATION ON USE OF AMOUNTS RELATING TO RENEWABLE ELECTRIC VEHICLE CHARGING STATIONS.

The amounts authorized to be appropriated to the Secretary of the Army under line 38 of section 4201 relating to renewable electric vehicle charging stations may not be made available to the Secretary unless the Secretary—

(1) certifies to Congress that there is a national security reason for each such station; or

(2) the commander of the installation at which the station will be installed, or other official with authority over such station, certifies to Congress that there is no additional military construction funding needed for the installation during the five-year period following the certification to ensure mission readiness and quality of life for military families.

SA 2508. 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 appropriate place in subtitle H of title X, add the following:

SEC. _____. PROHIBITION ON ALLOWANCE OF ADVANCED MANUFACTURING PRODUCTION CREDIT FOR ELIGIBLE COMPONENTS PRODUCED BY COMPANIES ASSOCIATED WITH FOREIGN ADVERSARIES.

(a) IN GENERAL.—Section 45X of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(e) PROHIBITION ON ALLOWANCE OF CREDIT FOR ELIGIBLE COMPONENTS PRODUCED BY COMPANIES ASSOCIATED WITH FOREIGN ADVERSARIES.—

''(1) IN GENERAL.—No credit shall be allowed under subsection (a) with respect to any eligible component which is produced by a disqualified entity.

''(2) DISQUALIFIED ENTITY.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'disqualified entity' means any entity described in subparagraphs (B) through (D).

''(B) FOREIGN ADVERSARY PARTIES.—The entities described in this subparagraph consist of the following:

''(i) The government of a foreign adversary, any agency or government instrumentality of a foreign adversary, or any entity which is directly or indirectly owned, controlled, or directed by any such government, agency, or government instrumentality.

''(ii) Any entity organized under the laws of a foreign adversary (or any political subdivision thereof) or whose headquarters is located within a foreign adversary.

''(C) OWNED, CONTROLLED, DIRECTED, OR INFLUENCED BY FOREIGN ADVERSARY PARTIES.—The entities described in this subparagraph consist of the following:

''(i) Any entity for which, on any date during the taxable year, not less than 10 percent of the outstanding equity interests (by value, voting, governance, board appointment, or similar rights or influence) are held directly or indirectly by, or on behalf of, 1 or more of the entities described in subparagraph (B), including through interests in co-investment vehicles, joint ventures, or similar arrangements.

''(ii) Any entity which is directly or indirectly controlled, directed, or materially influenced by any entity described in subparagraph (B).

''(iii) Any entity for which the actions, management, ownership, or operations of such entity are subject to the direct influence of an entity described in subparagraph (B).

''(iv) Any entity for which an interest in such entity is held by an entity described in subparagraph (B) (referred to in this clause as the 'beneficiary firm') as a derivative financial instrument or through a contractual arrangement between the beneficiary firm and such entity, including any financial instrument or other contract between the beneficiary firm and the entity which seeks to replicate any financial return with respect to such entity or interest in such entity.

''(D) DEBT OR OTHER ARRANGEMENTS WITH FOREIGN ADVERSARY PARTIES.—

''(i) IN GENERAL.—An entity is described in this subparagraph if, as a result of any prohibited obligation or arrangement—

''(I) the actions, management, or operations of such entity are subject to the direct or indirect influence of 1 or more entities described in subparagraph (B) or (C), or

''(II) such entity provides a substantial benefit to 1 or more entities described in subparagraph (B) or (C).

''(ii) PROHIBITED OBLIGATION OR ARRANGEMENT.—For purposes of this subparagraph, the term 'prohibited obligation or arrangement' means any—

''(I) debt,

''(II) lease or sublease arrangement,

''(III) management or operating arrangement,

''(IV) contract manufacturing arrangement,

''(V) license or sublicense agreement, or

''(VI) financial derivative.

''(iii) EXCEPTION.—For purposes of clause (i)(II), the purchase of equipment or manufacturing inputs in an arm's-length transaction shall not, in and of itself, be deemed to provide a substantial benefit.

''(E) OTHER DEFINITIONS.—For purposes of this paragraph—

''(i) CONTROL.—The term 'control' has the meaning given in section 800.208 of title 31, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(ii) FOREIGN ADVERSARY.—The term 'foreign adversary' has the meaning given the term 'covered nation' in section 4872(d)(2) of title 10, United States Code.

''(3) ADMINISTRATION.—The Secretary may issue such guidance as is necessary to carry out the purposes of this subsection, including establishment of rules for—

''(A) implementation of paragraph (2)(C)(i) for determination of whether the percentage requirements with respect to outstanding equity interests have been satisfied in the case of an entity for which the stock of such entity is traded on an established securities market in the United States or any foreign country, and

''(B) preventing entities from evading, circumventing, or abusing the application of the requirements under this subsection.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of enactment of this Act.

SA 2509. Mr. RUBIO (for himself, Mr. WARNER, Mr. HICKENLOOPER, Mr. CASSIDY, Mr. COONS, Mr. KING, Mr. TILLIS, and Mr. KELLY) 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—GLOBAL STRATEGY FOR SECURING CRITICAL MINERALS ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Global Strategy for Securing Critical Minerals Act of 2024''.

SEC. 5002. DEFINITIONS.

In this division:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Energy and Natural Resources, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Finance of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Appropriations, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Ways and Means of the House of Representatives.

(2) CRITICAL MATERIAL.—The term ''critical material'' means a strategic or critical material, including a rare earth element, that is necessary to meet national defense or national security requirements, including requirements relating to supply chain resiliency, or for the economic security of the United States.

(3) FOREIGN ENTITY.—

(A) IN GENERAL.—The term ''foreign entity'' means—

(i) a government of a foreign country;

(ii) a foreign political party;

(iii) an individual who is not—

(I) a citizen or national of the United States;

(II) an alien lawfully admitted for permanent residence to the United States; or

(III) any other protected individual (as defined in section 274B(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1324b(a)(3))); and

(iv) a partnership, association, corporation, organization, or other combination of entities organized under the laws of or having its principal place of business in a foreign country.

(B) INCLUSIONS.—The term ''foreign entity'' includes—

(i) any person owned by, controlled by, or subject to the jurisdiction or direction of an entity described in subparagraph (A);

(ii) any person, wherever located, who acts as an agent, representative, or employee of an entity described in subparagraph (A);

(iii) any person who acts in any other capacity at the order, request, or under the influence, direction, or control, of—

(I) an entity described in subparagraph (A); or

(II) a person the activities of which are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in

majority part by an entity described in subparagraph (A);

(iv) any person who directly or indirectly through any contract, arrangement, understanding, relationship, or otherwise, owns 25 percent or more of the equity interests of an entity described in subparagraph (A);

(v) any person with significant responsibility to control, manage, or direct an entity described in subparagraph (A);

(vi) any person, wherever located, who is a citizen or resident of a country controlled by an entity described in subparagraph (A); and

(vii) any corporation, partnership, association, or other organization organized under the laws of a country controlled by an entity described in subparagraph (A).

(4) FOREIGN ENTITY OF CONCERN.—

(A) IN GENERAL.—The term ''foreign entity of concern'' means any foreign entity that is—

(i) designated as a foreign terrorist organization by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(ii) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury;

(iii) owned by, controlled by, or subject to the jurisdiction, direction, or otherwise under the undue influence of a government of a covered nation (as defined in section 4872(d) of title 10, United States Code);

(iv) alleged by the Attorney General to have been involved in activities for which a conviction was obtained under—

(I) chapter 37 of title 18, United States Code (commonly known as the ''Espionage Act'');

(II) section 951 or 1030 of title 18, United States Code;

(III) chapter 90 of title 18, United States Code (commonly known as the ''Economic Espionage Act of 1996'');

(IV) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(V) section 224, 225, 226, 227, or 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275, 2276, 2277, and 2284);

(VI) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(VII) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(v) determined by the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence, to be engaged in unauthorized conduct that is detrimental to the national security or foreign policy of the United States under this division.

(B) EXCLUSION.—The term ''foreign entity of concern'' does not include any entity with respect to which 1 or more foreign entities described in subparagraph (A) owns less than 10 percent of the equity interest.

(5) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given the term in this division of the National Security Act of 1947 (50 U.S.C. 3003).

(6) METALLURGY.—The term ''metallurgy'' means the process of producing finished critical material products from critical materials.

(7) PERSON.—The term ''person'' includes an individual, partnership, association, corporation, organization, or any other combination of individuals.

(8) UNITED STATES ENTITY.—The term ''United States entity'' means an entity organized under the laws of the United States or any jurisdiction within the United States.

TITLE L—ENHANCING UNITED STATES DIPLOMATIC SUPPORT OF CRITICAL MATERIAL PROJECTS

SEC. 5101. STREAMLINING DIPLOMATIC EFFORTS RELATING TO CRITICAL MATERIALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other relevant Federal agencies, shall submit to the appropriate committees of Congress a report outlining United States offices and positions responsible for securing the supply chains of a diverse set of critical materials.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) review the roles and responsibilities of offices and positions within the Department of State engaged, as of the date of the enactment of this Act, in efforts to secure critical material supply chains and develop processes to ensure that those offices coordinate and deconflict such efforts; and

(2) describe how those offices in the Department of State are responsible for coordinating with other elements of the United States Government, the intelligence community, the private sector, and countries that are allies and partners of the United States.

(c) BRIEFING REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall brief the appropriate committees of Congress on the report required by subsection (a).

SEC. 5102. CODIFYING THE PARTNERSHIP FOR GLOBAL INFRASTRUCTURE AND INVESTMENT.

The Secretary of State shall seek to establish the Partnership for Global Infrastructure and Investment to coordinate the efforts of the United States Government in priority infrastructure sectors, including energy and biological supply chains, to ensure there is a whole-of-government approach to securing supply chain inputs, technologies, and infrastructure investments.

SEC. 5103. ESTABLISHMENT OF DIPLOMATIC TOOL TO SUPPORT UNITED STATES PRIVATE SECTOR CRITICAL MATERIAL PROJECTS ABROAD.

The Secretary of State shall identify an appropriate official or office of the Department of State to establish a mechanism and process for certifying if critical material projects carried out by United States entities have the support of the United States Government, which—

(1) may include using the Blue Dot Network or another mechanism in existence as of the date of the enactment of this Act, as appropriate; and

(2) shall include a process for ensuring that United States entities can engage with United States embassies in foreign countries to utilize the mechanism and process to secure support for pursing critical material projects in such countries.

TITLE LI—INCREASING FINANCIAL TOOLS TO SUPPORT ONSHORING OF CRITICAL MATERIALS

SEC. 5201. SUPPORT FOR CRITICAL MATERIALS PROJECTS BY UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.

Section 1412 of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9612) is amended—

(1) in subsection (b)—

(A) by striking ''The purpose'' and inserting the following:

''(1) IN GENERAL.—The purpose'';

(B) by striking ''shall be to'' and inserting the following: ''shall be—

''(A) to'';

(C) by striking ''the United States.'' and inserting the following: ''the United States; and

''(B) to provide support under title II in high-income economy countries for projects involving development, processing, or recycling of critical materials if such support furthers the national security interests of the United States.'';

(D) by striking ''In carrying out'' and inserting the following:

''(2) CONSIDERATION OF CERTAIN CRITERIA.—In carrying out''; and

(E) by adding at the end the following:

''(3) DEFINITIONS.—For the purposes of paragraph (1)(B):

''(A) CRITICAL MATERIAL.—The term 'critical material' has the meaning given that term in section 2 of the Global Strategy for Securing Critical Minerals Act of 2024.

''(B) HIGH-INCOME ECONOMY COUNTRY.—The term 'high-income economy country' means a country with a high-income economy, as defined by the International Bank for Reconstruction and Development and the International Development Association (collectively referred to as the 'World Bank').''; and

(2) in subsection (c), by adding at the end the following:

''(3) SUPPORT FOR FREELY ASSOCIATED STATES.—Notwithstanding the income classification of the country with which the geopolitical entity is associated, the Corporation may provide support under title II to a geopolitical entity that is included, as of the date on which the support is provided, on the list of dependencies and areas of special sovereignty prepared by the Department of State.''.

SEC. 5202. AUTHORIZATION OF SUPPORT FOR CRITICAL MATERIAL PROJECTS FOR WHICH OFFTAKE IS PURCHASED BY A UNITED STATES ENTITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) allies of the United States, such as Japan, South Korea, and European countries, provide financial support for the importation of commodities essential for national security; and

(2) given the locations of critical materials and the lack of existing mining, processing, refining, or recycling facilities for those materials, the United States must ensure that United States entities can compete for the offtake of critical materials in projects being carried out abroad, whether or not the project is operated by a United States entity.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President of the Export-Import Bank of the United States shall develop a strategy for the issuance of guaranties, insurance, or extensions of credit, or the participation in the extension of credit, in connection with a project carried out outside the United States if the offtake of the project is critical for a United States entity.

(2) OUTREACH.—In developing the strategy required by paragraph (1), the President of the Bank shall conduct outreach to United States entities, including automotive companies, to ensure that the United States private sector can adequately compete to secure critical material supply chains abroad, including in the production of batteries necessary for the electric grid, transportation, and weapons and other defenses in the United States.

SEC. 5203. INCLUSION OF CRITICAL MATERIALS IN PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.

Section 2(l)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(l)(1)(B)) is amended—

(1) by redesignating clause (xi) as clause (xii); and

(2) by inserting after clause (x) the following:

''(xi) Critical materials (as defined in section 2 of the Global Strategy for Securing

Critical Minerals Act of 2024) and permanent magnets.''.

SEC. 5204. CRITICAL MATERIAL METALLURGY FINANCING.

(a) FINANCIAL ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Energy shall establish in the Department of Energy a program to provide Federal financial assistance to covered entities to incentivize investment in covered facilities, subject to the availability of appropriations for that purpose.

(2) PROCEDURE.—

(A) IN GENERAL.—A covered entity seeking financial assistance under this subsection shall submit to the Secretary an application that describes the project for which the covered entity is seeking financial assistance.

(B) ELIGIBILITY.—In order for a covered entity to qualify for financial assistance under this subsection, the covered entity shall demonstrate to the Secretary, in the application submitted by the covered entity under subparagraph (A), that—

(i) the covered entity has a documented interest in—

(I) constructing a covered facility; or

(II) expanding or technologically upgrading a facility owned by the covered entity to be a covered facility; and

(ii) with respect to the project for which the covered entity is seeking financial assistance, the covered entity has—

(I) been offered a covered incentive;

(II) made commitments to worker and community investment, including through—

(aa) training and education benefits paid by the covered entity; and

(bb) programs to expand employment opportunity for economically disadvantaged individuals;

(III) secured commitments from regional educational and training entities and institutions of higher education to provide workforce training, including programming for training and job placement of economically disadvantaged individuals; and

(IV) an executable plan to sustain a covered facility without additional Federal financial assistance under this subsection for facility support.

(C) APPLICATION REVIEW.—

(i) IN GENERAL.—The Secretary may not approve an application submitted by a covered entity under subparagraph (A)—

(I) unless the Secretary—

(aa) confirms that the covered entity has satisfied the eligibility criteria under subparagraph (B);

(bb) determines that the project for which the covered entity is seeking financial assistance is in the interest of the United States; and

(cc) has notified the appropriate committees of Congress not later than 15 days before making any commitment to provide an award of financial assistance to any covered entity in an amount that exceeds $10,000,000; or

(II) if the Secretary determines, in consultation with the Director of National Intelligence, that the covered entity is a foreign entity of concern.

(ii) CONSIDERATION.—In reviewing an application submitted by a covered entity under subparagraph (A), the Secretary may consider whether—

(I) the covered entity has previously received financial assistance under this subsection;

(II) the governmental entity offering the applicable covered incentive has benefitted from financial assistance previously provided under this subsection;

(III) the covered entity has demonstrated that the covered entity is responsive to the national security needs or requirements established by the intelligence community (or an agency thereof), the National Nuclear Security Administration, or the Department of Defense;

(IV) if practicable, a consortium that is considered a covered entity includes a small business concern (as defined under this division of the Small Business Act (15 U.S.C. 632)), notwithstanding section 121.103 of title 13, Code of Federal Regulations (or successor regulations); and

(V) the covered entity intends to produce finished products for use by the Department of Defense, the defense industry of the United States, or critical energy infrastructure.

(iii) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize awarding financial assistance under this subsection to a covered entity that intends to make finished products available for use by the Department of Defense, the defense industry of the United States, or critical energy infrastructure.

(D) RECORDS.—

(i) IN GENERAL.—The Secretary may request records and information from a covered entity that submitted an application under subparagraph (A) to review the status of a covered entity.

(ii) REQUIREMENT.—As a condition of receiving assistance under this subsection, a covered entity shall provide the records and information requested by the Secretary under clause (i).

(3) AMOUNT.—

(A) IN GENERAL.—The Secretary shall determine the appropriate amount and funding type for each financial assistance award provided to a covered entity under this subsection.

(B) COST-SHARING REQUIREMENT.—The total amount of financial assistance that may be guaranteed by the Secretary under this subsection shall be not more than 100 percent of the private capital investment available to a covered entity for any individual project.

(C) MINIMUM INVESTMENT.—The total Federal investment in any individual project receiving a financial assistance award under this subsection shall be not less than $20,000,000.

(D) LARGER INVESTMENT.—The total Federal investment in any individual project receiving a financial assistance award under this subsection shall not exceed $500,000,000, unless the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence, recommends to the President, and the President certifies and reports to the appropriate committees of Congress, that a larger investment is necessary—

(i) to significantly increase the proportion of reliable domestic supply of finished critical material products relevant for national security and economic competitiveness that can be met through domestic production; and

(ii) to meet the needs of national security.

(4) USE OF FUNDS.—A covered entity that receives a financial assistance award under this subsection may only use the financial assistance award amounts—

(A) to finance the construction of a covered facility (including equipment) or the expansion or technological upgrade of a facility (including equipment) of the covered entity to be a covered facility, as documented in the application submitted by the covered entity under paragraph (2)(A), as determined necessary by the Secretary for purposes relating to the national security and economic competitiveness of the United States;

(B) to support workforce development for a covered facility; and

(C) to support site development and technological upgrade for a covered facility.

(5) CLAWBACK.—

(A) MAJOR AWARDS.—

(i) IN GENERAL.—For all financial assistance awards provided to covered entities under this subsection, the Secretary shall, at the time of making the award, determine the target dates by which a covered entity shall commence and complete the applicable project.

(ii) PROGRESSIVE RECOVERY FOR DELAYS.—If the covered entity receiving a financial assistance award under this subsection does not complete the applicable project by the applicable target date determined under clause (i), the Secretary shall progressively recover up to the full amount of the award.

(iii) WAIVER.—In the case of projects that do not meet the applicable target date determined under clause (i), the Secretary may waive the requirement to recover the financial award provided for the project under clause (ii) after making a formal determination that circumstances beyond the ability of the covered entity to foresee or control are responsible for the delay.

(iv) CONGRESSIONAL NOTIFICATION.—

(I) IN GENERAL.—Not later than 15 days after making a determination to recover an award under clause (ii), the Secretary shall notify the appropriate committees of Congress of the intent of the Secretary to recover the award.

(II) WAIVERS.—Not later than 15 days after the date on which the Secretary provides a waiver under clause (iii), the Secretary shall notify the appropriate committees of Congress of the waiver.

(B) JOINT RESEARCH, TECHNOLOGY LICENSING, AND INTELLECTUAL PROPERTY REPORTING.—

(i) IN GENERAL.—Before entering into an agreement with a foreign entity to conduct joint research or technology licensing, or to share intellectual property, a covered entity that has received a financial assistance award under this subsection—

(I) shall notify the Secretary of the intent to enter into such an agreement; and

(II) may only enter into such an agreement if the Secretary determines the foreign entity is not a foreign entity of concern.

(ii) DETERMINATION.—On receiving a notification under clause (i), the Secretary, in consultation with the Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation, shall make a determination of whether the applicable foreign entity is a foreign entity of concern.

(iii) TECHNOLOGY CLAWBACK.—The Secretary shall recover the full amount of a financial assistance award provided to a covered entity under this subsection if, during the applicable term of the award, the covered entity knowingly engages in any joint research, technology licensing, intellectual property sharing effort, or joint venture with a foreign entity of concern that relates to a technology or product that raises national security concerns, as determined by the Secretary, in consultation with the Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation, on the condition that the determination of the Secretary shall have been communicated to the covered entity before the covered entity engaged in the joint research, technology licensing, or intellectual property sharing.

(6) CONDITION OF RECEIPT.—A covered entity to which the Secretary awards Federal financial assistance under this subsection shall enter into an agreement that specifies that, during the 5-year period immediately following the award of the Federal financial assistance, the covered entity will not make shareholder distributions in excess of profits.

(b) COORDINATION REQUIRED.—In carrying out the program established under subsection (a), the Secretary shall coordinate with the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security, and the Director of National Intelligence.

(c) GAO REVIEWS.—The Comptroller General of the United States shall—

(1) not later than 2 years after the date of disbursement of the first financial award under the program established under subsection (a), and biennially thereafter for 10 years, conduct a review of the program, which shall include, at a minimum—

(A) a determination of the number of financial assistance awards provided under the program during the period covered by the review;

(B) an evaluation of how—

(i) the program is being carried out, including how recipients of financial assistance awards are being selected under the program; and

(ii) other Federal programs are leveraged for manufacturing, research, and training to complement the financial assistance awards provided under the program; and

(C) a description of the outcomes of projects supported by financial assistance awards provided under the program, including a description of—

(i) covered facilities that were constructed or facilities that were expanded or technologically upgraded to be covered facilities as a result of financial assistance awards provided under the program;

(ii) workforce training programs carried out with financial assistance awards provided under the program, including efforts to hire individuals from disadvantaged populations; and

(iii) the impact of projects receiving financial assistance awards under the program on the United States share of global finished critical material product production; and

(2) submit to the appropriate committees of Congress the results of each review conducted under paragraph (1).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $750,000,000 for each of fiscal years 2025 and 2026; and

(2) $200,000,000 for each of fiscal years 2027 through 2029.

(e) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term ''covered entity'' means a private entity, a consortium of private entities, or a consortium of public and private entities, with a demonstrated ability to substantially finance, construct, expand, or technologically upgrade a covered facility.

(2) COVERED FACILITY.—The term ''covered facility'' means a facility located in a State that carries out the metallurgy or recycling of critical materials for the production of critical material products.

(3) COVERED INCENTIVE.—The term ''covered incentive'' means—

(A) an incentive offered by a Federal, State, local, or Tribal governmental entity to a covered entity for the purposes of—

(i) constructing within the jurisdiction of the governmental entity a covered facility; or

(ii) expanding or technologically upgrading an existing facility within that jurisdiction to be a covered facility; and

(B) a workforce-related incentive (including a grant agreement relating to workforce training or vocational education), any concession with respect to real property, funding for research and development with respect to critical materials and finished critical material products, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State.

(4) FINISHED CRITICAL MATERIAL PRODUCT.—The term ''finished critical material product'' means a product composed of significant quantities of critical materials, including—

(A) metals;

(B) alloys; and

(C) permanent magnets.

(5) PRIVATE CAPITAL.—The term ''private capital'' has the meaning given the term in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662).

(6) STATE.—The term ''State'' means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

TITLE LII—INCREASING SUPPORT FOR ALLIED PARTNERSHIPS FOR CRITICAL MATERIAL MAPPING, MINING, AND TECHNOLOGY RESEARCH

SEC. 5301. EXPANDING COLLABORATION WITH ALLIES AND PARTNERS ON CRITICAL MATERIALS TECHNOLOGIES AND PROJECTS.

(a) IN GENERAL.—The Secretary of the Interior shall increase collaboration and information sharing between the geoscience organizations of Australia, Canada, South Korea, Japan, member countries of the North Atlantic Treaty Organization and non-NATO allies and partners, as the Secretary of the Interior determines to be appropriate, and the United States to include knowledge sharing on critical materials processing and recycling techniques and equipment.

(b) APPLICATION.—Collaboration and information under subsection (a) shall extend to—

(1) the Earth Mapping Resources Initiative established by section 40201 of the Infrastructure Investment and Jobs Act (43 U.S.C. 311); and

(2) the National Cooperative Geologic Mapping Program under section 4 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31c).

SEC. 5302. EXPANDING AUTHORITIES FOR CRITICAL MINERAL PROJECTS TO INCLUDE ALLIES AND PARTNERS.

(a) CRITICAL MINERALS MINING AND RECYCLING RESEARCH.—Section 40210 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18743) is amended—

(1) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—In order to support supply chain resiliency, the Secretary, in coordination with the Director, and in collaboration with countries that are allies and partners of the United States, as the Secretary of State determines to be appropriate, shall issue awards, on a competitive basis, to eligible entities described in paragraph (2) to support basic research that will accelerate innovation to advance critical minerals mining, recycling, and reclamation strategies and technologies for the purposes of—

''(A) making better use of domestic resources; and

''(B) eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.''; and

(2) in subsection (c)(1), by inserting '', in collaboration with allied and partner countries, as the Secretary of State determines to be appropriate,'' after ''National Science and Technology Council (referred to in this subsection as the 'Subcommittee')''.

(b) USGS ENERGY AND MINERALS RESEARCH FACILITY.—Section 40204 of the Infrastructure Investment and Jobs Act (43 U.S.C. 50e) is amended—

(1) by redesignating subsection (f) as subsection (g); and

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

''(f) COLLABORATION.—The United States Geological Survey may collaborate with Australia and Canada on the energy and minerals research carried out at the facility described in subsection (a).''.

(c) RARE EARTH DEMONSTRATION FACILITY.—Section 7001(c)(1) of the Energy Act of 2020 (42 U.S.C. 13344(c)(1)) is amended inserting ''and in coordination with academic communities in countries that are allies and partners of the United States, as the Secretary determines to be appropriate,'' after ''academic partner,''.

TITLE LIII—PUBLIC-PRIVATE COLLABORATION ON CRITICAL MATERIALS

SEC. 5401. ENHANCING PUBLIC-PRIVATE SHARING ON MANIPULATIVE ADVERSARY PRACTICES IN CRITICAL MATERIAL PROJECTS.

(a) STRATEGY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall, in consultation with the heads of such other Federal agencies as the Director considers appropriate, develop a strategy to improve the sharing between the Federal Government and private entities of information to mitigate the threat that illicit activities and tactics of foreign adversaries pose to United States entities involved in projects outside the United States relating to energy generation and storage, including with respect to critical materials inputs for those projects.

(b) ELEMENTS.—The strategy required by subsection (a) shall address—

(1) how best to assemble and transmit information to United States entities—

(A) to protect against illicit tactics and activities of foreign adversaries relating to critical material projects outside the United States, including efforts by foreign adversaries to undermine those projects;

(B) to mitigate the risk that the involvement of governments of foreign adversaries in the ownership and control of entities engaging in deceptive or illicit activities pose to the interests of the United States; and

(C) to inform on economic espionage and other threats from foreign adversaries to the rights of owners of intellectual property, including owners of patents, trademarks, copyrights, trade secrets, and other sensitive information, with respect to such property; and

(2) how best to receive information from United States entities with respect to threats to United States interests relating to critical materials, including disinformation campaigns abroad or other suspicious malicious activity.

(c) IMPLEMENTATION PLAN REQUIRED.—Not later than 30 days after the date on which the Director completes developing the strategy required by subsection (a), the Director shall submit to the congressional intelligence committees (as defined in this division of the National Security Act of 1947 (50 U.S.C. 3003)), or provide such committees a briefing on, a plan for implementing the strategy.

SEC. 5402. COORDINATING GOVERNMENT FINANCIAL TOOLS FOR PUBLIC-PRIVATE COLLABORATION ON CRITICAL MATERIAL INVESTMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall, in coordination with the Chief Executive Officer of the

United States International Development Finance Corporation, the President of the Export-Import Bank of the United States, and the Secretary of Energy, establish a mechanism to share information with the private sector on government financing tools available for investment in projects outside the United States relating to critical materials.

(b) ELEMENTS.—The mechanism developed under subsection (a) shall include—

(1) a single point person or office to lead the effort to share information as described in that subsection;

(2) a publicly accessible website that details the tools each relevant Federal agency has available to support private sector investment in projects described in that subsection, including for each such tool at each such agency—

(A) the criteria required to receive support pursuant to the relevant agency tool;

(B) a point of contact to coordinate and advice on applying for that support;

(C) how applications can be submitted;

(D) the amount of funding available; and

(E) a list of projects carried out with that support;

(3) policies to ensure that, in cases in which due diligence and project vetting requirements are similar across Federal agencies, an application filed by an entity, if permitted by the entity, is shared across relevant agencies to avoid unnecessary duplication;

(4) coordination of regular meetings of the relevant Federal agencies—

(A) to coordinate projects and processes; and

(B) to identify gaps in tools needed to support private sector investment in projects described in subsection (a), including in coordination with the Minerals Investment Network for Vital Energy Security and Transition (MINVEST); and

(5) a way for private sector entities to regularly engage with the relevant Federal agencies to identify potential gaps in United States support and tools for private industry attempting to invest in, operate, or secure critical material projects outside the United States.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report on the plan required by subsection (a), including each elements required under subsection (b).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

TITLE LIV—COUNTERING THE PEOPLE'S REPUBLIC OF CHINA'S EFFORTS TO MANIPULATE CRITICAL MATERIAL MARKETS

SEC. 5501. INCREASED SUPPORT FOR UNITED STATES PROCUREMENT OF CRITICAL MATERIALS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a report setting forth a plan of action for use of authorities, including a proposal for new or expanded authorities, to establish or enhance responsible domestic production and procurement capabilities, including through recycling, for critical materials and related materials.

(2) ELEMENTS.—The report required by paragraph (1) shall—

(A) include an identification of defense-critical end products that are reliant on rare earth elements and other critical materials for which domestic industrial capabilities are insufficient;

(B) detail how the plan of action—

(i) aligns with existing Federal critical materials strategies and recommendations, including those developed pursuant to applicable Executive orders and statutes, to produce a holistic response to address critical material supply chain risks; and

(ii) coordinates Federal authorities and interagency efforts to implement such strategies and recommendations, including by identifying implementation challenges and authorities or resources needed to complete implementation and reduce United States critical materials supply chain vulnerability; and

(C) include recommendations to minimize adverse environmental and social impacts from the activities described in paragraph (1).

(b) DOMESTIC DEFINED.—In this section, the term ''domestic'', with respect to production capabilities or procurement capabilities for critical materials and related materials, means—

(1) the production of such materials in a country specified in the definition of ''domestic source'' in section 702 of the Defense Production Act of 1950 (50 U.S.C. 4552); or

(2) the procurement of such materials from a business concern described in that definition.

SEC. 5502. REPORT ON IMPOSITION OF DUTIES ON ELECTROMAGNETS, BATTERY CELLS, ELECTRIC STORAGE BATTERIES, AND PHOTOVOLTAIC CELLS IMPORTED FROM CERTAIN COUNTRIES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the appropriate committees of Congress a report assessing the imposition of a duty on each article described in subsection (b).

(b) ARTICLES DESCRIBED.—An article described in this subsection is an article classified under any of the following headings or subheadings of the Harmonized Tariff Schedule of the United States:

(1) 8505.

(2) 8506.

(3) 8507.

(4) 8541.42.00.

(5) 8541.43.00.

(c) RECOMMENDATIONS.—The report required by subsection (a) shall include recommendations for—

(1) appropriate ranges for the rate of duty to be applied to an article described in subsection (b) that was produced or manufactured, or underwent final assembly, in a country other than—

(A) an ally described in this division(b)(2) of the Arms Export Control Act (22 U.S.C. 2753(b)(2));

(B) a country designated by the President as a major non-NATO ally under section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k);

(C) Mexico, if the United States-Mexico-Canada Agreement, or a successor agreement, is in effect;

(D) Costa Rica, El Salvador, Guatemala, Honduras, and the Dominican Republic, if the Dominican Republic-Central America Free Trade Agreement, or a successor agreement, is in effect;

(E) Chile, if the United States-Chile Free Trade Agreement, or a successor agreement, is in effect; and

(F) India, for a period of 10 years beginning on the date of the enactment of this Act; and

(2) the appropriate rate of duty to be applied to an article described in subsection (b) that was produced or manufactured, or underwent final assembly, in the People's Republic of China.

(d) ADDITIONAL ELEMENTS.—The assessment required by subsection (a) shall include—

(1) a plan for implementing duties on articles described in subsection (b) at the rates recommended under subsection (c); and

(2) an assessment of the risks and benefits of increasing the rates of duty on such articles over a period of time.

SEC. 5503. PROHIBITION ON PROVISION OF FUNDS TO FOREIGN ENTITIES OF CONCERN.

None of the funds authorized to be appropriated to carry out this division may be provided to a foreign entity of concern.

TITLE LV—WORKFORCE DEVELOPMENT EFFORTS

SEC. 5501. WORKFORCE DEVELOPMENT INITIATIVE.

As soon as practicable, after the date of the enactment of this Act, the Secretary of State shall establish an initiative under which the Secretary works with the Secretary of Labor, the Director of the National Science Foundation, the Critical Minerals Subcommittee of the National Science and Technology Council, the private sector, institutions of higher education, and workforce training entities to incentivize and expand participation in graduate, undergraduate, and vocational programs, and to develop workforce training programs and apprenticeships, relating to advanced critical material mining, separation, processing, recycling, metallurgy, and advanced equipment maintenance capabilities.

SA 2510. 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 appropriate place in title XII, insert the following:

SEC. 12___. ECUADOR DEFENSE AND EXTRADITION ENHANCEMENT.

(a) SHORT TITLE.—This section may be cited as the ''Ecuador Defense and Extradition Enhancement Act''.

(b) UPDATING THE UNITED STATES-ECUADOR EXTRADITION TREATY.—

(1) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the Committee on Foreign Relations of the Senate; and

(ii) the Committee on Foreign Affairs of the House of Representatives.

(B) UNITED STATES-ECUADOR EXTRADITION TREATY.—The term ''United States-Ecuador Extradition Treaty'' means—

(i) the Treaty Between the United States of America and the Republic of Ecuador Related to Extradition, concluded at Quito June 28, 1872; and

(ii) the Supplementary Extradition Treaty Between the United States of America and Ecuador, signed at Quito September 22, 1939.

(2) TREATY NEGOTIATIONS.—The President shall begin negotiations with the Government of Ecuador to update the United States-Ecuador Extradition Treaty.

(3) NOTIFICATION UPON COMMENCEMENT OF NEGOTIATIONS.—Not later than 15 days before the commencement of negotiations between the Government of the United States and the Government of Ecuador to update the United States-Ecuador Extradition Treaty, the President shall submit written notification

to the appropriate congressional committees of such commencement.

(4) CONSULTATIONS DURING NEGOTIATIONS.—During the course of the negotiations referred to in paragraph (3), the Secretary of State shall—

(A) meet, upon request, with the chairman or ranking member of either of the appropriate congressional committees regarding negotiation objectives and the status of such negotiations; and

(B) closely consult with the appropriate congressional committees, on a timely basis, and keep the appropriate congressional committees fully apprised of the status of such negotiations.

(5) BRIEFINGS.—Not later than 90 days after the commencement of negotiations to update the United States-Ecuador Extradition Treaty, and every 180 days thereafter until the conclusion of such negotiations, the President shall provide a briefing to the appropriate congressional committees, consisting of an update on the status of negotiations, including a description of the elements under negotiation.

(c) TRANSFER OF EXCESS DEFENSE ARTICLES TO ECUADOR.—

(1) IN GENERAL.—Not later than October 31, 2024 and October 31, 2025, respectively, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Armed Services of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Armed Services of the House of Representatives that describes—

(A) Ecuador's defense needs for the fiscal year in which such report is submitted; and

(B) how the United States intends to address such needs through transfers of excess defense articles to Ecuador under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) during such fiscal year.

(2) MINIMUM AMOUNTS.—The Secretary of Defense, in cooperation with the Secretary of State, shall set aside for the Government of Ecuador, in accordance with the report submitted pursuant to paragraph (1), during the period beginning on the date of the enactment of this Act and ending on October 31, 2025—

(A) excess defense articles valued at not less than $200,000,000;

(B) not less than $30,000,000 in foreign assistance through the International Narcotics Control and Law Enforcement (INCLE) account;

(C) not less than $10,000,000 in foreign assistance through the Foreign Military Financing Program; and

(D) not less than $1,200,000 in foreign assistance for International Military Education and Training Program.

SA 2511. 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 E of title VII, add the following:

SEC. 750. GRANT PROGRAM FOR INCREASED COOPERATION ON POST-TRAUMATIC STRESS DISORDER RESEARCH BETWEEN UNITED STATES AND ISRAEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the Psychological Health and Traumatic Brain Injury Research Program, should seek to explore scientific collaboration between academic institutions and nonprofit research entities in the United States and institutions in Israel with expertise in researching, diagnosing, and treating post-traumatic stress disorder.

(b) GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Secretary of State, shall award grants to eligible entities to carry out collaborative research between the United States and Israel with respect to post-traumatic stress disorders.

(2) AGREEMENT.—The Secretary of Defense shall carry out the grant program under this section in accordance with the Agreement on the United States-Israel binational science foundation with exchange of letters, signed at New York September 27, 1972, and entered into force on September 27, 1972.

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be an academic institution or a nonprofit entity located in the United States.

(d) AWARD.—The Secretary shall award grants under this section to eligible entities that—

(1) carry out a research project that—

(A) addresses a requirement in the area of post-traumatic stress disorders that the Secretary determines appropriate to research using such grant; and

(B) is conducted by the eligible entity and an entity in Israel under a joint research agreement; and

(2) meet such other criteria that the Secretary may establish.

(e) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such commitments and information as the Secretary may require.

(f) GIFT AUTHORITY.—

(1) IN GENERAL.—The Secretary may accept, hold, and administer any gift of money made on the condition that the gift be used for the purpose of the grant program under this section.

(2) DEPOSIT.—Gifts of money accepted under paragraph (1) shall be deposited in the Treasury in the Department of Defense General Gift Fund and shall be available, subject to appropriation, without fiscal year limitation.

(g) REPORTS.—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this section, the Secretary shall submit to Congress a report that contains—

(1) a description of how the eligible entity used the grant; and

(2) an evaluation of the level of success of the research project.

(h) TERMINATION.—The authority to award grants under this section shall terminate on the date that is seven years after the date on which the first such grant is awarded.

SA 2512. 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 of subtitle A of title XII, add the following:

SEC. 1216. PROHIBITION AGAINST FEDERAL FUNDING FOR STATE SPONSORS OF TERRORISM.

Section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) is amended—

(1) in subsection (a), by striking ''under this Act'' and all that follows through ''Export-Import Bank Act of 1945'';

(2) by striking subsection (d); and

(3) by striking the undesignated matter following subsection (d).

SA 2513. 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 of subtitle C of title X, add the following:

SEC. 1035. RESTRICTING FOREIGN AGENTS FROM FEDERAL AND SECURE TRANSPORTATION FACILITIES.

(a) SHORT TITLE.—This section may be cited as the ''Keep Enemies Away Act of 2024''.

(b) PURPOSE.—The purpose of this section is to enhance national security by prohibiting access to secure facilities by any individual who is an agent of any country that—

(1) has been designated as a state sponsor of terrorism;

(2) has been designated as a not fully cooperating country; or

(3) provides save haven to fugitives from the United States judicial system.

(c) DEFINITIONS.—In this section:

(1) COUNTRY OF CONCERN.—The term ''country of concern'' means—

(A) a state sponsor of terrorism;

(B) a not fully cooperating country; and

(C) a country that provides safe haven to fugitives from the United States judicial system.

(2) FEDERAL AGENCY.—The term ''Federal agency'' means any department, agency, or instrumentality of the United States Government.

(3) NOT FULLY COOPERATING COUNTRY.—The term ''not fully cooperating country'' means a country that has been designated by the Secretary of State as not fully cooperating with United States counterterrorism efforts.

(4) SECURE LOCATION.—The term ''secure location'' means any nonpublic area at an airport, seaport, or military installation of the United States.

(5) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means a country that has been designated by the Secretary of State as having repeatedly provided support for acts of international terrorism pursuant to—

(A) section 1754(c) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c));

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(D) any other provision of law.

(d) EXCLUSION OF CERTAIN FOREIGN AGENTS FROM SECURE LOCATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), an individual may not be permitted to occupy any secure location if such individual is an agent of a country of concern.

(2) EXCEPTION.—The prohibition under paragraph (1) may be waived in circumstances in which the presence of a foreign agent in a secure location is required

for law enforcement or immigration purposes.

(e) ENFORCEMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security, in coordination with the Secretary of Defense and the Director of National Intelligence, shall enforce this section by—

(A) notifying the heads of any entity responsible for a secure location of the prohibition described in subsection (d);

(B) conducting regular audits and assessments to ensure compliance with such prohibition; and

(C) ensuring that violators of such prohibition are subjected to appropriate legal and administrative actions.

(2) PERIODIC REPORTS.—

(A) IN GENERAL.—Not later than 30 days after any violation of subsection (d), the head of entity responsible for operating the secure location at which the violation occurred shall submit a report to the Federal agency responsible for regulating the facility on which such secure location is located and to the congressional committees with oversight jurisdiction over such Federal agency.

(B) CONTENTS.—Each report submitted pursuant to subparagraph (A) shall describe the circumstances surrounding the violation, including—

(i) the position and country of the foreign agent who unlawfully occupied the secure location;

(ii) the individual who authorized such unlawful occupation, if applicable, and any justification for such authorization; and

(iii) any remedial steps that were taken to discipline such individual or prevent such violation from reoccurring.

(f) EFFECTIVE DATE; SUNSET.—

(1) EFFECTIVE DATE.—This section shall take effect on the date that is 60 days after the date of the enactment of this Act.

(2) SUNSET.—This section shall cease to have force or effect beginning on the date that is 10 years after the date of the enactment of this Act.

SA 2514. 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, add the following:

DIVISION E—UNITED STATES-PHILIPPINES PARTNERSHIP ACT OF 2024

SEC. 5001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''United States-Philippines Partnership Act of 2024''.

TITLE LI—ECONOMIC MEASURES

SEC. 5101. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Finance, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Energy and Commerce of the House of Representatives.

(2) CRITICAL MINERAL.—The term ''critical mineral'' has the meaning given that term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(3) FOREIGN ENTITY OF CONCERN.—The term ''foreign entity of concern'' means an entity organized under the laws of or otherwise subject to the jurisdiction of—

(A) the People's Republic of China;

(B) the Russian Federation;

(C) the Islamic Republic of Iran; or

(D) the Democratic People's Republic of Korea.

SEC. 5102. NEGOTIATION OF CRITICAL MINERALS AGREEMENT WITH THE PHILIPPINES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall seek to enter into negotiations with the Philippines for an executive agreement relating to critical minerals that—

(1) requires that duties not be imposed on the export of on critical minerals;

(2) provides for domestic measures to address nonmarket polices and practices of other countries affecting trade in critical minerals;

(3) implements best practices for reviewing investments within the critical mineral sector of the Philippines by foreign entities of concern;

(4) promotes more efficient methods of extraction of critical minerals that reduces the demand for the extractions of virgin materials;

(5) establishes engagement, information-sharing, and enforcement processes to address concerns relating to the use of forced labor in the critical mineral industry; and

(6) promotes the neutrality of employers in the organization and operations of labor organizations.

(b) BRIEFINGS REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and every 180 days thereafter until an agreement described in subsection (a) enters into force, the Secretary of State, the United States Trade Representative, and the heads of other relevant Federal agencies, shall brief the appropriate congressional committees on progress in negotiating such an agreement.

SEC. 5103. PRIORITIZATION OF SUPPORT BY UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION FOR PROJECTS IN THE PHILIPPINES IN CRITICAL MINERALS AND FOSSIL FUELS.

(a) IN GENERAL.—In providing support under title II of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9621 et seq.), the United States International Development Finance Corporation (in this section referred to as the ''Corporation'') shall prioritize the provision of support to projects in the Philippines in sectors the Government of the Philippines is seeking to develop, including the mining of critical minerals and fossil fuels.

(b) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter until the date that is 5 years after such date of enactment, the Chief Executive Officer of the Corporation shall submit to the appropriate congressional committees a report that—

(1) lists all the critical mineral and fossil fuel projects in the Philippines for which the Corporation provided support in the one-year period preceding submission of the report;

(2) lists all the applications for support for such projects that the Corporation rejected; and

(3) provides a justification for rejecting such applications.

SEC. 5104. INTERAGENCY PLAN FOR INFRASTRUCTURE DEVELOPMENT IN THE PHILIPPINES TO SUPPORT MILITARY AND DISASTER RECOVERY OPERATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall—

(1) lead an interagency effort to assess investments of the United States in the Philippines; and

(2) develop a plan for how such investments can better enable efficient transportation during a conflict or other emergency scenario.

(b) IDENTIFICATION OF INFRASTRUCTURE REQUIRING ADDITIONAL INVESTMENT.—The plan required by subsection (a)(2) shall—

(1) identify—

(A) infrastructure in the Philippines that the Secretary determines is insufficient to support military and disaster recovery operations; and

(B) any asset that would assist the military of the Philippines in the event of an attack on the Philippines; and

(2) assess whether any of such assets require additional investment by the United States to assist the military of the Philippines in the event of an attack.

(c) IDENTIFICATION OF ADDITIONAL UNITED STATES AGENCIES TO MAKE INVESTMENTS.—The plan required by subsection (a)(2) shall identify United States Government agencies, such as the Office of Strategic Capital of the Department of Defense, that—

(1) are not involved, as of the date of the enactment of this Act, in infrastructure investment in the Philippines; and

(2) could make investments that could assist the Government of the Philippines respond to an attack on the Philippines.

TITLE LII—DIPLOMATIC MEASURES

SEC. 5201. STATEMENT OF POLICY REGARDING CHINA'S ILLEGAL, COERCIVE, AGGRESSIVE, AND DECEPTIVE TACTICS IN THE SOUTH CHINA SEA.

(a) IN GENERAL.—It is the policy of the United States that the actions of the People's Republic of China in the South China Sea constitute illegal, coercive, aggressive, and deceptive (ICAD) tactics.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should describe actions of the People's Republic of China in the South China Sea as ICAD tactics and that doing so would help the diplomatic efforts of the Government of the Philippines.

SEC. 5202. MULTILATERAL AGREEMENT BETWEEN THE UNITED STATES, THE PHILIPPINES, THE REPUBLIC OF KOREA, AND JAPAN.

There is authorized to be appropriated $5,000,000 for the Department of State and the United States Agency for International Development for fiscal year 2025 to support activities related to entering into and implementing a multilateral agreement with the Philippines, the Republic of Korea, and Japan for purposes of responding to actions of the People's Republic of China in the South China Sea.

TITLE LIII—MILITARY MEASURES

SEC. 5301. UNITED STATES-PHILIPPINES SECURITY CONSULTATIVE COMMITTEE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense shall establish a consultative committee (to be known as the ''United States-Philippines Security Consultative Committee'') to include the Minister of Foreign Affairs and the Minister of Defense of the Philippines in the development of a strategy for jointly strengthening the national security and defense institutions of the Philippines and the capacity of such institutions to carry out operations across the Philippines (including inland and maritime areas) relating to—

(1) counterterrorism and counterinsurgency;

(2) counternarcotics and countering other forms of illicit trafficking;

(3) cyber defense and prevention of cyber crimes; and

(4) border and maritime security and air defense.

(b) ADDITIONAL ELEMENTS.—The United States-Philippines Security Consultative Committee shall evaluate—

(1) existing technologies, equipment, and weapons systems of the national security and defense institutions of the Philippines; and

(2) the upgrades to such technologies, equipment, and systems necessary to ensure the continued defense of the national sovereignty and national territory of the Philippines.

(c) BILATERAL SECURITY AND DEFENSE COOPERATION.—Not later than 180 days after the establishment of the United States-Philippines Security Consultative Committee, the Secretary of State, in coordination with the Secretary of Defense, may enter into consultations with the Government of Philippines to strengthen existing, or establish new, bilateral security and defense cooperation agreements or lines of effort to address capacity-building and resource needs identified by the consultative committee.

(d) BRIEFINGS.—

(1) CONSULTATIVE COMMITTEE.—Not later than 30 days after the date on which the United States-Philippines Security Consultative Committee is established, and not later than 15 days after any meeting of the United States-Philippines Security Consultative Committee thereafter, the Secretary of State and the Secretary of Defense shall, on request by any of the appropriate committees of Congress, jointly brief the appropriate committees of Congress on progress made by the consultative committee.

(2) BILATERAL SECURITY AND DEFENSE COOPERATION.—Not later than 30 days after the completion of any consultation with the Government of Philippines under subsection (c), the Secretary of State and the Secretary of Defense shall brief the appropriate committees of Congress on the implementation of agreed upon areas of cooperation or lines of effort.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 5302. REPORT ON DOMAIN AWARENESS GAPS OF THE PHILIPPINES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on gaps in the domain awareness of the Philippines that may be filled by broader Department of Defense resourcing of new capabilities.

SEC. 5303. ASSESSMENT OF AND REPORT ON IMPROVEMENTS IN SECOND THOMAS SHOAL REGION OF THE PHILIPPINES.

(a) ASSESSMENT.—The Secretary of Defense shall assess the feasibility of improving the force posture of the United States Armed Forces capable of deterring, in cooperation with the military forces of the Philippines, hostile acts against the Philippines with respect to the Second Thomas Shoal, including an assessment of potential funding sources to execute the planning for and design of improvements to the position of the *BRP Sierra Madre*. The Secretary shall carry out such assessment not later than 180 days after enactment of this Act, and produce a report to Congress on joint efforts between the Department of Defense and the Philippines to harden positions near the Second Thomas Shoal.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report on the assessment carried out under subsection (a) and joint efforts between the Department of Defense and the Philippines to harden positions near the Second Thomas Shoal.

SA 2515. 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 appropriate place, insert the following:

SEC. 1266. ENHANCED DEFENSE COOPERATION WITH INDIA.

(a) SHORT TITLE.—This section may be cited as the ''United States-India Defense Cooperation Act of 2024''.

(b) STATEMENT OF POLICY.—

(1) IN GENERAL.—It is the policy of the United States—

(A) to support the Republic of India in its response to growing threats to its internationally recognized land and maritime borders;

(B) to provide necessary security assistance to the Republic of India to deter actions by foreign actors that violate the Republic of India's land and maritime borders, as recognized by the United States Government; and

(C) to cooperate with the Republic of India with respect to defense, civil space, technology, medicine, and economic investments.

(2) EXCEPTION FOR SANCTIONABLE TRANSACTIONS UNDER SECTION 231 OF THE COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.—Section 231 of the Countering America's Adversaries Through Sanctions Act (Public Law 115–44; 22 U.S.C. 9525) is amended by adding at the end the following:

''(g) EXCEPTION.—Sanctions imposed pursuant to subsection (a) shall not apply with respect to a foreign person or an agency or instrumentality of a foreign state for transactions concerning capabilities currently in use by the armed forces of the Republic of India.''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) expeditious consideration of certifications of letters of offer to sell defense articles, defense services, design and construction services, and major defense equipment to the Republic of India under section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is fully consistent with United States national security and foreign policy interests; and

(2) it is in the interest of peace and stability for the Republic of India to have the capabilities needed to deter threats against its sovereignty.

(d) DEFINED TERM.—In this Act, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services of the Senate; and

(2) the Committee on Armed Services of the House of Representatives.

(e) ENHANCED DEFENSE COOPERATION.—

(1) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Republic of India shall be treated as if it were a country listed in the provisions of law described in paragraph (2) for purposes of applying and administering such provisions of law.

(2) ARMS EXPORT CONTROL ACT.—The provisions of law described in this paragraph are—

(A) paragraphs (3)(A)(i) and (5) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d));

(B) subsections (e)(2)(A), (h)(1)(A), and (h)(2) of section 21 of such Act (22 U.S.C. 2761);

(C) subsections (b)(1), (b)(2), (b)(6), (c), and (d)(2)(A) of section 36 of such Act (22 U.S.C. 2776); and

(D) sections 62(c)(1) and 63(a)(2) of such Act (22 U.S.C. 2796a(c)(1) and 2796b(a)(2)).

(f) MEMORANDUM OF UNDERSTANDING.—Subject to the availability of appropriations, the Secretary of State is authorized to enter into a memorandum of understanding with the Republic of India to increase military cooperation, including joint military exercises, personnel exchanges, support for international peacekeeping missions, and enhanced strategic dialogue.

(g) EXPEDITED EXCESS DEFENSE ARTICLES TRANSFER PROGRAM.—

(1) IN GENERAL.—During each of the fiscal years 2025 through 2027, the delivery of excess defense articles to the Republic of India shall be given the same priority as the priority given to other countries and regions under section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)).

(2) REPORT.—Not later than October 31 of each of the fiscal years referred to in paragraph (1), the Secretary of Defense, with the concurrence of the Secretary of State, shall submit a report to the appropriate congressional committees that describes—

(A) the Republic of India's defense needs; and

(B) how the United States intends to address such needs through transfers of excess defense equipment to the Republic of India during such fiscal year.

(h) INTERNATIONAL MILITARY EDUCATION AND TRAINING COOPERATION WITH INDIA.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State $2,000,000 for each of the fiscal years 2025 through 2027, which shall be used to provide the international military education and training assistance for the Republic of India described in paragraph (2).

(2) ASSISTANCE DESCRIBED.—The assistance described in this paragraph consists of—

(A) training future military leaders of the Republic of India;

(B) fostering a better understanding of the United States among leaders of the Republic of India;

(C) improving the rapport between the Armed Forces of the United States and the Armed Forces of the Republic of India to build lasting partnerships;

(D) enhancing interoperability and capabilities for joint operations involving the United States and the Republic of India; and

(E) focusing on professional military education, civilian control of the military, and protection of human rights in the Republic of India.

(i) SUPPORTING STABILITY AND CONFLICT PREVENTION IN SOUTH ASIA.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter not later than 30 days before the beginning of each fiscal year, the Secretary of State, in consultation with the heads of other relevant Federal agencies, shall submit a report to the appropriate congressional committees regarding offensive uses of force against the Republic of India.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a list of all instances in which the Islamic Republic of Pakistan has used offensive force, including the use of proxies, against the Republic of India;

(B) a list of all instances in which the Islamic Republic of Pakistan has provided safe haven to terrorist groups; and

(C) a determination and description of any assistance the Islamic Republic of Pakistan has provided to militants in the union territory of Jammu and Kashmir.

(3) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in an unclassified form, but may include a classified annex.

(4) EFFECT OF DETERMINATION.—If the Secretary of State determines in the report required under paragraph (1) that the Islamic Republic of Pakistan is providing assistance to militants in Jammu and Kashmir or is taking other offensive uses of force against the Republic of India, no security assistance under this Act or under any other Act may be provided to the Government of the Islamic Republic of Pakistan until after the submission of a subsequent report in accordance with paragraph (1).

(5) WAIVER.—The Secretary of State may waive the limitation under paragraph (4) for a specific transfer of defense articles or equipment, or for the provision of a specific training or other assistance, if the Secretary—

(A) certifies to the appropriate congressional committees that a transfer or provision of assistance is needed by the Government of the Islamic Republic of Pakistan—

(i) to dismantle supplier networks relating to the acquisition of nuclear weapons-related materials, such as providing relevant information from or direct access to Pakistani nationals associated with such networks;

(ii) to combat terrorist groups that have conducted attacks against the United States or coalition forces in Afghanistan, or against the territory or people of neighboring countries; or

(iii) to prevent al Qaeda, the Taliban, the Islamic State, and associated terrorist groups and offshoots, such as Lashkar-e-Taiba and Jaish-e-Mohammed, from operating in the territory of Pakistan, including carrying out cross-border attacks into neighboring countries, closing terrorist camps in the Federally Administered Tribal Areas, dismantling terrorist bases of operations in other parts of the country, including Quetta and Muridke, and taking action when provided with intelligence about high-level terrorist targets; and

(B) not less than 30 days before such waiver takes effect, submits a report to the appropriate congressional committees that justifies such waiver.

SA 2516. 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 of title XII, add the following:

Subtitle G—Taiwan Peace Through Strength Act of 2024

SEC. 1294. SHORT TITLE.

This subtitle may be cited as the ''Taiwan Peace through Strength Act of 2024''.

SEC. 1295. ANTICIPATORY POLICY PLANNING AND ANNUAL REVIEW OF UNITED STATES WAR PLANS TO DEFEND TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall conduct a classified review of United States war plans to defend Taiwan and share the results of the review with the Chairman and Ranking Member of the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(b) ELEMENTS.—The review conducted under subsection (a) shall include the following elements:

(1) An assessment of Taiwan's current and near-term capabilities and United States force readiness and the adequacy of United States conflict contingency plans.

(2) A comprehensive assessment of risks to the United States and United States interests, including readiness shortfalls that pose strategic risk.

(3) A review of indicators of the near-term likelihood of the use of force by the People's Liberation Army against Taiwan.

(4) The compilation of a pre-approved list of military capabilities, including both asymmetric and traditional capabilities selected to suit the operational environment and to allow Taiwan to respond effectively to a variety of contingencies across all phases of conflict involving the People's Liberation Army, that the Secretary of Defense has precleared for Taiwan to acquire, and that would reduce the threat of conflict, thwart an invasion, and mitigate other risks to the United States and Taiwan.

SEC. 1296. FAST-TRACKING SALES TO TAIWAN UNDER FOREIGN MILITARY SALES PROGRAM.

(a) PRECLEARANCE OF CERTAIN FOREIGN MILITARY SALES ITEMS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense and in conjunction with relevant coordinating entities, such as the National Disclosure Policy Committee and the Arms Transfer and Technology Release Senior Steering Group, shall—

(A) compile and submit to the relevant congressional committees a list of available and emerging military platforms, technologies, and equipment; and

(B) upon listing such platforms, technologies, and equipment, pre-clear and prioritize for sale and release to Taiwan through the Foreign Military Sales program such platforms, technologies, and equipment.

(2) SELECTION OF ITEMS.—The items precleared for sale pursuant to paragraph (1)—

(A) shall represent a full-range of asymmetric capabilities as well as the conventional capabilities informed by United States readiness and risk assessments and determined by Taiwan to be required for various wartime scenarios and peacetime duties; and

(B) shall include each item on the list of approved items compiled by the Secretary of Defense pursuant to section 1295(b)(4).

(3) EXCEPTION.—The Secretary of State may exclude an item from the list described in paragraph (1)(A) if the Secretary of State submits to the appropriate congressional committees a determination that the costs of providing such items, including the potential costs of technology slippage, exceeds the costs to the United States of failing to arm Taiwan with such items, including the likelihood of being drawn into conflict with the People's Republic of China.

(4) RULE OF CONSTRUCTION.—The list compiled pursuant to section 1295(b)(4) shall not be construed as limiting the type, timing, or quantity of items that may be requested by, or sold to, Taiwan under the Foreign Military Sales program.

(5) FINAL DETERMINATION OF DISPUTES.—The Department of Defense shall serve as the lead Federal agency for purposes of making final determinations when disputes arise between agencies about the appropriateness of specific items for sale to Taiwan.

(b) PRIORITIZED PROCESSING OF FOREIGN MILITARY SALES REQUESTS FROM TAIWAN.—

(1) REQUIREMENT.—The Secretary of Defense and the Secretary of State shall prioritize and expedite the processing of requests from Taiwan under the Foreign Military Sales program, and may not delay the processing of requests for bundling purposes.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of Defense determines and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the threat to Taiwan has significantly abated.

(3) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 10 years, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report describing steps taken to implement the requirement under paragraph (1).

(c) PRIORITY PRODUCTION.—

(1) REQUIREMENT.—The Secretary of Defense shall require that contractors awarded Department of Defense contracts to provide items for sale to Taiwan under the Foreign Military Sales program shall, as a condition of receiving such contracts, expedite and prioritize the production of such items above the production of other Foreign Military Sales items regardless of the order in which contracts were signed.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of Defense determines and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the threat to Taiwan has significantly abated.

(3) ANNUAL REPORT.—Contractors covered under paragraph (1) shall be required to report annually to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on efforts to expedite and prioritize production as required under such paragraph.

(d) INTERAGENCY POLICY.—The Secretary of State and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to Foreign Military Sales requests from Taiwan, including incorporating the preclearance and prioritization provisions of this section.

SEC. 1297. AMENDMENTS TO TAIWAN RELATIONS ACT.

(a) POLICY.—Section 2(b)(5) of the Taiwan Relations Act (22 U.S.C. 3301(b)(5)) is amended by striking ''arms of a defensive character'' and inserting ''arms conducive to the deterrence of acts of aggression by the People's Liberation Army''.

(b) PROVISION OF DEFENSE ARTICLES AND SERVICES.—Section 3(a) of the Taiwan Relations Act (22 U.S.C. 3302(a)) is amended by striking ''such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability'' and inserting ''such defense articles and defense services in such quantity as may be necessary to enable Taiwan to implement a strategy to deter acts of aggression by the People's Liberation Army and to deny an invasion of Taiwan by the People's Liberation Army''.

(c) RULE OF CONSTRUCTION.—Section 4 of the Taiwan Relations Act (22 U.S.C. 3303) is amended by adding at the end the following new subsection:

''(e) SECURITY COOPERATION AND DETERRENCE OF USE OF FORCE BY PEOPLE'S LIBERATION ARMY.—Nothing in this Act, nor the

facts of the President's action in extending diplomatic recognition to the People's Republic of China, the absence of diplomatic relations between the people of Taiwan and the United States, or the lack of formal recognition by the United States, and attendant circumstances thereto, shall be construed to constitute a legal or practical obstacle to any otherwise lawful action of the President or of any United States Government agency that is needed to advance or protect United States interests pertaining to Taiwan, including actions intended to strengthen security cooperation between the United States and Taiwan or to otherwise deter the use of force against Taiwan by the People's Liberation Army.''.

SEC. 1298. MILITARY PLANNING MECHANISM.

The Secretary of Defense shall establish a high-level military planning mechanism between the United States and Taiwan to oversee a Joint and Combined Exercise Program and coordinate International Military Education and Training assistance and professional exchanges aimed at determining and coordinating the acquisition of capabilities for both United States and Taiwan military forces to address the needs of currently anticipated and future contingencies. The mechanism may be modeled after the Joint United States Military Advisory Group Thailand, or any such similar existing arrangement, as determined by the Secretary of Defense.

SEC. 1299. PROHIBITION ON DOING BUSINESS IN CHINA.

(a) REQUIREMENT.—The Secretary of Defense shall require any contractor awarded a Department of Defense contract, as a condition of receiving such contract, not to conduct any business in the People's Republic of China with any entity that is owned by or controlled by the Government of the People's Republic of China or the Chinese Communist Party, or any subsidiary of such a company.

(b) DETERMINATION OF NONCOMPLIANCE.—If the Secretary of Defense determines that a Department of Defense contractor is noncompliant with the requirement in subsection (a)—

(1) such noncompliance shall be considered grounds for termination of the contract; and

(2) the Secretary of Defense shall terminate the contract.

SEC. 1299A. TAIWAN CRITICAL MUNITIONS ACQUISITION FUND.

(a) ESTABLISHMENT.—There shall be established in the Treasury of the United States a revolving fund to be known as the ''Taiwan Critical Munitions Acquisition Fund'' (in this section referred to as the ''Fund'').

(b) PURPOSE.—Subject to the availability of appropriations, amounts in the Fund shall be made available by the Secretary of Defense—

(1) to ensure that adequate stocks of critical munitions necessary for a denial defense are available to allies and partners of the United States in advance of a potential operation to defend the autonomy and territory of Taiwan; and

(2) to finance the acquisition of critical munitions necessary for a denial defense in advance of the transfer of such munitions to foreign countries for such a potential operation.

(c) ADDITIONAL AUTHORITY.—Subject to the availability of appropriations, the Secretary of Defense may also use amounts made available to the Fund—

(1) to keep on continuous order munitions that the Secretary of Defense considers critical due to a reduction in current stocks as a result of the drawdown of stocks provided to the government of one or more foreign countries; or

(2) with the concurrence of the Secretary of State, to procure munitions identified as having a high-use rate.

(d) DEPOSITS.—

(1) IN GENERAL.—The Fund shall consist of each of the following:

(A) Collections from sales made under letters of offer (or transfers made under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.)) of munitions acquired using amounts made available from the Fund pursuant to this section, representing the value of such items calculated, as applicable, in accordance with—

(i) subparagraph (B) or (C) of section 21(a)(1) of the Arms Export Control Act (22 U.S.C. 2761(a)(1));

(ii) section 22 of the Arms Export Control Act (22 U.S.C. 2762); or

(iii) section 644(m) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(m)).

(B) Such amounts as may be appropriated pursuant to the authorization under this section or otherwise made available for the purposes of the Fund.

(C) Not more than $2,000,000,000 may be transferred to the Fund for any fiscal year, in accordance with subsection (e), from amounts authorized to be appropriated for the Department of Defense in such amounts as the Secretary of Defense determines necessary to carry out the purposes of this section, which shall remain available until expended. The transfer authority provided under this subparagraph is in addition to any other transfer authority available to the Secretary of Defense.

(2) CONTRIBUTIONS FROM FOREIGN GOVERNMENTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of Defense may accept contributions of amounts to the Fund from any foreign government or international organization. Any amounts so accepted shall be credited to the Taiwan Critical Munitions Acquisition Fund and shall be available for use as authorized under subsection (b).

(B) LIMITATION.—The Secretary of Defense may not accept a contribution under this paragraph if the acceptance of the contribution would compromise, or appear to compromise, the integrity of any program of the Department of Defense.

(C) NOTIFICATION.—If the Secretary of Defense accepts any contribution under this paragraph, the Secretary shall notify the appropriate committees of Congress. The notice shall specify the source and amount of any contribution so accepted and the use of any amount so accepted.

(e) NOTIFICATION.—

(1) IN GENERAL.—No amount may be transferred pursuant to subsection (d)(1)(C) until the date that is 15 days after the date on which the Secretary of Defense submits to the appropriate committees of Congress—

(A) notice in writing of the amount and purpose of the proposed transfer; and

(B) in the case of an authorization pursuant to subsection (f)(1)(A), a description of the manner in which the use of critical munitions is necessary to meet national defense requirements.

(2) AMMUNITION PURCHASES.—No amounts in the Fund may be used to purchase ammunition, as authorized by this section, until the date that is 15 days after the date on which the Secretary of Defense notifies the appropriate committees of Congress in writing of the amount and purpose of the proposed purchase.

(3) FOREIGN TRANSFERS.—No munition purchased using amounts in the Fund may be transferred to a foreign country until the date that is 15 days after the date on which the Secretary of Defense notifies the appropriate committees of Congress in writing of the proposed transfer.

(f) LIMITATIONS.—

(1) LIMITATION ON TRANSFER.—No munition acquired by the Secretary of Defense using amounts made available from the Fund pursuant to this section may be transferred to any foreign country unless such transfer is authorized by the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or other applicable law, except as follows:

(A) The Secretary of Defense, with the concurrence of the Secretary of State, may authorize the use by the Department of Defense of munitions acquired under this section prior to transfer to a foreign country, if such use is necessary to meet national defense requirements and the Department bears the costs of replacement and transport, maintenance, storage, and other such associated costs of such munitions.

(B) Except as required by subparagraph (A), amounts made available to the Fund may be used to pay for storage, maintenance, and other costs related to the storage, preservation, and preparation for transfer of munitions acquired under this section prior to their transfer, and the administrative costs of the Department of Defense incurred in the acquisition of such items, to the extent such costs are not eligible for reimbursement pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)).

(2) CERTIFICATION REQUIREMENT.—

(A) IN GENERAL.—No amounts in the Fund may be used pursuant to this section unless the President—

(i) certifies to the appropriate committees of Congress that the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.) cannot be used to fulfill the same functions and objectives for which such amounts to be made available from the Fund are to be used; and

(ii) includes in such certification a justification for the certification, which may be included in a classified annex, if necessary.

(B) NONDELEGATION.—The President may not delegate any responsibility of the President under subparagraph (A).

(g) TERMINATION.—The authority for the Fund under this section shall expire on December 31, 2040.

(h) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1299B. INCREASING PRODUCTION CAPACITY FOR WEAPONS FOR UNITED STATES STOCKPILES.

(a) REPORT REQUIREMENT RELATING TO INCREASE IN CONTRACTED ENTITIES.—Section 222c(e) of title 10, United States Code, as amended by section 1701(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by adding at the end the following new paragraph:

''(4) Steps taken to increase the number of entities contracted to supply each class of weapons described in section 1705(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) in order to produce redundancy in the supply of such weapons.''.

(b) MODIFICATION TO QUARTERLY BRIEFINGS ON REPLENISHMENT AND REVITALIZATION OF WEAPONS PROVIDED TO UKRAINE AND TAIWAN.—Section 1703 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in the section heading, by inserting ''**AND TAIWAN**'' after ''**UKRAINE**'';

(2) in subsection (a), by inserting '', the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives'' after ''congressional defense committees'';

(3) in subsection (d)(2), by inserting ''or Taiwan'' after ''Ukraine'';

(4) in subsection (e), by striking ''December 31, 2026'' and inserting ''December 31, 2040''; and

(5) by striking subsection (f) and inserting the following:

''(f) COVERED SYSTEM.—In this section, the term 'covered system' means—

''(1) any system provided to the Government of Ukraine or the Government of Taiwan pursuant to—

''(A) section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318); or

''(B) section 614 of the Foreign Assistance Act of 1961 (22 U.S.C. 2364);

''(2) any system provided to the Government of Ukraine pursuant to the Ukraine Security Assistance Initiative established under section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), including as amended by this Act, if such system was provided to Ukraine after February 24, 2022; or

''(3) any system provided to the Government of Taiwan—

''(A) pursuant to section 5502(b) of this Act; or

''(B) that is necessary for a denial defense of Taiwan.''.

(c) ASSESSMENT ON EXPANDING NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section 222d(b) of title 10, United States Code, as added by section 1701(d)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended by adding at the end the following new paragraph:

''(13) An assessment of the feasibility and advisability of expanding the national technology and industrial base (as defined in section 4801 of this title) to include entities outside of the United States, Canada, the United Kingdom, New Zealand, Israel, and Australia in order to increase the number of suppliers of weapons described in section 1705(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), with particular attention to member states of the North Atlantic Treaty Organization, treaty allies of the United States in the Indo-Pacific, and members of the Quadrilateral Security Dialogue.''.

(d) MINIMUM ANNUAL PRODUCTION LEVELS.—The Secretary of Defense shall include minimum annual production levels for weapons described in section 1705(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) in any contract for the procurement of such weapons entered into on or after the date of the enactment of this Act.

SA 2517. 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 of subtitle A of title XII, add the following:

SEC. 1216. PROHIBITION AGAINST UNITED STATES CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS THAT ADVOCATE FOR SEXUAL ACTIVITY AMONG MINORS.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 113 the following:

''SEC. 114. PROHIBITION AGAINST UNITED STATES CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS THAT ADVOCATE FOR SEXUAL ACTIVITY AMONG MINORS.

''Notwithstanding any other provision of law, no assistance may be provided under this part to—

''(1) any international organization that supports, advocates for, or seeks to decriminalize sexual relations or sexual conduct by persons who are younger than the minimum age of consent (as defined by the national government of the country in which such persons reside), or condemns laws prohibiting such behavior; or

''(2) any entity or organization that—

''(A) supports or advocates for the belief that sexual activity involving persons below the domestically prescribed minimum age of consent to sex may be consensual in fact even when it is not consensual under law; or

''(B) opposes any statute that recognizes that persons below the prescribed age of consent do not have the capacity to engage in consensual sex under any circumstance.''.

SA 2518. 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 of subtitle A of title XII, add the following:

SEC. 1216. MODIFICATION OF LIMITATION ON MILITARY-TO-MILITARY EXCHANGES AND CONTACTS WITH CHINESE PEOPLE'S LIBERATION ARMY.

Section 1201 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 168 note) is amended—

(1) in subsection (b)(4), by striking ''Advanced logistical operations'' and inserting ''Logistical operations''; and

(2) by striking subsection (c).

SA 2519. 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 of subtitle H of title X, insert the following:

SEC. _____. COUNTERING THE MILITARY-CIVIL FUSION STRATEGY OF THE CHINESE COMMUNIST PARTY.

(a) DEFINITIONS.—In this section:

(1) CHINESE ENTITY OF CONCERN.—The term ''Chinese entity of concern'' means—

(A) any college or university in the People's Republic of China that is determined by the Secretary of Defense to be involved in the implementation of the military-civil fusion strategy, including—

(i) any college or university known as the ''Seven Sons of National Defense'';

(ii) any college or university that receives funding from—

(I) the People's Liberation Army; or

(II) the Equipment Development Department, or the Science and Technology Commission, of the Central Military Commission;

(iii) any college or university in the People's Republic of China involved in military training and education, including any such college or university in partnership with the People's Liberation Army;

(iv) any college or university in the People's Republic of China that conducts military research or hosts dedicated military initiatives or laboratories, including such a college or university designated under the ''double first-class university plan'';

(v) any college or university in the People's Republic of China that is designated by the State Administration for Science, Technology, and Industry for the National Defense to host ''joint construction'' programs;

(vi) any college or university in the People's Republic of China that has launched a platform for military-civil fusion or created national defense laboratories; and

(vii) any college or university in the People's Republic of China that conducts research or hosts dedicated initiatives or laboratories for any other related security entity beyond the People's Liberation Army, including the People's Armed Police, the Ministry of Public Security, and the Ministry of State Security;

(B) any enterprise for which the majority shareholder or ultimate parent entity is the Government of the People's Republic of China at any level of that government;

(C) any privately owned company in the People's Republic of China—

(i) that has received a military production license, such as the Weapons and Equipment Research and Production Certificate, the Equipment Manufacturing Unit Qualification, the Weapons and Equipment Quality Management System Certificate, or the Weapons and Equipment Research and Production Unit Classified Qualification Permit;

(ii) that is otherwise known to have set up mechanisms for engaging in activity in support of military initiatives;

(iii) that has a history of subcontracting for the People's Liberation Army or its affiliates;

(iv) that is participating in, or receiving benefits under, a military-civil fusion demonstration base; or

(v) that has an owner, director, or a senior management official who has served as a delegate to the National People's Congress, a member of the Chinese People's Political Consultative Conference, or a member of the Central Committee of the Chinese Communist Party; and

(D) any entity that—

(i) is identified by the Secretary of Defense under section 1260H(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) as a Chinese military company; and

(ii) is included in the Non-SDN Chinese Military-Industrial Complex Companies List published by the Department of the Treasury.

(2) COVERED ENTITY.—The term ''covered entity'' means—

(A) any Federal agency that engages in research or provides funding for research, including the National Science Foundation and the National Institutes of Health;

(B) any institution of higher education, or any other private research institution, that receives any Federal financial assistance; and

(C) any private company headquartered in the United States that receives Federal financial assistance.

(3) FEDERAL FINANCIAL ASSISTANCE.—The term ''Federal financial assistance'' has the meaning given the term in section 200.1 of title 2, Code of Federal Regulations (or successor regulations).

(4) MILITARY-CIVIL FUSION STRATEGY.—The term ''military-civil fusion strategy'' means the strategy of the Chinese Communist Party aiming to mobilize non-military resources and expertise for military application, including the development of technology, improvements in logistics, and other uses by the People's Liberation Army.

(b) PROHIBITIONS.—

(1) IN GENERAL.—No covered entity may engage with a Chinese entity of concern in any scientific research or technical exchange that has a direct bearing on, or the potential for dual use in, the development of technologies that the Chinese Communist Party has identified as a priority of its national strategy of military-civil fusion and that are listed on the website under subsection (c)(1)(A).

(2) PRIVATE PARTNERSHIPS.—No covered entity described in subsection (a)(2)(C) may form a partnership or joint venture with another such covered entity for the purpose of engaging in any scientific research or technical exchange described in paragraph (1).

(c) WEBSITE.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, the Secretary of Energy, the Secretary of Education, the Secretary of the Treasury, and the Secretary of Commerce, shall establish, and periodically update not less than twice a year, a website that includes—

(A) a list of the specific areas of scientific research or technical exchange for which the prohibitions under subsection (b) apply, which shall initially include some or all aspects of the fields of quantum computing, photonics and lasers, robotics, big data analytics, semiconductors, new and advanced materials, biotechnology (including synthetic biology and genetic engineering), 5G and all future generations of telecommunications, advanced nuclear technology (including nuclear power and energy storage), aerospace technology, and artificial intelligence; and

(B) to the extent practicable, a list of all Chinese entities of concern.

(2) LIST OF SPECIFIC AREAS.—In developing the list under paragraph (1)(A), the Secretary of Defense shall monitor and consider the fields identified by the State Administration for Science, Technology, and Industry for the National Defense of the People's Republic of China as defense-relevant and consider, including the more than 280 fields of study designated as of the date of enactment of this Act, and any others designated thereafter, as disciplines with national defense characteristics that have the potential to support military-civil fusion.

(3) RESOURCES.—In establishing the website under paragraph (1), the Secretary of Defense may use as a model any existing resources, such as the China Defense Universities Tracker maintained by the Australian Strategic Policy Institute, subject to any other laws applicable to such resources.

(d) EXCEPTION.—The prohibitions under subsection (b) shall not apply to any collaborative study or research project in fields involving information that would not contribute substantially to the goals of the military-civil fusion strategy, as determined by regulations issued by the Secretary of Defense.

(e) ANNUAL REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and December 31 of each year thereafter, each covered entity shall submit to the Secretary of Defense a report that discloses—

(A) any research relationships the covered entity has with a Chinese entity of concern or has had during the previous year;

(B) any research relationships the covered entity has considered with a Chinese entity of concern during the previous year and declined; and

(C) any research relationships the covered entity has terminated with a Chinese entity of concern during the previous year because the relationship violates subsection (b) or as a result of related concerns.

(2) AUDIT.—The Secretary of Defense may enter into a contract with an independent entity to conduct an audit of any report submitted under paragraph (1) to ensure compliance with the requirements of such paragraph.

(f) ENFORCEMENT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a covered entity described in subparagraph (B) or (C) of subsection (a)(2) that violates a prohibition under subsection (b), or violates subsection (e), on or after the date of enactment of this Act shall be precluded from receiving any Federal financial assistance on or after the date of such violation.

(2) REGULATIONS.—The Secretary of Defense, in consultation with the Secretary of State, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, the Secretary of Energy, the Secretary of Education, the Secretary of the Treasury, and the Secretary of Commerce, shall—

(A) promulgate regulations to enforce the prohibitions under subsection (b), the auditing requirements under subsection (e), and the requirement under paragraph (1); and

(B) coordinate with the heads of other Federal agencies to ensure the enforcement of such prohibitions and requirements.

SA 2520. 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 of title XII, add the following:

Subtitle G—Uyghur Genocide Accountability and Sanctions Act of 2024

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Uyghur Genocide Accountability and Sanctions Act of 2024''.

SEC. 1292. EXPANSION OF SANCTIONS UNDER UYGHUR HUMAN RIGHTS POLICY ACT OF 2020.

(a) IN GENERAL.—Section 6 of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 22 U.S.C. 6901 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''persons in Xinjiang Uyghur Autonomous Region'' and inserting ''persons residing in the Xinjiang Uyghur Autonomous Region or members of those groups in countries outside of the People's Republic of China'';

(ii) by inserting after subparagraph (F) the following:

''(G) Systematic rape, coercive abortion, forced sterilization, or involuntary contraceptive implantation policies and practices.

''(H) Human trafficking for the purpose of organ removal.

''(I) Forced separation of children from their parents to be placed in boarding schools.

''(J) Forced deportation or refoulement to the People's Republic of China.'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) ADDITIONAL MATTERS TO BE INCLUDED.—The President shall include in the report required by paragraph (1) an identification of—

''(A) each foreign person that knowingly provides significant goods, services, or technology to or for a person identified in the report; and

''(B) each foreign person that knowingly engages in a significant transaction relating to any of the acts described in subparagraphs (A) through (J) of paragraph (1).'';

(2) in subsection (b), by striking ''subsection (a)(1)'' and inserting ''subsection (a)''; and

(3) by amending subsection (d) to read as follows:

''(d) IMPLEMENTATION; REGULATORY AUTHORITY.—

''(1) IMPLEMENTATION.—The President may exercise all authorities provided under section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) to carry out this section.

''(2) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as necessary to carry out this section.''.

(b) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section—

(1) take effect on the date of the enactment of this Act; and

(2) apply with respect to the first report required by section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 submitted after such date of enactment.

SEC. 1293. SENSE OF CONGRESS ON APPLICATION OF SANCTIONS UNDER UYGHUR HUMAN RIGHTS POLICY ACT OF 2020.

(a) FINDING.—Congress finds that, as of the date of the enactment of this Act—

(1) the report required by section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 22 U.S.C. 6901 note) has not been submitted to Congress; and

(2) the sanctions provided for under that Act have not been employed.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should employ the sanctions provided for under the Uyghur Human Rights Policy Act of 2020—

(1) to address ongoing atrocities, in particular the use of forced labor, in the Xinjiang Uyghur Autonomous Region of the People's Republic of China; and

(2) to hold officials of the People's Republic of China accountable for those ongoing atrocities.

SEC. 1294. DENIAL OF UNITED STATES ENTRY FOR INDIVIDUALS COMPLICIT IN FORCED ABORTIONS OR FORCED STERILIZATIONS.

Section 801 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (Public Law 106–113; 8 U.S.C. 1182e) is amended—

(1) in subsection (a), by striking ''may not'' each place it appears and inserting ''shall not'';

(2) by striking subsection (c) and inserting the following:

''(c) WAIVER.—The Secretary of State may waive the prohibitions in subsection (a) with respect to a foreign national if the Secretary—

''(1) determines that—

''(A) the foreign national is not directly complicit in atrocities, specifically the oversight of programs or policies the intent of which is to destroy, in whole or in part, a national, ethnic, racial, or religious group

through the use of forced sterilization, forced abortion, or other egregious population control policies;

''(B) admitting or paroling the foreign national into the United States is necessary—

''(i) 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

''(ii) to carry out or assist law enforcement activity of the United States; and

''(C) it is important to the national security interest of the United States to admit or parole the foreign national into the United States; and

''(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

''(d) NOTICE.—The Secretary of State shall make a public announcement whenever the prohibitions under subsection (a) are imposed under this section.

''(e) INFORMATION REQUESTED BY CONGRESS.—The Secretary of State, upon the request of a Member of Congress, shall provide—

''(1) information about the use of the prohibitions under subsection (a), including the number of times such prohibitions were imposed, disaggregated by country and by year; or

''(2) a classified briefing that includes information about the individuals subject to such prohibitions or subject to sanctions under any other Act authorizing the imposition of sanctions with respect to the conduct of such individuals.''.

SEC. 1295. PHYSICAL AND PSYCHOLOGICAL SUPPORT FOR UYGHURS, KAZAKHS, AND OTHER ETHNIC GROUPS.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Using funds appropriated to the Department of State in annual appropriations bills under the heading ''DEVELOPMENT ASSISTANCE'', the Secretary of State, in conjunction and in consultation with the Administrator of the United States Agency for International Development, is authorized, subject to the requirements under chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and section 634A of such Act (22 U.S.C. 2394–1)—

(A) to provide the assistance described in paragraph (2) to individuals who—

(i) belong to the Uyghur, Kazakh, Kyrgyz, or another oppressed ethnic group in the People's Republic of China;

(ii) experienced torture, forced sterilization, rape, forced abortion, forced labor, or other atrocities in the People's Republic of China; and

(iii) are residing outside of the People's Republic of China; and

(B) to build local capacity for the care described in subparagraph (A) through—

(i) grants to treatment centers and programs in foreign countries in accordance with section 130(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2152(b)); and

(ii) research and training to health care providers outside of such treatment centers or programs in accordance with section 130(c)(2) of such Act.

(2) AUTHORIZED ASSISTANCE.—The assistance described in this paragraph is—

(A) medical care;

(B) physical therapy; and

(C) psychological support.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that describes—

(1) the direct care or services provided in foreign countries for individuals described in subsection (a)(1)(A); and

(2) any projects started or supported in foreign countries to provide the care or services described in paragraph (1).

(c) FEDERAL SHARE.—Not more than 50 percent of the costs of providing the assistance authorized under subsection (a) may be paid by the United States Government.

SEC. 1296. PRESERVATION OF CULTURAL AND LINGUISTIC HERITAGE OF ETHNIC GROUPS OPPRESSED BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) FINDING.—Congress finds that the genocide perpetrated by officials of the Government of the People's Republic of China in the Xinjiang Uyghur Autonomous Region aims to erase the distinct cultural and linguistic heritage of oppressed ethnic groups.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should use its diplomatic, development, and cultural activities to promote the preservation of cultural and linguistic heritages of ethnic groups in the People's Republic of China threatened by the Chinese Communist Party.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that assesses the feasibility of establishing a grant program to assist communities facing threats to their cultural and linguistic heritage from officials of the Government of the People's Republic of China.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for each of fiscal years 2024 through 2027, to support the establishment of a Repressed Cultures Preservation Initiative within the Smithsonian Institution to pool Institution-wide efforts toward research, exhibitions, and education related to the cultural and linguistic heritage of ethnic and religious groups the cultures of which are threatened by repressive regimes, including the Chinese Communist Party.

SEC. 1297. DETERMINATION OF WHETHER ACTIONS OF CERTAIN CHINESE ENTITIES MEET CRITERIA FOR IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, shall—

(1) determine whether any entity specified in subsection (b)—

(A) is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuses against Uyghurs or other predominantly Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region of the People's Republic of China; or

(B) meets the criteria for the imposition of sanctions under—

(i) the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.);

(ii) section 6 of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 22 U.S.C. 6901 note);

(iii) section 105, 105A, 105B, or 105C of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514, 8514a, 8514b, and 8514c);

(iv) Executive Order 13818 (50 U.S.C. 1701 note; relating to blocking the property of persons involved in serious human rights abuse or corruption), as amended on or after the date of the enactment of this Act; or

(v) Executive Order 13553 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to serious human rights abuses by the Government of Iran and taking certain other actions), as amended on or after the date of the enactment of this Act;

(2) if the Secretary of the Treasury determines under paragraph (1) that an entity is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuses described in subparagraph (A) of that paragraph or meets the criteria for the imposition of sanctions described in subparagraph (B) of that paragraph, include the entity on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control; and

(3) submit to Congress a report on that determination that includes the reasons for the determination.

(b) ENTITIES SPECIFIED.—An entity specified in this subsection is any of the following:

(1) Hangzhou Hikvision Digital Technology Co., Ltd.

(2) Shenzhen Huada Gene Technology Co., Ltd. (BGI Group).

(3) Tiandy Technologies Co., Ltd.

(4) Zhejiang Dahua Technology Co., Ltd.

(5) China Electronics Technology Group Co.

(6) Zhejiang Uniview Technologies Co., Ltd.

(7) ByteDance Ltd.

(c) FORM OF REPORT.—The report required by subsection (a)(3) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1298. COUNTERING PROPAGANDA FROM THE PEOPLE'S REPUBLIC OF CHINA ABOUT GENOCIDE.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State, in conjunction with the United States Agency for Global Media, shall submit a strategy to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives for countering propaganda and other messaging from news and information sources associated with the Government of the People's Republic of China or entities associated with the Chinese Communist Party or influenced by the Chinese Communist Party or the Government of the People's Republic of China that—

(1) deny the genocide, crimes against humanity, and other egregious human rights abuses experienced by Uyghurs and other predominantly Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region;

(2) spread propaganda regarding the role of the United States Government in imposing economic and reputational costs on the Chinese Communist Party or the Government of the People's Republic of China for its ongoing genocide;

(3) target Uyghurs and other people who publicly oppose the Government of the People's Republic of China's genocidal policies and forced labor practices, including the detention and intimidation of their family members; or

(4) increase pressure on member countries of the United Nations to deny or defend genocide or other egregious violations of internationally recognized human rights in the People's Republic of China within international organizations and multilateral fora, including at the United Nations Human Rights Council.

(b) STRATEGY ELEMENTS.—The strategy required under subsection (a) shall include—

(1) existing messaging strategies and specific broadcasting efforts to counter the propaganda described in paragraphs (1) and (2) of subsection (a) and the reach of such

strategies and efforts to audiences targeted by such propaganda;

(2) specific metrics used for determining the success or failure of the messaging strategies and broadcasting efforts described in paragraph (1) and an analysis of the impact of such strategies and efforts;

(3) a description of any new or pilot messaging strategies and broadcasting efforts expected to be implemented during the 12-month period beginning on the date of the enactment of this Act and an explanation of the need for such strategies and efforts;

(4) measurable goals to be completed during the 12-month period beginning on the date of the enactment of this Act and tangible outcomes for expanding broadcasting efforts and countering propaganda; and

(5) estimates of additional funding needed to counter the propaganda described in paragraphs (1) and (2) of subsection (a).

(c) FUNDING.—The Secretary of State is authorized to use amounts made available for the Countering PRC Influence Fund under section 7043(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (division K of Public Law 117–103) to develop and carry out the strategy required under subsection (a).

SEC. 1299. DOCUMENTING ATROCITIES IN THE XINJIANG UYGHUR AUTONOMOUS REGION.

The Secretary of State and the Administrator of the United States Agency for International Development may provide assistance, including financial and technical assistance, as necessary and appropriate, to support the efforts of entities, including nongovernmental organizations with expertise in international criminal investigations and law, to address genocide, crimes against humanity, and their constituent crimes by the Government of the People's Republic of China by—

(1) collecting, documenting, and archiving evidence, including the testimonies of victims and visuals from social media, and preserving the chain of custody for such evidence;

(2) identifying suspected perpetrators of genocide and crimes against humanity;

(3) conducting criminal investigations of atrocity crimes, including by developing indigenous investigative and judicial skills through partnerships, direct mentoring, and providing the necessary equipment and infrastructure to effectively adjudicate cases for use in prosecutions in domestic courts, hybrid courts, and internationalized domestic courts;

(4) supporting investigations conducted by foreign countries, civil society groups, and multilateral organizations, such as the United Nations; and

(5) supporting and protecting witnesses participating in such investigations.

SEC. 1300. PROHIBITION ON CERTAIN UNITED STATES GOVERNMENT AGENCY CONTRACTS.

(a) PROHIBITION.—The head of an executive agency may not enter into a contract for the procurement of goods or services with or for any of the following:

(1) Any person identified in the report required by section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 22 U.S.C. 6901 note).

(2) Any person that mined, produced, or manufactured goods, wares, articles, and merchandise detained and denied entry into the United States by U.S. Customs and Border Protection pursuant to section 3 of the Act entitled ''An Act to ensure that goods made with forced labor in the Xinjiang Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes'', approved December 23, 2021 (Public Law 117–78; 22 U.S.C. 6901 note) (commonly referred to as the ''Uyghur Forced Labor Prevention Act'').

(3) Any person that the head of the executive agency determines, with the concurrence of the Secretary of State, facilitates the genocide and human rights abuses occurring in the Xinjiang Uyghur Autonomous Region of the People's Republic of China.

(4) Any person, program, project, or activity that—

(A) contributes to forced labor, particularly through the procurement of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly, or in part, in the Xinjiang Uyghur Autonomous Region or by the forced labor of ethnic Uyghurs or other persecuted individuals or groups in the People's Republic of China; or

(B) violates internationally recognized labor rights of individuals or groups in the People's Republic of China.

(b) CONSULTATIONS.—The head of each executive agency shall consult with the Forced Labor Enforcement Task Force, established under section 741 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4681), with respect to the implementation of subsection (a)(2).

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President shall submit a report on the implementation of this section to—

(1) the Committee on Finance, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means, the Committee on Foreign Affairs, and the Committee on Oversight and Accountability of the House of Representatives.

(d) EXECUTIVE AGENCY DEFINED.—In this section, the term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

SEC. 1301. DISCLOSURES TO SECURITIES AND EXCHANGE COMMISSION OF CERTAIN ACTIVITIES RELATED TO XINJIANG UYGHUR AUTONOMOUS REGION.

(a) AMENDMENT OF REQUIREMENTS FOR APPLICATIONS TO REGISTER ON NATIONAL SECURITIES EXCHANGES.—Section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) is amended by adding at the end the following:

''(m) REPORTING OF CERTAIN ACTIVITIES RELATING TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—

''(1) DEFINITION.—In this subsection, the term 'covered entity' means any entity that is—

''(A) engaged in providing technology or other assistance to create mass-population surveillance systems in the Xinjiang Uyghur Autonomous Region of the People's Republic of China;

''(B) an entity operating in the People's Republic of China that is on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations;

''(C) an individual residing in the People's Republic of China or an entity operating in the People's Republic of China that is on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury;

''(D) constructing or operating detention facilities for Uyghurs in the Xinjiang Uyghur Autonomous Region;

''(E) a foreign person identified in the report submitted under section 5(c) of the Act entitled 'An Act to ensure that goods made with forced labor in the Xinjiang Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes', approved December 23, 2021 (Public Law 117–78; 22 U.S.C. 6901 note) (commonly referred to, and referred to in this subsection, as the 'Uyghur Forced Labor Prevention Act');

''(F) engaged in the 'pairing assistance' program that subsidizes the establishment of manufacturing facilities in the Xinjiang Uyghur Autonomous Region;

''(G) the Xinjiang Production and Construction Corps;

''(H) operating in the People's Republic of China and producing goods subject to a withhold release order issued by U.S. Customs and Border Protection pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307);

''(I) on a list required by clause (i), (ii), (iv), or (v) of section 2(d)(2)(B) of the Uyghur Forced Labor Prevention Act;

''(J) any person the property and interests in property of which have been blocked, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other provision of law, for actions relating to the detention or abuse of Uyghurs and other predominantly Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region;

''(K) an individual residing in the People's Republic of China, or an entity operating in the People's Republic of China, the property and interests in property of which have been blocked pursuant to section 1263 of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10102);

''(L) any person responsible for, or complicit in, the commission of atrocities in the Xinjiang Uyghur Autonomous Region; or

''(M) an affiliate of an entity described in any of subparagraphs (A) through (L).

''(2) ISSUANCE OF RULES.—Not later than 180 days after the date of enactment of this subsection, the Commission shall issue rules—

''(A) to require an issuer filing an application to register a security with a national securities exchange—

''(i) to include in the application the documentation described in paragraph (3); and

''(ii) to file the application and documentation with the Commission;

''(B) to require an issuer to file a report with the Commission containing the documentation described in paragraph (3) if the securities of the issuer are not listed on a national securities exchange and merges with another issuer, the securities of which are listed on such an exchange; and

''(C) to require an issuer filing a registration statement under subsection (g) to include with that statement the documentation described in paragraph (3).

''(3) DOCUMENTATION REQUIRED.—

''(A) SIGNIFICANT TRANSACTIONS.—With respect to an issuer, the documentation described in this paragraph is documentation showing that neither the issuer nor any affiliate of the issuer, directly or indirectly, has engaged in a significant transaction with a covered entity.

''(B) TRANSPARENT DOCUMENTATION OF SUPPLY CHAIN LINKS.—In issuing rules under paragraph (2), in addition to the documentation required under subparagraph (A), the Commission shall also require an issuer to which those rules apply to document the name (in English and in the most commonly spoken language of the country in which the issuer is incorporated, if other than English) and address of, and sourcing quantities from, each smelter, refinery, farm, or manufacturing facility (as appropriate)—

''(i) with which the issuer has a business relationship; and

''(ii) that is owned or operated by—

''(I) a person located in the Xinjiang Uyghur Autonomous Region; or

''(II) a person working with the Government of the Xinjiang Uyghur Autonomous Region to recruit, transport, transfer, harbor, or receive labor of Uyghurs, Kazakhs, Kyrgyz, or members of other persecuted

groups out of the Xinjiang Uyghur Autonomous Region.

''(4) INDEPENDENT VERIFICATION OF DOCUMENTATION.—In issuing rules under paragraph (1), the Commission shall—

''(A) require an issuer to obtain independent verification of the documentation described in paragraph (3) by a third-party auditor approved by the Commission, before the filing of an application, report, or registration statement containing the documentation; and

''(B) require that the identity of the third-party auditor described in subparagraph (A) remain confidential.

''(5) PUBLIC AVAILABILITY OF DOCUMENTATION.—The Commission shall make all documentation received under this subsection available to the public.

''(6) PENALTY.—With respect to an application or report described in paragraph (2), if an issuer fails to comply with the requirements of this subsection (including any misrepresentation of the information described in paragraph (3))—

''(A) in the case of an application described in paragraph (2)(A)—

''(i) the applicable national securities exchange may not approve the application; and

''(ii) the issuer may not refile the application for 1 year; and

''(B) in the case of a report described in paragraph (1)(B) or a registration statement described in paragraph (1)(C)—

''(i) the President shall—

''(I) make a determination with respect to whether—

''(aa) the Secretary of the Treasury should initiate an investigation with respect to the imposition of sanctions under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.); or

''(bb) the Attorney General should initiate an investigation under any provision of law intended to hold accountable individuals or entities involved in the importation of goods produced using forced labor, including section 545, 1589, or 1761 of title 18, United States Code; and

''(II) not later than 180 days after initiating an investigation described in subclause (I), make a determination with respect to whether—

''(aa) to impose sanctions under the Global Magnitsky Human Rights Accountability Act with respect to the issuer or affiliate of the issuer (as the case may be); or

''(bb) to refer the case to the Department of Justice or another relevant Federal agency for further investigation.

''(7) REPORTS.—

''(A) ANNUAL REPORT TO CONGRESS.—The Commission shall—

''(i) conduct an annual assessment of the compliance of issuers with the requirements of this subsection; and

''(ii) submit to Congress a report containing the results of each assessment conducted under clause (i).

''(B) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—The Comptroller General of the United States shall periodically evaluate and report to Congress on the effectiveness of the oversight by the Commission of the requirements of this subsection.

''(8) SUNSET.—The provisions of this subsection shall terminate on the date that is 30 days after the date on which the President submits the determination described in section 6(2) of the Uyghur Forced Labor Prevention Act.''.

(b) AMENDMENTS OF PERIODICAL REPORTING REQUIREMENTS FOR ISSUERS ON NATIONAL SECURITIES EXCHANGES.—Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following:

''(t) DISCLOSURE OF CERTAIN ACTIVITIES RELATING TO XINJIANG UYGHUR AUTONOMOUS REGION OF THE PEOPLE'S REPUBLIC OF CHINA.—

''(1) IN GENERAL.—Each issuer required to file an annual or quarterly report under subsection (a) shall disclose in that report the information required by paragraph (2) if, during the period covered by the report, the issuer or any affiliate of the issuer engaged, directly or indirectly, in an activity (including through a business relationship, ownership interest, or other financial or personal interest) with a covered entity, as defined in section 12(m).

''(2) INFORMATION REQUIRED.—If an issuer or an affiliate of an issuer has engaged, directly or indirectly, in any activity described in paragraph (1), the issuer shall disclose a detailed description of each such activity, including—

''(A) the nature and extent of the activity;

''(B) the gross revenues and net profits, if any, attributable to the activity; and

''(C) whether the issuer or the affiliate of the issuer (as the case may be) intends to continue the activity.

''(3) NOTICE OF DISCLOSURES.—If an issuer reports under paragraph (1) that the issuer or an affiliate of the issuer has engaged in any activity described in that paragraph, the issuer shall separately file with the Commission, concurrently with the annual or quarterly report under subsection (a), a notice that the disclosure of that activity has been included in that annual or quarterly report that identifies the issuer and contains the information required under paragraph (2).

''(4) PUBLIC DISCLOSURE OF INFORMATION.—Upon receiving a notice under paragraph (3) that an annual or quarterly report includes a disclosure of an activity described in paragraph (1), the Commission shall promptly—

''(A) transmit the report to—

''(i) the President;

''(ii) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

''(iii) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

''(B) make the information provided in the disclosure and the notice available to the public by posting the information on the internet website of the Commission.

''(5) INVESTIGATIONS.—Upon receiving a report under paragraph (4) that includes a disclosure of an activity described in paragraph (1) by an issuer or an affiliate of the issuer, the President shall—

''(A) make a determination with respect to whether—

''(i) the Secretary of the Treasury should initiate an investigation with respect to the imposition of sanctions under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.); or

''(ii) the Attorney General should initiate an investigation under any provision of law intended to hold accountable individuals or entities involved in the importation of goods produced using forced labor, including section 545, 1589, or 1761 of title 18, United States Code; and

''(B) not later than 180 days after initiating such an investigation, make a determination with respect to whether—

''(i) to impose sanctions under the Global Magnitsky Human Rights Accountability Act with respect to the issuer or affiliate of the issuer (as the case may be); or

''(ii) to refer the case to the Department of Justice or another relevant Federal agency for further investigation.

''(6) SUNSET.—The provisions of this subsection shall terminate on the date that is 30 days after the date on which the President submits the determination described in section 6(2) of the Act entitled 'An Act to ensure that goods made with forced labor in the Xinjiang Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes', approved December 23, 2021 (Public Law 117–78; 22 U.S.C. 6901 note).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any application, registration statement, or report required to be filed with the Securities and Exchange Commission after the date that is 180 days after the date of enactment of this Act.

SA 2521. 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 of subtitle C of title XII, add the following:

SEC. 1239. NEGOTIATIONS WITH UKRAINE FOR ESTABLISHMENT OF FOREIGN INVESTMENT REVIEW MECHANISM.

(a) IN GENERAL.—The Secretary of State shall seek to enter into negotiations with the Government of Ukraine for—

(1) the establishment by that Government of a mechanism for reviewing foreign investment in Ukraine, particularly foreign investment from the People's Republic of China, including entities based in the People's Republic of China or subject to the jurisdiction of the People's Republic of China, that is similar to reviews conducted by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) into foreign investment in the United States; and

(2) the provision of assistance by the United States relating to establishing that mechanism, including—

(A) the provision of training to officials of the Government of Ukraine to develop the skillsets required to conduct reviews of foreign investment;

(B) assistance with the purchase of equipment required by the entity that will be conducting the reviews; and

(C) sending staff of the Committee on Foreign Investment in the United States to Ukraine for consultations.

(b) DIRECT HIRE AUTHORITY.—To carry out subsection (a), the Secretary may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of that title), candidates with appropriate qualifications directly to positions within the Department of State.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $1,000,000 for each of fiscal year 2025 through 2029 to provide assistance under subsection (a)(2).

(d) TERMINATION.—This section and the authorities provided under this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SA 2522. 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—PLO and PA Terror Payments Accountability Act of 2024

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''PLO and PA Terror Payments Accountability Act of 2024''.

SEC. 1292. FINDINGS; STATEMENT OF POLICY.

(a) FINDINGS.—Congress makes the following findings:

(1) The Palestine Liberation Organization and the Palestinian Authority provide hundreds of millions of dollars per year in payments, salaries, and benefits to terrorists and the families of terrorists as part of a system compensation that incentivizes, encourages, rewards, and supports acts of terrorism.

(2) The Palestine Liberation Organization and the Palestinian Authority policies, laws, and regulations that direct, authorize, enact, facilitate, and implement a system of compensation in support of acts of terrorism require payments, salaries, and benefits to terrorists including those who are members and part of organizations designated as foreign terrorist organizations by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), including Hamas and Islamic Jihad, that receive direct support including financial and military assistance from Iran, the leading state sponsor of terrorism in the world.

(3) In 2018, Congress passed the Taylor Force Act (title X of division S of Public Law 115–141; 132 Stat. 1143) into law that calls on the Palestine Liberation Organization and the Palestinian Authority to end their system of compensation that incentivizes, encourages, rewards, and supports acts of terrorism and restricts United States assistance ''that directly benefits the Palestinian Authority'' unless the Secretary of State certifies to Congress that the Palestine Liberation Organization and the Palestinian Authority have met specific conditions including terminating that system of compensation and revoking the policies, laws, and regulations that authorize and implement the system of compensation.

(4) Despite the enactment of the Taylor Force Act, the Palestine Liberation Organization and the Palestinian Authority have continued their system of compensation that incentivizes, encourages, rewards, and supports acts of terrorism.

(5) On October 7, 2023, Hamas, Islamic Jihad, and other Gaza-based terrorist organizations attacked Israel on Shabbat and during the Jewish holiday of Simchat Torah, committing the deadliest attack on the Jewish people since the Holocaust.

(6) On October 7, 2023, Hamas fired thousands of rockets into Israel, deliberately targeting Israeli civilians, and thousands of terrorists invaded Israeli communities—massacring, raping, torturing, decapitating, burning alive, seriously injuring, and kidnapping Israelis and Americans, including men, women, children, babies, and grandparents, and including Holocaust survivors, with children being murdered in front of their parents and parents being murdered in front of their children.

(7) On October 7, 2023, Hamas murdered more than 1,200 who were mostly civilians, and kidnapped more than 240, including Israeli and American men, women, children, babies, and grandparents, and took them to Gaza as hostages.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to hold the Palestine Liberation Organization and the Palestinian Authority accountable including through the imposition of sanctions for providing payments, salaries, and benefits to terrorists and the families of terrorists as part of a system compensation that incentivizes, encourages, rewards, and supports acts of terrorism.

SEC. 1293. DEFINITIONS.

In this subtitle:

(1) ACT OF TERRORISM.—The term ''act of terrorism''—

(A) means an act of international terrorism (as defined in section 2331 of title 18, United States Code); and

(B) includes the meanings given the terms ''terrorist activity'' and ''engage in terrorist activity'' by section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(3) FOREIGN PERSON.—The term ''foreign person'' means any person or entity that is not a United States person.

(4) 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.

(5) SYSTEM OF COMPENSATION.—The term ''system of compensation'', with respect to the Palestinian Authority and the Palestinian Liberation Organization, means the payments described in subparagraph (B) of section 1004(a)(1) of the Taylor Force Act (22 U.S.C. 2378c–1) and the system of compensation described in subparagraph (C) of that section.

(6) 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;

(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) a person in the United States.

SEC. 1294. IMPOSITION OF SANCTIONS ON CERTAIN FOREIGN PERSONS SUPPORTING TERRORISM.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and an ongoing basis thereafter, the President shall impose the sanctions described in subsection (b) on—

(1) any foreign person that—

(A) has served in a position as a representative, minister, official, or employee of the Palestine Liberation Organization, the Palestinian Authority, or any other foreign person that has directed, authorized, been responsible for, materially assisted with, enacted, implemented, or otherwise facilitated the Palestine Liberation Organization and the Palestinian Authority system of compensation supporting acts of terrorism; or

(B) has provided payments, salaries, and benefits to terrorists and the families of terrorists as part of the Palestine Liberation Organization and the Palestinian Authority system of compensation supporting acts of terrorism;

(2) any entity that directly or indirectly has operated, ordered, controlled, directed, or otherwise facilitated the Palestine Liberation Organization and the Palestinian Authority system of compensation supporting acts of terrorism including the Commission of Prisoners and Released Prisoners, the Institute for the Care of the Families of the Martyrs and the Wounded, the Palestine National Fund, National Association of the Families of the Martyrs of Palestine, or any successor, agency, instrumentality, organization, or affiliated entities thereof; or

(3) any foreign person that has knowingly provided significant financial, technological, or material support and resources support to, or knowingly engaged in a significant transaction with a foreign person described in subparagraphs (1) or (2).

(b) SANCTIONS DESCRIBED.—The sanctions that shall be imposed with respect to a foreign person described a subsection (a) are the following:

(1) BLOCKING OF PROPERTY.—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 the foreign person 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) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) 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.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (a) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(iii) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulations promulgated to carry out this section to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(c) CONGRESSIONAL REQUESTS.—Not later than 30 days after receiving a request from the chairman or ranking member of one of the appropriate congressional committees with respect to whether a person meets the criteria of a person described in subsection (a), the President shall—

(1) determine if the person meets such criteria; and

(2) submit a classified or unclassified report to the chairman or ranking member, that 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.

(d) IMPLEMENTATION; REGULATIONS.—

(1) IN GENERAL.—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) for purposes of carrying out this section.

(2) REGULATIONS.—Not later than 60 days after the date of the enactment of this Act, the President shall issue such regulations or other guidance as may be necessary for the implementation of this section.

(e) DEFINITIONS.—In this section:

(1) MATERIAL SUPPORT OR RESOURCES.—The term ''material support or resources'' has the meaning given that term in section 2339A(b) of title 18, United States Code.

SEC. 1295. IMPOSITION OF SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT FACILITATE TRANSACTIONS SUPPORTING TERRORISM.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and on an ongoing basis thereafter, the President shall impose the sanctions described in subsection (c) with respect to each foreign financial institution that engages in the activities described in subsection (b).

(b) ACTIVITIES DESCRIBED.—A foreign financial institution engages in an activity described in this subsection if the institution—

(1) processes, participates in, facilitates, or provides a transaction that are payments, salaries, or benefits, or any other conduct described in section 1294(a); or

(2) knowingly conducted or facilitated any significant financial transaction with any foreign person subject to sanctions under section 1294(a).

(c) SANCTIONS DESCRIBED.—The President shall prohibit the opening, and prohibit or impose strict donations on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution described in subsection (a).

(d) DEFINITIONS.—In this section:

(1) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''correspondent account'' and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(2) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

SEC. 1296. TERMINATION.

The provisions of this subtitle shall have no force or effect only if the Secretary of State certifies in writing to the appropriate congressional committees that the Palestine Liberation Organization and the Palestinian Authority system of compensation providing payments, salaries, and benefits to terrorists and the families of terrorists that incentivizes, encourages, rewards, and supports acts of terrorism as described in this subtitle, has ceased to be in effect and is no longer taking place.

SA 2523. Mr. KELLY (for himself and 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 E of title VII, add the following:

SEC. 750. MODIFICATION OF STUDY ON THE INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG MILITARY AVIATORS AND AVIATION SUPPORT PERSONNEL.

Section 750 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021(Public Law 116–283; 134 Stat. 3717) is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following new paragraph:

''(4) PHASE 3.—

''(A) IN GENERAL.—Immediately following completion of the studies under paragraphs (2) and (3), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (in this section referred to as the 'National Academies'), under which the National Academies shall—

''(i) conduct a study to identify exposures associated with military occupations of covered individuals, including relating to chemicals, compounds, agents, and other phenomena; and

''(ii) conduct a review of the studies under paragraphs (2) and (3).

''(B) ELEMENTS.—The study and review conducted pursuant to the agreement entered into under subparagraph (A) shall address the following:

''(i) The associations between exposures referred to in subparagraph (A)(i) and the incidence or prevalence of overall cancer morbidity, overall cancer mortality, and increased incidence or prevalence of the following:

''(I) Brain cancer.

''(II) Colon and rectal cancers.

''(III) Kidney cancer.

''(IV) Lung cancer.

''(V) Melanoma skin cancer.

''(VI) Non-Hodgkin lymphoma.

''(VII) Pancreatic cancer.

''(VIII) Prostate cancer.

''(IX) Testicular cancer.

''(X) Thyroid cancer.

''(XI) Urinary bladder cancer.

''(XII) Other cancers as determined appropriate by the Secretary of Veterans Affairs, in consultation with the National Academies.

''(ii) To the extent possible, the prevalence of and mortality from the cancers specified in clause (i) among Veteran Aviators.

''(iii) The unique needs and challenges faced by Veteran Aviators in relation to cancer.

''(iv) The current services the Department of Veterans Affairs provides for Veteran Aviators affected by cancer, including the following:

''(I) Disability compensation.

''(II) Availability and quality of cancer treatment facilities and specialists.

''(III) Outreach and education efforts to inform veterans about available services.

''(IV) Coordination of care between Department and non-Department health care providers.

''(v) Existing policies and protocols regarding cancer prevention, early detection, and treatment within the military and veteran communities.

''(vi) Gaps in current research on military-related cancer risks and proposals for future research directions to address those gaps.

''(vii) Recommendations as follows:

''(I) On ways the Department of Defense and the Department of Veterans Affairs can improve targeted interventions, screening protocols, and preventive measures to reduce cancer incidence and mortality among covered individuals, Veteran Aviators, and members of the Armed Forces on active duty, including the following:

''(aa) Implementing advanced screening technologies and protocols specific to high-risk groups.

''(bb) Enhancing training programs for medical personnel on recognizing and managing military-related cancer risks.

''(cc) Increasing funding for research on cancer prevention and treatment relevant to exposures while serving in the Armed Forces.

''(dd) Developing comprehensive wellness programs aimed at reducing cancer risk factors among covered individuals.

''(II) On ways for the Department of Veterans Affairs to improve care for Veteran Aviators affected by cancer, including the following:

''(aa) Strengthening support systems for veterans and their families, including counseling and financial assistance.

''(bb) Enhancing data collection and analysis to better track cancer outcomes and improve service delivery.

''(cc) Implementing patient-centered care models to address the unique needs of veteran cancer patients.

''(III) On legislative or regulatory changes needed to support the implementation of the recommendations specified under subclauses (I) and (II), including potential changes to existing laws and policies to facilitate improved care and research initiatives.

''(C) REPORT.—At the conclusion of the study and review required under subparagraph (A), the National Academies shall submit to the Secretary of Defense, the Secretary of Veterans Affairs, and the appropriate committees of Congress a report containing the results of the study and review.''; and

(2) in subsection (b), by adding at the end the following new paragraph:

''(4) The term 'Veteran Aviator' means an individual who served on active duty in the Army, Navy, Air Force, or Marine Corps as an aircrew member of a fixed-wing aircraft, including as a pilot, navigator, weapons systems operator, aircraft system operator, or as any other crew member who regularly flew in a fixed-wing aircraft.''.

SA 2524. Mr. WARNOCK (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 end of subtitle B of title XXVIII, add the following:

SEC. 2823. MODIFICATION OF ANNUAL REPORT ON PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subsection (c) of section 2884 of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(15) An overview of the housing data being used by the Department and the housing data being sought from management companies.

''(16) An assessment of how the Secretary of each military department is using such data to inform the on-base housing decisions for such military department.

''(17) An explanation of the limitations of any customer satisfaction data collected, including with respect to available survey data, the process for determining resident satisfaction, and reasons for missing data.''.

(b) PUBLIC REPORTING.—Such subsection is further amended—

(1) in paragraph (14), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;

(2) by redesignating paragraphs (1) through (17) as subparagraphs (A) through (Q), respectively;

(3) in subparagraph (E), as redesignated by paragraph (2), by striking ''paragraphs (1)

through (4)'' and inserting ''subparagraphs (A) through (D)'';

(4) in the matter preceding subparagraph (A), as so redesignated, by striking ''The Secretary'' and inserting ''(1) The Secretary''; and

(5) by adding at the end the following new paragraph:

''(2) Not later than 30 days after submitting a report under paragraph (1), the Secretary of Defense shall publish the report on a publicly available website of the Department of Defense.''.

(c) CONFORMING AMENDMENT.—Subsection (d)(1) of such section is amended by striking ''paragraphs (1) through (14) of subsection (c)'' and inserting ''subparagraphs (A) through (Q) of subsection (c)(1)''.

SA 2525. Mr. WARNOCK (for himself, Mr. BUDD, Mr. TILLIS, Ms. LUMMIS, and Mr. BROWN) 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:

DIVISION _____—FAIR DEBT COLLECTION PRACTICES FOR SERVICEMEMBERS

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Fair Debt Collection Practices for Servicemembers Act''.

SEC. _____02. ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF SERVICEMEMBERS.

(a) COMMUNICATION IN CONNECTION WITH DEBT COLLECTION.—Section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692c) is amended by adding at the end the following:

''(e) COMMUNICATIONS CONCERNING SERVICEMEMBER DEBTS.—

''(1) DEFINITION.—In this subsection, the term 'covered member' means—

''(A) a covered member or a dependent as defined in section 987(i) of title 10, United States Code; and

''(B)(i) an individual who was separated, discharged, or released from duty described in such section 987(i)(1), but only during the 365-day period beginning on the date of separation, discharge, or release; or

''(ii) a person, with respect to an individual described in clause (i), described in subparagraph (A), (D), (E), or (I) of section 1072(2) of title 10, United States Code.

''(2) PROHIBITIONS.—A debt collector may not, in connection with the collection of any debt of a covered member—

''(A) threaten to have the covered member reduced in rank;

''(B) threaten to have the covered member's security clearance revoked; or

''(C) threaten to have the covered member prosecuted under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).''.

(b) UNFAIR PRACTICES.—Section 808 of the Fair Debt Collection Practices Act (15 U.S.C. 1692f) is amended by adding at the end the following:

''(9) The representation to any covered member (as defined under section 805(e)(1)) that failure to cooperate with a debt collector will result in—

''(A) a reduction in rank of the covered member;

''(B) a revocation of the covered member's security clearance; or

''(C) prosecution under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).''.

SEC. _____03. GAO STUDY.

The Comptroller General of the United States shall conduct a study and submit a report to Congress on the impact of this division on—

(1) the timely delivery of information to a covered member (as defined in section 805(e) of the Fair Debt Collection Practices Act, as added by this division);

(2) military readiness; and

(3) national security, including the extent to which covered members with security clearances would be impacted by uncollected debt.

SA 2526. 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:

Strike section 352 and insert the following:

SEC. 352. MODIFICATION OF REQUIREMENTS FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 130i of title 10, United States Code, is amended—

(1) in subsection (e)(4)—

(A) in subparagraph (B), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) would support another Federal agency with authority to mitigate the threat of unmanned aircraft or unmanned aircraft systems in mitigating such threats; or'';

(2) by redesignating subsections (g) through (j) as subsections (h) through (k), respectively;

(3) by inserting after subsection (f) the following new subsection:

''(g) EXEMPTION FROM DISCLOSURE.—Information pertaining to the technology, procedures, and protocols used to carry out this section, including any regulations or guidance issued to carry out this section, shall be exempt from disclosure under section 552(b)(3) of title 5 and any State or local law requiring the disclosure of information.'';

(4) in subsection (j), as designated by paragraph (2)—

(A) in paragraph (1)—

(i) by striking ''subsection (j)(3)(C)'' and inserting ''subsection (k)(3)(C)''; and

(ii) by striking ''December 31, 2026'' and inserting ''December 31, 2027''; and

(B) in paragraph (2)—

(i) by striking ''180 days'' and inserting ''one year''; and

(ii) by striking ''November 15, 2026'' and inserting ''November 15, 2027''; and

(5) in subsection (k)(3), as so redesignated—

(A) in clause (viii), by striking ''; or'' and inserting a semicolon;

(B) in clause (ix)—

(i) by striking ''sections'' and inserting ''section''; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new clauses:

''(x) protection of the buildings, grounds, and property to which the public are not permitted regular, unrestricted access and that are under the jurisdiction, custody, or control of the Department of Defense and the persons on that property pursuant to section 2672 of this title;

''(xi) assistance to Federal, State, or local officials in responding to incidents involving nuclear, radiological, biological, or chemical weapons, high-yield explosives, or related materials or technologies, including pursuant to section 282 of this title or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq);

''(xii) transportation, storage, treatment, and disposal of explosives by the Department pursuant to section 2692(b) of this title; or

''(xiii) emergency response that is limited to a specified timeframe and location.''.

SA 2527. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) 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 I of title V, add the insert the following:

SEC. 597B. PROGRAM OF MILITARY RECRUITMENT AND EDUCATION AT THE NATIONAL SEPTEMBER 11 MEMORIAL AND MUSEUM.

(a) AUTHORITY.—Not later than September 30, 2025, the Secretary of Defense shall seek to enter into an agreement with the entity that operates the National September 11 Memorial and Museum (in this section referred to as ''the Museum'') under which the Secretary and such entity shall carry out a program at the Museum to promote military recruitment and education.

(b) PROGRAM.—A program under subsection (a) shall include the following:

(1) Provision by the Secretary to such entity of informational materials to promote enlistment in the covered Armed Forces for distribution at the Museum.

(2) Education and exhibits, developed jointly by the Secretary and such entity, and provided to the public by employees of the Museum, to—

(A) enhance understanding of the military response to the attacks on September 11, 2001; and

(B) encourage enlistment and re-enlistment in the covered Armed Forces.

(c) COVERED ARMED FORCES DEFINED.—In this section, the term ''covered Armed Forces'' means the Army, Navy, Marine Corps, Air Force, and Space Force.

SA 2528. Mr. CORNYN (for himself, Mr. OSSOFF, Mr. GRASSLEY, Mr. COONS, Mr. CRUZ, Mr. PETERS, Mrs. FISCHER, 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 title X, add the following:

Subtitle I—Law Enforcement and Victim Support Act of 2024

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Law Enforcement and Victim Support Act of 2024''.

SEC. 1097. PREVENTING CHILD TRAFFICKING ACT OF 2024.

(a) DEFINED TERM.—In this section, the term ''anti-trafficking recommendations'' means the recommendations set forth in the report of the Government Accountability Office entitled ''Child Trafficking: Addressing Challenges to Public Awareness and Survivor Support'', which was published on December 11, 2023.

(b) IMPLEMENTATION OF ANTI-TRAFFICKING PROGRAMS FOR CHILDREN.—Not later than 180 days after the date of the enactment of this Act, the Office for Victims of Crime of the Department of Justice, in coordination with the Office on Trafficking in Persons of the Administration for Children and Families, shall implement the anti-trafficking recommendations.

(c) REPORT.—Not later than 60 days after the date on which the Office for Victims of Crime implements the anti-trafficking recommendations pursuant to subsection (c), the Director of the Office for Victims of Crime shall submit a report to the Committee on the Judiciary of the Senate and Committee on the Judiciary of the House of Representatives that explicitly describes the steps taken by the Office to complete such implementation.

SEC. 1098. PROJECT SAFE CHILDHOOD ACT.

Section 143 of the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20942) is amended to read as follows:

''SEC. 143. PROJECT SAFE CHILDHOOD.

''(a) DEFINITIONS.—In this section:

''(1) CHILD SEXUAL ABUSE MATERIAL.—The term 'child sexual abuse material' has the meaning given the term 'child pornography' in section 2256 of title 18, United States Code.

''(2) CHILD SEXUAL EXPLOITATION OFFENSE.—The term 'child sexual exploitation offense' means—

''(A)(i) an offense involving a minor under section 1591 or chapter 117 of title 18, United States Code;

''(ii) an offense under subsection (a), (b), or (c) of section 2251 of title 18, United States Code;

''(iii) an offense under section 2251A or 2252A(g) of title 18, United States Code; or

''(iv) any attempt or conspiracy to commit an offense described in clause (i) or (ii); or

''(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

''(3) CIRCLE OF TRUST OFFENDER.—The term 'circle of trust offender' means an offender who is related to, or in a position of trust, authority, or supervisory control with respect to, a child.

''(4) COMPUTER.—The term 'computer' has the meaning given the term in section 1030 of title 18, United States Code.

''(5) CONTACT SEXUAL OFFENSE.—The term 'contact sexual offense' means—

''(A) an offense involving a minor under chapter 109A of title 18, United States Code, or any attempt or conspiracy to commit such an offense; or

''(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

''(6) DUAL OFFENDER.—The term 'dual offender' means—

''(A) a person who commits—

''(i) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; and

''(ii) a contact sexual offense; and

''(B) without regard to whether the offenses described in clauses (i) and (ii) of subparagraph (A)—

''(i) are committed as part of the same course of conduct; or

''(ii) involve the same victim.

''(7) FACILITATOR.—The term 'facilitator' means an individual who facilitates the commission by another individual of—

''(A) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; or

''(B) a contact sexual offense.

''(8) ICAC AFFILIATE PARTNER.—The term 'ICAC affiliate partner' means a law enforcement agency that has entered into a formal operating agreement with the ICAC Task Force Program.

''(9) ICAC TASK FORCE.—The term 'ICAC task force' means a task force that is part of the ICAC Task Force Program.

''(10) ICAC TASK FORCE PROGRAM.—The term 'ICAC Task Force Program' means the National Internet Crimes Against Children Task Force Program established under section 102 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21112).

''(11) OFFENSE INVOLVING CHILD SEXUAL ABUSE MATERIAL.—The term 'offense involving child sexual abuse material' means—

''(A) an offense under section 2251(d), section 2252, or paragraphs (1) through (6) of section 2252A(a) of title 18, United States Code, or any attempt or conspiracy to commit such an offense; or

''(B) an offense under a State or Tribal statute that is similar to a provision described in subparagraph (A).

''(12) SERIOUS OFFENDER.—The term 'serious offender' means—

''(A) an offender who has committed a contact sexual offense or child sexual exploitation offense;

''(B) a dual offender, circle of trust offender, or facilitator; or

''(C) an offender with a prior conviction for a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material.

''(13) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(14) TECHNOLOGY-FACILITATED.—The term 'technology-facilitated', with respect to an offense, means an offense that is committed through the use of a computer, even if the use of a computer is not an element of the offense.

''(b) ESTABLISHMENT OF PROGRAM.—The Attorney General shall create and maintain a nationwide initiative to align Federal, State, and local entities to combat the growing epidemic of online child sexual exploitation and abuse, to be known as the 'Project Safe Childhood program', in accordance with this section.

''(c) BEST PRACTICES.—The Attorney General, in coordination with the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice and the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and in consultation with training and technical assistance providers under the ICAC Task Force Program who are funded by the Attorney General and with appropriate nongovernmental organizations, shall—

''(1) develop best practices to adopt a balanced approach to the investigation of suspect leads involving contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, and the prosecution of those offenses, prioritizing when feasible the identification of a child victim or a serious offender, which approach shall incorporate the use of—

''(A) proactively generated leads, including leads generated by current and emerging technology;

''(B) in-district investigative referrals; and

''(C) CyberTipline reports from the National Center for Missing and Exploited Children;

''(2) develop best practices to be used by each United States Attorney and ICAC task force to assess the likelihood that an individual could be a serious offender or that a child victim may be identified;

''(3) develop and implement a tracking and communication system for Federal, State, and local law enforcement agencies and prosecutor's offices to report successful cases of victim identification and child rescue to the Department of Justice and the public; and

''(4) encourage the submission of all lawfully seized visual depictions to the Child Victim Identification Program of the National Center for Missing and Exploited Children.

''(d) IMPLEMENTATION.—Except as authorized under subsection (e), funds authorized under this section may only be used for the following 4 purposes:

''(1) Integrated Federal, State, and local efforts to investigate and prosecute contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, including—

''(A) the partnership by each United States Attorney with each Internet Crimes Against Children Task Force within the district of such attorney;

''(B) training of Federal, State, and local law enforcement officers and prosecutors through—

''(i) programs facilitated by the ICAC Task Force Program;

''(ii) ICAC training programs supported by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice;

''(iii) programs facilitated by appropriate nongovernmental organizations with subject matter expertise, technical skill, or technological tools to assist in the identification of and response to serious offenders, contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material; and

''(iv) any other program that provides training—

''(I) on the investigation and identification of serious offenders or victims of contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material; or

''(II) that specifically addresses the use of existing and emerging technologies to commit or facilitate contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material;

''(C) the development by each United States Attorney of a district-specific strategic plan to coordinate with State and local law enforcement agencies and prosecutor's offices, including ICAC task forces and their ICAC affiliate partners, on the investigation of suspect leads involving serious offenders, contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, and the prosecution of those offenders and offenses, which plan—

''(i) shall include—

''(I) the use of the best practices developed under paragraphs (1) and (2) of subsection (c);

''(II) the development of plans and protocols to target and rapidly investigate cases involving potential serious offenders or the identification and rescue of a victim of a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material;

''(III) the use of training and technical assistance programs to incorporate victim-centered, trauma-informed practices in cases involving victims of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, which may include the use of child protective services, children's advocacy centers, victim support specialists, or other supportive services;

''(IV) the development of plans to track, report, and clearly communicate successful cases of victim identification and child rescue to the Department of Justice and the public;

''(V) an analysis of the investigative and forensic capacity of law enforcement agencies and prosecutor's offices within the district, and goals for improving capacity and effectiveness;

''(VI) a written policy describing the criteria for referrals for prosecution from Federal, State, or local law enforcement agencies, particularly when the investigation may involve a potential serious offender or the identification or rescue of a child victim;

''(VII) plans and budgets for training of relevant personnel on contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material;

''(VIII) plans for coordination and cooperation with State, local, and Tribal law enforcement agencies and prosecutorial offices; and

''(IX) evidence-based programs that educate the public about and increase awareness of such offenses; and

''(ii) shall be developed in consultation, as appropriate, with—

''(I) the local ICAC task force;

''(II) the United States Marshals Service Sex Offender Targeting Center;

''(III) training and technical assistance providers under the ICAC Task Force Program who are funded by the Attorney General;

''(IV) nongovernmental organizations with subject matter expertise, technical skill, or technological tools to assist in the identification of and response to contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material;

''(V) any relevant component of Homeland Security Investigations;

''(VI) any relevant component of the Federal Bureau of Investigation;

''(VII) the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice;

''(VIII) the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice;

''(IX) the United States Postal Inspection Service;

''(X) the United States Secret Service; and

''(XI) each military criminal investigation organization of the Department of Defense; and

''(D) a quadrennial assessment by each United States Attorney of the investigations within the district of such attorney of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material—

''(i) with consideration of—

''(I) the variety of sources for leads;

''(II) the proportion of work involving proactive or undercover law enforcement investigations;

''(III) the number of serious offenders identified and prosecuted; and

''(IV) the number of children identified or rescued; and

''(ii) information from which may be used by the United States Attorney, as appropriate, to revise the plan described in subparagraph (C).

''(2) Major case coordination by the Department of Justice (or other Federal agencies as appropriate), including specific cooperation, as appropriate, with—

''(A) the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice;

''(B) any relevant component of Homeland Security Investigations;

''(C) any relevant component of the Federal Bureau of Investigation;

''(D) the ICAC task forces and ICAC affiliate partners;

''(E) the United States Marshals Service, including the Sex Offender Targeting Center;

''(F) the United States Postal Inspection Service;

''(G) the United States Secret Service;

''(H) each Military Criminal Investigation Organization of the Department of Defense; and

''(I) any task forces established in connection with the Project Safe Childhood program set forth under subsection (b).

''(3) Increased Federal involvement in, and commitment to, the prevention and prosecution of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material by—

''(A) using technology to identify victims and serious offenders;

''(B) developing processes and tools to identify victims and offenders; and

''(C) taking measures to improve information sharing among Federal law enforcement agencies, including for the purposes of implementing the plans and protocols described in paragraph (1)(C)(i)(II) to identify and rescue—

''(i) victims of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material; or

''(ii) victims of serious offenders.

''(4) The establishment, development, and implementation of a nationally coordinated 'Safer Internet Day' every year developed in collaboration with the Department of Education, national and local internet safety organizations, parent organizations, social media companies, and schools to provide—

''(A) national public awareness and evidence-based educational programs about the threats posed by circle of trust offenders and the threat of contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material, and the use of technology to facilitate those offenses;

''(B) information to parents and children about how to avoid or prevent technology-facilitated child sexual exploitation offenses; and

''(C) information about how to report possible technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material through—

''(i) the National Center for Missing and Exploited Children;

''(ii) the ICAC Task Force Program; and

''(iii) any other program that—

''(I) raises national awareness about the threat of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material; and

''(II) provides information to parents and children seeking to report possible violations of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material.

''(e) EXPANSION OF PROJECT SAFE CHILDHOOD.—Notwithstanding subsection (d), funds authorized under this section may be also be used for the following purposes:

''(1) The addition of not less than 20 Assistant United States Attorneys at the Department of Justice, relative to the number of such positions as of the day before the date of enactment of the Law Enforcement and Victim Support Act of 2024, who shall be—

''(A) dedicated to the prosecution of cases in connection with the Project Safe Childhood program set forth under subsection (b); and

''(B) responsible for assisting and coordinating the plans and protocols of each district under subsection (d)(1)(C)(i)(II).

''(2) Such other additional and related purposes as the Attorney General determines appropriate.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated—

''(A) for the activities described under paragraphs (1), (2), and (3) of subsection (d), $28,550,000 for each of fiscal years 2023 through 2028;

''(B) for the activities described under subsection (d)(4), $4,000,000 for each of fiscal years 2023 through 2028; and

''(C) for the activities described under subsection (e), $29,100,000 for each of fiscal years 2023 through 2028.

''(2) SUPPLEMENT, NOT SUPPLANT.—Amounts made available to State and local agencies, programs, and services under this section shall supplement, and not supplant, other Federal, State, or local funds made available for those agencies, programs, and services.''.

SEC. 1099. STRONG COMMUNITIES ACT OF 2023.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381) is amended by adding at the end the following:

''(q) COPS STRONG COMMUNITIES PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(i) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), that, in coordination or through an agreement with a local law enforcement agency, offers a law enforcement training program; or

''(ii) a local law enforcement agency that offers a law enforcement training program.

''(B) LOCAL LAW ENFORCEMENT AGENCY.—The term 'local law enforcement agency' means an agency of a State, unit of local government, or Indian Tribe that is authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

''(2) GRANTS.—The Attorney General may use amounts otherwise appropriated to carry out this section for a fiscal year (beginning with fiscal year 2024) to make competitive grants to local law enforcement agencies to be used for officers and recruits to attend law enforcement training programs at eligible entities if the officers and recruits agree to serve in law enforcement agencies in their communities.

''(3) ELIGIBILITY.—To be eligible for a grant through a local law enforcement agency under this subsection, each officer or recruit described in paragraph (2) shall—

''(A) serve as a full-time law enforcement officer for a total of not fewer than 4 years during the 8-year period beginning on the date on which the officer or recruit completes a law enforcement training program for which the officer or recruit receives benefits;

''(B) complete the service described in subparagraph (A) in a local law enforcement agency located within—

''(i) 7 miles of the residence of the officer or recruit where the officer or recruit has resided for not fewer than 5 years; or

''(ii) if the officer or recruit resides in a county with fewer than 150,000 residents,

within 20 miles of the residence of the officer or recruit where the officer or recruit has resided for not fewer than 5 years; and

''(C) submit to the eligible entity providing a law enforcement training program to the officer or recruit evidence of employment of the officer or recruit in the form of a certification by the chief administrative officer of the local law enforcement agency where the officer or recruit is employed.

''(4) REPAYMENT.—

''(A) IN GENERAL.—If an officer or recruit does not complete the service described in paragraph (3), the officer or recruit shall submit to the local law enforcement agency an amount equal to any benefits the officer or recruit received through the local law enforcement agency under this subsection.

''(B) REGULATIONS.—The Attorney General shall promulgate regulations that establish categories of extenuating circumstances under which an officer or recruit may be excused from repayment under subparagraph (A).''.

SEC. 1099A. FIGHTING POST-TRAUMATIC STRESS DISORDER ACT OF 2023.

(a) FINDINGS.—Congress finds the following:

(1) Public safety officers serve their communities with bravery and distinction in order to keep their communities safe.

(2) Public safety officers, including police officers, firefighters, emergency medical technicians, and 911 dispatchers, are on the front lines of dealing with situations that are stressful, graphic, harrowing, and life-threatening.

(3) The work of public safety officers puts them at risk for developing post-traumatic stress disorder and acute stress disorder.

(4) It is estimated that 30 percent of public safety officers develop behavioral health conditions at some point in their lifetimes, including depression and post-traumatic stress disorder, in comparison to 20 percent of the general population that develops such conditions.

(5) Victims of post-traumatic stress disorder and acute stress disorder are at a higher risk of dying by suicide.

(6) Firefighters have been reported to have higher suicide attempt and ideation rates than the general population.

(7) It is estimated that between 125 and 300 police officers die by suicide every year.

(8) In 2019, pursuant to section 2(b) of the Law Enforcement Mental Health and Wellness Act of 2017 (Public Law 115–113; 131 Stat. 2276), the Director of the Office of Community Oriented Policing Services of the Department of Justice developed a report (referred to in this section as the ''LEMHWA report'') that expressed that many law enforcement agencies do not have the capacity or local access to the mental health professionals necessary for treating their law enforcement officers.

(9) The LEMHWA report recommended methods for establishing remote access or regional mental health check programs at the State or Federal level.

(10) Individual police and fire departments generally do not have the resources to employ full-time mental health experts who are able to treat public safety officers with state-of-the-art techniques for the purpose of treating job-related post-traumatic stress disorder and acute stress disorder.

(b) PROGRAMMING FOR POST-TRAUMATIC STRESS DISORDER.—

(1) DEFINITIONS.—In this subsection:

(A) PUBLIC SAFETY OFFICER.—The term ''public safety officer''—

(i) has the meaning given the term in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284); and

(ii) includes Tribal public safety officers.

(B) PUBLIC SAFETY TELECOMMUNICATOR.—The term ''public safety telecommunicator'' means an individual who—

(i) operates telephone, radio, or other communication systems to receive and communicate requests for emergency assistance at 911 public safety answering points and emergency operations centers;

(ii) takes information from the public and other sources relating to crimes, threats, disturbances, acts of terrorism, fires, medical emergencies, and other public safety matters; and

(iii) coordinates and provides information to law enforcement and emergency response personnel.

(2) REPORT.—Not later than 150 days after the date of enactment of this Act, the Attorney General, acting through the Director of the Office of Community Oriented Policing Services of the Department of Justice, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on—

(A) not fewer than 1 proposed program, if the Attorney General determines it appropriate and feasible to do so, to be administered by the Department of Justice for making state-of-the-art treatments or preventative care available to public safety officers and public safety telecommunicators with regard to job-related post-traumatic stress disorder or acute stress disorder by providing public safety officers and public safety telecommunicators access to evidence-based trauma-informed care, peer support, counselor services, and family supports for the purpose of treating or preventing post-traumatic stress disorder or acute stress disorder;

(B) a draft of any necessary grant conditions required to ensure that confidentiality is afforded to public safety officers on account of seeking the care or services described in paragraph (1) under the proposed program;

(C) how each proposed program described in subparagraph (A) could be most efficiently administered throughout the United States at the State, Tribal, territorial, and local levels, taking into account in-person and telehealth capabilities;

(D) a draft of legislative language necessary to authorize each proposed program described in subparagraph (A); and

(E) an estimate of the amount of annual appropriations necessary for administering each proposed program described in subparagraph (A).

(3) DEVELOPMENT.—In developing the report required under paragraph (2), the Attorney General shall consult relevant stakeholders, including—

(A) Federal, State, Tribal, territorial, and local agencies employing public safety officers and public safety telecommunicators; and

(B) non-governmental organizations, international organizations, academies, or other entities, including organizations that support the interests of public safety officers and public safety telecommunicators and the interests of family members of public safety officers and public safety telecommunicators.

SEC. 1099B. ADMINISTRATIVE FALSE CLAIMS ACT OF 2023.

(a) CHANGE IN SHORT TITLE.—

(1) IN GENERAL.—Subtitle B of title VI of the Omnibus Budget Reconciliation Act of 1986 (Public Law 99–509; 100 Stat. 1934) is amended—

(A) in the subtitle heading, by striking ''**Program Fraud Civil Remedies**'' and inserting ''**Administrative False Claims**''; and

(B) in section 6101 (31 U.S.C. 3801 note), by striking ''Program Fraud Civil Remedies Act of 1986'' and inserting ''Administrative False Claims Act''.

(2) REFERENCES.—Any reference to the Program Fraud Civil Remedies Act of 1986 in any provision of law, regulation, map, document, record, or other paper of the United States shall be deemed a reference to the Administrative False Claims Act.

(b) REVERSE FALSE CLAIMS.—Chapter 38 of title 31, United States Code, is amended—

(1) in section 3801(a)(3), by amending subparagraph (C) to read as follows:

''(C) made to an authority which has the effect of concealing or improperly avoiding or decreasing an obligation to pay or transmit property, services, or money to the authority,''; and

(2) in section 3802(a)(3)—

(A) by striking ''An assessment'' and inserting ''(A) Except as provided in subparagraph (B), an assessment''; and

(B) by adding at the end the following:

''(B) In the case of a claim described in section 3801(a)(3)(C), an assessment shall not be made under the second sentence of paragraph (1) in an amount that is more than double the value of the property, services, or money that was wrongfully withheld from the authority.''.

(c) INCREASING DOLLAR AMOUNT OF CLAIMS.—Section 3803(c) of title 31, United States Code, is amended—

(1) in paragraph (1), by striking ''$150,000'' each place that term appears and inserting ''$1,000,000''; and

(2) by adding at the end the following:

''(3) ADJUSTMENT FOR INFLATION.—The maximum amount in paragraph (1) shall be adjusted for inflation in the same manner and to the same extent as civil monetary penalties under the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. 2461 note).''.

(d) RECOVERY OF COSTS.—Section 3806(g)(1) of title 31, United States Code, is amended to read as follows:

''(1)(A) Except as provided in paragraph (2)—

''(i) any amount collected under this chapter shall be credited first to reimburse the authority or other Federal entity that expended costs in support of the investigation or prosecution of the action, including any court or hearing costs; and

''(ii) amounts reimbursed under clause (i) shall—

''(I) be deposited in—

''(aa) the appropriations account of the authority or other Federal entity from which the costs described in subparagraph (A) were obligated;

''(bb) a similar appropriations account of the authority or other Federal entity; or

''(cc) if the authority or other Federal entity expended nonappropriated funds, another appropriate account; and

''(II) remain available until expended.

''(B) Any amount remaining after reimbursements described in subparagraph (A) shall be deposited as miscellaneous receipts in the Treasury of the United States.''.

(e) SEMIANNUAL REPORTING.—Section 405(c) of title 5, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

''(5) information relating to cases under chapter 38 of title 31, including—

''(A) the number of reports submitted by investigating officials to reviewing officials under section 3803(a)(1) of such title;

''(B) actions taken in response to reports described in subparagraph (A), which shall include statistical tables showing—

''(i) pending cases;

''(ii) resolved cases;

''(iii) the average length of time to resolve each case;

''(iv) the number of final agency decisions that were appealed to a district court of the United States or a higher court; and

''(v) if the total number of cases in a report is greater than 2—

''(I) the number of cases that were settled; and

''(II) the total penalty or assessment amount recovered in each case, including through a settlement or compromise; and

''(C) instances in which the reviewing official declined to proceed on a case reported by an investigating official; and''.

(f) INCREASING EFFICIENCY OF DOJ PROCESSING.—Section 3803(j) of title 31, United States Code, is amended—

(1) by inserting ''(1)'' before ''The reviewing''; and

(2) by adding at the end the following:

''(2) A reviewing official shall notify the Attorney General in writing not later than 30 days before entering into any agreement to compromise or settle allegations of liability under section 3802 and before the date on which the reviewing official is permitted to refer allegations of liability to a presiding officer under subsection (b).''.

(g) REVISION OF DEFINITION OF HEARING OFFICIALS.—

(1) IN GENERAL.—Chapter 38 of title 31, United States Code, is amended—

(A) in section 3801(a)(7)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B)(vii), by adding ''or'' at the end; and

(iii) by adding at the end the following:

''(C) a member of the board of contract appeals pursuant to section 7105 of title 41, if the authority does not employ an available presiding officer under subparagraph (A);''; and

(B) in section 3803(d)(2)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B)—

(I) by striking ''the presiding'' and inserting ''(i) in the case of a referral to a presiding officer described in subparagraph (A) or (B) of section 3801(a)(7), the presiding'';

(II) in clause (i), as so designated, by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(ii) in the case of a referral to a presiding officer described in subparagraph (C) of section 3801(a)(7)—

''(I) the reviewing official shall submit a copy of the notice required by under paragraph (1) and of the response of the person receiving such notice requesting a hearing—

''(aa) to the board of contract appeals that has jurisdiction over matters arising from the agency of the reviewing official pursuant to section 7105(e)(1) of title 41; or

''(bb) if the Chair of the board of contract appeals declines to accept the referral, to any other board of contract appeals; and

''(II) the reviewing official shall simultaneously mail, by registered or certified mail, or shall deliver, notice to the person alleged to be liable under section 3802 that the referral has been made to an agency board of contract appeals with an explanation as to where the person may obtain the relevant rules of procedure promulgated by the board; and''; and

(iii) by adding at the end the following:

''(C) in the case of a hearing conducted by a presiding officer described in subparagraph (C) of section 3801(a)(7)—

''(i) the presiding officer shall conduct the hearing according to the rules and procedures promulgated by the board of contract appeals; and

''(ii) the hearing shall not be subject to the provisions in subsection (g)(2), (h), or (i).''.

(2) AGENCY BOARDS.—Section 7105(e) of title 41, United States Code, is amended—

(A) in paragraph (1), by adding at the end the following:

''(E) ADMINISTRATIVE FALSE CLAIMS ACT.—

''(i) IN GENERAL.—The boards described in subparagraphs (B), (C), and (D) shall have jurisdiction to hear any case referred to a board of contract appeals under section 3803(d) of title 31.

''(ii) DECLINING REFERRAL.—If the Chair of a board described in subparagraph (B), (C), or (D) determines that accepting a case under clause (i) would prevent adequate consideration of other cases being handled by the board, the Chair may decline to accept the referral.''; and

(B) in paragraph (2), by inserting ''or, in the event that a case is filed under chapter 38 of title 31, any relief that would be available to a litigant under that chapter'' before the period at the end.

(3) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each authority head, as defined in section 3801 of title 31, United States Code, and each board of contract appeals of a board described in subparagraph (B), (C), or (D) of section 7105(e) of title 41, United States Code, shall amend procedures regarding proceedings as necessary to implement the amendments made by this subsection.

(h) REVISION OF LIMITATIONS.—Section 3808 of title 31, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) A notice to the person alleged to be liable with respect to a claim or statement shall be mailed or delivered in accordance with section 3803(d)(1) not later than the later of—

''(1) 6 years after the date on which the violation of section 3802 is committed; or

''(2) 3 years after the date on which facts material to the action are known or reasonably should have been known by the authority head, but in no event more than 10 years after the date on which the violation is committed.''.

(i) DEFINITIONS.—Section 3801 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (8), by striking ''and'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(10) 'material' has the meaning given the term in section 3729(b) of this title; and

''(11) 'obligation' has the meaning given the term in section 3729(b) of this title.''; and

(2) by adding at the end the following:

''(d) For purposes of subsection (a)(10), materiality shall be determined in the same manner as under section 3729 of this title.''.

(j) PROMULGATION OF REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each authority head, as defined in section 3801 of title 31, United States Code, shall—

(1) promulgate regulations and procedures to carry out this Act and the amendments made by this Act; and

(2) review and update existing regulations and procedures of the authority to ensure compliance with this Act and the amendments made by this Act.

SEC. 1099C. JUSTICE FOR MURDER VICTIMS ACT.

(a) IN GENERAL.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

''§ 1123. No maximum time period between act or omission and death of victim

''(a) IN GENERAL.—A prosecution may be instituted for any homicide offense under this title without regard to the time that elapsed between—

''(1) the act or omission that caused the death of the victim; and

''(2) the death of the victim.

''(b) RELATION TO STATUTE OF LIMITATIONS.—Nothing in subsection (a) shall be construed to supersede the limitations period under section 3282(a), to the extent applicable.

''(c) MAXIMUM TIME PERIOD APPLICABLE IF DEATH PENALTY IMPOSED.—A sentence of death may not be imposed for a homicide offense under this title unless the Government proves beyond a reasonable doubt that not more than 1 year and 1 day elapsed between—

''(1) the act or omission that caused the death of the victim; and

''(2) the death of the victim.''.

(b) TABLE OF CONTENTS.—The table of sections for chapter 51 of title 18, United States Code, is amended by adding at the end the following:

''1123. No maximum time period between act or omission and death of victim.''.

(c) APPLICABILITY.—Section 1123(a) of title 18, United States Code, as added by subsection (a), shall apply with respect to an act or omission described in that section that occurs after the date of enactment of this Act.

(d) MAXIMUM PENALTY FOR FIRST-DEGREE MURDER BASED ON TIME PERIOD BETWEEN ACT OR OMISSION AND DEATH OF VICTIM.—Section 1111(b) of title 18, United States Code, is amended by inserting after ''imprisonment for life'' the following: '', unless the death of the victim occurred more than 1 year and 1 day after the act or omission that caused the death of the victim, in which case the punishment shall be imprisonment for any term of years or for life''.

SEC. 1099D. PROJECT SAFE NEIGHBORHOODS REAUTHORIZATION ACT OF 2023.

(a) FINDINGS.—Congress finds the following:

(1) Launched in 2001, the Project Safe Neighborhoods program is a nationwide initiative that brings together Federal, State, local, and Tribal law enforcement officials, prosecutors, community leaders, and other stakeholders to identify the most pressing crime problems in a community and work collaboratively to address those problems.

(2) The Project Safe Neighborhoods program—

(A) operates in all 94 Federal judicial districts throughout the 50 States and territories of the United States; and

(B) implements 4 key components to successfully reduce violent crime in communities, including community engagement, prevention and intervention, focused and strategic enforcement, and accountability.

(b) REAUTHORIZATION.—

(1) DEFINITIONS.—Section 2 of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (? 34 U.S.C. 60701) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(B) by inserting before paragraph (2), as so redesignated, the following:

''(1) the term crime analyst means an individual employed by a law enforcement agency for the purpose of separating information into key components and contributing to plans of action to understand, mitigate, and neutralize criminal threats;''; and

(C) by inserting after paragraph (2), as so redesignated, the following:

''(3) the term law enforcement assistant means an individual employed by a law enforcement agency or a prosecuting agency

for the purpose of aiding law enforcement officers in investigative or administrative duties;''.

(2) USE OF FUNDS.—Section 4(b) of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (? 34 U.S.C. 60703(b)) is amended—

(A) in paragraph (3), by striking or at the end;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(5) hiring crime analysts to assist with violent crime reduction efforts;

''(6) the cost of overtime for law enforcement officers, prosecutors, and law enforcement assistants that assist with the Program; and

''(7) purchasing, implementing, and using technology to assist with violent crime reduction efforts.''.

(3) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (? 34 U.S.C. 60705) is amended by striking ''fiscal years 2019 through 2021'' and inserting ''fiscal years 2023 through 2028''.

(c) TASK FORCE SUPPORT.—

(1) SHORT TITLE.—This subsection may be cited as the Officer Ella Grace French and Sergeant Jim Smith Task Force Support Act of 2023.

(2) AMENDMENT.—Section 4(b) of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (? 34 U.S.C. 60703(b)), as amended by subsection (c)(2), is amended—

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

(B) in paragraph (7), by striking the period at the end and inserting ; and; and

(C) by adding at the end the following:

''(8) support for multi-jurisdictional task forces.''.

(d) TRANSPARENCY.—Not less frequently than annually, 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 details, for each area in which the Project Safe Neighborhoods Block Grant Program operates and with respect to the 1-year period preceding the date of the report—

(1) how the area spent funds under the Project Safe Neighborhoods Block Grant Program;

(2) the community outreach efforts performed in the area; and

(3) the number and a description of the violent crime offenses committed in the area, including murder, non-negligent manslaughter, rape, robbery, and aggravated assault.

SEC. 1099E. FEDERAL JUDICIARY STABILIZATION ACT OF 2024.

(a) EXISTING JUDGESHIPS.—The existing judgeships for the district of Hawaii, the district of Kansas, and the eastern district of Missouri authorized by section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note) and the existing judgeships for the northern district of Alabama, the district of Arizona, the central district of California, the southern district of Florida, the district of New Mexico, the western district of North Carolina, and the eastern district of Texas authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note) shall, as of the effective date of this Act, be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(b) TABLES.—In order that the table contained in section 133 of title 28, United States Code, will, with respect to each judicial district, reflect the changes in the total number of permanent district judgeships authorized as a result of subsection (a) of this section, such table is amended—

(1) by striking the items relating to Alabama and inserting the following:

''Alabama:	
Northern	8
Middle	3
Southern	3'';

(2) by striking the item relating to Arizona and inserting the following:

''Arizona	13'';

(3) by striking the items relating to California and inserting the following:

''California:	
Northern	14
Eastern	6
Central	28
Southern	13'';

(4) by striking the items relating to Florida and inserting the following:

''Florida:	
Northern	4
Middle	15
Southern	18'';

(5) by striking the item relating to Hawaii and inserting the following:

''Hawaii	4'';

(6) by striking the item relating to Kansas and inserting the following:

''Kansas	6'';

(7) by striking the items relating to Missouri and inserting the following:

''Missouri:
Eastern 7
Western 5
Eastern and Western ..... 2'';

(8) by striking the item relating to New Mexico and inserting the following:

''New Mexico ..... 7'';

(9) by striking the items relating to North Carolina and inserting the following:

''North Carolina:
Eastern 4
Middle 4
Western ..... 5''; and

(10) by striking the items relating to Texas and inserting the following:

''Texas:
Northern 12
Southern 19
Eastern 8
Western ..... 13''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section and the amendments made by this section.

SEC. 1099F. AMERICAN LAW ENFORCEMENT SUSTAINING AID AND VITAL EMERGENCY RESOURCES ACT.

Section 521 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10202) is amended by adding at the end the following:

''(d) TRAUMA KITS.—

''(1) DEFINITION.—In this subsection, the term 'trauma kit' means a first aid response kit that—

''(A) includes, at a minimum, a bleeding control kit that can be used for controlling life-threatening hemorrhage, which shall include—

''(i) a tourniquet recommended by the Committee on Tactical Combat Casualty Care;

''(ii) a bleeding control bandage;

''(iii) a pair of nonlatex protective gloves and a pen-type marker;

''(iv) a pair of blunt-ended scissors;

''(v) instructional documents developed—

''(I) under the STOP THE BLEED national awareness campaign of the Department of Homeland Security, or any successor thereto;

''(II) by the American College of Surgeons Committee on Trauma;

''(III) by the American Red Cross; or

''(IV) by any partner of the Department of Defense; and

''(vi) a bag or other container adequately designed to hold the contents of the kit; and

''(B) may include any additional trauma kit supplies that—

''(i) are approved by a State, local, or Tribal law enforcement agency or first responders;

''(ii) can adequately treat a traumatic injury; and

''(iii) can be stored in a readily available kit.

''(2) REQUIREMENT FOR TRAUMA KITS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a grantee may only purchase a trauma kit using funds made available under this part if the trauma kit meets the performance standards established by the Director of the Bureau of Justice Assistance under paragraph (3)(A).

''(B) AUTHORITY TO SEPARATELY ACQUIRE.—Nothing in subparagraph (A) shall prohibit a grantee from separately acquiring the components of a trauma kit and assembling complete trauma kits that meet the performance standards.

''(3) PERFORMANCE STANDARDS AND OPTIONAL AGENCY BEST PRACTICES.—Not later than 180 days after the date of enactment of this subsection, the Director of the Bureau of Justice Assistance, in consultation with organizations representing trauma surgeons, emergency medical response professionals, emergency physicians, and other medical professionals, relevant law enforcement agencies of States and units of local government, professional law enforcement organizations, local law enforcement labor or representative organizations, and law enforcement trade associations, shall—

''(A) develop and publish performance standards for trauma kits that are eligible for purchase using funds made available under this part; and

''(B) develop and publish optional best practices for law enforcement agencies regarding—

''(i) training law enforcement officers in the use of trauma kits;

''(ii) the deployment and maintenance of trauma kits in law enforcement vehicles; and

''(iii) the deployment, location, and maintenance of trauma kits in law enforcement agency or other government facilities.''.

SA 2529. Mr. CORNYN (for himself, Mr. TESTER, Mr. TILLIS, Ms. HASSAN, 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 title X, insert the following:

Subtitle I—Creating Access and Resources in Education for Student Mental Health Act

SEC. 1099. SHORT TITLE.

This subtitle may be cited as the ''Creating Access and Resources in Education for Student Mental Health Act'' or the ''CARE for Student Mental Health Act''.

SEC. 1099A. PURPOSES.

The purposes of this subtitle are to address the student mental health crisis by—

(1) increasing the number of, and diversifying, school-based mental health services providers; and

(2) supporting local educational agencies in recruiting, hiring, retaining, and diversifying school-based mental health services providers to meet the mental health needs of students.

SEC. 1099B. DEFINITIONS.

In this subtitle:

(1) ESEA DEFINITIONS.—The terms ''child with a disability'', ''educational service agency'', ''elementary school'', ''English learner'', ''evidence-based'', ''institution of higher education'', ''local educational agency'', ''other staff'', ''outlying area'', ''paraprofessional'', ''professional development'', ''school leader'', ''secondary school'', ''specialized instructional support personnel'', ''Secretary'', ''State'', and ''State educational agency'' have the meaning given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) ELIGIBLE INSTITUTION.—The term ''eligible institution'' means an institution of higher education that offers a program of study in—

(A) school psychology that prepares students in such program for a State credential as a school psychologist;

(B) school counseling that prepares students in such program for a State credential as a school counselor;

(C) school social work that prepares students in such program for a State credential as a school social worker;

(D) another school-based mental health field that prepares students in such program for a State license or credential as a school-based mental health services provider under State law or regulation, as determined by the Secretary; or

(E) any combination of study described in subparagraphs (A) through (D) that prepares students in such program for a State credential as a school based mental health services provider.

(3) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—

(A) IN GENERAL.—The term ''high-need local educational agency'' means a local educational agency that, as of the date on which an application is submitted for a grant under this subtitle—

(i)(I) has a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary; or

(II) is in the highest quartile of local educational agencies, as determined by the State educational agency, in a ranking of all local educational agencies in the State, ranked in descending order by the number or percentage of children in each such agency counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)); and

(ii) does not meet 2 or more of the following ratios:

(I) A ratio of 1 full-time equivalent school counselor for every 250 students.

(II) A ratio of 1 full-time equivalent school psychologist for every 500 students.

(III) A ratio of 1 full-time equivalent school social worker for every 250 students.

(B) ESA.—The term ''high-need local educational agency'' includes an educational service agency acting on behalf of 1 or more local educational agencies described in subparagraph (A).

(4) INDIAN TRIBE.—The term ''Indian tribe'' means any Indian tribe identified as such by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(5) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an institution of higher education that is an eligible institution under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(6) SCHOOL-BASED MENTAL HEALTH PARTNERSHIP.—The term ''school-based mental health partnership'' means a partnership that—

(A) is between an eligible institution and 1 or more local educational agencies;

(B) prepares students enrolled in the eligible institution to obtain a State credential as a school-based mental health services provider; and

(C) is designed to increase the number or diversity of school-based mental health services providers in schools served by local educational agencies in order to meet recommended ratios of students to full-time equivalent school-based mental health services providers in those schools, such as by—

(i) recruiting, preparing, or respecializing students enrolled in the eligible institution's school-based mental health provider program of study to obtain a State credential as, and to be employed as, a school-based mental health services provider;

(ii) expanding supervised opportunities for students enrolled in such program of study to complete required field work, credit hours, internships, or related training in order to meet State credentialing requirements as a school-based mental health services provider in schools served by a local educational agency; and

(iii) recruiting and retaining graduates of eligible institutions who have obtained a State credential as a school-based mental health services provider, to provide school-based mental health services related to prevention, early identification, and individualized intervention in schools served by a local educational agency.

(7) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term ''school-based mental health services provider'' has the meaning given the term in section 4102 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7112).

SEC. 1099C. STRENGTHENING THE PIPELINE OF SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDERS.

(a) PURPOSE.—The purpose of this section is to increase the number or diversity of school counselors, school social workers, school psychologists, and other school-based mental health services providers to serve students enrolled in schools served by local educational agencies.

(b) AUTHORIZATION OF GRANTS.—

(1) IN GENERAL.—From amounts made available to carry out this section and not reserved under paragraph (2), the Secretary shall award grants, on a competitive basis, to eligible institutions to support school-based mental health partnerships, in accordance with subsection (d).

(2) RESERVATIONS.—From the total amount made available to carry out this section for any fiscal year, the Secretary shall reserve not more than 2 percent to support program administration, technical assistance, data collection, and dissemination of best practices under this section.

(3) DURATION AND RENEWALS.—

(A) DURATION.—A grant awarded under this section shall be for a period of not more than 5 years.

(B) RENEWAL.—The Secretary may renew a grant awarded under this section if the eligible institution demonstrates to the Secretary that the eligible institution is effectively using funds to significantly expand the pipeline of school counselors, school social workers, school psychologists, and other mental health professionals who meet State credentialing standards as a school-based mental health services provider.

(4) GEOGRAPHIC DIVERSITY.—In awarding grants under paragraph (1), the Secretary shall ensure that, to the extent practicable and in accordance with paragraph (6), grants are distributed among eligible institutions that will serve geographically diverse areas, including urban, suburban, and rural areas.

(5) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this section shall be of sufficient size and scope to allow the grantee to carry out the purpose of this section.

(6) PRIORITIES.—In awarding grants under paragraph (1), the Secretary shall give priority to—

(A) minority-serving institutions, including historically Black colleges and universities (defined as ''part B institutions'' under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061) and Tribal Colleges or Universities (as defined in section 316 of such Act (20 U.S.C. 1059c)); and

(B) eligible institutions that seek to form a school-based mental health partnership with a high need local educational agency.

(7) TIMELINE.—In carrying out the competitive process described in paragraph (1), the Secretary shall—

(A) to the greatest extent practicable, ensure that an eligible institution receives not less than 90 days to submit an application described in subsection (c); and

(B) to the greatest extent practicable, provide technical assistance to eligible institutions and to local educational agencies that are or may be part of a school-based mental health partnership, in applying for grants under this section, including by—

(i) disseminating the application under this section to all State educational agencies and providing guidance, to the extent practicable, to ensure accurate identification of local educational agencies that may participate in a school-based mental health partnership;

(ii) supporting eligible institutions in identifying prospective local educational agencies with whom to partner in a school-based mental health partnership that may be supported by a grant under this section;

(iii) provide timely notice about the competitive process under this section, on the same day that a notice inviting applications is published in the Federal Register;

(iv) making publicly available templates for sample letters of intent described in subsection (c)(5) and model application materials on the same day that a notice inviting applications is published in the Federal Register; and

(v) addressing questions or concerns from the field in a timely manner, as well as offering multiple opportunities, webinars, or other efforts to engage eligible institutions and local educational agencies that are or may be part of a school-based mental health partnership with an eligible institution.

(c) APPLICATION.—An eligible institution applying for a grant under subsection (b)(1) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require, which shall include—

(1) a description of the prevalent mental health or substance use and misuse concerns facing students enrolled in schools served by local educational agencies that will be part of the school-based mental health partnership (referred to in this section as ''participating local educational agencies''), and, if applicable, challenges related to high rates of chronic absenteeism in those schools;

(2) the extent to which the proposed school-based mental health partnership will address the challenges described in paragraph (1);

(3) a description of how the eligible institution will increase the number or diversity of school-based mental health services providers in participating local educational agencies through the establishment and operation of a school-based mental health partnership, including a description of such partnership's strategies to—

(A) recruit, prepare, respecialize, retrain, or diversify the students enrolled in school-based mental health programs of study in order to help such students to obtain a State credential and be employed as school-based mental health services providers in schools served by local educational agencies; and

(B) provide supervised opportunities to place students enrolled in the eligible institution in schools served by a participating local educational agency to complete required field work, credit hours, internships, or related training to meet State credentialing requirements as a school-based mental health services provider, including a description of the factors the partnership will consider when determining the schools in which to place those students;

(4) a description of how the school-based mental health partnership will increase the capacity of participating local educational agencies to provide evidence-based comprehensive school-based mental health services, accessible to all students, to address the concerns described in paragraph (1), and, if applicable, how such services will best meet the diverse population of students to be served;

(5) if applicable, a description of how the school-based mental health partnership will collaborate with State, regional, and local public health agencies (including mental health agencies), the State Medicaid agency, child welfare agencies, or other related public and private agencies that provide mental health services to support the activities of the school-based mental health partnership; and

(6) a preliminary letter of intent, signed by each eligible institution and each participating local educational agency in the school-based mental health partnership described in paragraph (3), that details the financial, programmatic, and long-term commitment of the institution or agency, with respect to the strategies described in the application.

(d) USE OF FUNDS.—An eligible institution that receives a grant under subsection (b)(1) shall use such funds to establish and operate the school-based mental health partnership described in subsection (c)(3) to increase the number or diversity of school-based mental health services providers and support the recruitment, preparation, respecialization, retraining, or diversification of students enrolled in school-based mental health programs of study, in order to help such students to obtain a State credential and be employed as school-based mental health services providers in schools served by local educational agencies, by engaging in 1 or more of the following:

(1) Establishing a new, or expanding an existing, program of study in school psychology, school counseling, school social work, or another school-based mental health field that prepares students to obtain a State credential and be employed as a school-based mental health services provider. Funds may be used to—

(A) support recruitment and retention of new or additional faculty;

(B) purchase training materials;

(C) develop and disseminate materials to recruit potential students;

(D) offer financial support to enrolled students; or

(E) carry out any other activity necessary to establish or expand such a program of study.

(2) Expanding supervised opportunities for students enrolled in school-based mental health programs of study to be placed in schools served by a participating local educational agency in order to complete required field work, credit hours, internships, or related training required to obtain a State credential as a school-based mental health service provider.

(3) Developing pathways for staff, particularly diverse and multilingual staff, of local educational agencies to receive necessary education and training to obtain a credential as a school-based mental health services provider.

(4) Supporting activities to diversify the school-based mental health services provider workforce, including multilingual school-based mental health services providers.

(5) Providing stipends or other financial assistance for students enrolled in school-based mental health programs of study, and supporting required field work, credit hours, internships, or related training in local educational agencies.

(6) Supporting collaborations with State, regional, and local public health agencies (such as State substance abuse agencies and State mental health agencies), State Medicaid agencies, community health centers, child welfare agencies, and other related public and private agencies that provide mental health services to support activities under this subsection.

(e) REPORTING REQUIREMENTS.—

(1) ANNUAL REPORT.—Each eligible institution that receives a grant under subsection (b)(1) shall submit a public report to the Secretary on an annual basis and publish such report in a clear and easily accessible format on the website of the eligible institution. Such report shall contain, at a minimum, the following information:

(A) The number of postsecondary students enrolled in relevant programs of study operated by the eligible institution and any increases in student enrollment or faculty in such programs of study from the prior year.

(B) The number of such postsecondary students supported under the grant.

(C) If applicable, the number of such eligible institutions that met their goal of increasing the diversity of school-based mental health services providers.

(D) The number of such postsecondary students supported under the grant who were placed in a school served by a participating local educational agency—

(i) for training; or

(ii) for employment.

(E) The ratios of students to full-time equivalent school-based mental health services providers, disaggregated by profession to the extent practicable, at schools served by a participating local educational agency in the school year immediately preceding the first year of the grant and in the most recent year of the grant.

(F) The number of school-based mental health services providers employed by participating local educational agencies, disaggregated by the number of such employees who graduated from an eligible institution and obtained a credential as and were placed into employment as a school-based mental health services provider.

(2) SECRETARY'S REPORT.—Not later than 3 years after receiving the reports described in paragraph (1), and every 2 years thereafter, the Secretary shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives and make the report publicly available in a clear and easily accessible format on the website of the Department of Education. Such report shall include a summary of the reports submitted by eligible institutions and identify best practices related to—

(A) improving, expanding, and diversifying preparation programs for school counselors, school psychologists, school social workers, and other school-based mental health services providers; and

(B) supporting the recruitment and preparation of school-based mental health services providers, including effective respecialization and retraining programs.

(f) DISAGGREGATION OF DATA.—Disaggregation of data shall not be required under this section when the number is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual.

(g) SUPPLEMENT NOT SUPPLANT.—Funds made available to an eligible institution through a grant under this section shall be used only to supplement and not supplant, any State, local, or non-Federal funds that would otherwise be used to carry out the activities described under this section.

(h) MULTIPLE GRANTS TO SINGLE INSTITUTION.—In awarding grants under subsection (b)(1), the Secretary may award multiple grants to a single eligible institution if the Secretary determines that—

(1) the eligible institution submitted a high-quality application for each distinct program of study, such as a program related to school psychology or school social work; and

(2) each award would support students enrolled in distinct programs of study in related school-based mental health services fields.

(i) PROHIBITION.—A local educational agency that enters a school-based mental health partnership with an eligible institution that receives funds under this section shall not be eligible to participate in another school-based mental health partnership with another eligible institution that receives funds under this section until the original grant period has ended.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2025 through 2029.

SEC. 1099D. SCHOOL-BASED MENTAL HEALTH SERVICES GRANT PROGRAM.

(a) PURPOSE.—The purpose of this section is to support high-need local educational agencies in recruiting, hiring, retaining, and diversifying school-based mental health services providers to expand access to school-based mental health services for students enrolled in schools served by such agencies.

(b) AUTHORIZATION OF GRANTS.—

(1) IN GENERAL.—From amounts made available to carry out this section and not reserved under paragraph (2), the Secretary shall award grants, on a competitive basis, to high-need local educational agencies, in accordance with this section.

(2) RESERVATIONS.—From the total amount made available to carry out this section for a fiscal year, the Secretary shall—

(A) reserve not more than 2 percent of such amount for program administration, technical assistance, and data collection;

(B) reserve 1 percent for the Secretary of the Interior for schools operated or funded by the Bureau of Indian Education, in accordance with the purpose of this section; and

(C) reserve 1 percent for allotments for payments to the outlying areas, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this section.

(3) DURATION AND RENEWALS.—

(A) DURATION.—A grant awarded under this section shall be for a period of not more than 5 years.

(B) RENEWAL.—The Secretary may renew a grant awarded under this section for a period of not more than 2 years.

(4) DIVERSITY OF PROJECTS.—

(A) IN GENERAL.—Subject to subparagraph (B), in awarding grants under paragraph (1), the Secretary shall ensure that, to the extent practicable, grants are distributed among high-need local educational agencies that will serve geographically diverse areas, including urban, suburban, and rural areas.

(B) RURAL LOCAL EDUCATIONAL AGENCIES.—In awarding grants under paragraph (1), the Secretary shall ensure that, to the greatest extent practicable, not less than 30 percent of the amounts made available to carry out this section that remain after making reservations under paragraph (2) are awarded to high-quality applications submitted by high-need local educational agencies to support rural high-need local educational agencies described in section 1099B(3)(A)(i)(I).

(5) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under paragraph (1) shall be of sufficient size and scope to allow the high-need local educational agency receiving the grant to carry out the purpose of this section.

(6) TIMELINE.—In carrying out the competitive process under this subsection, the Secretary shall—

(A) to the greatest extent practicable, ensure that high-need local educational agencies have not less 90 days to submit an application;

(B) to the greatest extent practicable, send a communication to every high-need local educational agency containing notice of the application and the award deadline; and

(C) to the greatest extent practicable, provide technical assistance to high-need local educational agencies, including by—

(i) addressing questions or concerns from the field in a timely manner, as well as offering multiple opportunities, webinars, or other efforts to engage local educational agencies about the application process; and

(ii) publishing not less than 3 examples of grant applications from geographically diverse locales, including not less than 1 such example from a rural high-need local educational agency described in section 1099B(3)(A)(i)(I).

(c) APPLICATION.—A high-need local educational agency applying for a grant under subsection (b)(1) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require, which may include—

(1) a description of the prevalent mental health or substance use and misuse concerns facing students enrolled in schools served by the high-need local educational agency, and, if applicable, challenges related to high rates of chronic absenteeism in those schools;

(2) a description of the current shortage of school-based mental health services providers in schools served by the high-need local educational agency that will be served under the grant;

(3) a description of the applicant's plan to support recruiting, hiring, retaining, or diversifying school-based mental health services providers in schools served by the high-need local educational agency to be served under the grant;

(4) if applicable, a description of the high-need local educational agency's plan to increase the capacity of educators, school leaders, school-based mental health services providers, and other relevant staff to address the needs described in paragraph (1); and

(5) an assurance that any school-based mental health services provider, including any provider offering telehealth services, provides services in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g; commonly known as the ''Family Educational Rights and Privacy Act of 1974'') and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), as well as all applicable Federal, State, and local laws.

(d) USE OF FUNDS.—

(1) RECRUITING, HIRING, AND RETAINING SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDERS.—A high-need local educational agency that receives a grant under subsection (b)(1) shall use such funds to carry out 1 or more of the following:

(A) Implementing strategies to recruit school-based mental health services providers in schools served by high-need local educational agencies to help mitigate shortages of such providers, such as—

(i) salary stipends or other financial incentives;

(ii) relocation benefits; and

(iii) opportunities for continuing professional development.

(B) Hiring school-based mental health services providers to—

(i) provide school-based mental health services to students enrolled in schools served by high-need local educational agencies; and

(ii) implement evidence-based practices to improve school climate to support positive student mental health.

(C) Implementing strategies to retain school-based mental health services providers in schools served by high-need local educational agencies, which may include providing—

(i) incentives described in subparagraph (A); and

(ii) ongoing professional development, induction, mentorship, or peer support for school-based mental health services providers.

(2) ADDITIONAL USES.—In addition to the activities described in paragraph (1), a high-need local educational agency that receives a grant under subsection (b)(1) may also use such funds to increase the capacity of the high-need local educational agency to address student needs described in subsection (c)(1), through activities that may include—

(A) providing professional development to school-based mental health services providers, teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, other staff employed by each high-need local educational agency, and to the extent practicable, families, related to—

(i) meeting the needs of students at elevated risk of suicide, mental health concerns, or substance use and misuse;

(ii) implementation of evidence-based school-based mental health services with high fidelity, including such services related to—

(I) prevention, early identification, and individualized intervention;

(II) addressing substance use and misuse; and

(III) preventing and eliminating any existing stigma in accessing such services;

(iii) mitigating indirect or secondary trauma experienced by staff employed by the high-need local educational agency and implementing evidence-based programs to promote mental health among such staff;

(iv) supporting school-based mental health services providers qualified to support students in languages other than English and children with disabilities;

(v) understanding when and how to refer a student to a school-based mental health services provider;

(vi) supporting the use of evidence-based practices to address student mental health needs; and

(vii) addressing chronic absenteeism;

(B) supporting high-need local educational agencies in billing and accessing reimbursements under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and the Children's Health Insurance Program under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.); or

(C) other activities that support the development and implementation of innovative strategies to increase access to school-based mental health services in schools served by high-need local educational agencies, which may include increasing access to school-based mental health services provided through telehealth, including ensuring any services provided through telehealth are accessible for children with disabilities.

(e) DISAGGREGATION OF DATA.—Disaggregation of data shall not be required under this section when the number is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual.

(f) REPORTING REQUIREMENTS.—

(1) REPORTING.—Each high-need local educational agency that receives a grant under subsection (b)(1) shall submit a report to the Secretary on an annual basis and publish such report in a clear and easily accessible format on the website of the high-need local educational agency. Such report shall contain any information required by the Secretary and, at a minimum, the following:

(A) The number of school-based mental health services providers employed by high-need local educational agencies served under the grant and any increases from the prior year, disaggregated by—

(i) the number of each type of such providers who was recruited, hired, or retained, with support under this grant; and

(ii) the demographics of such providers.

(B) The ratio of students to school-based mental health services providers in schools served by high-need local educational agencies served under the grant and the extent to which such ratio has decreased since the start of the grant period.

(C) The reduction in the annual attrition rate of school-based mental health services providers employed by high-need local educational agencies served under the grant and the extent to which such attrition rate has decreased since the start of the grant period.

(D) A description of the strategies used by high-need local educational agencies served under the grant to implement innovative evidenced-based strategies to increase access to school-based mental health services and to improve school climate for students enrolled in schools served by such agencies.

(2) SECRETARY'S REPORTS.—

(A) IN GENERAL.—Not later than 3 years after receiving the reports described in paragraph (1), and every 2 years thereafter, the Secretary shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives that—

(i) includes a summary of the reports submitted by grant recipients under paragraph (1);

(ii) identifies effective practices related to the activities supported by the grant program under this section; and

(iii) includes an analysis of whether the recipient carried out its plan described in subsection (c)(3).

(B) PUBLICLY AVAILABLE.—Not later than 1 month after submitting a report described in subparagraph (A), the Secretary shall publish such report in a clear and easily accessible format on the website of the Department of Education.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2025 through 2029.

SEC. 1099E. RULE.

The requirements of section 4001 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7101) shall apply to an eligible institution, local educational agency, or educational service agency receiving a grant under this subtitle, or participating in a program that receives funds under this subtitle, in the same manner as those requirements apply to an entity receiving an award under title IV of such Act.

SA 2530. Mr. MERKLEY (for himself 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 of subtitle A of title XII, add the following:

SEC. 1216. TRAINING FOR UNITED STATES OFFICIALS RESPONSIBLE FOR DOMESTIC THREATS OF TRANSNATIONAL REPRESSION.

(a) IN GENERAL.—In order to achieve an adequate level of understanding to recognize and combat transnational repression, the Attorney General, in consultation with the Secretary of Homeland Security, the Director of National Intelligence, civil society, and the business community, shall provide the training recipients referred to in subsection (b) with training regarding transnational repression, including training on—

(1) how to identify different tactics of transnational repression in physical and nonphysical forms;

(2) which governments are known to employ transnational repression most frequently;

(3) which communities and locations in the United States are most vulnerable to transnational repression;

(4) tools of digital surveillance and other cyber tools used to carry out transnational repression activities;

(5) espionage and foreign agent laws; and

(6) how foreign governments may try to coopt the immigration system.

(b) TRAINING RECIPIENTS.—The training recipients referred to in this subsection include, to the extent deemed appropriate and necessary by their respective agency heads in the case of any Federal employee—

(1) employees of—

(A) the Department of Homeland Security, including U.S. Customs and Border Protection, U.S. Citizenship and Immigration Services, and U.S. Immigration and Customs Enforcement;

(B) the Department of Justice, including the Federal Bureau of Investigation; and

(C) the Office of Refugee Resettlement of the Department of Health and Human Services;

(2) other Federal, State, and local law enforcement and municipal officials receiving instruction at the Federal Law Enforcement Training Center; and

(3) appropriate private sector and community partners of the Federal Bureau of Investigation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 for each of the fiscal years 2025 through 2028, to develop and provide the curriculum and training described in subsection (a).

SA 2531. Mr. MERKLEY (for himself 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 of subtitle E of title X, add the following:

SEC. 1049. DEPARTMENT OF HOMELAND SECURITY AND DEPARTMENT OF JUSTICE INITIATIVES TO COMBAT TRANSNATIONAL REPRESSION IN THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Homeland Security and the Attorney General, in consultation with the Director of the Federal Bureau of Investigation, shall—

(1) dedicate resources to ensure that a tip line for victims and witnesses of transnational repression—

(A) is staffed by people who are—

(i) equipped with cultural and linguistic ability to communicate effectively with diaspora and exile communities; and

(ii) knowledgeable of the tactics of transnational repression;

(B) is encrypted and, to the maximum extent practicable, protects the confidentiality of the identifying information of individuals who may call the tip line;

(2) not later than 270 days after the date of the enactment of this Act—

(A) identify existing Federal resources to assist and protect individuals and communities targeted by transnational repression in the United States; and

(B) in cooperation with the Secretary of Health and Human Services and the heads of other Federal agencies, publish such resources in a toolkit or guide;

(3) continue to conduct proactive outreach so that individuals in targeted communities—

(A) are aware of the tip line described in paragraph (1); and

(B) are informed about the types of incidents that should be reported to the Federal Bureau of Investigation;

(4) support data collection and analysis undertaken by Federal research and development centers regarding the needs of targeted communities in the United States, with the goal of identifying priority needs and developing solutions and assistance mechanisms, while recognizing that such mechanisms may differ depending on geographic location of targeted communities, language, and other factors;

(5) continue to issue advisories to, and engage regularly with, communities that are at particular risk of transnational repression, including specific diaspora communities—

(A) to explain what transnational repression is and clarify the threshold at which incidents of transnational repression constitute a crime; and

(B) to identify the resources available to individuals in targeted communities to facilitate their reporting of, and to protect them from, transnational repression, without placing such individuals at additional risk; and

(6) conduct annual trainings with caseworker staff in congressional offices regarding the tactics of transnational repression and the resources available to their constituents.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 for each of the fiscal years 2025 through 2028, for the research, development, outreach, and training activities described in subsection (a).

SA 2532. 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 C of title VIII, add the following:

SEC. 855. MATTERS RELATING TO DEFENSE MANUFACTURING.

(a) AUTHORITIES OF DEPARTMENT OF DEFENSE TO INCREASE DOMESTIC DEFENSE MANUFACTURING.—

(1) IN GENERAL.—Subpart I of part V of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 390—DEFENSE MANUFACTURING

"§ 5001. Definitions

''In this chapter:

''(1) CRITICAL COMPONENT.—

''(A) IN GENERAL.—The term 'critical component' includes such components, subsystems, systems, and related special tooling and test equipment essential to the production, repair, maintenance, or operation of weapon systems or other items of equipment identified by the Secretary as being essential to the execution of the national security strategy of the United States.

''(B) INCLUSION OF CERTAIN COMPONENTS.—Components identified as critical by a National Security Assessment conducted pursuant to section 113(i) of this title, or by a Presidential determination as a result of a petition filed under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862), shall be designated as critical components for purposes of this chapter, unless the President determines that the designation is unwarranted.

''(2) CRITICAL TECHNOLOGY.—The term 'critical technology' includes any technology designated by the Secretary to be essential to the national defense.

''(3) CRITICAL TECHNOLOGY ITEM.—The term 'critical technology item' means materials directly employing, derived from, or utilizing a critical technology.

''(4) DOMESTIC INDUSTRIAL BASE.—The term 'domestic industrial base' means domestic sources which are providing, or which would be reasonably expected to provide, materials or services to meet national defense requirements during peacetime, national emergency, or war.

''(5) DOMESTIC SOURCE.—The term 'domestic source' means a business concern—

''(A) that performs in the United States, Canada, Australia, New Zealand, or the United Kingdom substantially all of the research and development, engineering, manufacturing, and production activities required of such business concern under a contract with the United States relating to a critical component or a critical technology item; and

''(B) that procures from business concerns described in subparagraph (A) substantially all of any components and assemblies required under a contract with the United States relating to a critical component or critical technology item.

''(6) FACILITIES.—The term 'facilities' includes all types of buildings, structures, or other improvements to real property (but excluding farms, churches or other places of worship, and private dwelling houses), and services relating to the use of any such building, structure, or other improvement.

''(7) INDUSTRIAL RESOURCES.—The term 'industrial resources' means materials, services, processes, or manufacturing equipment (including the processes, technologies, and ancillary services for the use of such equipment) needed to establish or maintain an efficient and modern national defense industrial base.

''(8) MATERIALS.—The term 'materials' includes—

''(A) any raw materials (including minerals, metals, and advanced processed materials), commodities, articles, components (including critical components), products, and items of supply; and

''(B) any technical information or services ancillary to the use of any such materials,

commodities, articles, components, products, or items.

''(9) NATIONAL DEFENSE.—The term 'national defense' has the meaning given that term in section 4818(f) of this title.

''(10) PERSON.—The term 'person' includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative thereof, or any State or local government or agency thereof.

''(11) SERVICES.—The term 'services' includes any effort that is needed for or incidental to—

''(A) the development, production, processing, distribution, delivery, or use of an industrial resource or a critical technology item;

''(B) the construction of facilities;

''(C) the movement of individuals and property by all modes of civil transportation; or

''(D) other national defense programs and activities.

''(12) SECRETARY.—The term 'Secretary' means the Secretary of Defense.

''§ 5002. Incentivizing expansion of essential defense industrial base capabilities

''(a) INCENTIVES.—

''(1) IN GENERAL.—To create, maintain, protect, expand, or restore domestic industrial base capabilities essential for the national defense, the Secretary may make provision—

''(A) for purchases of or commitments to purchase an industrial resource or a critical technology item for Department of Defense use or resale;

''(B) for the encouragement of exploration, development, and mining of critical and strategic materials, and other materials;

''(C) for the development of production capabilities; and

''(D) for the increased use of emerging technologies in security program applications and the rapid transition of emerging technologies—

''(i) from government-sponsored research and development to commercial applications; and

''(ii) from commercial research and development to national defense applications.

''(2) TERMS OF SALES.—No commodity purchased under this subsection shall be sold at less than—

''(A) the established ceiling price for such commodity, except that minerals, metals, and materials shall not be sold at less than the established ceiling price, or the current domestic market price, whichever is lower; or

''(B) if no ceiling price has been established, the current domestic market price for such commodity.

''(3) DETERMINATIONS REQUIRED.—The Secretary may not execute a contract under this subsection unless the Secretary determines, with appropriate explanatory material and in writing, that—

''(A) the industrial resource, material, or critical technology item is essential to the national defense; and

''(B) without action by the Secretary under this section, United States industry cannot reasonably be expected to provide the capability for the needed industrial resource, material, or critical technology item in a timely manner.

''(b) EXEMPTION FOR CERTAIN LIMITATIONS.—Subject to the limitations in subsection (a), purchases and commitments to purchase and sales under subsection (a) may be made without regard to the limitations of existing law for such quantities, and on such terms and conditions, including advance payments, and for such periods, but not extending beyond a date that is not more than 10 years from the date on which such purchase, purchase commitment, or sale was initially made, as the Secretary deems necessary.

''(c) INCIDENTAL AUTHORITY.—The procurement power granted to the Secretary by this section shall include the power to transport and store and have processed and refined any materials procured under this section.

''(d) INSTALLATION OF EQUIPMENT IN INDUSTRIAL FACILITIES.—

''(1) INSTALLATION AUTHORIZED.—If the Secretary determines that such action will aid the national defense, the Secretary is authorized—

''(A) to procure and install additional equipment, facilities, processes, or improvements to plants, factories, and other industrial facilities owned by the Department of Defense;

''(B) to procure and install equipment owned by the Department in plants, factories, and other industrial facilities owned by private persons;

''(C) to provide for the modification or expansion of privately owned facilities, including the modification or improvement of production processes; and

''(D) to sell or otherwise transfer equipment owned by the Department and installed under this subsection to the owners of such plants, factories, or other industrial facilities.

''(2) INDEMNIFICATION.—The owner of any plant, factory, or other industrial facility that receives equipment owned by the Federal Government under this section shall agree—

''(A) to waive any claim against the United States under section 107 or 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607 and 9613);

''(B) to indemnify the United States against any claim described in paragraph (1) made by a third party that arises out of the presence or use of equipment owned by the Federal Government; and

''(C) to indemnify the contractor, if any, in accordance with Public Law 85–804 (50 U.S.C. 1431 et seq.) and Executive Order 10789 (50 U.S.C. 1431 note; relating to authorizing agencies of the Government to exercise certain contracting authority in connection with national-defense functions and prescribing regulations governing the exercise of such authority), as implemented by part 50 of the Federal Acquisition Regulation.

''(e) TRANSFER TO NATIONAL DEFENSE STOCKPILE OF EXCESS METALS, MINERALS, AND MATERIALS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law to the contrary, metals, minerals, and materials acquired pursuant to this section that, in the judgment of the Secretary, are excess to the needs of programs under this chapter, shall be transferred to the National Defense Stockpile established by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), when the Secretary deems such action to be in the public interest.

''(2) TRANSFERS AT NO CHARGE.—Transfers made pursuant to this subsection shall be made without charge against or reimbursement from funds appropriated for the purposes of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), except that costs incident to such transfer, other than acquisition costs, shall be paid or reimbursed from such funds.

''(f) DEVELOPMENT OF SUBSTITUTES.—When, in the judgment of the Secretary it will aid the national defense, the Secretary may make provision for the development of substitutes for strategic and critical materials, critical components, critical technology items, and other industrial resources.

''§ 5003. Defense Industrial Base Fund

''(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a separate fund to be known as the 'Defense Industrial Base Fund' (in this section referred to as the 'Fund').

''(b) MONEYS IN FUND.—There shall consist of amounts appropriated or otherwise made available to the Fund.

''(c) USE OF FUNDS.—The Fund shall be available to carry out the provisions and purposes of this chapter, subject to the limitations set forth in this chapter and in appropriations Acts.

''(d) DURATION OF FUND.—Amounts in the Fund shall remain available until expended.

''(e) FUND MANAGER.—The Secretary shall be the manager of the Fund. The duties of the Fund manager shall include—

''(1) determining the liability of the Fund;

''(2) ensuring the visibility and accountability of transactions engaged in through the Fund; and

''(3) reporting to the Congress each year regarding activities of the Fund during the previous fiscal year.''.

(2) MODIFICATIONS TO INDUSTRIAL BASE FUND AND DEFENSE PRODUCTION ACT FUND.—

(A) TRANSFER OF FUNDS.—All amounts in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) on the day before the date of the enactment of this Act, other than amounts appropriated to the Fund by division B of the CARES Act (Public Law 116–136; 134 Stat. 505) or section 30001 of Public Law 117–169 (commonly known as the ''Inflation Reduction Act of 2022'') (136 Stat. 2027), shall be transferred to and deposited in the Defense Industrial Base Fund under section 5003 of title 10, United States Code, as added by **[**subparagraph (B)**]**.

(B) AVAILABILITY OF AMOUNTS IN INDUSTRIAL BASE FUND.—Section 4817(d) of title 10, United States Code, is amended—

(i) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(ii) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new paragraph:

''(5) to carry out chapter 390.''.

(C) AMENDMENTS TO DEFENSE PRODUCTION ACT FUND.—

(i) RENAMING OF FUND.—Section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) is amended—

(I) in the section heading, by striking ''**DEFENSE PRODUCTION ACT FUND**'' and inserting ''**NON-DEFENSE NATIONAL CRISIS PRODUCTION FUND**''; and

(II) in subsection (a), by striking ''Defense Production Act Fund'' and inserting ''Non-Defense National Crisis Production Fund''.

(ii) REFERENCES.—On and after the date of the enactment of this Act, any reference in any law or regulation to the Defense Production Act Fund shall be deemed to be a reference to the Non-Defense National Crisis Production Fund.

(3) CLERICAL AMENDMENTS.—The table of chapters as the beginning of subtitle A of title 10, United States Code, and at the beginning of part V of such subtitle, are each amended by inserting after the item relating to chapter 389 the following new item:

''390. Defense Manufacturing.''.

(b) DIRECT HIRE AUTHORITY FOR OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR INDUSTRIAL BASE POLICY.—The Secretary of Defense may appoint, without regard to the provisions of subchapter I of chapter 33 (other than sections 3303, 3307, and 3328 of such chapter) of title 5, United States Code, qualified candidates in the competitive service (as defined in section 2102 of that title) of the Department of Defense to any position in the Office of the Assistant Secretary of Defense for Industrial Base Policy.

(c) NATIONAL DEFENSE EXECUTIVE RESERVE.—The Secretary of Defense shall establish a pilot program under which the Secretary enters into voluntary agreements with senior executives of traditional and nontraditional defense contractors, including executives from the supplier base, to advise the Secretary on the following:

(1) Assessing the health of the defense industrial base.

(2) Identifying critical shortages and impediments to production of critical munitions and other war materials.

(3) Identifying limiting factors for required production rates for critical munitions.

(4) Analyzing workforce issues across the defense industrial base.

(5) Assisting in deconflicting efforts of the Department of Defense and the Armed Forces to improve defense industrial base capacity.

(6) Assisting the Secretary in carrying out chapter 390 of title 10, as added by subsection (a).

(d) GAO REVIEW OF STAFFING LEVELS OF MCEIP.—Not later than July 1, 2025, the Comptroller General of the United States shall submit to the congressional defense committees a report assessing staffing levels at the Office of Manufacturing Capability Expansion and Investment Prioritization.

SA 2533. 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 in title I, insert the following:

SEC. 1___. PROHIBITION ON PROCUREMENT OF FOOD PRODUCED USING ANIMAL CELL CULTURE TECHNOLOGY.

The Secretary of Defense may not procure any food intended for human consumption produced using animal cell culture technology.

SA 2534. 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 B of title I, add the following:

SEC. 114. CONSTRUCTION OF TNT PRODUCTION FACILITY AT INSTALLATION WITHIN ARMY ORGANIC INDUSTRIAL BASE.

(a) IN GENERAL.—The Secretary of the Army shall construct a facility for the production of trinitrotoluene (TNT) at an installation of the Department of Defense within the organic industrial base of the Army.

(b) SELECTION OF INSTALLATION.—The installation selected for construction of the facility under subsection (a) shall—

(1) have an available workforce with experience working with hazardous materials, chemical synthesis, and novel automated processes;

(2) have a concluding government mission from which existing munitions storage igloos and industrial facilities are available to be repurposed;

(3) have an established explosive arc and sufficient standoff from population centers; and

(4) have a robust utility and transportation infrastructure.

(c) OPERATION OF FACILITY.—The Secretary of the Army may operate the facility constructed under subsection (a) as a government-owned contractor operated activity regardless of the designation of the selected installation.

SA 2535. 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 end of subtitle A of title XII, add the following:

SEC. 1216. REAUTHORIZATION OF GLOBAL ENGAGEMENT CENTER.

Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 22 U.S.C. 2656 note) is amended by striking ''on the date that is 8 years after the date of the enactment of this Act'' and inserting ''on September 30, 2034''.

SA 2536. Mr. MURPHY (for himself and Mr. YOUNG) 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. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO THE PRODUCTS OF KAZAKHSTAN, UZBEKISTAN, AND TAJIKISTAN.

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that such title should no longer apply to Kazakhstan, Uzbekistan, or Tajikistan; and

(2) after making a determination under paragraph (1) with respect to Kazakhstan, Uzbekistan, or Tajikistan, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(b) TERMINATION OF APPLICATION OF TITLE IV.—On and after the date on which the President proclaims the extension of nondiscriminatory treatment to the products of Kazakhstan, Uzbekistan, or Tajikistan, title IV of the Trade Act of 1974 shall cease to apply to the country to which such extension pertains.

SA 2537. 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 appropriate place, insert the following:

SEC. ___. INCREASE IN NUMBER OF NAVY DEPLOYED RESILIENCY COUNSELORS.

Section 9903(e) of title 5, United States Code, is amended—

(1) by striking ''The number'' and inserting ''(1) Except as provided by paragraph (2), the number''; and

(2) by adding at the end the following new paragraph:

''(2) Without regard to the limitation under paragraph (1), the Secretary may appoint and retain under subsection (b)(1) two licensed clinicians to serve as Navy deployed resiliency counselors for each nuclear-powered aircraft carrier (CVN) or large deck amphibious ship/landing helicopter assault ship (LHD/LHA) in the Naval Vessel Register.''.

SA 2538. 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 end of subtitle E of title XII, add the following:

SEC. 1272. ANNUAL REPORT ON UNFUNDED PRIORITIES OF THE DEPARTMENT OF STATE AND RELATED AGENCIES.

(a) DEFINITIONS.—In this section:

(1) UNFUNDED PRIORITY.—The term ''unfunded priority'', with respect to a fiscal year, means a program or activity that—

(A) is not funded in the budget of the President for such fiscal year that was submitted to Congress pursuant to section 1105 of title 31, United States Code;

(B) is necessary to fulfill a goal associated with—

(i) the most recently published national security strategy report required under section 104 of the National Security Act of 1947 (50 U.S.C. 3043); or

(ii) the latest Department of State and USAID Joint Strategic Plan required under section 306 of title 5, United States Code; and

(C) would have been recommended for funding in the budget referred to in subparagraph (A) by the official submitting the report required under subsection (b) relating to such budget if—

(i) additional resources had been available for the budget to fund such program or activity; or

(ii) such program or activity has emerged since the budget was submitted.

(2) USAID.—The term ''USAID'' means the United States Agency for International Development

(b) ANNUAL REPORT.—Not later than 10 days after the date on which the President submits to Congress the budget for a fiscal year pursuant to section 1105 of title 31, United States Code, each official listed in subsection (c) shall submit a report to the Secretary of State, the USAID Administrator, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that describes the unfunded priorities of the bureau, agency, or office under the jurisdiction of such official.

(c) OFFICIALS.—The officials listed in this subsection are—

(1) every Assistant Secretary of State, Ambassador-At-Large, and rank equivalent official overseeing a Department of State bureau or office; and

(2) every USAID Assistant Administrator and rank equivalent official overseeing a USAID bureau or office.

(d) ELEMENTS.—Each report submitted pursuant to this section shall include, with respect to each unfunded priority covered by such report—

(1) a summary description of such priority, including the related objectives set forth in—

(A) the most recent National Security Strategy required under section 104 of the National Security Act of 1947 (50 U.S.C. 3043); and

(B) the latest Department of State and USAID Joint Strategic Plan required under section 306 of title 5, United States Code, which will be advanced if such priority is funded, in whole or in part;

(2) indication of the office or officials who raised such priority or whose mission would benefit from it being funded, as indicated in Bureau Resource Requests, Mission Resource Requests, Integrated Country Strategies, and other reports delivered from embassies and other Department of State and USAID locations around the world;

(3) the additional funding recommended to be appropriated to carry out the objectives referred to in paragraph (1);

(4) account information that is specific to such priority;

(5) a detailed assessment of each specific risk that would be reduced by executing the National Security Strategy and the latest Department of State and USAID Joint Strategic Plan if such priority is funded, in whole or in part;

(6) the reason funding for the priority was not included in the budget submitted to Congress by the President;

(7) a description of any funding provided to carry out such priority in the current and preceding fiscal years; and

(8) an assessment of the effect that providing funding for the priority would have on the Department of State and USAID Joint Strategic Plan.

(e) PRIORITIZATION.—Not later than 10 days after the submission of all of the reports required under subsection (b) for a fiscal year, the Secretary of State and the USAID Administrator shall submit a report to the Committee on Foreign Relations of the Senate, the State, Foreign Operations, and Related Programs Subcommittee of the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the State, Foreign Operations, and Related Programs Subcommittee of the Committee on Appropriations of the House of Representatives that prioritizes each unfunded priority across all unfunded priorities submitted by the officials listed in subsection (c) according to the risk reduced in executing the National Security Strategy and the latest Department of State and USAID Joint Strategic Plan.

SA 2539. 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. SERVICES AND USE OF FUNDS FOR, AND LEASING OF, THE NATIONAL COAST GUARD MUSEUM.

Section 316 of title 14, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''The Secretary'' and inserting ''Except as provided in paragraph (2), the Secretary''; and

(B) in paragraph (2), by striking ''on the engineering and design of a Museum.'' and inserting ''on—''

''(A) the design of the Museum; and

''(B) engineering, construction administration, and quality assurance services for the Museum.'';

(2) in subsection (e), by amending paragraph (2)(A) to read as follows:

''(2)(A) for the purpose of conducting Coast Guard operations, lease from the Association—

''(i) the Museum; and

''(ii) any property owned by the Association that is adjacent to the railroad tracks that are adjacent to the property on which the Museum is located; and''; and

(3) by amending subsection (g) to read as follows:

''(g) SERVICES.—With respect to the services related to the construction, maintenance, and operation of the Museum, the Commandant may—

''(1) solicit and accept services from nonprofit entities, including the Association; and

''(2) enter into contracts or memoranda of agreement with, or make grants to, the Association to acquire such services.''.

SA 2540. 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 end of subtitle E of title I, add the following:

SEC. 144. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW AND REPORT ON V–22 OSPREY AIRCRAFT PROGRAM.

(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—

(1) conduct a comprehensive review of the Osprey tiltrotor aircraft (V–22) program of the Department of Defense (in this section referred to as the ''program''); and

(2) submit to the congressional defense committees a report on the findings of the review.

(b) ELEMENTS.—The review required by subsection (a) shall—

(1) assess the safety, cost, reliability, and performance of the V–22 Osprey aircraft across the Armed Forces over the history of the program;

(2) analyze—

(A) the causes and impacts of fatal and non-fatal accidents involving V–22 Osprey aircraft; and

(B) the cost growth, maintenance and supply issues, availability rates, and overall contributions to military readiness of the program;

(3) examine the mechanical and design characteristics of the V–22 Osprey aircraft, including its tiltrotor apparatus, and assess the role such characteristics have played in accidents and other program issues;

(4) assess the efforts and levels of success of the Department in addressing accidents and other issues with the program, including the Department's approach to mitigating risk and improving aircraft reliability;

(5) taking into account the record of the V–22 Osprey aircraft, consider the implications of incorporating similar tiltrotor technology into future military aircraft across the Armed Forces; and

(6) detail options available to the Department and make recommendations for—

(A) addressing ongoing issues with the program; and

(B) strengthening safety, reliability, and cost-effectiveness across the V–22 Osprey aircraft fleet.

SA 2541. 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. DEPARTMENT OF ENERGY TRIBAL ENERGY PROGRAMS.

(a) DEPARTMENT OF ENERGY TRIBAL LOAN GUARANTEE PROGRAM.—

(1) IN GENERAL.—Section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)) is amended by adding at the end the following:

''(8)(A) At the request of an applicant, and subject to subparagraph (B), the Secretary of Energy may use funds appropriated to the Secretary of Energy to carry out financial and technical assessments, and related activities, in connection with applications for loans and loan guarantees under this subsection to support eligible projects, including renewable energy and transmission projects on or near Indian land and eligible projects carried out outside Indian land.

''(B) The Secretary of Energy may use not more than $500,000 to carry out financial and technical assessments under subparagraph (A) for any 1 application for a loan or loan guarantee under this subsection.''.

(2) DENIAL OF DOUBLE BENEFIT RESTRICTION.—

(A) IN GENERAL.—Section 50145(a) of Public Law 117–169 (136 Stat. 2045) is amended by striking '', subject to the limitations that apply to loan guarantees under section 50141(d)''.

(B) ADDITIONAL DOE TRIBAL PROGRAMS.—Section 50141(d)(3) of Public Law 117–169 (136 Stat. 2043) is amended—

(i) in subparagraph (C), by striking ''or'' at the end;

(ii) in subparagraph (D), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(E) projects carried out by an Indian Tribe on or near Indian land or outside Indian land.''.

(b) PREVENTING OUTAGES AND ENHANCING THE RESILIENCE OF THE ELECTRIC GRID.—Section 40101 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18711) is amended—

(1) in subsection (d)—

(A) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—For each fiscal year, to be eligible to receive a grant under this subsection—

''(i) a State shall submit to the Secretary an application that includes a plan described in subparagraph (B); and

''(ii) an Indian Tribe shall submit to the Secretary an application, which shall include—

''(I) a plan that describes how the Indian Tribe will use the proposed funding for projects if the Indian Tribe will be executing the projects; or

''(II) a plan described in subparagraph (B), if the Indian Tribe intends to award grants to eligible entities with amounts made available to the Indian Tribe under this subsection.''; and

(ii) in subparagraph (B)—

(I) in the subparagraph heading, by striking ''REQUIRED'' and inserting ''DESCRIBED'';

(II) in the matter preceding clause (i), by inserting '', as applicable,'' after ''Indian Tribe''; and

(III) in clause (iii), by inserting '', as applicable'' after ''Indian Tribe'';

(B) by striking paragraph (4) and inserting the following:

''(4) OVERSIGHT.—The Secretary shall ensure that each grant provided to a State or an Indian Tribe, if the Indian Tribe intends to award grants to eligible entities with those grants funds, under the program is allocated pursuant to the applicable plan of the State or Indian Tribe, as applicable.'';

(C) in paragraph (5), by inserting '', as applicable,'' after ''made available to the applicable State or Indian Tribe'';

(D) in paragraph (6), by inserting '', as applicable,'' after ''made available to the State or Indian Tribe'';

(E) in paragraph (7), in the matter preceding subparagraph (A), by striking ''or Indian Tribe'' each place it appears;

(F) in paragraph (8)—

(i) by striking ''and Indian Tribe''; and

(ii) by striking ''or Indian Tribe''; and

(G) by adding at the end the following:

''(9) SAVINGS PROVISION.—Nothing in this subsection requires an Indian Tribe to award grants to eligible entities described in any of subparagraphs (A) through (F) of subsection (a)(2) with amounts made available to the Indian Tribe under this subsection.'';

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''Indian Tribe or'' before ''eligible entity''; and

(ii) in subparagraph (H)—

(I) in clause (i), by striking ''and'' at the end;

(II) in clause (ii), by adding ''and'' at the end; and

(III) by adding at the end the following:

''(iii) distributed generation;''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''Indian Tribe or'' before ''eligible entity''; and

(II) in clause (i)(I), by inserting ''transmission system-connected'' before ''electric generating''; and

(ii) in subparagraph (B)—

(I) in clause (i), by inserting ''Indian Tribe or'' before ''eligible entity''; and

(II) in clause (ii), by inserting ''Indian Tribe or'' before ''eligible entity''; and

(3) in subsection (h)—

(A) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(B) by adding at the end the following:

''(3) INDIAN TRIBES.—An Indian Tribe that receives or awards a grant under subsection (d) or an eligible entity described in subsection (a)(2) that is owned by an Indian Tribe and receives a grant under subsection (c) shall not be required to match any amount of the applicable grant.''.

(c) COST-SHARING EXEMPTION UNDER THE ENERGY POLICY ACT OF 2005.—Section 988(f) of the Energy Policy Act of 2005 (42 U.S.C. 16352(f)) is amended—

(1) in paragraph (2), by striking ''or'' at the end;

(2) in paragraph (3)(B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(4) a grant awarded to an Indian Tribe under section 40101(d) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18711(d)).''.

SA 2542. 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 II, insert the following:

SEC. ___. ARTIFICIAL INTELLIGENCE-ENABLED WEAPON SYSTEMS CENTER OF EXCELLENCE.

(a) FINDINGS.—Congress makes the following findings:

(1) The conflict in Ukraine has emerged as a proving ground for new artificial intelligence-powered military technology, including drones and other vehicles capable of using artificial intelligence to navigate Global Positioning System-denied environments.

(2) Ukrainian companies have claimed to have fielded fully autonomous weapons that can select and engage targets without intervention by a human operator.

(3) Russian military forces have recognized the disruptive power of artificial intelligence-enabled weapon systems and are quickly learning from battlefield experience and rapidly adapting.

(4) The Government of the Russian Federation is using these lessons to inform its own weapons systems, develop countermeasures, and proliferate this technology to other adversaries.

(5) As a result, it is critical that the Department of Defense be postured to leverage data and artificial intelligence insights garnered from the conflict in Ukraine to optimize United States operations, logistics, and decision-making processes

(b) ESTABLISHMENT OF CENTER OF EXCELLENCE.—The Under Secretary of Defense for Research and Engineering, in coordination with the Chief Digital and Artificial Intelligence Officer, shall establish an Artificial Intelligence-Enabled Weapon Systems Center of Excellence (in this section referred to as the ''Center''). The Center shall—

(1) create a hub of excellence for the latest advancements in artificial intelligence-enabled weapon systems, countermeasures, and training methodologies;

(2) facilitate collaboration among the Department of Defense and foreign partners, including Ukraine, to identify and promulgate best practices, standards, and benchmarks;

(3) facilitate collaboration among the Department of Defense and industry and academia in the United States, including innovative United States technology companies with expertise in artificial intelligence-enabled systems and autonomous and semi-autonomous weapons;

(4) serve as a premier training location for the Department of Defense; and

(5) carry out such other responsibilities as the Under Secretary determines appropriate.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall submit to the congressional defense committees a report that includes the plan for the establishment of the Center and provide the committees a briefing on the plan.

(d) ARTIFICIAL INTELLIGENCE-ENABLED WEAPON SYSTEM DEFINED.—In this section, the term ''artificial intelligence-enabled weapon system'' includes AI-enabled autonomous unmanned aerial systems, autonomous unmanned surface vessels, and other lethal autonomous and semi-autonomous weapon systems as determined by the Under Secretary of Defense for Research and Engineering.

SA 2543. 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 for a

fiscal year may be transferred by the Secretary of Defense pursuant to transfer authority available to the Secretary under the provisions of an authorization Act or appropriations Act for that fiscal year 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.

''(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 2544. Mr. MANCHIN (for himself and Mr. BARRASSO) 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—EXPANDING PUBLIC LANDS OUTDOOR RECREATION EXPERIENCES

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Expanding Public Lands Outdoor Recreation Experiences Act'' or the ''EXPLORE Act''.

SEC. 5002. DEFINITIONS.

In this division:

(1) FEDERAL LAND MANAGEMENT AGENCY.—The term ''Federal land management agency'' has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801).

(2) FEDERAL RECREATIONAL LANDS AND WATERS.—The term ''Federal recreational lands and waters'' has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801).

(3) GATEWAY COMMUNITY.—The term ''gateway community'' means a community that serves as an entry point, or is adjacent, to a recreation destination on Federal recreational lands and waters or non-Federal land at which there is consistently high, in the determination of the Secretaries, seasonal or year-round visitation.

(4) 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).

(5) LAND USE PLAN.—The term ''land use plan'' means—

(A) a land use plan prepared by the Secretary pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(B) a land management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(6) SECRETARIES.—The term ''Secretaries'' means each of—

(A) the Secretary; and

(B) the Secretary of Agriculture.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(8) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary, with respect to land under the jurisdiction of the Secretary; or

(B) the Secretary of Agriculture, with respect to land managed by the Forest Service.

(9) STATE.—The term ''State'' means each of the several States, the District of Columbia, and each territory of the United States.

TITLE I—OUTDOOR RECREATION AND INFRASTRUCTURE

Subtitle A—Outdoor Recreation Policy

SEC. 5111. CONGRESSIONAL DECLARATION OF POLICY.

Congress declares that it is the policy of the Federal Government to foster and encourage recreation on Federal recreational lands and waters, to the extent consistent with the laws applicable to specific areas of Federal recreational lands and waters, including multiple-use mandates and land management planning requirements.

SEC. 5112. IDENTIFYING OPPORTUNITIES FOR RECREATION.

(a) INVENTORY AND ASSESSMENTS.—

(1) IN GENERAL.—The Secretary concerned shall—

(A) conduct an inventory and assessment of recreation resources for Federal recreational lands and waters;

(B) provide opportunity for public comment during the development of the inventory and assessment of recreation resources under subparagraph (A); and

(C) update the inventory and assessment as the Secretary concerned determines appropriate.

(2) UNIQUE RECREATION VALUES.—An inventory and assessment conducted under paragraph (1) shall—

(A) recognize—

(i) any unique recreation values and recreation opportunities; and

(ii) areas of concentrated recreational use;

(B) identify, list, and map recreation resources by—

(i) type of recreation opportunity and type of natural or artificial recreation infrastructure; and

(ii) to the extent available, the level of use of the recreation resource as of the date of the inventory; and

(C) identify, to the extent practicable, any trend relating to recreation opportunities or use at a recreation resource identified under subparagraph (A).

(3) ASSESSMENTS.—For any recreation resource inventoried under paragraph (1), the Secretary concerned shall assess—

(A) the routine and deferred maintenance needs of, and expenses necessary to administer, the recreation resource; and

(B) the suitability for developing, expanding, or enhancing the recreation resource.

(b) EXISTING EFFORTS.—To the extent practicable, the Secretary concerned shall use or incorporate existing applicable research and planning decisions and processes in carrying out this section.

(c) CONFORMING AMENDMENTS.—Section 200103 of title 54, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), (h), and (i) as subsections (d), (e), (f), (g), and (h), respectively.

SEC. 5113. FEDERAL INTERAGENCY COUNCIL ON OUTDOOR RECREATION.

(a) DEFINITIONS.—Section 200102 of title 54, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (4) and (5) respectively; and

(2) by inserting before paragraph (4), as so redesignated, the following:

''(1) COUNCIL.—The term 'Council' means the Federal Interagency Council on Outdoor Recreation established under section 200104.

''(2) FEDERAL LAND AND WATER MANAGEMENT AGENCY.—The term 'Federal land and water management agency' means the National Park Service, Bureau of Land Management, United States Fish and Wildlife Service, Bureau of Indian Affairs, Bureau of Reclamation, Forest Service, Corps of Engineers, and the National Oceanic and Atmospheric Administration.

''(3) FEDERAL RECREATIONAL LANDS AND WATERS.—The term 'Federal recreational lands and waters' has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) and also includes Federal lands and waters managed by the Bureau of Indian Affairs, Corps of Engineers, or National Oceanic and Atmospheric Administration.''.

(b) ESTABLISHMENT OF COUNCIL.—Section 200104 of title 54, United States Code, is amended to read as follows:

''§ 200104. Federal Interagency Council on Outdoor Recreation

''(a) ESTABLISHMENT.—The Secretary shall establish an interagency council, to be known as the 'Federal Interagency Council on Outdoor Recreation'.

''(b) COMPOSITION.—

''(1) IN GENERAL.—The Council shall be composed of representatives of each Federal land and water management agency, to be appointed by the head of the respective agency.

''(2) ADDITIONAL PARTICIPANTS.—In addition to the members of the Council appointed under paragraph (1), the Secretary may invite participation in the Council's meetings

or other activities from representatives of the following:

''(A) The Council on Environmental Quality.

''(B) The Natural Resources Conservation Service.

''(C) Rural development programs of the Department of Agriculture.

''(D) The National Center for Chronic Disease Prevention and Health Promotion.

''(E) The Environmental Protection Agency.

''(F) The Department of Transportation, including the Federal Highway Administration.

''(G) The Tennessee Valley Authority.

''(H) The Department of Commerce, including—

''(i) the Bureau of Economic Analysis;

''(ii) the National Travel and Tourism Office; and

''(iii) the Economic Development Administration.

''(I) The Federal Energy Regulatory Commission.

''(J) An applicable State agency or office.

''(K) An applicable agency or office of a local government.

''(L) Other organizations or interests, as determined appropriate by the Secretary.

''(3) STATE COORDINATION.—In determining additional participants under this subsection, the Secretary shall seek to ensure that States are invited and represented in the Council's meetings or other activities.

''(4) LEADERSHIP.—The leadership of the Council shall rotate every 2 years among the Council members appointed under paragraph (1), or as otherwise determined by the Secretary in consultation with the Secretaries of Agriculture, Defense, and Commerce.

''(5) FUNDING.—Notwithstanding section 708 of title VII of division E of the Consolidated Appropriations Act, 2023 (Public Law 117–328), the Council members appointed under paragraph (1) may enter into agreements to share the management and operational costs of the Council.

''(c) COORDINATION.—The Council shall meet as frequently as appropriate for the purposes of coordinating on issues related to outdoor recreation, including—

''(1) recreation programs and management policies across Federal land and water management agencies, including activities associated with the implementation of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801 et seq.), as appropriate;

''(2) the response by Federal land and water management agencies to public health emergencies or other emergencies, including those that result in disruptions to, or closures of, Federal recreational lands and waters;

''(3) the expenditure of funds relating to outdoor recreation on Federal recreational lands and waters, including funds made available under section 40804(b)(7) of the Infrastructure Investment and Jobs Act (16 U.S.C. 6592a(b)(7));

''(4) management of emerging technologies on Federal recreational lands and waters;

''(5) research activities, including quantifying the economic impacts of recreation;

''(6) dissemination to the public of outdoor recreation-related information, in a manner that ensures the recreation-related information is easily accessible with modern communication devices;

''(7) the improvement of access to Federal recreational lands and waters;

''(8) the identification and engagement of partners outside the Federal Government—

''(A) to promote outdoor recreation;

''(B) to facilitate collaborative management of outdoor recreation; and

''(C) to provide additional resources relating to enhancing outdoor recreation opportunities; and

''(9) any other outdoor recreation-related issues that the Council determines necessary.

''(d) EFFECT.—Nothing in this section affects the authorities, regulations, or policies of a Federal land and water management agency or any Federal agency described in subsection (b)(2).''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 2001 of title 54, United States Code, is amended by striking the item relating to section 200104 and inserting the following:

''200104. Federal Interagency Council on Outdoor Recreation''.

SEC. 5114. RECREATION BUDGET CROSSCUT.

Not later than 30 days after the end of each fiscal year, beginning with fiscal year 2025, the Director of the Office of Management and Budget shall submit to Congress and make public online a report that describes and itemizes the total amount of funding relating to outdoor recreation that was obligated in the preceding fiscal year in accounts in the Treasury for the Department of the Interior and the Department of Agriculture.

Subtitle B—Public Recreation on Federal Recreational Lands and Waters

SEC. 5121. BIKING ON LONG-DISTANCE TRAILS.

(a) IDENTIFICATION OF LONG-DISTANCE TRAILS.—Not later than 18 months after the date of the enactment of this title, the Secretaries shall identify—

(1) not fewer than 10 long-distance bike trails that make use of trails and roads in existence on the date of the enactment of this title; and

(2) not fewer than 10 areas in which there is an opportunity to develop or complete a trail that would qualify as a long-distance bike trail.

(b) PUBLIC COMMENT.—The Secretaries shall—

(1) develop a process to allow members of the public to comment regarding the identification of trails and areas under subsection (a); and

(2) consider the identification, development, and completion of long-distance bike trails in a geographically equitable manner.

(c) MAPS, SIGNAGE, AND PROMOTIONAL MATERIALS.—For any long-distance bike trail identified under subsection (a), the Secretary concerned may—

(1) publish and distribute maps, install signage, and issue promotional materials;

(2) coordinate with stakeholders to leverage any non-Federal resources necessary for the stewardship, development, or completion of trails; and

(3) partner with interested organizations to promote trails identified in the report published under subsection (d).

(d) REPORT.—Not later than 2 years after the date of the enactment of this title, the Secretaries, shall prepare and publish a report that lists the trails identified under subsection (a), including a summary of public comments received in accordance with the process developed under subsection (b).

(e) CONFLICT AVOIDANCE WITH OTHER USES.—Before identifying a long-distance bike trail under subsection (a), the Secretary concerned shall ensure the long-distance bike trail—

(1) minimizes conflict with—

(A) the uses, before the date of the enactment of this title, of any trail or road that is part of that long-distance bike trail; and

(B) multiple-use areas where biking, hiking, horseback riding, or use by pack and saddle stock are existing uses on the date of the enactment of this title;

(2) would not conflict with—

(A) the purposes for which any trail was or is established under the National Trails System Act (16 U.S.C. 1241 et seq.); and

(B) a wilderness area established under the Wilderness Act (16 U.S.C. 1131 et seq.); and

(3) complies with land use and management plans of the Federal recreational lands that are part of that long-distance bike trail.

(f) EMINENT DOMAIN OR CONDEMNATION.—In carrying out this section, the Secretaries may not use eminent domain or condemnation.

(g) DEFINITIONS.—In this section:

(1) LONG-DISTANCE BIKE TRAIL.—The term ''long-distance bike trail'' means a continuous route, consisting of 1 or more trails or rights-of-way, that—

(A) is not less than 80 miles in length;

(B) primarily makes use of dirt or natural surface trails, including crushed stone or gravel;

(C) may require connections along paved or other improved roads;

(D) does not include Federal recreational lands where biking or related activities are not consistent with management requirements for those Federal recreational lands; and

(E) to the maximum extent practicable, makes use of trails and roads that were on Federal recreational lands on or before the date of the enactment of this title.

(2) SECRETARIES.—The term ''Secretaries'' means the Secretary of the Interior and the Secretary of Agriculture, acting jointly.

SEC. 5122. ROCK CLIMBING.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this title, each Secretary concerned shall issue guidance for recreational climbing activities on Federal recreational lands.

(b) APPLICABLE LAW.—The guidance issued under subsection (a) shall ensure that recreational climbing activities comply with the laws (including regulations) applicable to the Federal recreational lands.

(c) WILDERNESS AREAS.—The guidance issued under subsection (a) shall recognize that recreational climbing (including the use, placement, and maintenance of fixed anchors, where necessary for safety) is an appropriate use within a component of the National Wilderness Preservation System, if undertaken—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and other applicable laws (including regulations); and

(2) subject to any terms and conditions determined by the Secretary concerned to be appropriate.

(d) AUTHORIZATION.—The guidance issued under subsection (a) shall describe the requirements, if any, for the placement and maintenance of fixed anchors for recreational climbing in a component of the National Wilderness Preservation System, including any terms and conditions determined by the Secretary concerned to be appropriate, which may be issued programmatically or on a case-by-case basis.

(e) EXISTING ROUTES.—The guidance issued under subsection (a) shall include direction providing for the continued use and maintenance of recreational climbing routes (including fixed anchors along the routes) in existence as of the date of the enactment of this title, in accordance with this section and applicable laws (including regulations) and agency management plans.

(f) PUBLIC COMMENT.—Before finalizing the guidance issued under subsection (a), the Secretary concerned shall provide opportunities for public comment with respect to the guidance.

SEC. 5123. RANGE ACCESS.

(a) DEFINITION OF TARGET SHOOTING RANGE.—In this section, the term ''target

shooting range'' means a developed and managed area that is authorized or operated by the Forest Service, a concessioner of the Forest Service, or the Bureau of Land Management (or its lessee) specifically for the purposeful discharge by the public of legal firearms, firearms training, archery, or other associated activities.

(b) ASSESSMENT; IDENTIFICATION OF TARGET SHOOTING RANGE LOCATIONS.—

(1) ASSESSMENT.—Not later than 1 year after the date of the enactment of this title, the Secretary concerned shall make available to the public a list that—

(A) identifies each National Forest and each Bureau of Land Management district that has a target shooting range that meets the requirements described in paragraph (3)(B);

(B) identifies each National Forest and each Bureau of Land Management district that does not have a target shooting range that meets the requirements described in paragraph (3)(B); and

(C) for each National Forest and each Bureau of Land Management district identified under subparagraph (B), provides a determination of whether applicable law or the applicable land use plan prevents the establishment of a target shooting range that meets the requirements described in paragraph (3)(B).

(2) IDENTIFICATION OF TARGET SHOOTING RANGE LOCATIONS.—

(A) IN GENERAL.—The Secretary concerned shall identify at least 1 suitable location for a target shooting range that meets the requirements described in paragraph (3)(B) within each National Forest and each Bureau of Land Management district with respect to which the Secretary concerned has determined under paragraph (1)(C) that the establishment of a target shooting range is not prevented by applicable law or the applicable land use plan.

(B) REQUIREMENTS.—The Secretaries, in consultation with the entities described in subsection (d), shall, for purposes of identifying a suitable location for a target shooting range under subparagraph (A)—

(i) consider the proximity of areas frequently used by recreational shooters;

(ii) ensure that the target shooting range would not adversely impact a shooting range operated on non-Federal land; and

(iii) consider other nearby uses, including recreational uses and proximity to units of the National Park System, to minimize potential conflict and prioritize visitor safety.

(3) ESTABLISHMENT OF NEW TARGET SHOOTING RANGES.—

(A) IN GENERAL.—Not later than 5 years after the date of the enactment of this title, at 1 or more suitable locations identified on each eligible National Forest and Bureau of Land Management district under paragraph (2)(A), the Secretary concerned shall—

(i) subject to the availability of appropriations for such purpose, construct a target shooting range that meets the requirements described in subparagraph (B) or modify an existing target shooting range to meet the requirements described in subparagraph (B); or

(ii) enter into an agreement with an entity described in subsection (d)(1), under which the entity shall establish or maintain a target shooting range that meets the requirements described in subparagraph (B).

(B) REQUIREMENTS.—A target shooting range established under this paragraph—

(i)(I) shall be able to accommodate rifles and pistols;

(II) may include skeet, trap, or sporting clay infrastructure; and

(III) may accommodate archery;

(ii) shall include appropriate public safety designs and features, including—

(I) significantly modified landscapes, including berms, buffer distances, or other public safety designs or features; and

(II) a designated firing line; and

(iii) may include—

(I) shade structures;

(II) trash containers;

(III) restrooms;

(IV) benches; and

(V) any other features that the Secretary concerned determines to be necessary.

(C) RECREATION AND PUBLIC PURPOSES ACT.—For purposes of subparagraph (A), the Secretary concerned may consider a target shooting range that is located on land transferred or leased pursuant to the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.), as a target shooting range that meets the requirements described in subparagraph (B).

(c) RESTRICTIONS.—

(1) MANAGEMENT.—The management of a target shooting range shall be subject to such conditions as the Secretary concerned determines are necessary for the safe, responsible use of—

(A) the target shooting range; and

(B) the adjacent land and resources.

(2) CLOSURES.—Except in emergency situations, the Secretary concerned shall seek to ensure that a target shooting range that meets the requirements described in subsection (b)(3)(B), or an equivalent shooting range adjacent to a National Forest or Bureau of Land Management district, is available to the public prior to closing Federal recreational lands and waters administered by the Secretary concerned to recreational shooting, in accordance with section 4103 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 7913).

(d) COORDINATION.—

(1) IN GENERAL.—In carrying out this section, the Secretaries shall coordinate with—

(A) State, Tribal, and local governments;

(B) nonprofit or nongovernmental organizations, including organizations that are signatories to the memorandum of understanding entitled ''Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding'' and signed by the Forest Service and the Bureau of Land Management on August 17, 2006;

(C) shooting clubs;

(D) Federal advisory councils relating to hunting and shooting sports;

(E) individuals or entities with authorized leases or permits in an area under consideration for a target shooting range; and

(F) private landowners adjacent to a target shooting range.

(2) PARTNERSHIPS.—The Secretaries may—

(A) coordinate with an entity described in paragraph (1) to assist with the construction, modification, operation, or maintenance of a target shooting range; and

(B) explore opportunities to leverage funding to maximize non-Federal investment in the construction, modification, operation, or maintenance of a target shooting range.

(e) ANNUAL REPORTS.—Not later than 2 years after the date of the enactment of this title and annually thereafter through fiscal year 2033, the Secretaries shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the progress made with respect to the implementation of this section.

(f) SAVINGS CLAUSE.—Nothing in this section affects the authority of the Secretary concerned to administer a target shooting range that is in addition to the target shooting ranges that meet the requirements described in subsection (b)(3)(B) on Federal recreational lands and waters administered by the Secretary concerned.

SEC. 5124. RESTORATION OF OVERNIGHT CAMPSITES.

(a) DEFINITIONS.—In this section:

(1) RECREATION AREA.—The term ''Recreation Area'' means the recreation area and grounds associated with the recreation area on the map entitled ''Ouachita National Forest Camping Restoration'' and dated November 30, 2023, on file with the Forest Service.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(b) IN GENERAL.—The Secretary shall—

(1) not later than 6 months after the date of the enactment of this title, identify 54 areas within the Recreation Area that may be suitable for overnight camping; and

(2) not later than 2 years after the date of the enactment of this title—

(A) review each area identified under paragraph (1); and

(B) from the areas so identified, select and establish at least 27 campsites and related facilities within the Recreation Area for public use.

(c) REQUIREMENTS RELATED TO CAMPSITES AND RELATED FACILITIES.—The Secretary shall—

(1) ensure that at least 27 campsites are available under subsection (b), of which not less than 8 shall have electric and water hookups; and

(2) ensure that each campsite and related facility identified or established under subsection (b) is located outside of the 1 percent annual exceedance probability flood elevation.

(d) REOPENING OF CERTAIN SITES.—Not later than 30 days after the date of the enactment of this title, the Secretary shall open each campsite within the Recreation Area that—

(1) exists on the date of the enactment of this title;

(2) is located outside of the 1 percent annual exceedance probability flood elevation;

(3) was in operation on June 1, 2010; and

(4) would not interfere with any current (as of the date of the enactment of this title) day use areas.

(e) DAY USE AREAS.—Not later than 1 year after the date of the enactment of this title, the Secretary shall take such actions as are necessary to rehabilitate and make publicly accessible the areas in the Recreation Area identified for year-round day use, including the following:

(1) Loop A.

(2) Loop B.

(3) The covered, large-group picnic pavilion in Loop D.

(4) The parking lot in Loop D.

SEC. 5125. FEDERAL INTERIOR LAND MEDIA.

(a) FILMING IN NATIONAL PARK SYSTEM UNITS.—

(1) IN GENERAL.—Chapter 1009 of title 54, United States Code, is amended by striking section 100905 and inserting the following:

''§ 100905. Filming and still photography in System units

''(a) FILMING AND STILL PHOTOGRAPHY.—

''(1) PERMITS FOR FILMING OR STILL PHOTOGRAPHY ACTIVITY.—

''(A) IN GENERAL.—The Secretary may, for a filming or still photography activity or similar project in a System unit (referred to in this section as a 'filming or still photography activity')—

''(i) except as provided in subparagraph (B), require an authorization or permit; and

''(ii) if an authorization or permit is issued, assess a reasonable fee, as described in subsection (b)(1).

''(B) EXCEPTIONS.—The Secretary shall not require an authorization or a permit or assess a fee for a filming or still photography activity that—

''(i) does not substantially impede or intrude on the experience of other visitors to the applicable System unit;

''(ii) does not, except as otherwise authorized, materially disturb or negatively impact—

''(I) a natural resource, as that term is defined in section 300.5 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the EXPLORE Act);

''(II) a cultural resource; or

''(III) an environmental, scientific, historic, or scenic value;

''(iii) occurs at a location in which the public is allowed;

''(iv) does not require the exclusive use of a site or area;

''(v) does not involve a set or staging or lighting equipment unless the equipment is carriable by hand (such as a tripod, monopod, or handheld lighting equipment);

''(vi) is conducted in a manner consistent with visitor use policies, practices, and regulations applicable to the applicable System unit;

''(vii) does not result in additional administrative costs incurred by the Secretary for providing on-site management and oversight to protect agency resources or minimize visitor use conflicts;

''(viii) is conducted in a manner that is consistent with other applicable Federal, State (as defined in section 5002 of the EXPLORE Act), and local laws (including regulations), including laws relating to the use of unmanned aerial equipment; and

''(ix) does not impede the management and staff operations in the applicable System unit.

''(C) NO FILMING OR PHOTOGRAPHY AUTHORIZED.—The Secretary shall not issue an authorization or permit for a filming or still photography activity if the Secretary determines that the filming or still photography activity—

''(i) would cause resource damage in the applicable System unit;

''(ii) would cause an unreasonable disruption of the use and enjoyment by the public of the applicable System unit;

''(iii) would pose a health or safety risk to the public; or

''(iv) would cause unreasonable disruption of the use of, operations on, or access to the applicable System unit by Federal land management agencies, volunteers, contractors, partners, or land use authorization holders.

''(2) APPLICATION.—

''(A) PERMITS REQUESTED THOUGH NOT REQUIRED.—On the request of a person intending to carry out a filming or still photography activity, the Secretary may issue an authorization or permit for the filming or still photography activity, even if an authorization or permit is not required under this section.

''(B) FILMING AND STILL PHOTOGRAPHY AT AUTHORIZED EVENTS.—A filming or still photography activity at an activity or event that is authorized under a special event permit and conducted by the permittee or a person affiliated with the permittee, including a wedding, engagement party, family reunion, photography-club outing, or celebration of a graduate, shall not require a separate filming or still photography authorization or permit under this section.

''(C) MONETARY COMPENSATION.—The Secretary shall not consider whether a person conducting a filming or still photography activity would receive monetary compensation for the filming or still photography activity in determining whether the filming or still photography activity is authorized or requires an authorization or permit under this section.

''(D) NUMBER OF INDIVIDUALS.—For purposes of determining whether a filming or still photography activity conforms with the criteria described in subparagraph (B) or (C) of paragraph (1), the number of individuals participating in the activity shall not be the sole consideration of the Secretary.

''(E) APPLICATION OF OTHER LAWS.—The Secretary shall ensure that a filming or still photography activity and any necessary authorizing or permitting for a filming or still photography activity are carried out in a manner consistent with the management plan of the applicable System unit and the laws and policies applicable to the Service.

''(3) PROCESSING OF PERMIT APPLICATIONS.—

''(A) IN GENERAL.—The Secretary shall establish a process to ensure that the Secretary responds in a timely manner to an application required under paragraph (1), including a process to respond rapidly to requests related to breaking news events.

''(B) COORDINATION.—If one or more authorizations or permits are required under this section for 2 or more Federal agencies or Federal land management units and System units, the Secretary and the head of any other applicable Federal agency, as applicable, shall, to the maximum extent practicable, coordinate authorization and permit processing procedures, including through the use of identifying a lead agency or lead Federal land management unit or System unit—

''(i) to review the application for the authorization or permits;

''(ii) to issue the authorization or permits; and

''(iii) to collect any required fees and recovery costs under subsection (b).

''(b) FEES AND RECOVERY COSTS.—

''(1) FEES.—The reasonable fees referred to in paragraphs (1)(A) and (3)(B) of subsection (a) shall be assessed based on—

''(A) the number of days required for the filming or still photography activity within the System unit;

''(B) the size of the film or still photography crew present in the System unit;

''(C) the quantity and type of film or still photography equipment present in the System unit; and

''(D) any other factors that the Secretary determines to be necessary to provide a fair return to the United States.

''(2) RECOVERY OF COSTS.—For any authorization or permit issued under subsection (a), and in addition to any fee assessed in accordance with paragraph (1), the Secretary shall collect from the applicant for the applicable authorization or permit any costs incurred by the Secretary for the permit, including—

''(A) the costs of the review or issuance of the authorization or permit; and

''(B) related administrative and personnel costs.

''(3) USE OF PROCEEDS.—

''(A) FEES.—All fees collected under this section shall—

''(i) be available for expenditure by the Secretary, without further appropriation; and

''(ii) remain available until expended.

''(B) COSTS.—All costs recovered under paragraph (2)(A) shall—

''(i) be available for expenditure by the Secretary, without further appropriation, at the System unit at which the costs are collected; and

''(ii) remain available until expended.

''(c) CIVIL PENALTY.—Not later than 2 years after the date of enactment of the EXPLORE Act the Secretary shall issue guidance that establishes a civil penalty for failing to obtain an authorization or permit as required under subsection (a)(1).''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 1009 of title 54, United States Code, is amended by striking the item relating to section 100905 and inserting the following:

''100905. Filming and still photography in System units.''.

(b) FILMING ON OTHER FEDERAL LAND.—Public Law 106–206 (16 U.S.C. 460l–6d) is amended by striking section 1 and inserting the following:

''SECTION 1. FILMING AND STILL PHOTOGRAPHY.

''(a) FILMING AND STILL PHOTOGRAPHY.—

''(1) PERMITS FOR FILMING OR STILL PHOTOGRAPHY ACTIVITY.—

''(A) IN GENERAL.—The Secretary concerned may, for a filming or still photography activity or similar project in a Federal land management unit under the jurisdiction of the Secretary concerned (referred to in this section as a 'filming or still photography activity')—

''(i) except as provided in subparagraph (B), require an authorization or permit; and

''(ii) if an authorization or permit is issued, assess a reasonable fee, as described in subsection (b)(1).

''(B) EXCEPTIONS.—The Secretary concerned shall not require an authorization or a permit or assess a fee for a filming or still photography activity that—

''(i) does not substantially impede or intrude on the experience of other visitors to the applicable Federal land management unit;

''(ii) does not, except as otherwise authorized, materially disturb or negatively impact—

''(I) a natural resource, as that term is defined in section 300.5 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the EXPLORE Act);

''(II) a cultural resource; or

''(III) an environmental, scientific, historic, or scenic value;

''(iii) occurs at a location in which the public is allowed;

''(iv) does not require the exclusive use of a site or area;

''(v) does not involve a set or staging or lighting equipment unless the equipment is carriable by hand (such as a tripod, monopod, or handheld lighting equipment);

''(vi) is conducted in a manner consistent with visitor use policies, practices, and regulations applicable to the applicable Federal land management unit;

''(vii) does not result in additional administrative costs incurred by the Secretary concerned for providing on-site management and oversight to protect agency resources or minimize visitor use conflicts;

''(viii) is conducted in a manner that is consistent with other applicable Federal, State, and local laws (including regulations), including laws relating to the use of unmanned aerial equipment; and

''(ix) does not impede the management and staff operations in the applicable Federal land management unit.

''(C) NO FILMING OR PHOTOGRAPHY AUTHORIZED.—The Secretary concerned shall not issue an authorization or permit for a filming or still photography activity if the Secretary concerned determines that the filming or still photography activity—

''(i) would cause resource damage in the applicable Federal land management unit;

''(ii) would cause an unreasonable disruption of the use and enjoyment by the public of the applicable Federal land management unit;

''(iii) would pose a health or safety risk to the public; or

''(iv) would cause unreasonable disruption of the use of, operations on, or access to the applicable Federal land management unit by Federal land management agencies, volunteers, contractors, partners, or permit holders.

''(2) APPLICATION.—

''(A) PERMITS REQUESTED THOUGH NOT REQUIRED.—On the request of a person intending to carry out a filming or still photography activity, the Secretary concerned may issue an authorization or permit for the filming or still photography activity, even if an authorization or permit is not required under this section.

''(B) FILMING AND STILL PHOTOGRAPHY AT AUTHORIZED EVENTS.—A filming or still photography activity at an activity or event that is authorized under a special event permit and conducted by the permittee or a person affiliated with the permittee, including a wedding, engagement party, family reunion, photography-club outing, or celebration of a graduate, shall not require a separate filming or still photography authorization or permit under this section.

''(C) MONETARY COMPENSATION.—The Secretary concerned shall not consider whether a person conducting a filming or still photography activity would receive monetary compensation for the filming or still photography activity in determining whether the filming or still photography activity is authorized or requires a permit under this section.

''(D) NUMBER OF INDIVIDUALS.—For purposes of determining whether a filming or still photography activity conforms with the criteria described in subparagraph (B) or (C) of paragraph (1), the number of individuals participating in the activity shall not be the sole consideration of the Secretary concerned.

''(E) APPLICATION OF OTHER LAWS.—The Secretary concerned shall ensure that a filming or still photography activity and any necessary authorizing or permitting for a filming or still photography activity are carried out in a manner consistent with the applicable land use plan and the laws and policies applicable to the Federal land management agency.

''(3) PROCESSING OF PERMIT APPLICATIONS.—

''(A) IN GENERAL.—The Secretary concerned shall establish a process to ensure that the Secretary concerned responds in a timely manner to an application required under paragraph (1), including a process to respond rapidly to requests related to breaking news events.

''(B) COORDINATION.—If one or more authorizations or permits are required under this section for 2 or more Federal agencies or Federal land management units, the Secretary concerned and the head of any other applicable Federal agency, as applicable, shall, to the maximum extent practicable, coordinate authorization and permit processing procedures, including through the use of identifying a lead agency or lead Federal land management unit—

''(i) to review the application for the authorizations or permits;

''(ii) to issue the authorizations or permits; and

''(iii) to collect any required fees and recover costs under subsection (b).

''(b) FEES AND RECOVERY COSTS.—

''(1) FEES.—The reasonable fees referred to in paragraphs (1)(A) and (3)(B) of subsection (a) shall be assessed based on—

''(A) the number of days required for the filming or still photography activity within the Federal land management unit;

''(B) the size of the film or still photography crew present in the Federal land management unit;

''(C) the quantity and type of film or still photography equipment present in the Federal land management unit; and

''(D) any other factors that the Secretary concerned determines to be necessary to provide a fair return to the United States.

''(2) RECOVERY OF COSTS.—For any authorization or permit issued under subsection (a) and in addition to any fee assessed in accordance with paragraph (1), the Secretary concerned shall collect from the applicant for the applicable authorization or permit any costs incurred by the Secretary concerned for the authorization or permit, including—

''(A) the costs of the review or issuance of the authorization or permit; and

''(B) related administrative and personnel costs.

''(3) USE OF PROCEEDS.—

''(A) FEES.—All fees collected under this section shall—

''(i) be available for expenditure by the Secretary concerned, without further appropriation; and

''(ii) remain available until expended.

''(B) COSTS.—All costs recovered under paragraph (2)(A) shall—

''(i) be available for expenditure by the Secretary concerned, without further appropriation, at the Federal land management unit at which the costs are collected; and

''(ii) remain available until expended.

''(c) CIVIL PENALTY.—Not later than 2 years after the date of enactment of the EXPLORE Act, the Secretary concerned shall issue guidance that establishes a civil penalty for failing to obtain an authorization or permit as required under subsection (a)(1).

''(d) DEFINITIONS.—In this section:

''(1) FEDERAL LAND MANAGEMENT UNIT.—The term 'Federal land management unit' means—

''(A) Federal land (other than National Park System land) under the jurisdiction of the Secretary of the Interior; and

''(B) National Forest System land.

''(2) LAND USE PLAN.—The term 'land use plan' means—

''(A) a land use plan prepared by the Secretary of the Interior pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

''(B) a land management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

''(3) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of the Interior, with respect to land described in paragraph (1)(A); and

''(B) the Secretary of Agriculture, with respect to land described in paragraph (1)(B).

''(4) STATE.—The term 'State' means each of the several States, the District of Columbia, and each territory of the United States.''.

SEC. 5126. CAPE AND ANTLER PRESERVATION ENHANCEMENT.

Section 104909(c) of title 54, United States Code, is amended by striking ''meat from'' and inserting ''meat and any other part of an animal removed pursuant to''.

SEC. 5127. MOTORIZED AND NONMOTORIZED ACCESS.

(a) IN GENERAL.—The Secretary concerned shall seek to have, not later than 5 years after the date of the enactment of this title, in a printed and publicly available format that is compliant with the format for geographic information systems—

(1) for each district administered by the Director of the Bureau of Land Management, a map of ground transportation linear features authorized for public use or administrative use; and

(2) for each unit of the National Forest System, a motor vehicle use map, in accordance with existing law.

(b) OVER-SNOW VEHICLE-USE MAPS.—The Secretary concerned shall seek to have, not later than 10 years after the date of the enactment of this title, in a printed and publicly available format that is compliant with the format for geographic information systems, an over-snow vehicle-use map for each unit of Federal recreational lands and waters administered by the Secretary of Agriculture or Director of the Bureau of Land Management on which over-snow vehicle-use occurs, in accordance with existing law.

(c) OUT-OF-DATE MAPS.—Not later than 20 years after the date on which the Secretary concerned adopted or reviewed a map described in subsection (a) or (b), the Secretary concerned shall review and update, as necessary and with public comment, the applicable map.

(d) MOTORIZED AND NONMOTORIZED ACCESS.—The Secretaries shall seek to create additional opportunities, as appropriate, and in accordance with existing law, for motorized and nonmotorized access and opportunities on Federal recreational lands and waters administered by the Secretary of Agriculture or the Director of the Bureau of Land Management.

(e) SAVINGS CLAUSE.—Nothing in this section prohibits a lawful use, including authorized motorized or nonmotorized uses, on Federal recreational lands and waters administered by the Secretary concerned, if the Secretary concerned fails to meet a timeline established under this section.

SEC. 5128. AQUATIC RESOURCE ACTIVITIES ASSISTANCE.

(a) DEFINITIONS.—Section 1003 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4702) is amended—

(1) by redesignating paragraphs (11) through (19) as paragraphs (12) through (20); and

(2) by inserting after paragraph (10) the following:

''(11) 'non-Federal entity' means any private entity or individual, nonprofit organization, institution, non-Federal government agency or department, or State, or local government (including a political subdivision, department, or component thereof).''.

(b) AQUATIC NUISANCE SPECIES PROGRAM.—Section 1202 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722) is amended—

(1) in subsection (c), by adding at the end the following:

''(3) INSPECTION AND DECONTAMINATION.—To minimize the risk of introduction and dispersal of aquatic nuisance species to waters of the United States, each Federal member of the Task Force may, as appropriate and in coordination with States and Indian tribes—

''(A) conduct inspections and decontamination of recreational vessels entering or leaving Federal lands and waters under the jurisdiction of the respective member of the Task Force;

''(B) if necessary for decontamination purposes, prevent entry of a recreational vessel until such decontamination is complete;

''(C) enter into a partnership with a non-Federal entity or Indian Tribe to—

''(i) conduct inspections and decontaminations of recreational vessels under this paragraph; or

''(ii) establish an inspection and decontamination station for recreational vessels; and

''(D) at the sole discretion of the applicable Federal member of the Task Force, accept inspections and decontaminations conducted under subparagraph (C)(i) for the purposes of allowing entry by recreational vessels to water regulated by such member of the Task Force.

''(4) MINIMIZING DISRUPTION.—Each member of the Task Force shall, in conducting inspections or decontaminations of recreational vessels under paragraph (3), or partnering with a non-Federal entity or Indian tribe to conduct inspections and decontaminations under paragraph (3), minimize

disruption to public access for boating and recreation in noncontaminated recreational vessels to the maximum extent practicable.

''(5) EXCEPTIONS.—

''(A) AUTHORITIES.—Nothing in paragraph (3) shall be construed to—

''(i) limit the authority of the Commandant of the Coast Guard to regulate vessels provided under any other provision of law;

''(ii) limit the authority, jurisdiction, or responsibilities of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State;

''(iii) limit the authority, jurisdiction, or responsibilities of an Indian Tribe to manage, control, or regulate fish and wildlife under the treaties, laws, and regulations of the Indian Tribe;

''(iv) authorize members of the Task Force to control or regulate within a State the fishing or hunting of fish and wildlife; or

''(v) authorize members of the Task Force to prohibit access of recreational vessels to waters of the United States due solely to the absence of a vessel inspection and decontamination program or station.

''(B) LOCATIONS.—Authorities granted in paragraph (3) shall not apply at locations where—

''(i) inspection or decontamination activities would duplicate efforts by the Coast Guard; or

''(ii) the Coast Guard is exercising its authority to direct vessel traffic pursuant to section 70002 or section 70021 of title 46, United States Code;

''(6) DATA SHARING.—Each Federal member of the Task Force shall make available to a State any relevant data gathered related to inspections or decontaminations carried out under this subsection in such State, consistent with other laws and regulations.''; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting '', economy, infrastructure,'' after ''environment''; and

(ii) in the second sentence, by inserting ''(including through the use of recreational vessel inspection and decontamination stations)'' after ''aquatic nuisance species''; and

(B) in paragraph (2), in the second sentence, by inserting ''infrastructure, and the'' after ''ecosystems,''.

(c) GRANT PROGRAM FOR RECREATIONAL VESSEL INSPECTION AND DECONTAMINATION STATIONS IN RECLAMATION STATES.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall establish a competitive grant program to provide financial assistance to prohibit introduction and dispersal of aquatic invasive species into, within, and out of reclamation projects, including financial assistance to purchase, establish, operate, or maintain a recreational vessel inspection and decontamination station within a reclamation State.

(2) COST SHARE.—For any grant provided under paragraph (1), the Federal share of the cost of purchasing, establishing, operating, and maintaining a recreational vessel inspection and decontamination station, including personnel costs, shall not exceed 75 percent of the total costs.

(3) ELIGIBILITY.—To be eligible to obtain assistance under this subsection, an entity shall—

(A) be party to a partnership agreement under section 1202(c)(3)(C) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722(c)(3)(C)), as amended by this section;

(B) receive no Federal funds under such partnership agreement; and

(C) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(4) COORDINATION.—In carrying out this subsection, the Secretary shall coordinate with—

(A) reclamation States;

(B) affected Indian Tribes; and

(C) the Aquatic Nuisance Species Task Force.

(5) DEFINITIONS.—In this subsection:

(A) RECLAMATION PROJECT.—The term ''reclamation project'' has the meaning given the term in section 2803 of the Reclamation Projects Authorization and Adjustment Act of 1992 (16 U.S.C. 460l–32).

(B) RECLAMATION STATE.—The term ''reclamation *S*tate'' has the meaning given the term in section 4014 of the Water Infrastructure Improvements for the Nation Act (43 U.S.C. 390b note).

Subtitle C—Supporting Gateway Communities and Addressing Park Overcrowding

SEC. 5131. GATEWAY COMMUNITIES.

(a) ASSESSMENT OF IMPACTS AND NEEDS IN GATEWAY COMMUNITIES.—The Secretaries—

(1) shall collaborate with State and local governments, Indian Tribes, housing authorities, applicable trade associations, nonprofit organizations, private entities, and other relevant stakeholders to identify needs and economic impacts in gateway communities, including—

(A) housing shortages, including for employees of Federal land management agencies;

(B) demands on and required improvement of existing municipal infrastructure;

(C) accommodation and management of sustainable visitation; and

(D) the improvement and diversification of visitor experiences by bolstering the visitation at—

(i) existing developed locations that are underutilized on nearby Federal recreational lands and waters that are suitable for developing, expanding, or enhancing recreation use, as identified by the Secretaries; or

(ii) existing developed and suitable lesser-known recreation sites, as identified under section 5132(b)(1)(B), on nearby land managed by a State agency or a local agency; and

(2) may address a need identified under paragraph (1) by—

(A) providing financial or technical assistance to a gateway community under an existing program;

(B) entering into an agreement, right-of-way, or easement, in accordance with applicable laws; or

(C) issuing an entity referred to in paragraph (1) a special use permit (other than a special recreation permit (as defined in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801)), in accordance with applicable laws.

(b) TECHNICAL ASSISTANCE TO BUSINESSES.—The Secretaries, in coordination with the heads of other applicable Federal agencies, shall provide to outdoor recreation and supporting businesses in gateway communities information on applicable Federal resources and programs available to provide financing, technical assistance, or other services to such businesses to establish, operate, or expand infrastructure to accommodate and manage sustainable visitation.

(c) PARTNERSHIPS.—In carrying out this section, the Secretary concerned may, in accordance with applicable laws, enter into a public-private partnership, cooperative agreement, memorandum of understanding, or similar agreement with a gateway community or a business in a gateway community.

SEC. 5132. IMPROVED RECREATION VISITATION DATA.

(a) CONSISTENT VISITATION DATA.—

(1) ANNUAL VISITATION DATA.—The Secretaries shall establish a single visitation data reporting system to report accurate annual visitation data, in a consistent manner, for—

(A) each unit of Federal recreational lands and waters; and

(B) land held in trust for an Indian Tribe, on request of the Indian Tribe.

(2) CATEGORIES OF USE.—Within the visitation data reporting system established under paragraph (1), the Secretaries shall—

(A) establish multiple categories of different recreation activities that are reported consistently across agencies; and

(B) provide an estimate of the number of visitors for each applicable category established under subparagraph (A) for each unit of Federal recreational lands and waters.

(3) LOW-USE RECREATION.—In reporting visitation under paragraph (1), the Secretaries shall seek to model or capture low-use and dispersed recreation activities that may not be effectively measured by existing general and opportunistic survey and monitoring protocols.

(4) REPORTS.—Not later than 1 year after the date of the enactment of this title, and annually thereafter, the Secretaries shall publish on a website of the Secretaries a report that describes the annual visitation of each unit of Federal recreational lands and waters, including, to the maximum extent practicable, visitation categorized by recreational activity.

(b) REAL-TIME DATA PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this title, using existing funds available to the Secretaries, the Secretaries shall carry out a pilot program, to be known as the ''Real-Time Data Pilot Program'' (referred to in this section as the ''Pilot Program''), to make available to the public, for each unit of Federal recreational lands and waters selected for participation in the Pilot Program under paragraph (2)—

(A) real-time or predictive data on visitation (which may include data and resources publicly available from existing nongovernmental platforms) at—

(i) the unit of Federal recreational lands and waters;

(ii) to the extent practicable, areas within the unit of Federal recreational lands and waters; and

(iii) to the extent practicable, recreation sites managed by any other Federal agency, a State agency, or a local agency that are located near the unit of Federal recreational lands and waters; and

(B) information about lesser-known recreation sites for which data is provided under subparagraph (A)(iii), in an effort to encourage visitation among recreational sites.

(2) LOCATIONS.—

(A) INITIAL NUMBER OF UNITS.—On establishment of the Pilot Program, the Secretaries shall select for participation in the Pilot Program—

(i) 10 units of Federal recreational lands and waters managed by the Secretary; and

(ii) 5 units of Federal recreational lands and waters managed by the Secretary of Agriculture.

(B) REPORT.—Not later than 6 years after the date of the enactment of this title, the Secretaries shall submit a report to Congress regarding the implementation of the Pilot Program, including policy recommendations on the expansion of the Pilot Program to additional units managed by the Secretaries.

(C) FEEDBACK; SUPPORT OF GATEWAY COMMUNITIES.—The Secretaries shall—

(i) prior to selecting locations for the Pilot Program, solicit feedback regarding participation in the Pilot Program from communities adjacent to units of Federal recreational lands and waters and the public; and

(ii) in carrying out subparagraphs (A) and (B), select a unit of Federal recreation lands and waters to participate in the Pilot Program only if the community adjacent to the unit of Federal recreational lands and waters is supportive of the participation of the unit of Federal recreational lands and waters in the Pilot Program.

(3) DISSEMINATION OF INFORMATION.—The Secretaries may disseminate the information described in paragraph (1) directly or through an entity or organization referred to in subsection (c).

(4) INCLUSION OF CURRENT ASSESSMENTS.—In carrying out the Pilot Program, the Secretaries may, to the extent practicable, rely on assessments completed or data gathered prior to the date of enactment of this title.

(c) COMMUNITY PARTNERS AND THIRD-PARTY PROVIDERS.—For purposes of carrying out this section, the Secretary concerned may—

(1) coordinate and partner with—

(A) communities adjacent to units of Federal recreational lands and waters;

(B) State and local governments, including outdoor recreation and tourism offices;

(C) Indian Tribes;

(D) trade associations;

(E) local outdoor recreation marketing organizations;

(F) recreation service providers; or

(G) other relevant stakeholders; and

(2) coordinate or enter into agreements, as appropriate, with private sector and nonprofit partners, including—

(A) technology companies;

(B) geospatial data companies;

(C) experts in data science, analytics, and operations research; or

(D) data companies.

(d) EXISTING PROGRAMS.—The Secretaries may use existing programs or products of the Secretaries to carry out this section.

(e) PRIVACY CLAUSES.—Nothing in this section provides authority to the Secretaries—

(1) to monitor or record the movements of a visitor to a unit of Federal recreational lands and waters;

(2) to restrict, interfere with, or monitor a private communication of a visitor to a unit of Federal recreational lands and waters; or

(3) to collect—

(A) information from owners of land adjacent to a unit of Federal recreational lands and waters; or

(B) information on non-Federal land.

Subtitle D—Broadband Connectivity on Federal Recreational Lands and Waters

SEC. 5141. CONNECT OUR PARKS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Energy and Natural Resources of the Senate;

(B) the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Committee on Natural Resources of the House of Representatives; and

(D) the Committee on Energy and Commerce of the House of Representatives.

(2) BROADBAND INTERNET ACCESS SERVICE.—The term ''broadband internet access service'' has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations (or a successor regulation).

(3) CELLULAR SERVICE.—The term ''cellular service'' has the meaning given the term in section 22.99 of title 47, Code of Federal Regulations (or a successor regulation).

(4) NATIONAL PARK.—The term ''National Park'' means a unit of the National Park System.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the Secretary shall complete an assessment of National Parks to identify—

(A) locations in National Parks in which there is the greatest need for broadband internet access service, based on the considerations described in paragraph (2)(A); and

(B) areas in National Parks in which there is the greatest need for cellular service, based on the considerations described in paragraph (2)(B).

(2) CONSIDERATIONS.—

(A) BROADBAND INTERNET ACCESS SERVICE.—For purposes of identifying locations in National Parks under paragraph (1)(A), the Secretary shall consider, with respect to each National Park, the availability of broadband internet access service in—

(i) housing;

(ii) administrative facilities and related structures;

(iii) lodging;

(iv) developed campgrounds; and

(v) any other location within the National Park in which broadband internet access service is determined to be necessary by the superintendent of the National Park.

(B) CELLULAR SERVICE.—For purposes of identifying areas in National Parks under paragraph (1)(B), the Secretary shall consider, with respect to each National Park, the availability of cellular service in any developed area within the National Park that would increase—

(i) the access of the public to emergency services and traveler information technologies; or

(ii) the communications capabilities of National Park Service employees.

(3) REPORT.—On completion of the assessment under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, and make available on the website of the Department of the Interior, a report describing the results of the assessment.

(c) PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this title, the Secretary shall develop a plan, based on the results of the assessment completed under subsection (b) and subject to paragraph (4)—

(A) to install broadband internet access service infrastructure in certain locations in National Parks; and

(B) to install cellular service equipment and infrastructure in certain areas of National Parks.

(2) CONSULTATION.—In developing the plan under paragraph (1), the Secretary shall consult with—

(A) affected Indian Tribes; and

(B) local stakeholders that the superintendent of the applicable National Park determines to be appropriate.

(3) REQUIREMENTS.—The plan developed under paragraph (1) shall—

(A) provide for avoiding or minimizing impacts to—

(i) National Park viewsheds;

(ii) cultural and natural resources;

(iii) the visitor experience;

(iv) historic properties and the viewsheds of historic properties; and

(v) other resources or values of the National Park;

(B) provide for infrastructure providing broadband internet access service or cellular service to be located in—

(i) previously disturbed or developed areas; or

(ii) areas zoned for uses that would support the infrastructure;

(C) provide for the use of public-private partnerships—

(i) to install broadband internet access service or cellular service equipment; and

(ii) to provide broadband internet access service or cellular service;

(D) be technology neutral; and

(E) in the case of broadband internet access service, provide for broadband internet access service of at least—

(i) a 100–Mbps downstream transmission capacity; and

(ii) a 20–Mbps upstream transmission capacity.

(4) LIMITATION.—Notwithstanding paragraph (1), a plan developed under that paragraph shall not be required to address broadband internet access service or cellular service in any National Park with respect to which the superintendent of the National Park determines that there is adequate access to broadband internet access service or cellular service, as applicable.

SEC. 5142. BROADBAND INTERNET CONNECTIVITY AT DEVELOPED RECREATION SITES.

(a) IN GENERAL.—The Secretary and the Chief of the Forest Service shall enter into an agreement with the Secretary of Commerce to foster the installation or construction of broadband internet infrastructure at developed recreation sites on Federal recreational lands and waters to establish broadband internet connectivity—

(1) subject to the availability of appropriations; and

(2) in accordance with applicable law.

(b) IDENTIFICATION.—Not later than 3 years after the date of the enactment of this title, and annually thereafter through fiscal year 2031, the Secretary and the Chief of the Forest Service, in coordination with States and local communities, shall make publicly available—

(1) a list of the highest priority developed recreation sites, as determined under subsection (c), on Federal recreational lands and waters that lack broadband internet;

(2) to the extent practicable, an estimate of—

(A) the cost to equip each of those sites with broadband internet infrastructure; and

(B) the annual cost to operate that infrastructure; and

(3) a list of potential—

(A) barriers to operating the infrastructure described in paragraph (2)(A); and

(B) methods to recover the costs of that operation.

(c) PRIORITIES.—In selecting developed recreation sites for the list described in subsection (b)(1), the Secretary and the Chief of the Forest Service shall give priority to developed recreation sites—

(1) at which broadband internet infrastructure has not been constructed due to—

(A) geographic challenges; or

(B) the location having an insufficient number of nearby permanent residents, despite high seasonal or daily visitation levels; or

(2) that are located in an economically distressed county that could benefit significantly from developing the outdoor recreation economy of the county.

SEC. 5143. PUBLIC LANDS TELECOMMUNICATIONS.

(a) REPORT ON RENTAL FEE RETENTION AUTHORITY.—Not later than 1 year after the date of the enactment of this title, the Secretary shall submit a comprehensive report

to the appropriate committees of Congress evaluating the potential benefits of rental fee retention whereby any fee collected for the occupancy and use of Federal recreational lands and waters authorized by a communications use authorization would be deposited into a special account for each qualified Federal land management agency and used solely for activities related to communications sites on lands and waters managed by a Federal land management agency, including—

(1) administering communications use authorizations;

(2) preparing needs assessments or other programmatic analyses necessary to establish communications sites and authorize communications uses on or adjacent to Federal recreational lands and waters managed by a Federal land management agency;

(3) developing management plans for communications sites on or adjacent to Federal recreational lands and waters managed by a Federal land management agency on a competitively neutral, technology neutral, nondiscriminatory basis;

(4) training for management of communications sites on or adjacent to Federal recreational lands and waters managed by a Federal land management agency;

(5) obtaining, improving access to, or establishing communications sites on or adjacent to Federal recreational lands and waters managed by a Federal land management agency; and

(6) any combination of purposes described in subparagraphs (1) through (5).

(b) DEFINITIONS.—In this section:

(1) COMMUNICATIONS SITE.—The term ''communications site'' means an area of Federal recreational lands and waters designated or approved for communications use.

(2) COMMUNICATIONS USE.—The term ''communications use''—

(A) means the placement, operation, or both, of infrastructure for wireline or wireless telecommunications, including cable television, television, and radio communications, regardless of whether such placement or operation is pursuant to a license issued by the Federal Communications Commission or on an unlicensed basis in accordance with the regulations of the Commission; and

(B) includes ancillary activities, uses, or facilities directly related to such placement or operation.

(3) COMMUNICATIONS USE AUTHORIZATION.—The term ''communications use authorization'' means a right-of-way, permit, or lease granted, issued, or executed by a Federal land management agency for the primary purpose of authorizing the occupancy and use of Federal recreational lands and waters for communications use.

(4) RENTAL FEE.—The term ''rental fee'' means a fee collected by a Federal land management agency for the occupancy and use authorized by a communications use authorization pursuant to and consistent with authorizing law.

Subtitle E—Public–private Parks Partnerships

SEC. 5151. AUTHORIZATION FOR LEASE OF FOREST SERVICE ADMINISTRATIVE SITES.

Section 8623 of the Agriculture Improvement Act of 2018 (16 U.S.C. 580d note; Public Law 115–334) is amended—

(1) in subsection (a)(2)(D), by striking ''dwelling;'' and inserting ''dwelling or multiunit dwelling;'';

(2) in subsection (e)—

(A) in paragraph (3)(B)(ii)—

(i) in subclause (I), by inserting ''such as housing,'' after ''improvements,'';

(ii) in subclause (II), by striking ''and'' at the end;

(iii) in subclause (III), by striking ''or'' at the end and inserting ''and''; and

(iv) by adding at the end the following:

''(IV) services occurring off the administrative site that—

''(aa) occur at another administrative site in the same unit in which the administrative site is located or a different unit of the National Forest System;

''(bb) benefit the National Forest System; and

''(cc) support activities occurring within the unit of the National Forest System in which the administrative site is located; or''; and

(B) by adding at the end the following:

''(6) LEASE TERM.—

''(A) IN GENERAL.—The term of a lease of an administrative site under this section shall be not more than 100 years.

''(B) REAUTHORIZATION OF USE.—A lease of an administrative site under this section shall include a provision for reauthorization of the use if the—

''(i) use of the administrative site, at the time of reauthorization, is still being used for the purposes authorized;

''(ii) use to be authorized under the new lease is consistent with the applicable land management plan; and

''(iii) lessee is in compliance with all the terms of the existing lease.''

''(C) SAVINGS.—A reauthorization of use under subparagraph (B) may include new terms in the use, as determined by the Chief of the Forest Service.'';

(3) in subsection (g)—

(A) by striking ''to a leaseholder'' after ''payments''; and

(B) by inserting ''or constructed'' after ''improved''; and

(4) in subsection (i), by striking ''2023'' each place it appears and inserting ''2028''.

SEC. 5152. PARTNERSHIP AGREEMENTS CREATING TANGIBLE SAVINGS.

Section 101703 of title 54, United States Code, is amended to read as follows:

''§ 101703. Cooperative management agreements

''(a) COOPERATIVE MANAGEMENT AGREEMENTS.—

''(1) IN GENERAL.—The Secretary, in accordance with the laws generally applicable to units of the National Park System and under such terms and conditions as the Secretary considers appropriate, may enter into a cooperative management agreement with a State, Indian Tribe, or local government with park land adjacent to a System unit, where such agreement will provide for more effective and efficient management of a System unit and the adjacent non-Federal park area.

''(2) NO TRANSFER OF ADMINISTRATIVE RESPONSIBILITIES.—The Secretary may not transfer administration responsibilities for any System unit.

''(b) PROVISION OF GOODS AND SERVICES.—

''(1) IN GENERAL.—The Secretary may provide or acquire goods and services on a reimbursable basis as part of a cooperative management agreement under subsection (a).

''(2) RETENTION OF FUNDS.—The Secretary may retain and expend any funds received under this section without further appropriation.

''(c) CO-LOCATION.—The Secretary and a State, Indian Tribe, or local government may co-locate in offices or facilities owned or leased by either party as part of a cooperative management agreement under subsection (a).

''(d) EMPLOYEES.—

''(1) ASSIGNMENT OF EMPLOYEE.—The Secretary may arrange an assignment under section 3372 of title 5 of a Federal employee or an employee of a State, Indian Tribe, or local government, as mutually agreed upon, for work on the Federal, State, local, or Tribal park land covered by the cooperative management agreement.

''(2) EXTENSION OF ASSIGNMENT.—An assignment under paragraph (1) may be extended if the Secretary and the State, Indian Tribe, or local government determine it to be mutually beneficial.

''(e) DEFINITION.—In this section, the term 'State' means each of the several States, the District of Columbia, and each territory of the United States.''.

SEC. 5153. PARTNERSHIP AGREEMENTS TO MODERNIZE FEDERALLY OWNED CAMPGROUNDS, RESORTS, CABINS, AND VISITOR CENTERS ON FEDERAL RECREATIONAL LANDS AND WATERS.

(a) DEFINITIONS.—In this section:

(1) COVERED ACTIVITY.—The term ''covered activity'' means—

(A) a capital improvement, including the construction, reconstruction, and nonroutine maintenance of any structure, infrastructure, or improvement, relating to the operation of, or access to, a covered recreation facility; and

(B) any activity necessary to operate or maintain a covered recreation facility.

(2) COVERED RECREATION FACILITY.—The term ''covered recreation facility'' means a federally owned campground, resort, cabin, or visitor center that is—

(A) in existence on the date of the enactment of this title; and

(B) located on Federal recreational lands and waters administered by—

(i) the Chief of the Forest Service; or

(ii) the Director of the Bureau of Land Management.

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a unit of State, Tribal, or local government;

(B) a nonprofit organization; and

(C) a private entity.

(b) PILOT PROGRAM.—The Secretaries shall establish a pilot program under which the Secretary concerned may enter into an agreement with, or issue or amend a land use authorization to, an eligible entity to allow the eligible entity to carry out covered activities relating to a covered recreation facility, subject to the requirements of this section and the terms of any relevant land use authorization, regardless of whether the eligible entity holds, on the date of the enactment of this title, an authorization to be a concessionaire for the covered recreation facility.

(c) MINIMUM NUMBER OF AGREEMENTS OR LAND USE AUTHORIZATIONS.—Not later than 3 years after the date of the enactment of this title, the Secretary concerned shall enter into at least 1 agreement or land use authorization under subsection (b) in—

(1) a unit of the National Forest System in each region of the National Forest System; and

(2) Federal recreational lands and waters administered by the Director of the Bureau of Land Management in not fewer than 5 States in which the Bureau of Land Management administers Federal recreational lands and waters.

(d) REQUIREMENTS.—

(1) DEVELOPMENT PLANS.—Before entering into an agreement or issuing a land use authorization under subsection (b), an eligible entity shall submit to the Secretary concerned a development plan that—

(A) describes investments in the covered recreation facility to be made by the eligible entity during the first 3 years of the agreement or land use authorization;

(B) describes annual maintenance spending to be made by the eligible entity for each

year of the agreement or land use authorization; and

(C) includes any other terms and conditions determined to be necessary or appropriate by the Secretary concerned.

(2) AGREEMENTS AND LAND USE AUTHORIZATIONS.—An agreement or land use authorization under subsection (b) shall—

(A) be for a term of not more than 30 years, commensurate with the level of investment;

(B) require that, not later than 3 years after the date on which the Secretary concerned enters into the agreement or issues or amends the land use authorization, the applicable eligible entity shall expend, place in an escrow account for the eligible entity to expend, or deposit in a special account in the Treasury for expenditure by the Secretary concerned, without further appropriation, for covered activities relating to the applicable covered recreation facility, an amount or specified percentage, as determined by the Secretary concerned, which shall be equal to not less than $500,000, of the anticipated receipts for the term of the agreement or land use authorization;

(C) require the eligible entity to operate and maintain the covered recreation facility and any associated infrastructure designated by the Secretary concerned in a manner acceptable to the Secretary concerned and the eligible entity;

(D) include any terms and conditions that the Secretary concerned determines to be necessary for a special use permit issued under section 7 of the Act of April 24, 1950 (commonly known as the ''Granger-Thye Act'') (64 Stat. 84, chapter 97; 16 U.S.C. 580d), including the payment described in subparagraph (E) or the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as applicable;

(E) provide for payment to the Federal Government of a fee or a sharing of revenue—

(i) consistent with—

(I) the land use fee for a special use permit authorized under section 7 of the Act of April 24, 1950 (commonly known as the ''Granger-Thye Act'') (64 Stat. 84, chapter 97; 16 U.S.C. 580d); or

(II) the value to the eligible entity of the rights provided by the agreement or land use authorization, taking into account the capital invested by, and obligations of, the eligible entity under the agreement or land use authorization; and

(ii) all or part of which may be offset by the work to be performed at the expense of the eligible entity that is separate from the routine costs of operating and maintaining the applicable covered recreation facility and any associated infrastructure designated by the Secretary concerned, as determined to be appropriate by the Secretary concerned;

(F) include provisions stating that—

(i) the eligible entity shall obtain no property interest in the covered recreation facility pursuant to the expenditures of the eligible entity, as required by the agreement or land use authorization;

(ii) all structures and other improvements constructed, reconstructed, or nonroutinely maintained by that entity under the agreement or land use authorization on land owned by the United States shall be the property of the United States; and

(iii) the eligible entity shall be solely responsible for any cost associated with the decommissioning or removal of a capital improvement, if needed, at the conclusion of the agreement or land use authorization; and

(G) be subject to any other terms and conditions determined to be necessary or appropriate by the Secretary concerned.

(e) LAND USE FEE RETENTION.—A land use fee paid or revenue shared with the Secretary concerned under an agreement or land use authorization under this section shall be available for expenditure by the Secretary concerned for recreation-related purposes on the unit or area of Federal recreational lands and waters at which the land use fee or revenue is collected, without further appropriation.

SEC. 5154. PARKING AND RESTROOM OPPORTUNITIES FOR FEDERAL RECREATIONAL LANDS AND WATERS.

(a) PARKING OPPORTUNITIES.—

(1) IN GENERAL.—The Secretaries shall seek to increase and improve parking opportunities for persons recreating on Federal recreational lands and waters—

(A) in accordance with existing laws and applicable land use plans;

(B) in a manner that minimizes any increase in maintenance obligations on Federal recreational lands and waters; and

(C) in a manner that does not impact wildlife habitat that is critical to the mission of a Federal agency responsible for managing Federal recreational lands and waters.

(2) AUTHORITY.—To supplement the quantity of parking spaces available at units of Federal recreational lands and waters on the date of the enactment of this title, the Secretaries may—

(A) enter into a public-private partnership for parking opportunities on non-Federal land;

(B) enter into contracts or agreements with State, Tribal, or local governments for parking opportunities using non-Federal lands and resources; or

(C) provide alternative transportation systems for a unit of Federal recreational lands and waters.

(3) TECHNOLOGICAL SOLUTIONS.—The Secretaries shall evaluate the use of and incorporate, as the Secretary concerned determines appropriate, technologies to manage parking availability, access, and information at units of Federal recreational lands and waters, including—

(A) the installation and use of trailhead cameras and monitors to determine parking availability at trailheads, the information from which shall be made available online and, to the extent practicable, via mobile notifications; and

(B) the use of data collection technology to estimate visitation volumes for use in future planning for parking at units of Federal recreational lands and waters.

(b) RESTROOM OPPORTUNITIES.—

(1) IN GENERAL.—The Secretaries shall seek to increase and improve the function, cleanliness, and availability of restroom facilities for persons recreating on Federal recreational lands and waters, including by entering into partnerships with non-Federal partners, including State, Tribal, and local governments and volunteer organizations.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretaries shall submit a report to Congress that identifies—

(A) challenges to maintaining or improving the function, cleanliness, and availability of restroom facilities on Federal recreational lands and waters;

(B) the current state of restroom facilities on Federal recreational lands and waters and the effect restroom facilities have on visitor experiences; and

(C) policy recommendations that suggest innovative new models or partnerships to increase or improve the function, cleanliness, and availability of restroom facilities for persons recreating on Federal recreational lands and waters.

SEC. 5155. PAY-FOR-PERFORMANCE PROJECTS.

(a) DEFINITIONS.—In this section:

(1) INDEPENDENT EVALUATOR.—The term ''independent evaluator'' means an individual or entity, including an institution of higher education, that is selected by the pay-for-performance beneficiary and pay-for-performance investor, as applicable, or by the pay-for-performance project developer, in consultation with the Secretary of Agriculture, to make the determinations and prepare the reports required under subsection (e).

(2) NATIONAL FOREST SYSTEM LAND.—The term ''National Forest System land'' means land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))).

(3) PAY-FOR-PERFORMANCE AGREEMENT.—The term ''pay-for-performance agreement'' means a mutual benefit agreement (excluding a procurement contract, grant agreement, or cooperative agreement described in chapter 63 of title 31, United States Code) for a pay-for-performance project—

(A) with a term of—

(i) not less than 1 year; and

(ii) not more than 20 years; and

(B) that is executed, in accordance with applicable law, by—

(i) the Secretary of Agriculture; and

(ii) a pay-for-performance beneficiary or pay-for-performance project developer.

(4) PAY-FOR-PERFORMANCE BENEFICIARY.—The term ''pay-for-performance beneficiary'' means a State or local government, an Indian Tribe, or a nonprofit or for-profit organization that—

(A) repays capital loaned upfront by a pay-for-performance investor, based on a project outcome specified in a pay-for-performance agreement; or

(B) provides capital directly for costs associated with a pay-for-performance project.

(5) PAY-FOR-PERFORMANCE INVESTOR.—The term ''pay-for-performance investor'' means a State or local government, an Indian Tribe, or a nonprofit or for-profit organization that provides upfront loaned capital for a pay-for-performance project with the expectation of a financial return dependent on a project outcome.

(6) PAY-FOR-PERFORMANCE PROJECT.—The term ''pay-for-performance project'' means a project that—

(A) would provide or enhance a recreational opportunity;

(B) is conducted on—

(i) National Forest System land; or

(ii) other land, if the activities would benefit National Forest System land (including a recreational use of National Forest System land); and

(C) would use an innovative funding or financing model that leverages—

(i) loaned capital from a pay-for-performance investor to cover upfront costs associated with a pay-for-performance project, with the loaned capital repaid by a pay-for-performance beneficiary at a rate of return dependent on a project outcome, as measured by an independent evaluator; or

(ii) capital directly from a pay-for-performance beneficiary to support costs associated with a pay-for-performance project in an amount based on an anticipated project outcome.

(7) PAY-FOR-PERFORMANCE PROJECT DEVELOPER.—The term ''pay-for-performance project developer'' means a nonprofit or for-profit organization that serves as an intermediary to assist in developing or implementing a pay-for-performance agreement or a pay-for-performance project.

(8) PROJECT OUTCOME.—The term ''project outcome'' means a measurable, beneficial result (whether economic, environmental, or social) that is attributable to a pay-for-performance project and described in a pay-for-performance agreement.

(b) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Agriculture shall establish a pilot program in accordance with this section to carry out 1 or more pay-for-performance projects.

(c) PAY-FOR-PERFORMANCE PROJECTS.—

(1) IN GENERAL.—Using funds made available through a pay-for-performance agreement or appropriations, all or any portion of a pay-for-performance project may be implemented by—

(A) the Secretary of Agriculture; or

(B) a pay-for-performance project developer or a third party, subject to the conditions that—

(i) the Secretary of Agriculture shall approve the implementation by the pay-for-performance project developer or third party; and

(ii) the implementation is in accordance with applicable law.

(2) RELATION TO LAND MANAGEMENT PLANS.—A pay-for-performance project carried out under this section shall be consistent with any applicable land management plan developed under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(3) OWNERSHIP.—

(A) NEW IMPROVEMENTS.—The United States shall have title to any improvements installed on National Forest System land as part of a pay-for-performance project.

(B) EXISTING IMPROVEMENTS.—Investing in, conducting, or completing a pay-for-performance project on National Forest System land shall not affect the title of the United States to—

(i) any federally owned improvements involved in the pay-for-performance project; or

(ii) the underlying land.

(4) SAVINGS CLAUSE.—The carrying out of any action for a pay-for-performance project does not provide any right to any party to a pay-for-performance agreement.

(5) POTENTIAL CONFLICTS.—Before approving a pay-for-performance project under this section, the Secretary of Agriculture shall consider and seek to avoid potential conflicts (including economic competition) with any existing written authorized use.

(d) PROJECT AGREEMENTS.—

(1) IN GENERAL.—Notwithstanding the Act of June 30, 1914 (38 Stat. 430, chapter 131; 16 U.S.C. 498), or subtitle C of title XX of the Social Security Act (42 U.S.C. 1397n et seq.), in carrying out the pilot program under this section, the Secretary of Agriculture may enter into a pay-for-performance agreement under which a pay-for-performance beneficiary, pay-for-performance investor, or pay-for-performance project developer agrees to pay for or finance all or part of a pay-for-performance project.

(2) SIZE LIMITATION.—The Secretary of Agriculture may not enter into a pay-for-performance agreement under the pilot program under this section for a pay-for-performance project valued at more than $15,000,000.

(3) FINANCING.—

(A) IN GENERAL.—A pay-for-performance agreement shall specify the amounts that a pay-for-performance beneficiary or a pay-for-performance project developer agrees to pay to a pay-for-performance investor or a pay-for-performance project developer, as appropriate, in the event of an independent evaluator determining pursuant to subsection (e) the degree to which a project outcome has been achieved.

(B) ELIGIBLE PAYMENTS.—An amount described in subparagraph (A) shall be—

(i) based on—

(I) the respective contributions of the parties under the pay-for-performance agreement; and

(II) the economic, environmental, or social benefits derived from the project outcomes; and

(ii)(I) a percentage of the estimated value of a project outcome;

(II) a percentage of the estimated cost savings to the pay-for-performance beneficiary or the Secretary of Agriculture derived from a project outcome;

(III) a percentage of the enhanced revenue to the pay-for-performance beneficiary or the Secretary of Agriculture derived from a project outcome; or

(IV) a percentage of the cost of the pay-for-performance project.

(C) FOREST SERVICE FINANCIAL ASSISTANCE.—Subject to the availability of appropriations, the Secretary of Agriculture may contribute funding for a pay-for-performance project only if—

(i) the Secretary of Agriculture demonstrates that—

(I) the pay-for-performance project would provide a cost savings to the United States;

(II) the funding would accelerate the pace of implementation of an activity previously planned to be completed by the Secretary of Agriculture; or

(III) the funding would accelerate the scale of implementation of an activity previously planned to be completed by the Secretary of Agriculture; and

(ii) the contribution of the Secretary of Agriculture has a value that is not more than 50 percent of the total cost of the pay-for-performance project.

(D) SPECIAL ACCOUNT.—Any funds received by the Secretary of Agriculture under subsection (c)(1)—

(i) shall be retained in a separate fund in the Treasury to be used solely for pay-for-performance projects; and

(ii) shall remain available until expended and without further appropriation.

(4) MAINTENANCE AND DECOMMISSIONING OF PAY-FOR-PERFORMANCE PROJECT IMPROVEMENTS.—A pay-for-performance agreement shall—

(A) include a plan for maintaining any capital improvement constructed as part of a pay-for-performance project after the date on which the pay-for-performance project is completed; and

(B) specify the party that will be responsible for decommissioning the improvements associated with the pay-for-performance project—

(i) at the end of the useful life of the improvements;

(ii) if the improvements no longer serve the purpose for which the improvements were developed; or

(iii) if the pay-for-performance project fails.

(5) TERMINATION OF PAY-FOR-PERFORMANCE PROJECT AGREEMENTS.—The Secretary of Agriculture may unilaterally terminate a pay-for-performance agreement, in whole or in part, for any program year beginning after the program year during which the Secretary of Agriculture provides to each party to the pay-for-performance agreement a notice of the termination.

(e) INDEPENDENT EVALUATIONS.—

(1) PROGRESS REPORTS.—An independent evaluator shall submit to the Secretary of Agriculture and each party to the applicable pay-for-performance agreement—

(A) by not later than 2 years after the date on which the pay-for-performance agreement is executed, and at least once every 2 years thereafter, a written report that summarizes the progress that has been made in achieving each project outcome; and

(B) before the first scheduled date for a payment described in subsection (d)(3)(A), and each subsequent date for payment, a written report that—

(i) summarizes the results of the evaluation conducted by the independent evaluator to determine whether a payment should be made pursuant to the pay-for-performance agreement; and

(ii) analyzes the reasons why a project outcome was achieved or was not achieved.

(2) FINAL REPORTS.—Not later than 180 days after the date on which a pay-for-performance project is completed, the independent evaluator shall submit to the Secretary of Agriculture and each party to the pay-for-performance agreement a written report that includes, with respect to the period covered by the report—

(A) an evaluation of the effects of the pay-for-performance project with respect to each project outcome;

(B) a determination of whether the pay-for-performance project has met each project outcome; and

(C) the amount of the payments made for the pay-for-performance project pursuant to subsection (d)(3)(A).

(f) ADDITIONAL FOREST SERVICE-PROVIDED ASSISTANCE.—

(1) TECHNICAL ASSISTANCE.—The Secretary of Agriculture may provide technical assistance to facilitate pay-for-performance project development, such as planning, permitting, site preparation, and design work.

(2) CONSULTANTS.—Subject to the availability of appropriations, the Secretary of Agriculture may hire a contractor—

(A) to conduct a feasibility analysis of a proposed pay-for-performance project;

(B) to assist in the development, implementation, or evaluation of a proposed pay-for-performance project or a pay-for-performance agreement; or

(C) to assist with an environmental analysis of a proposed pay-for-performance project.

(g) SAVINGS CLAUSE.—The Secretary of Agriculture shall approve a record of decision, decision notice, or decision memo for any activities to be carried out on National Forest System land as part of a pay-for-performance project before the Secretary of Agriculture may enter into a pay-for-performance agreement involving the applicable pay-for-performance project.

(h) DURATION OF PILOT PROGRAM.—

(1) SUNSET.—The authority to enter into a pay-for-performance agreement under this section terminates on the date that is 7 years after the date of the enactment of this title.

(2) SAVINGS CLAUSE.—Nothing in paragraph (1) affects any pay-for-performance project agreement entered into by the Secretary of Agriculture under this section before the date described in that paragraph.

SEC. 5156. OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means an entity or combination of entities that represents or otherwise serves a qualifying area.

(2) ENTITY.—The term ''entity'' means—

(A) a State;

(B) a political subdivision of a State, including—

(i) a city;

(ii) a county; or

(iii) a special purpose district that manages open space, including a park district; and

(C) an Indian Tribe, urban Indian organization, or Alaska Native or Native Hawaiian community or organization.

(3) LOW-INCOME COMMUNITY.—The term ''low-income community'' has the same meaning given that term in section 45D(e)(1) of the Internal Revenue Code of 1986.

(4) QUALIFYING AREA.—The term ''qualifying area'' means—

(A) an urbanized area or urban cluster that has a population of 25,000 or more in the most recent census;

(B) 2 or more adjacent urban clusters with a combined population of 25,000 or more in the most recent census; or

(C) an area with an outdoor recreation project referenced in subsection (b) administered by an Indian Tribe or an Alaska Native or Native Hawaiian community or organization.

(b) GRANTS AUTHORIZED.—

(1) CODIFICATION OF PROGRAM.—

(A) IN GENERAL.—There is established the Outdoor Recreation Legacy Partnership Program, under which the Secretary may award grants to eligible entities for projects—

(i) to acquire land and water for parks and other outdoor recreation purposes in qualifying areas; and

(ii) to develop new or renovate existing outdoor recreation facilities that provide outdoor recreation opportunities to the public in qualifying areas.

(B) PRIORITY.—In awarding grants to eligible entities under subparagraph (A), the Secretary shall give priority to projects that—

(i) create or significantly enhance access to park and recreational opportunities in a qualifying area;

(ii) engage and empower low-income communities and youth;

(iii) provide employment or job training opportunities for youth or low-income communities;

(iv) establish or expand public-private partnerships, with a focus on leveraging resources; and

(v) take advantage of coordination among various levels of government.

(2) MATCHING REQUIREMENT.—

(A) IN GENERAL.—As a condition of receiving a grant under paragraph (1), an eligible entity shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to not less than 100 percent of the amounts made available under the grant.

(B) PARTIAL WAIVER.—The Secretary may waive part of the matching requirement under subparagraph (A) if the Secretary determines that—

(i) no reasonable means are available through which the eligible entity can meet the matching requirement; and

(ii) the probable benefit of the project outweighs the public interest in the full matching requirement.

(C) ADMINISTRATIVE EXPENSES.—Not more than 7 percent of funds provided to an eligible entity under a grant awarded under paragraph (1) may be used for administrative expenses.

(3) CONSIDERATIONS.—In awarding grants to eligible entities under paragraph (1), the Secretary shall consider the extent to which a project would—

(A) provide recreation opportunities in low-income communities in which access to parks is not adequate to meet local needs;

(B) provide opportunities for outdoor recreation and public land volunteerism;

(C) support innovative or cost-effective ways to enhance parks and other recreation—

(i) opportunities; or

(ii) delivery of services;

(D) support park and recreation activities and programs provided by local governments, including cooperative agreements with community-based nonprofit organizations;

(E) develop Native American event sites and cultural gathering spaces;

(F) provide benefits such as community resilience, reduction of urban heat islands, enhanced water or air quality, or habitat for fish or wildlife; and

(G) facilitate any combination of purposes listed in subparagraphs (A) through (F).

(4) ELIGIBLE USES.—

(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant awarded under paragraph (1) for a project described in subparagraph (A) or (B) of that paragraph.

(B) LIMITATIONS ON USE.—An eligible entity may not use grant funds for—

(i) incidental costs related to land acquisition, including appraisal and titling;

(ii) operation and maintenance activities;

(iii) facilities that support semiprofessional or professional athletics;

(iv) indoor facilities, such as recreation centers or facilities that support primarily non-outdoor purposes; or

(v) acquisition of land or interests in land that restrict public access.

(C) CONVERSION TO OTHER THAN PUBLIC OUTDOOR RECREATION USE.—

(i) IN GENERAL.—No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation use.

(ii) CONDITION FOR APPROVAL.—The Secretary shall approve a conversion only if the Secretary finds it to be in accordance with the then-existing comprehensive Statewide outdoor recreation plan and only on such conditions as the Secretary considers necessary to ensure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

(iii) WETLAND AREAS AND INTERESTS THEREIN.—Wetland areas and interests therein as identified in the wetlands provisions of the comprehensive plan and proposed to be acquired as suitable replacement property within the same State that is otherwise acceptable to the Secretary, acting through the Director of the National Park Service, shall be deemed to be of reasonably equivalent usefulness with the property proposed for conversion.

(c) REVIEW AND EVALUATION REQUIREMENTS.—In carrying out the Outdoor Recreation Legacy Partnership Program, the Secretary shall—

(1) conduct an initial screening and technical review of applications received;

(2) evaluate and score all qualifying applications; and

(3) provide culturally and linguistically appropriate information to eligible entities (including low-income communities and eligible entities serving low-income communities) on—

(A) the opportunity to apply for grants under this section;

(B) the application procedures by which eligible entities may apply for grants under this section; and

(C) eligible uses for grants under this section.

(d) REPORTING.—

(1) ANNUAL REPORTS.—Not later than 30 days after the last day of each report period, each State-lead agency that receives a grant under this section shall annually submit to the Secretary performance and financial reports that—

(A) summarize project activities conducted during the report period; and

(B) provide the status of the project.

(2) FINAL REPORTS.—Not later than 90 days after the earlier of the date of expiration of a project period or the completion of a project, each State-lead agency that receives a grant under this section shall submit to the Secretary a final report containing such information as the Secretary may require.

SEC. 5157. AMERICAN BATTLEFIELD PROTECTION PROGRAM ENHANCEMENT.

(a) DEFINITIONS.—Section 308101 of title 54, United States Code, is amended to read as follows:

"§ 308101. Definitions

''In this chapter:

''(1) BATTLEFIELD REPORTS.—The term 'Battlefield Reports' means, collectively—

''(A) the document entitled 'Report on the Nation's Civil War Battlefields', prepared by the Civil War Sites Advisory Commission, and dated July 1993; and

''(B) the document entitled 'Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States', prepared by the National Park Service, and dated September 2007.

''(2) SECRETARY.—The term 'Secretary' means the Secretary, acting through the American Battlefield Protection Program.''.

(b) PRESERVATION ASSISTANCE.—Section 308102(a) of title 54, United States Code, is amended by striking ''Federal'' and all that follows through ''organizations'' and inserting ''Federal agencies, States, Tribes, local governments, other public entities, educational institutions, and nonprofit organizations''.

(c) BATTLEFIELD LAND ACQUISITION GRANTS IMPROVEMENTS.—Section 308103 of title 54, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

''(a) ELIGIBLE SITE DEFINED.—In this section, the term 'eligible site'—

''(1) means a site that—

''(A) is not within the exterior boundaries of a unit of the National Park System; and

''(B) is identified in the Battlefield Reports as a battlefield; and

''(2) excludes sites identified in the Battlefield Reports as associated historic sites.'';

(2) in subsection (b), by striking ''State and local governments'' and inserting ''States, Tribes, local governments, and nonprofit organizations'';

(3) in subsection (c), by striking ''State or local government'' and inserting ''State, Tribe, or local government''; and

(4) in subsection (e), by striking ''under this section'' and inserting ''under this section, including by States, Tribes, local governments, and nonprofit organizations,''.

(d) BATTLEFIELD RESTORATION GRANTS IMPROVEMENTS.—Section 308105 of title 54, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

''(a) ESTABLISHMENT.—The Secretary shall establish a battlefield restoration grant program (referred to in this section as the 'program') under which the Secretary may provide grants to States, Tribes, local governments, and nonprofit organizations for projects that restore day-of-battle conditions on—

''(1) land preserved and protected under the battlefield acquisition grant program established under section 308103(b); or

''(2) battlefield land that is—

''(A) owned by a State, Tribe, local government, or nonprofit organization; and

''(B) referred to in the Battlefield Reports.''; and

(2) by striking subsection (b) and inserting the following:

''(b) ELIGIBLE SITES.—The Secretary may make grants under this section for Revolutionary War, War of 1812, and Civil War battlefield sites—

''(1) eligible for assistance under the battlefield acquisition grant program established under section 308103(b); or

''(2) on battlefield land that is—

''(A) owned by a State, Tribe, local government, or nonprofit organization; and

''(B) referred to in battlefield reports.''.

(e) UPDATES AND IMPROVEMENTS.—Chapter 3081 of title 54, United States Code, is amended by adding at the end the following:

''§ 308106. Updates and improvements to Battlefield Reports

''Not later than 2 years after the date of the enactment of this section, and every 10 years thereafter, the Secretary shall submit to Congress a report that updates the Battlefield Reports to reflect—

''(1) preservation activities carried out at the battlefields in the period since the publication of the most recent Battlefield Reports update;

''(2) changes in the condition, including core and study areas, of the battlefields during that period; and

''(3) any other relevant developments relating to the battlefields during that period.''.

(f) CLERICAL AMENDMENT.—The table of sections for chapter 3081 of title 54, United States Code, is amended—

(1) by amending the item relating to section 308101 to read as follows:

''308101. Definitions''; and

(2) by adding at the end the following:

''308106. Updates and improvements to Battlefield Reports''.

TITLE II—ACCESS AMERICA

SEC. 5201. DEFINITIONS.

In this title:

(1) ACCESSIBLE TRAIL.—The term ''accessible trail'' means a trail that meets the requirements for a trail under the Architectural Barriers Act accessibility guidelines.

(2) ARCHITECTURAL BARRIERS ACT ACCESSIBILITY GUIDELINES.—The term ''Architectural Barriers Act accessibility guidelines'' means the accessibility guidelines set forth in appendices C and D to part 1191 of title 36, Code of Federal Regulations (or successor regulations).

(3) ASSISTIVE TECHNOLOGY.—The term ''assistive technology'' means any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities, particularly with participating in outdoor recreation activities.

(4) GOLD STAR FAMILY MEMBER.—The term ''Gold Star Family member'' means an individual described in section 3.3 of Department of Defense Instruction 1348.36.

(5) OUTDOOR CONSTRUCTED FEATURE.—The term ''outdoor constructed feature'' has the meaning given such term in appendix C to part 1191 of title 36, Code of Federal Regulations (or successor regulations).

(6) VETERANS ORGANIZATION.—The term ''veterans organization'' means a service provider with outdoor recreation experience that serves members of the Armed Forces, veterans, or Gold Star Family members.

Subtitle A—Access for People With Disabilities

SEC. 5211. ACCESSIBLE RECREATION INVENTORY.

(a) ASSESSMENT.—Not later than 5 years after the date of the enactment of this title, the Secretary concerned shall—

(1) carry out a comprehensive assessment of outdoor recreation facilities on Federal recreational lands and waters under the jurisdiction of the respective Secretary concerned to determine the accessibility of such outdoor recreation facilities, consistent with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794), including—

(A) camp shelters, camping facilities, and camping units;

(B) boat launch ramps;

(C) hunting, fishing, shooting, or archery ranges or locations;

(D) outdoor constructed features;

(E) picnic facilities and picnic units; and

(F) any other outdoor recreation facilities, as determined by the Secretary concerned; and

(2) make information about such opportunities available (including through the use of prominently displayed links) on public websites of—

(A) each of the Federal land management agencies; and

(B) each relevant unit and subunit of the Federal land management agencies.

(b) INCLUSION OF CURRENT ASSESSMENTS.—As part of the comprehensive assessment required under subsection (a)(1), to the extent practicable, the Secretary concerned may rely on assessments completed or data gathered prior to the date of the enactment of this title.

(c) PUBLIC INFORMATION.—Not later than 7 years after the date of the enactment of this title, the Secretary concerned shall identify opportunities to create, update, or replace signage and other publicly available information, including web page information, related to accessibility and consistent with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794) at outdoor recreation facilities covered by the assessment required under subsection (a)(1).

SEC. 5212. TRAIL INVENTORY.

(a) ASSESSMENT.—Not later than 7 years after the date of the enactment of this title, the Secretary concerned shall—

(1) conduct a comprehensive assessment of high-priority trails, in accordance with subsection (b), on Federal recreational lands and waters under the jurisdiction of the respective Secretary concerned, including measuring each trail's—

(A) average and minimum tread width;

(B) average and maximum running slope;

(C) average and maximum cross slope;

(D) tread type; and

(E) length; and

(2) make information about such high-priority trails available (including through the use of prominently displayed links) on public websites of—

(A) each of the Federal land management agencies; and

(B) each relevant unit and subunit of the Federal land management agencies.

(b) SELECTION.—The Secretary concerned shall select high-priority trails to be assessed under subsection (a)(1)—

(1) in consultation with stakeholders, including veterans organizations and organizations with expertise or experience providing outdoor recreation opportunities to individuals with disabilities;

(2) in a geographically equitable manner; and

(3) in no fewer than 15 units or subunits managed by the Secretary concerned.

(c) INCLUSION OF CURRENT ASSESSMENTS.—As part of the assessment required under subsection (a)(1), the Secretary concerned may, to the extent practicable, rely on assessments completed or data gathered prior to the date of the enactment of this title.

(d) PUBLIC INFORMATION.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this title, the Secretary concerned shall identify opportunities to replace signage and other publicly available information, including web page information, related to such high-priority trails and consistent with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794) at high-priority trails covered by the assessment required under subsection (a)(1).

(2) TREAD OBSTACLES.—As part of the assessment required under subsection (a)(1), the Secretary may, to the extent practicable, include photographs or descriptions of tread obstacles and barriers.

(e) ASSISTIVE TECHNOLOGY SPECIFICATION.—In publishing information about each trail under this subsection, the Secretary concerned shall make public information about trails that do not meet the Architectural Barriers Act accessibility guidelines but could otherwise provide outdoor recreation opportunities to individuals with disabilities through the use of certain assistive technology.

SEC. 5213. TRAIL ACCESSIBILITY PARTNERSHIPS.

The Secretary concerned may enter into partnerships, contracts, or agreements with other Federal, State, Tribal, local, or private entities to—

(1) measure high-priority trails as part of the assessment required under section 5212;

(2) develop accessible trails under section 5214; and

(3) make minor modifications to existing trails to enhance recreational experiences for individuals with disabilities using assistive technology—

(A) in compliance with all applicable laws and land use and management plans of the Federal recreational lands and waters on which the accessible trail is located; and

(B) in consultation with stakeholders, including veterans organizations and organizations with expertise or experience providing outdoor recreation opportunities to individuals with disabilities.

SEC. 5214. ACCESSIBLE TRAILS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the Secretary concerned shall select a location or locations to develop at least 3 new accessible trails—

(1) on National Forest System lands in each region of the Forest Service;

(2) on land managed by the National Park Service in each region of the National Park Service;

(3) on land managed by the Bureau of Land Management in each region of the Bureau of Land Management; and

(4) on land managed by the United States Fish and Wildlife Service in each region of the United States Fish and Wildlife Service.

(b) DEVELOPMENT.—In developing an accessible trail under subsection (a), the Secretary concerned—

(1) may—

(A) create a new accessible trail;

(B) modify an existing trail into an accessible trail; or

(C) create an accessible trail from a combination of new and existing trails; and

(2) shall—

(A) consult with stakeholders with respect to the feasibility and resources necessary for completing the accessible trail;

(B) ensure the accessible trail complies with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794); and

(C) to the extent practicable, ensure that outdoor constructed features supporting the accessible trail, including trail bridges, parking spaces, and restroom facilities, meet the requirements of the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794).

(c) COMPLETION.—Not later than 5 years after the date that appropriations are made in advance for such purpose, the Secretary concerned, in coordination with stakeholders described under subsection (b)(2), shall complete each accessible trail selected under subsection (a).

(d) MAPS, SIGNAGE, AND PROMOTIONAL MATERIALS.—For each accessible trail developed under subsection (a), the Secretary concerned shall—

(1) publish and distribute maps and install signage, consistent with Architectural Barriers Act of 1968 accessibility guidelines and section 508 of the Rehabilitation Act (29 U.S.C. 794d); and

(2) coordinate with stakeholders to leverage any non-Federal resources necessary for the development, stewardship, completion, or promotion of the accessible trail.

(e) CONFLICT AVOIDANCE WITH OTHER USES.—In developing each accessible trail under subsection (a), the Secretary concerned shall ensure that the accessible trail—

(1) minimizes conflict with—

(A) the uses, before the date of the enactment of this title, of any trail that is part of that accessible trail; or

(B) multiple-use areas where biking, hiking, horseback riding, off-highway vehicle recreation, or use by pack and saddle stock are existing uses on the date of the enactment of this title;

(2) would not conflict with the purposes for which any trail is established under the National Trails System Act (16 U.S.C. 1241 et seq.); and

(3) complies with all applicable laws, regulations, and land use and management plans of the Federal recreational lands and waters on which the accessible trail is located.

(f) REPORTS.—Not later than 3 years after the date that funds are made available to carry out this section, and every 3 years thereafter until each accessible trail selected under subsection (a) is completed, the Secretary concerned, in coordination with stakeholders and other interested organizations, shall publish a report that lists the accessible trails developed under this section.

SEC. 5215. ACCESSIBLE RECREATION OPPORTUNITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the Secretary concerned shall select a location to develop new accessible recreation opportunities—

(1) on National Forest System lands in each region of the Forest Service;

(2) on land managed by the National Park Service in each region of the National Park Service;

(3) on land managed by the Bureau of Land Management in each region of the Bureau of Land Management; and

(4) on land managed by the United States Fish and Wildlife Service in each region of the United States Fish and Wildlife Service.

(b) DEVELOPMENT.—In developing an accessible recreation opportunity under subsection (a), the Secretary concerned—

(1) may—

(A) create a new accessible recreation opportunity; or

(B) modify an existing recreation opportunity into an accessible recreation opportunity; and

(2) shall—

(A) consult with stakeholders with respect to the feasibility and resources necessary for completing the accessible recreation opportunity;

(B) ensure the accessible recreation opportunity complies with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794); and

(C) to the extent practicable, ensure that outdoor constructed features supporting the accessible recreation opportunity, including trail bridges, parking spaces and restroom facilities, meet the requirements of the Architectural Barriers Act of 1968 and section 504 of the Rehabilitation Act (29 U.S.C. 794).

(c) ACCESSIBLE RECREATION OPPORTUNITIES.—The accessible recreation opportunities developed under subsection (a) may include, where applicable, improving accessibility or access to—

(1) camp shelters, camping facilities, and camping units;

(2) hunting, fishing, shooting, or archery ranges or locations;

(3) snow activities, including skiing and snowboarding;

(4) water activities, including kayaking, paddling, canoeing, and boat launch ramps;

(5) rock climbing;

(6) biking;

(7) off-highway vehicle recreation;

(8) picnic facilities and picnic units;

(9) outdoor constructed features; and

(10) any other new or existing recreation opportunities identified in consultation with stakeholders under subsection (b)(2), consistent with the applicable laws and land use and management plans.

(d) COMPLETION.—Not later than 5 years after the date that appropriations are made in advance for such purpose, the Secretary concerned, in coordination with stakeholders consulted with under subsection (b)(2), shall complete each accessible recreation opportunity selected under subsection (a).

(e) MAPS, SIGNAGE, AND PROMOTIONAL MATERIALS.—For each accessible recreation opportunity developed under subsection (a), the Secretary concerned shall—

(1) publish and distribute maps and install signage, consistent with Architectural Barriers Act accessibility guidelines and section 508 of the Rehabilitation Act (29 U.S.C. 794d); and

(2) coordinate with stakeholders to leverage any non-Federal resources necessary for the development, stewardship, completion, or promotion of the accessible trail.

(f) CONFLICT AVOIDANCE WITH OTHER USES.—In developing each accessible recreation opportunity under subsection (a), the Secretary concerned shall ensure that the accessible recreation opportunity—

(1) minimizes conflict with—

(A) the uses, before the date of the enactment of this title, of any Federal recreational lands and waters on which the accessible recreation opportunity is located; or

(B) multiple-use areas; and

(2) complies with all applicable laws, regulations, and land use and management plans.

(g) REPORTS.—Not later than 3 years after the date that funds are made available to carry out this section and every 3 years until each accessible recreation opportunity selected under subsection (a) is completed, the Secretary concerned, in coordination with stakeholders and other interested organizations, shall publish a report that lists the accessible recreation opportunities developed under this section.

SEC. 5216. ASSISTIVE TECHNOLOGY.

In carrying out this subtitle, the Secretary concerned may enter into partnerships, contracts, or agreements with other Federal, State, Tribal, local, or private entities, including existing outfitting and guiding services, to make assistive technology available on Federal recreational lands and waters.

SEC. 5217. SAVINGS CLAUSE.

Nothing in the subtitle shall be construed to create any conflicting standards with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and section 504 of the Rehabilitation Act (29 U.S.C. 794).

Subtitle B—Military and Veterans in Parks

SEC. 5221. PROMOTION OF OUTDOOR RECREATION FOR MILITARY SERVICEMEMBERS AND VETERANS.

Not later than 2 years after the date of the enactment of this title, the Secretary concerned, in coordination with the Secretary of Veterans Affairs and the Secretary of Defense, shall develop educational and public awareness materials to disseminate to members of the Armed Forces and veterans, including through preseparation counseling of the Transition Assistance Program under chapter 1142 of title 10, United States Code, on—

(1) opportunities for members of the Armed Forces and veterans to access Federal recreational lands and waters free of charge under section 805 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804);

(2) the availability and location of accessible trails, including new accessible trails developed and completed under section 5214;

(3) the availability and location of accessible recreation opportunities, including new accessible recreation opportunities developed and completed under section 5215;

(4) access to, and assistance with, assistive technology;

(5) outdoor-related volunteer and wellness programs;

(6) the benefits of outdoor recreation for physical and mental health;

(7) resources to access guided outdoor trips and other outdoor programs connected to the Department of Defense, the Department of Veterans Affairs, the Department of the Interior, or the Department of Agriculture; and

(8) programs and jobs focused on continuing national service such as Public Land Corps, AmeriCorps, and conservation corps programs.

SEC. 5222. MILITARY VETERANS OUTDOOR RECREATION LIAISONS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, and subject to the availability of appropriations made in advance for such purpose, the Secretaries shall each establish within their Departments the position of Military Veterans Outdoor Recreation Liaison.

(b) DUTIES.—The Military Veterans Outdoor Recreation Liaison shall—

(1) coordinate the implementation of this subtitle;

(2) implement recommendations identified by the Task Force on Outdoor Recreation for Veterans established under section 203 of the Veterans Comprehensive Prevention, Access to Care, and Treatment Act of 2020 (Public Law 116–214), including recommendations related to—

(A) improving coordination between the Department of Veterans Affairs, Department of Agriculture, Department of the Interior, and partner organizations regarding the use of Federal recreational lands and waters for facilitating health and wellness for veterans;

(B) addressing identified barriers, including augmenting the delivery of services of Federal programs, to providing veterans with greater opportunities to improve their health and wellness through outdoor recreation on Federal recreational lands and waters; and

(C) facilitating the use of Federal recreational lands and waters for promoting wellness and facilitating the delivery of health care and therapeutic interventions for veterans;

(3) coordinate with other Military Veterans Outdoor Recreation Liaisons established under this section and veterans organizations; and

(4) promote outdoor recreation experiences for veterans on Federal recreational lands and waters through new and innovative approaches.

SEC. 5223. PARTNERSHIPS TO PROMOTE MILITARY AND VETERAN RECREATION.

(a) IN GENERAL.—The Secretary concerned may enter into partnerships or agreements with State, Tribal, local, or private entities with expertise in outdoor recreation, volunteer, accessibility, and health and wellness programs for members of the Armed Forces or veterans.

(b) PARTNERSHIPS.—As part of a partnership or agreement entered into under subsection (a), the Secretary concerned may host events on Federal recreational lands and waters designed to promote outdoor recreation among members of the Armed Forces and veterans.

(c) FINANCIAL AND TECHNICAL ASSISTANCE.—Under a partnership or agreement entered into pursuant to subsection (a), the Secretary concerned may provide financial or technical assistance to the entity with which the respective Secretary concerned has entered into the partnership or agreement to assist with—

(1) the planning, development, and execution of events, activities, or programs designed to promote outdoor recreation for members of the Armed Forces or veterans; or

(2) the acquisition of assistive technology to facilitate improved outdoor recreation opportunities for members of the Armed Forces or veterans.

SEC. 5224. NATIONAL STRATEGY FOR MILITARY AND VETERAN RECREATION.

(a) STRATEGY.—Not later than 1 year after the date of the enactment of this title, the Federal Interagency Council on Outdoor Recreation established under section 5113 shall develop and make public a strategy to increase visits to Federal recreational lands and waters by members of the Armed Forces, veterans, and Gold Star Family members.

(b) REQUIREMENTS.—A strategy developed under subsection (a)—

(1) shall—

(A) provide for the implementation of recommendations to facilitate the use of public recreation lands by veterans developed by the Task Force on Outdoor Recreation for Veterans under section 203 of the Veterans COMPACT Act of 2020 (Public Law 116–214);

(B) establish objectives and quantifiable targets for increasing visits to Federal recreational lands and waters by members of the Armed Forces, veterans, and Gold Star Family members;

(C) be developed in coordination with appropriate veterans organizations;

(D) emphasize increased recreation opportunities on Federal recreational lands and waters for members of the Armed Forces, veterans, and Gold Star Family members; and

(E) provide the anticipated costs to achieve the objectives and meet the targets established under subparagraphs (A) and (B); and

(2) shall not establish any preference between similar recreation facilitated by noncommercial or commercial entities.

(c) UPDATE TO STRATEGY.—Not later than 1 year after the date of the publication of the strategy required under subsection (a), and annually thereafter for the following 3 years, the Federal Interagency Council on Outdoor Recreation shall update the strategy and make public the update.

SEC. 5225. RECREATION RESOURCE ADVISORY COMMITTEES.

Section 804(d) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6803(d)) is amended—

(1) in paragraph (5)(A), by striking ''11'' and inserting ''12'';

(2) in paragraph (5)(D)(i)—

(A) by striking ''Five'' and inserting ''Six''; and

(B) by inserting after subclause (V) the following:

''(VI) Veterans organizations, as such term is defined in section 5201 of the EXPLORE Act.''; and

(3) in paragraph (8), by striking ''Eight'' and inserting ''Seven''.

SEC. 5226. CAREER AND VOLUNTEER OPPORTUNITIES FOR VETERANS.

(a) PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Labor, shall establish a pilot program to proactively inform veterans of available employment positions that relate to the conservation and resource management activities of the Department of the Interior.

(2) POSITIONS.—The Secretary shall—

(A) identify vacant positions in the Department of the Interior that are appropriate to fill using the pilot program;

(B) coordinate with the Military Veteran Outdoor Recreation Liaisons established under section 5222 to inform veterans of such vacant positions; and

(C) to the maximum extent practicable, provide assistance to veterans in selecting one or more vacant positions to apply to, for which that veteran may be best qualified.

(3) REPORTS.—

(A) IMPLEMENTATION REPORT.—Not later than 1 year after the date on which the pilot program under paragraph (1) commences, the Secretary and the Secretary of Labor shall jointly provide to the appropriate congressional committees a report on the implementation of the pilot program.

(B) FINAL REPORT.—Not later than 30 days after the date on which the pilot program under paragraph (1) terminates under paragraph (4), the Secretary and the Secretary of Labor shall jointly submit to the appropriate congressional committees a report on the pilot program that includes the following:

(i) The number of veterans who applied to participate in the pilot program.

(ii) The number of such veterans employed under the pilot program.

(iii) The number of veterans identified in clause (ii) who transitioned to full-time positions with the Federal Government after participating in the pilot program.

(iv) Any other information the Secretary and the Secretary of Labor determine appropriate with respect to measuring the effectiveness of the pilot program.

(4) DURATION.—The authority to carry out the pilot program under this subsection shall terminate on the date that is 2 years after the date on which the pilot program commences.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Veterans' Affairs and the Committee on Natural Resources of the House of Representatives; and

(2) the Committee on Veterans' Affairs and the Committee on Energy and Natural Resources of the Senate.

(c) OUTDOOR RECREATION PROGRAM ATTENDANCE.—The Secretaries are encouraged to work with the Secretary of Defense and the Secretary of Veterans Affairs to ensure servicemembers and veterans have access to outdoor recreation and outdoor-related volunteer and wellness programs as part of the basic services provided to servicemembers and veterans.

Subtitle C—Youth Access

SEC. 5231. INCREASING YOUTH RECREATION VISITS TO FEDERAL LAND.

(a) STRATEGY.—Not later than 2 years after the date of the enactment of this title, the Secretaries, acting jointly, shall develop and make public a strategy to increase the number of youth recreation visits to Federal recreational lands and waters.

(b) REQUIREMENTS.—A strategy developed under subsection (a)—

(1) shall—

(A) emphasize increased recreation opportunities on Federal recreational lands and waters for underserved youth;

(B) establish objectives and quantifiable targets for increasing youth recreation visits; and

(C) provide the anticipated costs to achieve the objectives and meet the targets established under subparagraph (B); and

(2) shall not establish any preference between similar recreation facilitated by noncommercial or commercial entities.

(c) UPDATE TO STRATEGY.—Not later than 5 years after the date of the publication of the strategy required under subsection (a), and every 5 years thereafter, the Secretaries shall update the strategy and make public the update.

(d) AGREEMENTS.—The Secretaries may enter into contracts or cost-share agreements (including contracts or agreements for the acquisition of vehicles) to carry out this section.

SEC. 5232. EVERY KID OUTDOORS ACT EXTENSION.

Section 9001(b) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law 116–9) is amended—

(1) in paragraph (2)(B), by striking ''during the period beginning on September 1 and ending on August 31 of the following year'' and inserting ''for a 12-month period that begins on a date determined by the Secretaries''; and

(2) in paragraph (5), by striking ''the date that is 7 years after the date of enactment of this Act'' and inserting ''September 30, 2031''.

TITLE III—SIMPLIFYING OUTDOOR ACCESS FOR RECREATION

SEC. 5301. DEFINITIONS.

In this title:

(1) COMMERCIAL USE AUTHORIZATION.—The term ''commercial use authorization'' means a commercial use authorization to provide services to visitors to units of the National Park System under subchapter II of chapter 1019 of title 54, United States Code.

(2) MULTIJURISDICTIONAL TRIP.—The term ''multijurisdictional trip'' means a trip that—

(A) uses 2 or more units of Federal recreational lands and waters; and

(B) is under the jurisdiction of 2 or more Federal land management agencies.

(3) RECREATION SERVICE PROVIDER.—The term ''recreation service provider'' has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by section 5311).

(4) SPECIAL RECREATION PERMIT.—The term ''special recreation permit'' has the meaning given the term in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by section 5311).

(5) VISITOR-USE DAY.—The term ''visitor-use day'' means a visitor-use day, user day, launch, or other metric used by the Secretary concerned for purposes of authorizing use under a special recreation permit.

Subtitle A—Modernizing Recreation Permitting

SEC. 5311. SPECIAL RECREATION PERMIT AND FEE.

(a) DEFINITIONS.—Section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) is amended to read as follows:

''SEC. 802. DEFINITIONS.

''In this title:

''(1) ENTRANCE FEE.—The term 'entrance fee' means the recreation fee authorized to be charged to enter onto lands managed by the National Park Service or the United States Fish and Wildlife Service.

''(2) EXPANDED AMENITY RECREATION FEE.—The term 'expanded amenity recreation fee' means the recreation fee authorized by section 803(g).

''(3) FEDERAL LAND MANAGEMENT AGENCY.—The term 'Federal land management agency' means the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

''(4) FEDERAL RECREATIONAL LANDS AND WATERS.—The term 'Federal recreational lands and waters' means lands or waters managed by a Federal land management agency.

''(5) NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.—The term 'National Parks and Federal Recreational Lands Pass' means the interagency national pass authorized by section 805.

''(6) PASSHOLDER.—The term 'passholder' means the person who is issued a recreation pass.

''(7) RECREATION FEE.—The term 'recreation fee' means an entrance fee, standard amenity recreation fee, expanded amenity recreation fee, or special recreation permit fee.

''(8) RECREATION PASS.—The term 'recreation pass' means the National Parks and Federal Recreational Lands Pass or one of the other recreation passes available as authorized by section 805.

''(9) RECREATION SERVICE PROVIDER.—The term 'recreation service provider' means a person that provides recreational services to the public under a special recreation permit under clause (i), (ii), or (iii) of paragraph (13)(A).

''(10) SECRETARIES.—The term 'Secretaries' means the Secretary of the Interior and the Secretary of Agriculture acting jointly.

''(11) SECRETARY.—The term 'Secretary' means—

''(A) the Secretary of the Interior, with respect to a Federal land management agency (other than the Forest Service); and

''(B) the Secretary of Agriculture, with respect to the Forest Service.

''(12) SPECIAL ACCOUNT.—The term 'special account' means the special account established in the Treasury under section 807 for a Federal land management agency.'';

''(13) SPECIAL RECREATION PERMIT.—

''(A) IN GENERAL.—The term 'special recreation permit' means a permit issued by a Federal land management agency for the use of Federal recreational lands and waters that the Secretary determines to be in one of the following categories:

''(i) For—

''(I) a recurring outfitting, guiding, or, at the discretion of the Secretary, other recreation service, the authorization for which is for a term of not more than 10 years; or

''(II) a recurring outfitting, guiding, or, at the discretion of the Secretary, other recreation service, that occurs under a temporary special recreation permit authorized under section 5316 of the EXPLORE Act.

''(ii) For a single competitive activity or event or a related series of competitive activities or events.

''(iii) For—

''(I) at the discretion of the Secretary, a single organized group recreation activity or event (including an activity or event in which motorized recreational vehicles are used or in which outfitting and guiding services are used) that—

''(aa) is a structured or scheduled event or activity;

''(bb) is not competitive and is for fewer than 75 participants;

''(cc) may charge an entry or participation fee;

''(dd) involves fewer than 200 visitor-use days; and

''(ee) is undertaken or provided by the recreation service provider at the same site not more frequently than 3 times a year; and

''(II) at the discretion of the Secretary, a recurring organized group recreation activity or event (including an outfitting and guiding activity or event) that—

''(aa) is a structured or scheduled event or activity;

''(bb) is not competitive;

''(cc) may charge a participation fee;

''(dd) occurs in a group size of fewer than 7 participants;

''(ee) involves fewer than 40 visitor-use days; and

''(ff) is undertaken or provided by the recreation service provider for a term of not more than 180 days.

''(iv) For a large-group activity or event that involves a number of participants equal to or greater than a number to be determined by the Secretary.

''(v) For a specialized recreational use not described in clause (i), (ii), (iii), or (iv), such as—

''(I) an organizational camp;

''(II) participation by the public in a recreation activity or recreation use of a specific area of Federal recreational lands and waters in which use by the public is allocated; and

''(III) any other type of recreational activity or event that requires an entry or participation fee that is not strictly a sharing of the expenses incurred by the participants during the activity or event.

''(B) EXCLUSIONS.—The term 'special recreation permit' does not include—

''(i) a concession contract for the provision of accommodations, facilities, or services;

''(ii) a commercial use authorization issued under section 101925 of title 54, United States Code; or

''(iii) any other type of permit, including a special use permit administered by the National Park Service.

''(14) SPECIAL RECREATION PERMIT FEE.—The term 'special recreation permit fee' means the fee authorized by section 803(h)(2).

''(15) STANDARD AMENITY RECREATION FEE.—The term 'standard amenity recreation fee' means the recreation fee authorized by section 803(f).

''(16) STATE.—The term 'State' means each of the several States, the District of Columbia, and each territory of the United States.''.

(b) SPECIAL RECREATION PERMITS AND FEES.—Section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) is amended—

(1) by striking ''this Act'' each place it appears and inserting ''this title'';

(2) in subsection (b)(5), by striking ''section 4(d)'' and inserting ''section 804(d)''; and

(3) by striking subsection (h) and inserting the following:

''(h) SPECIAL RECREATION PERMITS AND FEES.—

''(1) SPECIAL RECREATION PERMITS.—

''(A) APPLICATIONS.—The Secretary—

''(i) may develop and make available to the public an application to obtain a special recreation permit described in clause (v) of section 802(13)(A); and

''(ii) shall develop and make available to the public an application to obtain a special recreation permit described in each of clauses (i) through (iv) of section 802(13)(A).

''(B) ISSUANCE OF PERMITS.—On review of a completed application developed under subparagraph (A), as applicable, and a determination by the Secretary that the applicant is eligible for the special recreation permit, the Secretary may issue to the applicant a special recreation permit, subject to any terms and conditions that are determined to be necessary by the Secretary.

''(C) INCIDENTAL SALES.—A special recreation permit issued under this paragraph may include an authorization for sales that are incidental in nature to the permitted use of the Federal recreational lands and waters, except where otherwise prohibited by law.

''(2) SPECIAL RECREATION PERMIT FEES.—

''(A) IN GENERAL.—The Secretary may charge a special recreation permit fee for the issuance of a special recreation permit in accordance with this paragraph.

''(B) PREDETERMINED SPECIAL RECREATION PERMIT FEES.—

''(i) IN GENERAL.—For purposes of subparagraphs (D) and (E) of this paragraph, the Secretary shall establish and may charge, and update as necessary, a predetermined fee, described in clause (ii) of this subparagraph, for a special recreation permit described in clause (i), (ii), or (iii) of section 802(13)(A) for a specific type of use on a unit of Federal recreational lands and waters, consistent with the criteria set forth in clause (iii) of this subparagraph.

''(ii) TYPE OF FEE.—A predetermined fee described in clause (i) shall be—

''(I) a fixed fee that is assessed per special recreation permit, including a fee with an associated size limitation or other criteria as determined to be appropriate by the Secretary; or

''(II) an amount assessed per visitor-use day.

''(iii) CRITERIA.—A predetermined fee under clause (i) shall—

''(I) have been established before the date of the enactment of the EXPLORE Act;

''(II) if established after the date of the enactment of the EXPLORE Act—

''(aa) be in accordance with subsection (b); and

''(bb) be comparable to an amount described in subparagraph (D)(ii) or (E)(ii), as applicable; or

''(III) beginning on the date that is 2 years after the date of the enactment of the EXPLORE Act, be $6 per visitor-use day in instances in which the Secretary has not established a predetermined fee under subclause (I) or (II) until such time as the Secretary establishes a different fee under this paragraph.

''(C) CALCULATION OF FEES FOR SPECIALIZED RECREATIONAL USES AND LARGE-GROUP ACTIVITIES OR EVENTS.—The Secretary may, at the discretion of the Secretary, establish and charge a fee for a special recreation permit described in clause (iv) or (v) of section 802(13)(A).

''(D) CALCULATION OF FEES FOR SINGLE ORGANIZED GROUP RECREATION ACTIVITIES OR EVENTS, COMPETITIVE EVENTS, AND CERTAIN RECURRING ORGANIZED GROUP RECREATION ACTIVITIES.—If the Secretary elects to charge a fee for a special recreation permit described in clause (ii) or (iii) of section 802(13)(A), the Secretary shall charge the recreation service provider, based on the election of the recreation service provider—

''(i) the applicable predetermined fee established under subparagraph (B); or

''(ii) an amount equal to a percentage of, to be determined by the Secretary, but to not to exceed 5 percent of, adjusted gross receipts calculated under subparagraph (F).

''(E) CALCULATION OF FEES FOR TEMPORARY PERMITS AND LONG-TERM PERMITS.—Subject to subparagraph (G), if the Secretary elects to charge a fee for a special recreation permit described in section 802(13)(A)(i), the Secretary shall charge the recreation service provider, based on the election of the recreation service provider—

''(i) the applicable predetermined fee established under subparagraph (B); or

''(ii) an amount equal to a percentage of, to be determined by the Secretary, but not to exceed 3 percent of, adjusted gross receipts calculated under subparagraph (F).

''(F) ADJUSTED GROSS RECEIPTS.—For the purposes of subparagraphs (D)(ii) and (E)(ii), the Secretary shall calculate the adjusted gross receipts collected for each trip or event authorized under a special recreation permit, using either of the following calculations, based on the election of the recreation service provider:

''(i) The sum of—

''(I) the product obtained by multiplying—

''(aa) the general amount paid by participants of the trip or event to the recreation service provider for the applicable trip or event (excluding amounts related to goods, souvenirs, merchandise, gear, and additional food provided or sold by the recreation service provider); and

''(bb) the quotient obtained by dividing—

''(AA) the number of days of the trip or event that occurred on Federal recreational lands and waters covered by the special recreation permit, rounded to the nearest whole day; by

''(BB) the total number of days of the trip or event; and

''(II) the amount of any additional revenue received by the recreation service provider for an add-on activity or an optional excursion that occurred on the Federal recreational lands and waters covered by the special recreation permit.

''(ii) The difference between—

''(I) the total cost paid by the participants of the trip or event for the trip or event to the recreation service provider—

''(aa) including any additional revenue received by the recreation service provider for an add-on activity or an optional excursion; and

''(bb) excluding the amount of any revenues from goods, souvenirs, merchandise, gear, and additional food provided or sold by the recreation service provider to the participants of the applicable trip or event; and

''(II) the sum of—

''(aa) the amount of any costs or revenues from services and activities provided or sold by the recreation service provider to the participants of the trip or event that occurred in a location other than Federal recreational lands and waters (including costs for travel and lodging outside Federal recreational lands and waters); and

''(bb) the amount of any revenues from any service provided by a recreation service provider for an activity on Federal recreational lands and waters that is not covered by the special recreation permit.

''(G) EXCEPTION.—Notwithstanding subparagraphs (D) and (E), the Secretary may charge a recreation service provider a minimum annual fee for a special recreation permit described in clauses (i), (ii), or (iii) of section 802(13)(A).

''(H) SAVINGS CLAUSES.—

''(i) EFFECT.—Nothing in this paragraph affects any fee for—

''(I) a concession contract administered by the National Park Service or the United States Fish and Wildlife Service for the provision of accommodations, facilities, or services; or

''(II) a commercial use authorization or special use permit for use of Federal recreational lands and waters managed by the National Park Service.

''(ii) COST RECOVERY.—Nothing in this paragraph affects the ability of the Secretary to recover any administrative costs under section 5320 of the EXPLORE Act.

''(iii) SPECIAL RECREATION PERMIT FEES AND OTHER RECREATION FEES.—The collection of a special recreation permit fee under this paragraph shall not affect the authority of the Secretary to collect an entrance fee, a standard amenity recreation fee, or an expanded amenity recreation fee authorized under subsections (e), (f), and (g).

''(iv) RELATIONSHIP TO OTHER LAWS.—Nothing in this paragraph affects the ability of the Secretary to issue permits or collect fees under another provision of law, including the National Forest Organizational Camp Fee Improvement Act of 2003 (16 U.S.C. 6231 et seq.).

''(i) DISCLOSURE OF RECREATION FEES AND USE OF RECREATION FEES.—

''(1) NOTICE OF ENTRANCE FEES, STANDARD AMENITY RECREATION FEES, EXPANDED AMENITY RECREATION FEES, AND AVAILABLE RECREATION PASSES.—

''(A) IN GENERAL.—The Secretary shall post clear notice of any entrance fee, standard amenity recreation fee, expanded amenity recreation fee, and available recreation passes—

''(i) at appropriate locations in each unit or area of Federal recreational land and waters at which an entrance fee, standard amenity recreation fee, or expanded amenity recreation fee is charged; and

''(ii) on the appropriate website for such unit or area.

''(B) PUBLICATIONS.—The Secretary shall include in publications distributed at a unit or area or described in subparagraph (A) the notice described in that subparagraph.

''(2) NOTICE OF USES OF RECREATION FEES.—Beginning on January 1, 2026, the Secretary shall annually post, at the location at which a recreation fee described in paragraph (1)(A) is collected, clear notice of—

''(A) the total recreation fees collected during each of the 2 preceding fiscal years at the respective unit or area of the Federal land management agency; and

''(B) each use during the preceding fiscal year of the applicable recreation fee or recreation pass revenues collected under this section.

''(3) NOTICE OF RECREATION FEE PROJECTS.—To the extent practicable, the Secretary shall post clear notice at the location at which work is performed using recreation fee and recreation pass revenues collected under this section.

''(4) CENTRALIZED REPORTING ON AGENCY WEBSITES.—

''(A) IN GENERAL.—Not later than January 1, 2025, and not later than 60 days after the beginning of each fiscal year thereafter, the Secretary shall post on the website of the applicable Federal land management agency a searchable list of each use during the preceding fiscal year of the recreation fee or recreation pass revenues collected under this section.

''(B) LIST COMPONENTS.—The list required under subparagraph (A) shall include, with respect to each use described in that subparagraph—

''(i) a title and description of the overall project;

''(ii) a title and description for each component of the project;

''(iii) the location of the project; and

''(iv) the amount obligated for the project.

''(5) NOTICE TO CUSTOMERS.—A recreation service provider may inform a customer of the recreation service provider of any fee charged by the Secretary under this section.''.

(c) CONFORMING AMENDMENT.—Section 804 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6803) is amended by striking subsection (e).

(d) USE OF SPECIAL RECREATION PERMIT REVENUE.—Section 808 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6807) is amended—

(1) by striking ''this Act'' each place it appears and inserting ''this title'';

(2) in subsection (a)(3)—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by striking ''6(a) or a visitor reservation service.'' and inserting ''806(a) or a visitor reservation service;''; and

(C) by adding at the end the following:

''(G) the processing of special recreation permit applications and administration of special recreation permits; and

''(H) the improvement of the operation of the special recreation permit program under section 803(h).''; and

(3) in subsection (d)—

(A) in paragraph (1), by striking ''section 5(a)(7)'' and inserting ''section 805(a)(7)''; and

(B) in paragraph (2), by striking ''section 5(d)'' and inserting ''section 805(d)''.

(e) REAUTHORIZATION.—Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking ''2019'' and inserting ''2031''.

SEC. 5312. PERMITTING PROCESS IMPROVEMENTS.

(a) IN GENERAL.—To simplify the process of the issuance and reissuance of special recreation permits and reduce the cost of administering special recreation permits under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)) (as amended by this title), the Secretaries shall each—

(1) not later than 1 year after the date of enactment of this Act—

(A) evaluate the process for issuing special recreation permits;

(B) based on the evaluation under subparagraph (A), identify opportunities to—

(i) eliminate duplicative processes with respect to issuing special recreation permits;

(ii) reduce costs for the issuance of special recreation permits;

(iii) decrease processing times for special recreation permits; and

(iv) issue simplified special recreation permits, including special recreation permits for an organized group recreation activity or event under subsection (e); and

(C) use or incorporate existing evaluations and analyses, as applicable, in carrying out this section; and

(2) not later than 1 year after the date on which the Secretaries complete their respective evaluation and identification processes under paragraph (1), revise, as necessary, relevant agency regulations and guidance documents, including regulations and guidance documents relating to the environmental review process, for special recreation permits to implement the improvements identified under paragraph (1)(B).

(b) ENVIRONMENTAL REVIEWS.—

(1) IN GENERAL.—The Secretary concerned shall, to the maximum extent practicable, utilize available tools, including tiering to existing programmatic reviews, as appropriate, to facilitate an effective and efficient environmental review process for activities undertaken by the Secretary concerned relating to the issuance of special recreation permits.

(2) CATEGORICAL EXCLUSIONS.—Not later than 2 years after the date of the enactment of this title, the Secretary concerned shall—

(A) evaluate whether existing categorical exclusions available to the Secretary concerned on the date of the enactment of this title are consistent with the provisions of this title;

(B) evaluate whether a modification of an existing categorical exclusion or the establishment of 1 or more new categorical exclusions developed in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is necessary to undertake an activity described in paragraph (1) in a manner consistent with the authorities and requirements in this title; and

(C) revise relevant agency regulations and policy statements and guidance documents, as necessary, to modify existing categorical exclusions or incorporate new categorical exclusions based on evaluations conducted under this paragraph.

(c) NEEDS ASSESSMENTS.—Except as required under subsection (c) or (d) of section 4 of the Wilderness Act (16 U.S.C. 1133), the Secretary concerned shall not conduct a

needs assessment as a condition of issuing a special recreation permit under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)) (as amended by this title).

(d) ONLINE APPLICATIONS.—Not later than 3 years after the date of the enactment of this title, the Secretaries shall make the application for a special recreation permit under section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)) (as amended by this title), including a reissuance of a special recreation permit under that section, available for completion and submission—

(1) online;

(2) by mail or electronic mail; and

(3) in person at the field office for the applicable Federal recreational lands and waters.

(e) SPECIAL RECREATION PERMITS FOR AN ORGANIZED GROUP RECREATION ACTIVITY OR EVENT.—

(1) DEFINITIONS.—In this subsection:

(A) SPECIAL RECREATION PERMIT FOR AN ORGANIZED GROUP RECREATION ACTIVITY OR EVENT.—The term ''special recreation permit for an organized group recreation activity or event'' means a special recreation permit described in paragraph (13)(A)(iii) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title).

(B) YOUTH GROUP.—The term ''youth group'' means a recreation service provider that predominantly serves individuals not older than 25 years of age.

(2) EXEMPTION FROM CERTAIN ALLOCATIONS OF USE.—If the Secretary concerned allocates visitor-use days available for an area or activity on Federal recreational lands and waters among recreation service providers that hold a permit described in paragraph (13)(A)(i) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), the Secretary concerned may issue a special recreation permit for an organized group recreation activity or event for such Federal recreational lands and waters, subject to the requirements under paragraph (3), notwithstanding the availability or allocation of visitor-use days to holders of a permit described in paragraph (13)(A)(i) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title).

(3) ISSUANCE.—In accordance with paragraphs (5) and (6), if use by the general public is not subject to a limited entry permit system and if capacity is available for the times or days in which the proposed activity or event would be undertaken, on request of a recreation service provider (including a youth group) to conduct an organized group recreation activity or event, the Secretary concerned—

(A) shall make a nominal effects determination to determine whether the proposed activity or event would have more than nominal effects on Federal recreational lands and waters, resources, and programs; and

(B)(i) shall not require a recreation service provider (including a youth group) to obtain a special recreation permit for an organized group recreation activity or event if the Secretary concerned determines—

(I) the proposed activity or event to be undertaken would have only nominal effects on Federal recreational lands and waters, resources, and programs; and

(II) establishing additional terms and conditions for the proposed activity or event is not necessary to protect or avoid conflict on or with Federal recreational lands and waters, resources, and programs;

(ii) in the case of an organized group recreation activity or event described in paragraph (13)(A)(iii)(I) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), may issue to a recreation service provider (including a youth group) a special recreation permit for an organized group recreation activity or event, subject to any terms and conditions as are determined to be appropriate by the Secretary concerned, if the Secretary concerned determines—

(I) the proposed activity or event to be undertaken would have only nominal effects on Federal recreational lands and waters, resources, and programs; and

(II) establishing additional terms and conditions for the proposed activity or event is necessary to protect or avoid conflict on or with Federal recreational lands and waters, resources, and programs;

(iii) in the case of an organized group recreation activity or event described in paragraph (13)(A)(iii)(II) of section 802 of that Act (16 U.S.C. 6801) (as amended by this title), shall issue to a recreation service provider (including a youth group) a special recreation permit for an organized group recreation activity or event, subject to such terms and conditions determined to be appropriate by the Secretary concerned, if the Secretary concerned determines—

(I) the proposed activity or event to be undertaken would have only nominal effects on Federal recreational lands and waters, resources, and programs; and

(II) establishing additional terms and conditions for the proposed activity or event is necessary to protect or avoid conflict on or with Federal recreational lands and waters, resources, and programs; and

(iv) may issue to a recreation service provider (including a youth group) a special recreation permit for an organized group recreation activity or event, subject to any terms and conditions determined to be appropriate by the Secretary concerned, if the Secretary concerned determines—

(I) the proposed activity or event to be undertaken may have more than nominal effects on Federal recreational lands and waters, resources, and programs; and

(II) establishing additional terms and conditions for the proposed activity or event would be necessary to protect or avoid conflict on or with Federal recreational lands and waters, resources, and programs.

(4) FEES.—The Secretary concerned may elect not to charge a fee to a recreation service provider (including a youth group) for a special recreation permit for an organized group recreation activity or event.

(5) SAVINGS CLAUSE.—Nothing in this subsection prevents the Secretary concerned from limiting or abating the allowance of a proposed activity or event under paragraph (3)(B)(i) or the issuance of a special recreation permit for an organized group recreation activity or event, based on resource conditions, administrative burdens, or safety issues.

(6) QUALIFICATIONS.—A special recreation permit for an organized group recreation activity or event issued under paragraph (3) shall be subject to the health and safety standards required by the Secretary concerned for a permit issued under paragraph (13)(A)(i) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title).

SEC. 5313. PERMIT FLEXIBILITY.

(a) IN GENERAL.—The Secretary concerned shall establish guidelines to allow a holder of a special recreation permit under subsection (h) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title), to engage in another recreational activity under the special recreation permit that is substantially similar to the specific activity authorized under the special recreation permit.

(b) CRITERIA.—For the purposes of this section, a recreational activity shall be considered to be a substantially similar recreational activity if the recreational activity—

(1) is comparable in type, nature, scope, and ecological setting to the specific activity authorized under the special recreation permit;

(2) does not result in a greater impact on natural and cultural resources than the impact of the authorized activity;

(3) does not adversely affect—

(A) any other holder of a special recreation permit or other permit; or

(B) any other authorized use of the Federal recreational lands and waters; and

(4) is consistent with—

(A) any applicable laws (including regulations); and

(B) the land management plan, resource management plan, or equivalent plan applicable to the Federal recreational lands and waters.

(c) SURRENDER OF UNUSED VISITOR-USE DAYS.—

(1) IN GENERAL.—A recreation service provider holding a special recreation permit described in paragraph (13)(A)(i) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title) may—

(A) notify the Secretary concerned of an inability to use visitor-use days annually allocated to the recreation service provider under the special recreation permit; and

(B) surrender to the Secretary concerned the unused visitor-use days for the applicable year for temporary reassignment under section 5318(b).

(2) DETERMINATION.—To ensure a recreation service provider described in paragraph (1) is able to make an informed decision before surrendering any unused visitor-use day under paragraph (1)(B), the Secretary concerned shall, on the request of the applicable recreation service provider, determine and notify the recreation service provider whether the unused visitor-use day meets the requirement described in section 5317(b)(3)(B) before the recreation service provider surrenders the unused visitor-use day.

(d) EFFECT.—Nothing in this section affects any authority of, regulation issued by, or decision of the Secretary concerned relating to the use of electric bicycles on Federal recreational lands and waters under any other Federal law.

SEC. 5314. PERMIT ADMINISTRATION.

(a) PERMIT AVAILABILITY.—

(1) NOTIFICATIONS OF PERMIT AVAILABILITY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), in an area of Federal recreational lands and waters in which use by recreation service providers is allocated, if the Secretary concerned determines that visitor-use days are available for allocation to recreation service providers or holders of a commercial use authorization for outfitting and guiding, the Secretary concerned shall publish that information on the website of the agency that administers the applicable area of Federal recreational lands and waters.

(B) EFFECT.—Nothing in this paragraph—

(i) applies to—

(I) the reissuance of an existing special recreation permit or commercial use authorization for outfitting and guiding; or

(II) the issuance of a new special recreation permit or new commercial use authorization for outfitting and guiding issued to the purchaser of—

(aa) a recreation service provider that is the holder of an existing special recreation permit; or

(bb) a holder of an existing commercial use authorization for outfitting and guiding; or

(ii) creates a prerequisite to the issuance of a special recreation permit or commercial use authorization for outfitting and guiding or otherwise limits the authority of the Secretary concerned—

(I) to issue a new special recreation permit or new commercial use authorization for outfitting and guiding; or

(II) to add a new or additional use to an existing special recreation permit or an existing commercial use authorization for outfitting and guiding.

(2) UPDATES.—The Secretary concerned shall ensure that information published on the website under this subsection is consistently updated to provide current and correct information to the public.

(3) ELECTRONIC MAIL NOTIFICATIONS.—The Secretary concerned shall establish a system by which potential applicants for special recreation permits or commercial use authorizations for outfitting and guiding may subscribe to receive notification by electronic mail of the availability of special recreation permits under section 803(h)(1) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title) or commercial use authorizations for outfitting and guiding.

(b) PERMIT APPLICATION OR PROPOSAL ACKNOWLEDGMENT.—Not later than 60 days after the date on which the Secretary concerned receives a completed application or a complete proposal for a special recreation permit under section 803(h)(1) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title), the Secretary concerned shall—

(1) provide to the applicant notice acknowledging receipt of the application or proposal; and

(2)(A) issue a final decision with respect to the application or proposal; or

(B) provide to the applicant notice of a projected date for a final decision on the application or proposal.

(c) EFFECT.—Nothing in this section applies to a concession contract issued by the National Park Service for the provision of accommodations, facilities, or services.

SEC. 5315. SERVICE FIRST INITIATIVE; PERMITS FOR MULTIJURISDICTIONAL TRIPS.

(a) REPEAL.—Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (43 U.S.C. 1703), is repealed.

(b) COOPERATIVE ACTION AND SHARING OF RESOURCES BY THE SECRETARIES OF THE INTERIOR AND AGRICULTURE.—

(1) IN GENERAL.—For fiscal year 2024, and each fiscal year thereafter, the Secretaries may carry out an initiative, to be known as the ''Service First Initiative'', under which the Secretaries, or Federal land management agencies within their departments, may—

(A) establish programs to conduct projects, planning, permitting, leasing, contracting, and other activities, either jointly or on behalf of one another;

(B) co-locate in Federal offices and facilities leased by an agency of the Department of the Interior or the Department of Agriculture; and

(C) issue rules to test the feasibility of issuing unified permits, applications, and leases, subject to the limitations in this section.

(2) DELEGATIONS OF AUTHORITY.—The Secretaries may make reciprocal delegations of the respective authorities, duties, and responsibilities of the Secretaries in support of the Service First Initiative agency-wide to promote customer service and efficiency.

(3) EFFECT.—Nothing in this section alters, expands, or limits the applicability of any law (including regulations) to land administered by the Bureau of Land Management, National Park Service, United States Fish and Wildlife Service, or the Forest Service or matters under the jurisdiction of any other bureaus or offices of the Department of the Interior or the Department of Agriculture, as applicable.

(4) TRANSFERS OF FUNDING.—Subject to the availability of appropriations and to facilitate the sharing of resources under the Service First Initiative, the Secretaries are authorized to mutually transfer funds between, or reimburse amounts expended from, appropriate accounts of either Department on an annual basis, including transfers and reimbursements for multiyear projects, except that this authority may not be used in a manner that circumvents requirements or limitations imposed on the use of any of the funds so transferred or reimbursed.

(5) REPORT.—The Secretaries shall submit an annual report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate describing the activities undertaken as part of the Service First Initiative in the prior year.

(c) PILOT PROGRAM FOR SPECIAL RECREATION PERMITS FOR MULTIJURISDICTIONAL TRIPS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this title, the Secretaries shall establish a pilot program to offer to a person seeking an authorization for a multijurisdictional trip a set of separate special recreation permits or commercial use authorizations that authorizes the use of each unit of Federal recreational lands and waters on which the multijurisdictional trip occurs, subject to the authorities that apply to the applicable unit of Federal recreational lands and waters.

(2) MINIMUM NUMBER OF PERMITS.—Not later than 4 years after the date of the enactment of this title, the Secretaries shall issue not fewer than 10 sets of separate special recreation permits described in paragraph (13)(A)(i) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title) or commercial use authorizations under the pilot program established under paragraph (1).

(3) LEAD AGENCIES.—In carrying out the pilot program established under paragraph (1), the Secretaries shall—

(A) designate a lead agency for issuing and administering a set of separate special recreation permits or commercial use authorizations; and

(B) select not fewer than 4 offices at which a person shall be able to apply for a set of separate special recreation permits or commercial use authorizations, of which—

(i) not fewer than 2 offices are managed by the Secretary; and

(ii) not fewer than 2 offices are managed by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(4) RETENTION OF AUTHORITY BY THE APPLICABLE SECRETARY.—Each of the Secretaries shall retain the authority to enforce the terms, stipulations, conditions, and agreements in a set of separate special recreation permits or commercial use authorizations issued under the pilot program established under paragraph (1) that apply specifically to the use occurring on the Federal recreational lands and waters managed by the applicable Secretary, under the authorities that apply to the applicable Federal recreational lands and waters.

(5) OPTION TO APPLY FOR SEPARATE SPECIAL RECREATION PERMITS OR COMMERCIAL USE AUTHORIZATIONS.—A person seeking the appropriate permits or authorizations for a multijurisdictional trip may apply for—

(A) a separate special recreation permit or commercial use authorization for the use of each unit of Federal recreational lands and waters on which the multijurisdictional trip occurs; or

(B) a set of separate special recreational permits or commercial use authorizations made available under the pilot program established under paragraph (1).

(6) EFFECT.—Nothing in this subsection applies to a concession contract issued by the National Park Service for the provision of accommodations, facilities, or services.

SEC. 5316. FOREST SERVICE AND BUREAU OF LAND MANAGEMENT TEMPORARY SPECIAL RECREATION PERMITS FOR OUTFITTING AND GUIDING.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this title, the Secretary concerned shall establish and implement a program to authorize the issuance of temporary special recreation permits for new or additional recreational uses of Federal recreational land and water managed by the Forest Service and the Bureau of Land Management.

(b) TERM OF TEMPORARY PERMITS.—A temporary special recreation permit issued under subsection (a) shall be issued for a period of not more than 2 years.

(c) CONVERSION TO LONG-TERM PERMIT.—If the Secretary concerned determines that a permittee under subsection (a) has completed 2 years of satisfactory operation under a permit or permits issued by the Secretary concerned, the Secretary concerned may provide for the conversion of a temporary special recreation permit issued under subsection (a) to a long-term special recreation permit.

(d) EFFECT.—Nothing in this subsection alters or affects the authority of the Secretary to issue a special recreation permit under subsection (h)(1) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title).

SEC. 5317. REVIEWS FOR LONG-TERM PERMITS.

(a) MONITORING.—The Secretary concerned shall monitor each recreation service provider issued a special recreation permit for compliance with the terms of the permit—

(1) not less than annually or as frequently as needed (as determined by the Secretary concerned), in the case of a temporary special recreation permit for outfitting and guiding issued under section 5316; and

(2) not less than once every 2 years or as frequently as needed (as determined by the Secretary concerned), in the case of a special recreation permit described in paragraph (13)(A)(iv)(I) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title) that is issued for a term of not more than 10 years.

(b) USE-OF-ALLOCATION REVIEWS.—

(1) IN GENERAL.—If the Secretary of Agriculture or the Secretary, as applicable, allocates visitor-use days among special recreation permits for outfitting and guiding, the Secretary of Agriculture shall, and the Secretary may, review the use by the recreation service provider of the visitor-use days allocated under a long-term special recreation permit described in paragraph (13)(A)(i)(I) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), once every 5 years.

(2) REQUIREMENTS OF THE REVIEW.—In conducting a review under paragraph (1), the Secretary concerned shall determine—

(A) the number of visitor-use days that the recreation service provider used each year under the special recreation permit, in accordance with paragraph (3); and

(B) the year in which the recreation service provider used the most visitor-use days under the special recreation permit.

(3) CONSIDERATION OF SURRENDERED, UNUSED VISITOR-USE DAYS.—For the purposes of determining the number of visitor-use days a recreation service provider used in a specified year under paragraph (2)(A), the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary, as applicable, shall consider an unused visitor-use day that has been surrendered under section 5313(c)(1)(B) as—

(A) ½ of a visitor-use day used; or

(B) 1 visitor-use day used, if the Secretary concerned determines the use of the allocated visitor-use day had been or will be prevented by a circumstance beyond the control of the recreation service provider.

SEC. 5318. ADJUSTMENT OF ALLOCATED VISITOR-USE DAYS.

(a) ADJUSTMENTS FOLLOWING USE OF ALLOCATION REVIEWS.—On the completion of a use-of-allocation review conducted under section 5317(b) for a special recreation permit described in paragraph (13)(A)(i)(I) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), the Secretary concerned shall adjust the number of visitor-use days allocated to a recreation service provider under the special recreation permit as follows:

(1) If the Secretary concerned determines that the performance of the recreation service provider was satisfactory during the most recent review conducted under subsection (a) of section 5317, the annual number of visitor-use days allocated for each remaining year of the permit shall be equal to 125 percent of the number of visitor-use days used, as determined under subsection (b)(2)(A) of that section, during the year identified under subsection (b)(2)(B) of that section, not to exceed the level allocated to the recreation service provider on the date on which the special recreation permit was issued.

(2) If the Secretary concerned determines the performance of the recreation service provider is less than satisfactory during the most recent performance review conducted under subsection (a) of section 5317, the annual number of visitor-use days allocated for each remaining year of the special recreation permit shall be equal to not more than 100 percent of the number of visitor-use days used, as determined under subsection (b)(2)(A) of that section during the year identified under subsection (b)(2)(B) of that section.

(b) TEMPORARY REASSIGNMENT OF UNUSED VISITOR-USE DAYS.—The Secretary concerned may temporarily assign unused visitor-use days, made available under section 5313(c)(1)(B), to—

(1) any other existing or potential recreation service provider, notwithstanding the number of visitor-use days allocated to the special recreation permit holder under the special recreation permit held or to be held by the recreation service provider; or

(2) any existing or potential holder of a special recreation permit described in clause (ii), (iii), or (v) of paragraph (13)(A) of section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801) (as amended by this title), including the public.

(c) ADDITIONAL CAPACITY.—If unallocated visitor-use days are available, the Secretary concerned may, at any time, amend a special recreation permit to allocate additional visitor-use days to a qualified recreation service provider.

SEC. 5319. LIABILITY.

(a) INSURANCE REQUIREMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), as a condition of issuing a special recreation permit under subsection (h)(1)(B) of section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title) or a commercial use authorization, the Secretary concerned may require the holder of the special recreation permit or commercial use authorization to have a commercial general liability insurance policy that—

(A) is commensurate with the level of risk of the activities to be conducted under the special recreation permit or commercial use authorization; and

(B) includes the United States as an additional insured in an endorsement to the applicable policy.

(2) EXCEPTION.—The Secretary concerned shall not require a holder of a special recreation permit or commercial use authorization to comply with the requirements of paragraph (1), if that permit or authorization is for—

(A) participation by an unguided member of the public in a recreation activity in an area of Federal recreational lands and waters in which use by the unguided public is allocated; or

(B) low-risk activities, as determined by the Secretary concerned, including commemorative ceremonies.

(b) INDEMNIFICATION BY GOVERNMENTAL ENTITIES.—The Secretary concerned shall not require a State, State agency, State institution, or political subdivision of a State to indemnify the United States for tort liability as a condition for issuing a special recreation permit or commercial use authorization to the extent the State, State agency, State institution, or political subdivision of a State is precluded by State law from providing indemnification to the United States for tort liability, if the State, State agency, State institution, or political subdivision of the State maintains the minimum amount of liability insurance coverage required by the Federal land management agency for the activities conducted under the special recreation permit or commercial use authorization in the form of—

(1) a commercial general liability insurance policy, which includes the United States as an additional insured in an endorsement to the policy, if the State is authorized to obtain commercial general liability insurance by State law;

(2) self-insurance, which covers the United States as an additional insured, if authorized by State law; or

(3) a combination of the coverage described in paragraphs (1) and (2).

(c) EXCULPATORY AGREEMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a Federal land management agency shall not implement, administer, or enforce any regulation, guidance, or policy prohibiting the use of an exculpatory agreement between a recreation service provider or a holder of a commercial use authorization and a customer relating to services provided under a special recreation permit or a commercial use authorization.

(2) REQUIREMENTS.—Any exculpatory agreement used by a recreation service provider or holder of a commercial use authorization for an activity authorized under a special recreation permit or commercial use authorization—

(A) shall shield the United States from any liability, if otherwise allowable under Federal law; and

(B) shall not waive any liability of the recreation service provider or holder of the commercial use authorization that may not be waived under the laws (including common law) of the applicable State or for gross negligence, recklessness, or willful misconduct.

(3) CONSISTENCY.—Not later than 2 years after the date of the enactment of this title, the Secretaries shall—

(A) review the policies of the Secretaries pertaining to the use of exculpatory agreements by recreation service providers and holders of commercial use authorizations; and

(B) revise any policy described in subparagraph (A) as necessary to make the policies of the Secretaries pertaining to the use of exculpatory agreements by recreation service providers and holders of commercial use authorizations consistent with this subsection and across all Federal recreational lands and waters.

(d) EFFECT.—Nothing in this section applies to a concession contract issued by the National Park Service for the provision of accommodations, facilities, or services.

SEC. 5320. COST RECOVERY REFORM.

(a) COST RECOVERY FOR SPECIAL RECREATION PERMITS.—In addition to a fee collected under section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) or any other authorized fee collected by the Secretary concerned, the Secretary concerned may assess and collect a reasonable fee from an applicant for, or holder of, a special recreation permit to recover administrative costs incurred by the Secretary concerned for—

(1) processing a proposal or application for the special recreation permit;

(2) issuing the special recreation permit; and

(3) monitoring the special recreation permit to ensure compliance with the terms and conditions of the special recreation permit.

(b) DE MINIMIS EXEMPTION FROM COST RECOVERY.—If the administrative costs described in subsection (a) are assessed on an hourly basis, the Secretary concerned shall—

(1) establish an hourly de minimis threshold that exempts a specified number of hours from the assessment and collection of administrative costs described in subsection (a); and

(2) charge an applicant only for any hours that exceed the de minimis threshold.

(c) MULTIPLE APPLICATIONS.—If the Secretary concerned collectively processes multiple applications for special recreation permits for the same or similar services in the same unit of Federal recreational lands and waters, the Secretary concerned shall, to the extent practicable—

(1) assess from the applicants the fee described in subsection (a) on a prorated basis; and

(2) apply the exemption described in subsection (b) to each applicant on an individual basis.

(d) LIMITATION.—The Secretary concerned shall not assess or collect administrative costs under this section for a programmatic environmental review.

(e) COST REDUCTION.—To the maximum extent practicable, the agency processing an application for a special recreation permit shall use existing studies and analysis to reduce the quantity of work and costs necessary to process the application.

SEC. 5321. AVAILABILITY OF FEDERAL, STATE, AND LOCAL RECREATION PASSES.

(a) IN GENERAL.—The Federal Lands Recreation Enhancement Act is amended by inserting after section 805 (16 U.S.C. 6804) the following:

"SEC. 805A. AVAILABILITY OF FEDERAL, STATE, AND LOCAL RECREATION PASSES.

''(a) ESTABLISHMENT OF PROGRAM.—

''(1) IN GENERAL.—To improve the availability of Federal, State, and local outdoor recreation passes, the Secretaries are encouraged to coordinate with States and counties regarding the availability of Federal, State, and local recreation passes to allow a purchaser to buy a Federal recreation pass, State recreation pass, and local recreation pass in a single transaction.

''(2) INCLUDED PASSES.—Passes covered by the program established under paragraph (1) include—

''(A) an America the Beautiful—the National Parks and Federal Recreational Lands Pass under section 805; and

''(B) any pass covering any fees charged by participating States and counties for entrance and recreational use of parks and public land in the participating States.

''(b) AGREEMENTS WITH STATES AND COUNTIES.—

''(1) IN GENERAL.—The Secretaries, after consultation with the States and counties, may enter into agreements with States and counties to coordinate the availability of passes as described in subsection (a).

''(2) REVENUE FROM PASS SALES.—Agreements between the Secretaries, States, and counties entered into pursuant to this section shall ensure that—

''(A) funds from the sale of State or local passes are transferred to the appropriate State agency or county government;

''(B) funds from the sale of Federal passes are transferred to the appropriate Federal agency; and

''(C) fund transfers are completed by the end of a fiscal year for all pass sales occurring during the fiscal year.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Federal Lands Recreation Enhancement Act is amended by inserting after the item relating to section 805 the following:

''Sec. 805A. Availability of Federal, State, and local recreation passes.''.

SEC. 5322. ONLINE PURCHASES AND ESTABLISHMENT OF A DIGITAL VERSION OF AMERICA THE BEAUTIFUL—THE NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASSES.

(a) ONLINE PURCHASES OF AMERICA THE BEAUTIFUL–THE NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS.—Section 805(a)(6) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(a)(6)) is amended by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—The Secretaries shall sell or otherwise make available the National Parks and Federal Recreational Lands Pass—

''(i) at all Federal recreational lands and waters at which—

''(I) an entrance fee or a standard amenity recreation fee is charged; and

''(II) such sales or distribution of the Pass is feasible;

''(ii) at such other locations as the Secretaries consider appropriate and feasible; and

''(iii) through a prominent link to a centralized pass sale system on the website of each of the Federal land management agencies and the websites of the relevant units and subunits of those agencies, which shall include information about where and when a National Parks and Federal Recreational Lands Pass may be used.''.

(b) DIGITAL VERSION OF THE AMERICA THE BEAUTIFUL—THE NATIONAL PARKS AND FEDERAL RECREATION LANDS PASS.—Section 805(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(a)) is amended by adding at the end the following:

''(10) DIGITAL RECREATION PASSES.—Not later than January 1, 2026, the Secretaries shall—

''(A) establish a digital version of the National Parks and Federal Recreational Lands Pass that is able to be stored on a mobile device, including with respect to free and discounted passes; and

''(B) upon completion of a transaction for a National Parks and Federal Recreational Lands Pass, make immediately available to the passholder a digital version of the National Parks and Federal Recreational Lands Pass established under subparagraph (A).''.

(c) ENTRANCE PASS AND AMENITY FEES.—Section 803 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802) (as amended by this title) is amended by adding at the end the following:

''(j) ONLINE PAYMENTS.—

''(1) IN GENERAL.—In addition to providing onsite payment methods, the Secretaries may collect payment online, where feasible, for—

''(A) entrance fees under subsection (e);

''(B) standard amenity recreation fees under subsection (f);

''(C) expanded amenity recreation fees under subsection (g); and

''(D) special recreation permit fees.

''(2) DISTRIBUTION OF ONLINE PAYMENTS.—An online payment collected under paragraph (1) that is associated with a specific unit or area of a Federal land management agency shall be distributed in accordance with section 805(c).

''(3) FEASIBILITY.—In determining feasibility of online payment collection under paragraph (1), the Secretaries shall consider—

''(A) the unique characteristics of the unit or area applicable to such online payment collection;

''(B) the ability of the public to access an online payment method, including availability of and access to broadband; and

''(C) pursuant to the requirements of section 804, public concerns regarding the feasibility of using an online payment method to collect fees at such unit or area.''.

SEC. 5323. SAVINGS PROVISION.

Nothing in this subtitle, or in any amendment made by this subtitle, shall be construed as affecting the authority or responsibility of the Secretary of the Interior to award concessions contracts for the provision of accommodations, facilities, and services, or commercial use authorizations to provide services, to visitors to United States Fish and Wildlife Service refuges or units of the National Park System pursuant to subchapter II of chapter 1019 of title 54, United States Code (formerly known as the ''National Park Service Concessions Management Improvement Act of 1998''), except that sections 5314(a), 5315, 5319(a), 5319(b), and 5319(c) of this subtitle shall also apply to commercial use authorizations under that subchapter.

Subtitle B—Making Recreation a Priority

SEC. 5331. EXTENSION OF SEASONAL RECREATION OPPORTUNITIES.

(a) DEFINITION OF SEASONAL CLOSURE.—In this section, the term ''seasonal closure'' means any period during which—

(1) a unit, or portion of a unit, of Federal recreational lands and waters is closed to the public for a continuous period of 30 days or more, excluding temporary closures relating to wildlife conservation or public safety; and

(2) permitted or allowable recreational activities, which provide an economic benefit, including off-season or winter-season tourism, do not take place at the unit, or portion of a unit, of Federal recreational lands and waters.

(b) COORDINATION.—

(1) IN GENERAL.—The Secretaries shall consult and coordinate with outdoor recreation-related businesses operating on, or adjacent to, a unit of Federal recreational lands and waters, State offices of outdoor recreation, local destination marketing organizations, applicable trade organizations, nonprofit organizations, Indian Tribes, local governments, and institutions of higher education—

(A) to better understand—

(i) trends with respect to visitors to the unit of Federal recreational lands and waters;

(ii) the effect of seasonal closures on areas of, or infrastructure on, units of Federal recreational lands and waters on outdoor recreation opportunities, adjacent businesses, and local tax revenue; and

(iii) opportunities to extend the period of time during which areas of, or infrastructure on, units of Federal recreational lands and waters are open to the public to increase outdoor recreation opportunities and associated revenues for businesses and local governments; and

(B) to solicit input from, and provide information for, outdoor recreation marketing campaigns.

(2) LOCAL COORDINATION.—As part of the consultation and coordination required under subparagraph (1), the Secretaries shall encourage relevant unit managers of Federal recreational lands and waters managed by the Forest Service, the Bureau of Land Management, and the National Park Service to consult and coordinate with local governments, Indian Tribes, outdoor recreation-related businesses, and other local stakeholders operating on or adjacent to the relevant unit of Federal recreational lands and waters.

(c) EXTENSIONS BEYOND SEASONAL CLOSURES.—

(1) EXTENSION OF RECREATIONAL SEASON.—In the case of a unit of Federal recreational lands and waters managed by the Forest Service, the Bureau of Land Management, or the National Park Service in which recreational use is highly seasonal, the Secretary concerned, acting through the relevant unit manager, may—

(A) as appropriate, extend the recreation season or increase recreation use in a sustainable manner during the offseason; and

(B) make information about extended season schedules and related recreational opportunities available to the public and local communities.

(2) DETERMINATION.—In determining whether to extend the recreation season under this subsection, the Secretary concerned, acting through the relevant unit manager, shall consider the benefits of extending the recreation season—

(A) for the duration of income to gateway communities; and

(B) to provide more opportunities to visit resources on units of Federal recreational lands and waters to reduce crowding during peak visitation.

(3) CLARIFICATION.—Nothing in this subsection precludes the Secretary concerned, acting through the relevant unit manager, from providing for additional recreational opportunities and uses at times other than those described in this subsection.

(4) INCLUSIONS.—An extension of a recreation season or an increase in recreation use during the offseason under paragraph (1) may include—

(A) the addition of facilities that would increase recreation use during the offseason; and

(B) improvement of access to the relevant unit to extend the recreation season.

(5) REQUIREMENT.—An extension of a recreation season or increase in recreation use during the offseason under paragraph (1) shall be done in compliance with all applicable Federal laws, regulations, and policies, including land use plans.

(6) AGREEMENTS.—

(A) IN GENERAL.—The Secretary concerned may enter into agreements with businesses, local governments, or other entities to share the cost of additional expenses necessary to extend the period of time during which an area of, or infrastructure on, a unit of Federal recreational lands and waters is made open to the public.

(B) IN-KIND CONTRIBUTIONS.—The Secretary concerned may accept in-kind contributions of goods and services provided by businesses, local governments, or other entities for purposes of paragraph (1).

SEC. 5332. INFORMING THE PUBLIC OF ACCESS CLOSURES.

(a) IN GENERAL.—The Secretaries shall, to the extent practicable and in a timely fashion, alert the public to any closures or disruption to the public campsites, trails, roads, and other public areas and access points under the jurisdiction of the applicable Secretary.

(b) ONLINE ALERT.—An alert under subsection (a) shall be posted online on a public website of the appropriate land unit in a manner that—

(1) ensures that the public can easily find the alert in searching for the applicable campsite, trail, road, or other access point; and

(2) consolidates all alerts under subsection (a).

Subtitle C—Maintenance of Public Land

SEC. 5341. VOLUNTEERS IN THE NATIONAL FORESTS AND PUBLIC LANDS ACT.

The Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a et seq.) is amended to read as follows:

"SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Volunteers in the National Forests and Public Lands Act'.

"SEC. 2. PURPOSE.

''The purpose of this Act is to leverage volunteer engagement to supplement projects that are carried out by the Secretaries to fulfill the missions of the Forest Service and the Bureau of Land Management and are accomplished with appropriated funds.

"SEC. 3. DEFINITION OF SECRETARIES.

''In this Act, the term 'Secretaries' means each of—

''(1) the Secretary of Agriculture, acting through the Chief of the Forest Service; and

''(2) the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

"SEC. 4. AUTHORIZATION.

''The Secretaries are authorized to recruit, train, and accept without regard to the civil service and classification laws, rules, or regulations the services of individuals without compensation as volunteers for or in aid of recreation access, trail construction or maintenance, facility construction or maintenance, educational uses (including outdoor classroom construction or maintenance), interpretive functions, visitor services, conservation measures and development, or other activities in and related to areas administered by the Secretaries. In carrying out this section, the Secretaries shall consider referrals of prospective volunteers made by the Corporation for National and Community Service.

"SEC. 5. INCIDENTAL EXPENSES.

''The Secretaries are authorized to provide for incidental expenses, such as transportation, uniforms, lodging, training, equipment, and subsistence.

"SEC. 6. CONSIDERATION AS FEDERAL EMPLOYEE.

''(a) Except as otherwise provided in this section, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

''(b) For the purpose of the tort claim provisions of title 28, United States Code, a volunteer under this Act shall be considered a Federal employee.

''(c) For the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, volunteers under this Act shall be deemed civil employees of the United States within the meaning of the term 'employee' as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply.

''(d) For the purposes of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this Act shall be considered a Federal employee, and the provisions of section 3721 of title 31, United States Code, shall apply.

''(e) For the purposes of subsections (b), (c), and (d), the term 'volunteer' includes a person providing volunteer services to either of the Secretaries who—

''(1) is recruited, trained, and supported by a cooperator under a mutual benefit agreement or cooperative agreement with either of the Secretaries; and

''(2) performs such volunteer services under the supervision of the cooperator as directed by either of the Secretaries in the mutual benefit agreement or cooperative agreement in the mutual benefit agreement, including direction that specifies—

''(A) the volunteer services, including the geographic boundaries of the work to be performed by the volunteers, and the supervision to be provided by the cooperator;

''(B) the applicable project safety standards and protocols to be adhered to by the volunteers and enforced by the cooperator;

''(C) the on-site visits to be made by either of the Secretaries, if feasible and only if necessary to verify that volunteers are performing the volunteer services and the cooperator is providing the supervision agreed upon;

''(D) the equipment the volunteers are authorized to use;

''(E) the training the volunteers are required to complete;

''(F) the actions the volunteers are authorized to take; and

''(G) any other terms and conditions that are determined to be necessary by the applicable Secretary.

"SEC. 7. PROMOTION OF VOLUNTEER OPPORTUNITIES.

''The Secretaries shall promote volunteer opportunities in areas administered by the Secretaries.

"SEC. 8. LIABILITY INSURANCE.

''The Secretaries shall not require a cooperator or volunteer (as those terms are used in section 6) to have liability insurance to provide the volunteer services authorized under this Act.''.

SEC. 5342. REFERENCE.

Any reference to the Volunteers in the National Forests Act of 1972 in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Volunteers in the National Forests and Public Land Act.

Subtitle D—Recreation Not Red Tape

SEC. 5351. GOOD NEIGHBOR AUTHORITY FOR RECREATION.

(a) DEFINITIONS.—In this section:

(1) AUTHORIZED RECREATION SERVICES.—The term ''authorized recreation services'' means similar and complementary recreation enhancement or improvement services carried out—

(A) on Federal land, non-Federal land, or land owned by an Indian Tribe; and

(B) by either the Secretary or a Governor, Indian Tribe, or county, as applicable, pursuant to a good neighbor agreement.

(2) COUNTY.—The term ''county'' means—

(A) the appropriate executive official of an affected county; or

(B) in any case in which multiple counties are affected, the appropriate executive official of a compact of the affected counties.

(3) FEDERAL LAND.—The term ''Federal land'' means land that is—

(A) owned and administered by the United States as a part of—

(i) the National Forest System; or

(ii) the National Park System; or

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(4) RECREATION ENHANCEMENT OR IMPROVEMENT SERVICES.—The term ''recreation enhancement or improvement services'' means—

(A) establishing, repairing, restoring, improving, relocating, constructing, or reconstructing new or existing—

(i) trails or trailheads;

(ii) campgrounds and camping areas;

(iii) cabins;

(iv) picnic areas or other day use areas;

(v) shooting ranges;

(vi) restroom or shower facilities;

(vii) paved or permanent roads or parking areas that serve existing recreation facilities or areas;

(viii) fishing piers, wildlife viewing platforms, docks, or other constructed features at a recreation site;

(ix) boat landings;

(x) hunting or fishing sites;

(xi) infrastructure within ski areas; or

(xii) visitor centers or other interpretative sites; and

(B) activities that create, improve, or restore access to existing recreation facilities or areas.

(5) GOOD NEIGHBOR AGREEMENT.—The term ''good neighbor agreement'' means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and a Governor, Indian Tribe, or county, as applicable, to carry out authorized recreation services under this title.

(6) GOVERNOR.—The term ''Governor'' means the Governor or any other appropriate executive official of an affected State or the Commonwealth of Puerto Rico.

(7) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to National Park System land and public lands.

(b) GOOD NEIGHBOR AGREEMENTS FOR RECREATION.—

(1) IN GENERAL.—The Secretary concerned may enter into a good neighbor agreement with a Governor, Indian Tribe, or county to carry out authorized recreation services in accordance with this title.

(2) PUBLIC AVAILABILITY.—The Secretary concerned shall make each good neighbor agreement available to the public.

(3) FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary concerned may provide financial or technical assistance to a Governor, Indian Tribe, or county carrying out authorized recreation services.

(4) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any authorized recreation services to be provided under this section on Federal land shall not be delegated to a Governor, Indian Tribe, or county.

(5) TERMINATION.—The authority provided under this section terminates effective September 30, 2031.

SEC. 5352. PERMIT RELIEF FOR PICNIC AREAS.

(a) IN GENERAL.—If the Secretary concerned does not require the public to obtain a permit or reservation to access a picnic

area on Federal recreational lands and waters administered by the Forest Service or the Bureau of Land Management, the Secretary concerned shall not require a covered person to obtain a permit solely to access the picnic area.

(b) COVERED PERSON DEFINED.—In this section, the term ''covered person'' means a person (including an educational group) that provides outfitting and guiding services to fewer than 40 customers per year at a picnic area described in subsection (a).

SEC. 5353. INTERAGENCY REPORT ON SPECIAL RECREATION PERMITS FOR UNDERSERVED COMMUNITIES.

(a) COVERED COMMUNITY DEFINED.—In this section, the term ''covered community'' means a rural or urban community, including an Indian Tribe, that is—

(1) low-income or underserved; and

(2) has been underrepresented in outdoor recreation opportunities on Federal recreational lands and waters.

(b) REPORT.—Not later than 3 years after the date of the enactment of this title, the Secretaries, acting jointly, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(1) the estimated use of special recreation permits serving covered communities;

(2) examples of special recreation permits, partnerships, cooperative agreements, or other arrangements providing access to Federal recreational lands and waters for covered communities;

(3) other ways covered communities are engaging on Federal recreational lands and waters, including through stewardship and conservation projects or activities;

(4) any barriers for existing or prospective recreation service providers and holders of commercial use authorizations operating within or serving a covered community; and

(5) any recommendations to facilitate and increase permitted access to Federal recreational lands and waters for covered communities.

SEC. 5354. MODERNIZING ACCESS TO OUR PUBLIC LAND ACT AMENDMENTS.

The Modernizing Access to Our Public Land Act (16 U.S.C. 6851 et seq.) is amended—

(1) in section 3(1) (16 U.S.C. 6852(1)), by striking ''public outdoor recreational use'' and inserting ''recreation sites'';

(2) in section 5(a)(4) (16 U.S.C. 6854(a)(4)), by striking ''permanently restricted or prohibited'' and inserting ''regulated or closed''; and

(3) in section 6(b) (16 U.S.C. 6855(b))—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''the Secretary of the Interior'' and inserting ''the Secretaries''.

SEC. 5355. SAVINGS PROVISION.

No additional Federal funds are authorized to carry out the requirements of this division and the activities authorized by this division are subject to the availability of appropriations made in advance for such purposes.

SA 2545. Mr. BENNET (for himself and Mr. HICKENLOOPER) 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—COLORADO OUTDOOR RECREATION AND ECONOMY

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Colorado Outdoor Recreation and Economy Act''.

SEC. 5002. DEFINITION OF STATE.

In this division, the term ''State'' means the State of Colorado.

TITLE I—CONTINENTAL DIVIDE

SEC. 5101. DEFINITIONS.

In this title:

(1) COVERED AREA.—The term ''covered area'' means any area designated as wilderness by the amendments to section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) made by section 5102(a).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) WILDLIFE CONSERVATION AREA.—The term ''Wildlife Conservation Area'' means, as applicable—

(A) the Porcupine Gulch Wildlife Conservation Area designated by section 5104(a);

(B) the Williams Fork Mountains Wildlife Conservation Area designated by section 5105(a); and

(C) the Spraddle Creek Wildlife Conservation Area designated by section 5106(a).

SEC. 5102. COLORADO WILDERNESS ADDITIONS.

(a) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) is amended—

(1) in paragraph (18), by striking ''1993,'' and inserting ''1993, and certain Federal land within the White River National Forest that comprises approximately 6,896 acres, as generally depicted as 'Proposed Ptarmigan Peak Wilderness Additions' on the map entitled 'Proposed Ptarmigan Peak Wilderness Additions' and dated June 24, 2019,''; and

(2) by adding at the end the following:

''(23) HOLY CROSS WILDERNESS ADDITION.—Certain Federal land within the White River National Forest that comprises approximately 3,866 acres, as generally depicted as 'Proposed Megan Dickie Wilderness Addition' on the map entitled 'Holy Cross Wilderness Addition Proposal' and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Holy Cross Wilderness designated by section 102(a)(5) of Public Law 96–560 (94 Stat. 3266).

''(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted as 'Proposed Hoosier Ridge Wilderness' on the map entitled 'Tenmile Proposal' and dated April 22, 2022, which shall be known as the 'Hoosier Ridge Wilderness'.

''(25) TENMILE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 7,624 acres, as generally depicted as 'Proposed Tenmile Wilderness' on the map entitled 'Tenmile Proposal' and dated May 1, 2023, which shall be known as the 'Tenmile Wilderness'.

''(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 7,634 acres, as generally depicted as 'Proposed Freeman Creek Wilderness Addition' and 'Proposed Spraddle Creek Wilderness Addition' on the map entitled 'Eagles Nest Wilderness Additions Proposal' and dated April 26, 2022, which shall be incorporated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94–352 (90 Stat. 870).''.

(b) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering a covered area.

(c) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may carry out any activity in a covered area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) GRAZING.—The grazing of livestock on a covered area, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(e) COORDINATION.—For purposes of administering the Federal land designated as wilderness by paragraph (26) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by subsection (a)(2)), the Secretary shall, as determined to be appropriate for the protection of watersheds, coordinate the activities of the Secretary in response to fires and flooding events with interested State and local agencies.

SEC. 5103. WILLIAMS FORK MOUNTAINS POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land in the White River National Forest in the State, comprising approximately 8,036 acres, as generally depicted as ''Proposed Williams Fork Mountains Wilderness'' on the map entitled ''Williams Fork Mountains Proposal'' and dated June 24, 2019, is designated as a potential wilderness area.

(b) MANAGEMENT.—Subject to valid existing rights and except as provided in subsection (d), the potential wilderness area designated by subsection (a) shall be managed in accordance with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) this section.

(c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with applicable laws (including regulations), the Secretary shall publish a determination regarding whether to authorize livestock grazing or other use by livestock on the vacant allotments known as—

(A) the ''Big Hole Allotment''; and

(B) the ''Blue Ridge Allotment''.

(2) MODIFICATION OF ALLOTMENTS.—In publishing a determination pursuant to paragraph (1), the Secretary may modify or combine the vacant allotments referred to in that paragraph.

(3) PERMIT OR OTHER AUTHORIZATION.—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use in accordance with applicable laws (including regulations).

(d) RANGE IMPROVEMENTS.—

(1) IN GENERAL.—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use motorized or mechanized transport or equipment

for purposes of constructing or rehabilitating such range improvements as are necessary to obtain appropriate livestock management objectives (including habitat and watershed restoration).

(2) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 2 years after the date on which the Secretary publishes a positive determination under subsection (c)(3).

(e) DESIGNATION AS WILDERNESS.—

(1) DESIGNATION.—The potential wilderness area designated by subsection (a) shall be designated as wilderness, to be known as the ''Williams Fork Mountains Wilderness''—

(A) effective not earlier than the date that is 180 days after the date of enactment this Act; and

(B) on the earliest of—

(i) the date on which the Secretary publishes in the Federal Register a notice that the construction or rehabilitation of range improvements under subsection (d) is complete;

(ii) the date described in subsection (d)(2); and

(iii) the effective date of a determination of the Secretary not to authorize livestock grazing or other use by livestock under subsection (c)(1).

(2) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall manage the Williams Fork Mountains Wilderness in accordance with the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date on which the Williams Fork Mountains Wilderness is designated in accordance with paragraph (1).

SEC. 5104. PORCUPINE GULCH WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 8,287 acres of Federal land located in the White River National Forest, as generally depicted as ''Proposed Porcupine Gulch Wildlife Conservation Area'' on the map entitled ''Porcupine Gulch Wildlife Conservation Area Proposal'' and dated June 24, 2019, are designated as the ''Porcupine Gulch Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are—

(1) to conserve and protect a wildlife migration corridor over Interstate 70; and

(2) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) RECREATION.—The Secretary may permit such recreational activities in the Wildlife Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(C) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.—

(i) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized vehicles or mechanized transport to carry out pre- or post-fire watershed protection projects;

(III) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or

(IV) responding to an emergency.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section or section 5110(f) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations) and subject to valid existing rights, the use of the subsurface of the Wildlife Conservation Area to construct, realign, operate, or maintain regional transportation projects, including Interstate 70 and the Eisenhower-Johnson Tunnels.

(f) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 5105. WILLIAMS FORK MOUNTAINS WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 3,528 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Williams Fork Mountains Wildlife Conservation Area'' on the map entitled ''Williams Fork Mountains Proposal'' and dated June 24, 2019, are designated as the ''Williams Fork Mountains Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles for administrative purposes;

(II) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(III) responding to an emergency.

(C) BICYCLES.—The use of bicycles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(E) GRAZING.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of the Secretary shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 5106. SPRADDLE CREEK WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 2,674 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Spraddle Creek Wildlife Conservation Area'' on the map entitled ''Eagles Nest Wilderness Additions Proposal'' and dated April 26, 2022, are designated as the ''Spraddle Creek Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this title.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as necessary for administrative purposes or to respond to an emergency, the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(C) ROADS.—

(i) IN GENERAL.—Except as provided in clause (ii), no road shall be constructed in the Wildlife Conservation Area.

(ii) EXCEPTIONS.—Nothing in clause (i) prevents the Secretary from—

(I) constructing a temporary road as the Secretary determines to be necessary as a minimum requirement for carrying out a vegetation management project in the Wildlife Conservation Area; or

(II) responding to an emergency.

(iii) DECOMMISSIONING OF TEMPORARY ROADS.—Not later than 3 years after the date on which the applicable vegetation management project is completed, the Secretary shall decommission any temporary road constructed under clause (ii)(I) for the applicable vegetation management project.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized in the Wildlife Conservation Area under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 5107. SANDY TREAT OVERLOOK.

The interpretive site located beside United States Route 24 within the Camp Hale-Continental Divide National Monument, at 39.431N 106.323W, is designated as the ''Sandy Treat Overlook''.

SEC. 5108. WHITE RIVER NATIONAL FOREST BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the White River National Forest is modified to include the approximately 120 acres comprised of the SW¼, the SE¼, and the NE¼ of the SE¼ of sec. 1, T. 2 S., R. 80 W., 6th Principal Meridian, in Summit County in the State.

(b) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306 of title 54, United States Code, the boundaries of the White River National Forest, as modified by subsection (a), shall be considered to be the boundaries of the White River National Forest as in existence on January 1, 1965.

SEC. 5109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL WILDERNESS BOUNDARY ADJUSTMENT.

(a) PURPOSE.—The purpose of this section is to provide for the ongoing maintenance and use of portions of the Trail River Ranch and the associated property located within Rocky Mountain National Park in Grand County in the State.

(b) BOUNDARY ADJUSTMENT.—Section 1952(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1070) is amended by adding at the end the following:

''(3) BOUNDARY ADJUSTMENT.—The boundary of the Potential Wilderness is modified to exclude the area comprising approximately 15.5 acres of land identified as 'Potential Wilderness to Non-wilderness' on the map entitled 'Rocky Mountain National Park Proposed Wilderness Area Amendment' and dated January 16, 2018.''.

SEC. 5110. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title or an amendment made by this title establishes a protective perimeter or buffer zone around—

(A) a covered area;

(B) a wilderness area or potential wilderness area designated by section 5103; or

(C) a Wildlife Conservation Area.

(2) OUTSIDE ACTIVITIES.—The fact that a nonwilderness activity or use on land outside of an area described in paragraph (1) can be seen or heard from within the applicable area described in paragraph (1) shall not preclude the activity or use outside the boundary of the applicable area described in paragraph (1).

(c) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this title affects the treaty rights of an Indian Tribe.

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions that the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the areas described in subsection (b)(1) by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(d) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of each area described in subsection (b)(1) with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may—

(A) correct any typographical errors in the maps and legal descriptions; and

(B) in consultation with the State, make minor adjustments to the boundaries of the Porcupine Gulch Wildlife Conservation Area designated by section 5104(a) and the Williams Fork Mountains Wildlife Conservation Area designated by section 5105(a) to account for potential highway or multimodal transportation system construction, safety measures, maintenance, realignment, or widening.

(3) PUBLIC AVAILABILITY.—Each map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(e) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundaries of an area described in subsection (b)(1) by donation, purchase from a willing seller, or exchange.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness area or Wildlife Conservation Area, as applicable, in which the land or interest in land is located.

(f) WITHDRAWAL.—Subject to valid existing rights, the areas described in subsection (b)(1) are withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(g) MILITARY OVERFLIGHTS.—Nothing in this title or an amendment made by this title restricts or precludes—

(1) any low-level overflight of military aircraft over any area subject to this title or an amendment made by this title, including military overflights that can be seen, heard, or detected within such an area;

(2) flight testing or evaluation over an area described in paragraph (1); or

(3) the use or establishment of—

(A) any new unit of special use airspace over an area described in paragraph (1); or

(B) any military flight training or transportation over such an area.

(h) SENSE OF CONGRESS.—It is the sense of Congress that military aviation training on Federal public land in the State, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

TITLE II—SAN JUAN MOUNTAINS

SEC. 5201. DEFINITIONS.

In this title:

(1) COVERED LAND.—The term ''covered land'' means—

(A) land designated as wilderness under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202); and

(B) a Special Management Area.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) SPECIAL MANAGEMENT AREA.—The term ''Special Management Area'' means each of—

(A) the Sheep Mountain Special Management Area designated by section 5203(a)(1); and

(B) the Liberty Bell East Special Management Area designated by section 5203(a)(2).

SEC. 5202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as amended by section 5102(a)(2)) is amended by adding at the end the following:

''(27) LIZARD HEAD WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled 'Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

''(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

''(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled 'Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

''(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising

approximately 12,465 acres, as generally depicted on the map entitled 'Proposed Whitehouse Additions to the Mt. Sneffels Wilderness' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

''(29) MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled 'Proposed McKenna Peak Wilderness Area' and dated September 18, 2018, to be known as the 'McKenna Peak Wilderness'.''.

SEC. 5203. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATION.—

(1) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison and San Juan National Forests in the State comprising approximately 21,663 acres, as generally depicted on the map entitled ''Proposed Sheep Mountain Special Management Area'' and dated September 19, 2018, is designated as the ''Sheep Mountain Special Management Area''.

(2) LIBERTY BELL EAST SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 792 acres, as generally depicted on the map entitled ''Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area'' and dated September 6, 2018, is designated as the ''Liberty Bell East Special Management Area''.

(b) PURPOSE.—The purpose of the Special Management Areas is to conserve and protect for the benefit and enjoyment of present and future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Special Management Areas in a manner that—

(A) conserves, protects, and enhances the resources and values of the Special Management Areas described in subsection (b);

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

(i) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(ii) this title; and

(iii) any other applicable laws.

(2) PROHIBITIONS.—The following shall be prohibited in the Special Management Areas:

(A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety—

(i) the use of motor vehicles, motorized equipment, or mechanical transport (other than as provided in paragraph (3)); and

(ii) the establishment of temporary roads.

(3) AUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—The Secretary may allow any activities (including helicopter access for recreation and maintenance and the competitive running event permitted since 1992) that have been authorized by permit or license as of the date of enactment of this Act to continue within the Special Management Areas, subject to such terms and conditions as the Secretary may require.

(B) PERMITTING.—The designation of the Special Management Areas by subsection (a) shall not affect the issuance of permits relating to the activities covered under subparagraph (A) after the date of enactment of this Act.

(C) BICYCLES.—The Secretary may permit the use of bicycles in—

(i) the portion of the Sheep Mountain Special Management Area identified as ''Ophir Valley Area'' on the map entitled ''Proposed Sheep Mountain Special Management Area'' and dated September 19, 2018; and

(ii) the portion of the Liberty Bell East Special Management Area identified as ''Liberty Bell Corridor'' on the map entitled ''Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area'' and dated September 6, 2018.

(d) APPLICABLE LAW.—Water and water rights in the Special Management Areas shall be administered in accordance with section 8 of the Colorado Wilderness Act of 1993 (Public Law 103–77; 107 Stat. 762), except that, for purposes of this title—

(1) any reference contained in that section to ''the lands designated as wilderness by this Act'', ''the Piedra, Roubideau, and Tabeguache areas identified in section 9 of this Act, or the Bowen Gulch Protection Area or the Fossil Ridge Recreation Management Area identified in sections 5 and 6 of this Act'', or ''the areas described in sections 2, 5, 6, and 9 of this Act'' shall be considered to be a reference to ''the Special Management Areas''; and

(2) any reference contained in that section to ''this Act'' shall be considered to be a reference to ''the Colorado Outdoor Recreation and Economy Act''.

(e) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA NORDIC SKI SAFETY STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with interested parties, shall complete a study on ensuring safe access for Nordic skiing in the vicinity of the Sheep Mountain Special Management Area, consistent with the purposes of the Sheep Mountain Special Management Area.

(2) REQUIREMENT.—In conducting the study under paragraph (1), the Secretary, in coordination with San Miguel County in the State, the State Department of Transportation, and other interested stakeholders, shall identify a range of reasonable actions that could be taken by the Secretary to provide or facilitate off-highway parking areas along State Highway 145 to facilitate safe access for Nordic skiing in the vicinity of the Sheep Mountain Special Management Area.

SEC. 5204. RELEASE OF WILDERNESS STUDY AREAS.

(a) DOMINGUEZ CANYON WILDERNESS STUDY AREA.—Subtitle E of title II of Public Law 111–11 is amended—

(1) by redesignating section 2408 (16 U.S.C. 460zzz–7) as section 2409; and

(2) by inserting after section 2407 (16 U.S.C. 460zzz–6) the following:

''SEC. 2408. RELEASE.

''(a) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.

''(b) RELEASE.—Any public land referred to in subsection (a) that is not designated as wilderness by this subtitle—

''(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

''(2) shall be managed in accordance with this subtitle and any other applicable laws.''.

(b) MCKENNA PEAK WILDERNESS STUDY AREA.—

(1) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the McKenna Peak Wilderness Study Area in San Miguel County in the State not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) have been adequately studied for wilderness designation.

(2) RELEASE.—Any public land referred to in paragraph (1) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202)—

(A) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with applicable laws.

SEC. 5205. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title establishes a protective perimeter or buffer zone around covered land.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside of the covered land can be seen or heard from within covered land shall not preclude the activity or use outside the boundary of the covered land.

(c) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this title affects the treaty rights of any Indian Tribe, including rights under the Agreement of September 13, 1873, ratified by the Act of April 29, 1874 (18 Stat. 36, chapter 136).

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the covered land by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(d) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall file a map and a legal description of each wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) and the Special Management Areas with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary or the Secretary of the Interior, as appropriate, may correct any typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Forest Service.

(e) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of

the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) by donation, purchase from a willing seller, or exchange.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(f) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the applicable guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405) or H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(g) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary with jurisdiction over a wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) may carry out any activity in the wilderness area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(h) WITHDRAWAL.—Subject to valid existing rights, the covered land and the approximately 6,590 acres generally depicted on the map entitled ''Proposed Naturita Canyon Mineral Withdrawal Area'' and dated September 6, 2018, is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

TITLE III—THOMPSON DIVIDE

SEC. 5301. PURPOSES.

The purposes of this title are—

(1) subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws in order to protect the agricultural, ranching, wildlife, air quality, recreation, ecological, and scenic values of the area; and

(2) to promote the capture of fugitive methane emissions that would otherwise be emitted into the atmosphere.

SEC. 5302. DEFINITIONS.

In this title:

(1) FUGITIVE METHANE EMISSIONS.—The term ''fugitive methane emissions'' means methane gas from the Federal land or interests in Federal land in Garfield, Gunnison, Delta, or Pitkin County in the State, within the boundaries of the ''Fugitive Coal Mine Methane Use Pilot Program Area'', as generally depicted on the pilot program map, that would leak or be vented into the atmosphere from—

(A) an active or inactive coal mine subject to a Federal coal lease; or

(B) an abandoned underground coal mine or the site of a former coal mine—

(i) that is not subject to a Federal coal lease; and

(ii) with respect to which the Federal interest in land includes mineral rights to the methane gas.

(2) PILOT PROGRAM.—The term ''pilot program'' means the Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program established by section 5305(a)(1).

(3) PILOT PROGRAM MAP.—The term ''pilot program map'' means the map entitled ''Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program Area'' and dated April 29, 2022.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) THOMPSON DIVIDE LEASE.—

(A) IN GENERAL.—The term ''Thompson Divide lease'' means any oil or gas lease in effect on the date of enactment of this Act within the Thompson Divide Withdrawal and Protection Area.

(B) EXCLUSIONS.—The term ''Thompson Divide lease'' does not include any oil or gas lease that—

(i) is associated with a Wolf Creek Storage Field development right; or

(ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.

(6) THOMPSON DIVIDE MAP.—The term ''Thompson Divide map'' means the map entitled ''Greater Thompson Divide Area Map'' and dated May 15, 2023.

(7) THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.—The term ''Thompson Divide Withdrawal and Protection Area'' means the Federal land and minerals within the area generally depicted as the ''Thompson Divide Withdrawal and Protection Area'' on the Thompson Divide map.

(8) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term ''Wolf Creek Storage Field development right'' means a development right for any of the Federal mineral leases numbered COC 0007496, COC 0007497, COC 0007498, COC 0007499, COC 0007500, COC 0007538, COC 0008128, COC 0015373, COC 0128018, COC 0051645, and COC 0051646, as generally depicted on the Thompson Divide map as ''Wolf Creek Storage Agreement''.

(B) EXCLUSIONS.—The term ''Wolf Creek Storage Field development right'' does not include any storage right or related activity within the area described in subparagraph (A).

SEC. 5303. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.

(a) WITHDRAWAL.—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) SURVEYS.—The exact acreage and legal description of the Thompson Divide Withdrawal and Protection Area shall be determined by surveys approved by the Secretary, in consultation with the Secretary of Agriculture.

(c) GRAZING.—Nothing in this title affects the administration of grazing in the Thompson Divide Withdrawal and Protection Area.

SEC. 5304. THOMPSON DIVIDE LEASE CREDITS.

(a) IN GENERAL.—In exchange for the relinquishment by a leaseholder of all Thompson Divide leases of the leaseholder, the Secretary may issue to the leaseholder credits for any bid, royalty, or rental payment due under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(b) AMOUNT OF CREDITS.—

(1) IN GENERAL.—Subject to paragraph (2), the amount of the credits issued to a leaseholder of a Thompson Divide lease relinquished under subsection (a) shall—

(A) be equal to the sum of—

(i) the amount of the bonus bids paid for the applicable Thompson Divide leases;

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any reasonable expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases as of January 28, 2019, including any expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) require the approval of the Secretary.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include any expenses paid by the leaseholder of a Thompson Divide lease for—

(A) legal fees or related expenses for legal work with respect to a Thompson Divide lease; or

(B) any expenses incurred before the issuance of a Thompson Divide lease.

(c) CANCELLATION.—Effective on relinquishment under this section, and without any additional action by the Secretary, a Thompson Divide lease—

(1) shall be permanently cancelled; and

(2) shall not be reissued.

(d) CONDITIONS.—

(1) APPLICABLE LAW.—Except as otherwise provided in this section, each exchange under this section shall be conducted in accordance with—

(A) this title; and

(B) other applicable laws (including regulations).

(2) ACCEPTANCE OF CREDITS.—The Secretary shall accept credits issued under subsection (a) in the same manner as cash for the payments described in that subsection.

(3) APPLICABILITY.—The use of a credit issued under subsection (a) shall be subject to the laws (including regulations) applicable to the payments described in that subsection, to the extent that the laws are consistent with this section.

(4) TREATMENT OF CREDITS.—All amounts in the form of credits issued under subsection (a) accepted by the Secretary shall be considered to be amounts received for the purposes of—

(A) section 35 of the Mineral Leasing Act (30 U.S.C. 191); and

(B) section 20 of the Geothermal Steam Act of 1970 (30 U.S.C. 1019).

(e) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHTS.—

(1) CONVEYANCE TO SECRETARY.—As a condition precedent to the relinquishment of a Thompson Divide lease under this section, any leaseholder with a Wolf Creek Storage Field development right shall permanently relinquish, transfer, and otherwise convey to the Secretary, in a form acceptable to the Secretary, all Wolf Creek Storage Field development rights of the leaseholder.

(2) CREDITS.—

(A) IN GENERAL.—In consideration for the transfer of development rights under paragraph (1), the Secretary may issue to a leaseholder described in that paragraph credits for any reasonable expenses incurred by the leaseholder in acquiring the Wolf Creek Storage Field development right or in the preparation of any drilling permit, sundry notice, or other related submission in support of the development right as of January 28, 2019, including any reasonable expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) APPROVAL.—Any credits for a transfer of the development rights under paragraph (1), shall be subject to—

(i) the exclusion described in subsection (b)(2);

(ii) the conditions described in subsection (d); and

(iii) the approval of the Secretary.

(3) LIMITATION OF TRANSFER.—Development rights acquired by the Secretary under paragraph (1)—

(A) shall be held for as long as the parent leases in the Wolf Creek Storage Field remain in effect; and

(B) shall not be—

(i) transferred;

(ii) reissued; or

(iii) otherwise used for mineral extraction.

SEC. 5305. GREATER THOMPSON DIVIDE FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.

(a) FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.—

(1) ESTABLISHMENT.—There is established in the Bureau of Land Management a pilot program, to be known as the ''Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program''.

(2) PURPOSE.—The purpose of the pilot program is to promote the capture, beneficial use, mitigation, and sequestration of fugitive methane emissions—

(A) to reduce methane emissions;

(B) to promote economic development;

(C) to improve air quality; and

(D) to improve public safety.

(3) PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan—

(i) to complete an inventory of fugitive methane emissions in accordance with subsection (b);

(ii) to provide for the leasing of fugitive methane emissions in accordance with subsection (c); and

(iii) to provide for the capping or destruction of fugitive methane emissions in accordance with subsection (d).

(B) COORDINATION.—In developing the plan under this paragraph, the Secretary shall coordinate with—

(i) the State;

(ii) Garfield, Gunnison, Delta, and Pitkin Counties in the State;

(iii) lessees of Federal coal within the counties referred to in clause (ii);

(iv) interested institutions of higher education in the State; and

(v) interested members of the public.

(b) FUGITIVE METHANE EMISSIONS INVENTORY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete an inventory of fugitive methane emissions.

(2) CONDUCT.—

(A) COLLABORATION.—The Secretary may conduct the inventory under paragraph (1) through, or in collaboration with—

(i) the Bureau of Land Management;

(ii) the United States Geological Survey;

(iii) the Environmental Protection Agency;

(iv) the United States Forest Service;

(v) State departments or agencies;

(vi) Garfield, Gunnison, Delta, or Pitkin County in the State;

(vii) the Garfield County Federal Mineral Lease District;

(viii) institutions of higher education in the State;

(ix) lessees of Federal coal within a county referred to in subparagraph (F);

(x) the National Oceanic and Atmospheric Administration;

(xi) the National Center for Atmospheric Research; or

(xii) other interested entities, including members of the public.

(B) FEDERAL SPLIT ESTATE.—

(i) IN GENERAL.—In conducting the inventory under paragraph (1) for Federal minerals on split estate land, the Secretary shall rely on available data.

(ii) LIMITATION.—Nothing in this section requires or authorizes the Secretary to enter or access private land to conduct the inventory under paragraph (1).

(3) CONTENTS.—The inventory conducted under paragraph (1) shall include—

(A) the general location and geographic coordinates of vents, seeps, or other sources producing significant fugitive methane emissions;

(B) an estimate of the volume and concentration of fugitive methane emissions from each source of significant fugitive methane emissions, including details of measurements taken and the basis for that emissions estimate;

(C) relevant data and other information available from—

(i) the Environmental Protection Agency;

(ii) the Mine Safety and Health Administration;

(iii) the Colorado Department of Natural Resources;

(iv) the Colorado Public Utility Commission;

(v) the Colorado Department of Health and Environment; and

(vi) the Office of Surface Mining Reclamation and Enforcement; and

(D) such other information as may be useful in advancing the purposes of the pilot program.

(4) PUBLIC PARTICIPATION; DISCLOSURE.—

(A) PUBLIC PARTICIPATION.—The Secretary shall, as appropriate, provide opportunities for public participation in the conduct of the inventory under paragraph (1).

(B) AVAILABILITY.—The Secretary shall make the inventory conducted under paragraph (1) publicly available.

(C) DISCLOSURE.—Nothing in this subsection requires the Secretary to publicly release information that—

(i) poses a threat to public safety;

(ii) is confidential business information; or

(iii) is otherwise protected from public disclosure.

(5) IMPACT ON COAL MINES SUBJECT TO LEASE.—

(A) IN GENERAL.—For the purposes of conducting the inventory under paragraph (1), for land subject to a Federal coal lease, the Secretary shall use readily available methane emissions data.

(B) EFFECT.—Nothing in this section requires the holder of a Federal coal lease to report additional data or information to the Secretary.

(6) USE.—The Secretary shall use the inventory conducted under paragraph (1) in carrying out—

(A) the leasing program under subsection (c); and

(B) the capping or destruction of fugitive methane emissions under subsection (d).

(c) FUGITIVE METHANE EMISSIONS LEASING PROGRAM AND SEQUESTRATION.—

(1) IN GENERAL.—Subject to valid existing rights and in accordance with this section, not later than 1 year after the date of completion of the inventory required under subsection (b), the Secretary shall carry out a program to encourage the use and destruction of fugitive methane emissions.

(2) FUGITIVE METHANE EMISSIONS FROM COAL MINES SUBJECT TO LEASE.—

(A) IN GENERAL.—The Secretary shall authorize the holder of a valid existing Federal coal lease for a mine that is producing fugitive methane emissions to capture for use or destroy the fugitive methane emissions.

(B) CONDITIONS.—The authority under subparagraph (A) shall be subject to—

(i) valid existing rights; and

(ii) such terms and conditions as the Secretary may require.

(C) LIMITATIONS.—The program carried out under paragraph (1) shall only include fugitive methane emissions that can be captured for use or destroyed in a manner that does not—

(i) endanger the safety of any coal mine worker; or

(ii) unreasonably interfere with any ongoing operation at a coal mine.

(D) COOPERATION.—

(i) IN GENERAL.—The Secretary shall work cooperatively with the holders of valid existing Federal coal leases for mines that produce fugitive methane emissions to encourage—

(I) the capture of fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material; or

(II) if the beneficial use of the fugitive methane emissions is not feasible, the destruction of the fugitive methane emissions.

(ii) GUIDANCE.—In support of cooperative efforts with holders of valid existing Federal coal leases to capture for use or destroy fugitive methane emissions, not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance to the public for the implementation of authorities and programs to encourage the capture for use and destruction of fugitive methane emissions, while minimizing impacts on natural resources or other public interest values.

(E) ROYALTIES.—The Secretary shall determine whether any fugitive methane emissions used or destroyed pursuant to this paragraph are subject to the payment of a royalty under applicable law.

(3) FUGITIVE METHANE EMISSIONS FROM LAND NOT SUBJECT TO A FEDERAL COAL LEASE.—

(A) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section 5303 and subject to valid existing rights and any other applicable law, the Secretary shall, for land not subject to a Federal coal lease—

(i) authorize the capture for use or destruction of fugitive methane emissions; and

(ii) make available for leasing such fugitive methane emissions as the Secretary determines to be in the public interest.

(B) SOURCE.—To the extent practicable, the Secretary shall offer for lease, individually or in combination, each significant source of fugitive methane emissions on land not subject to a Federal coal lease.

(C) BID QUALIFICATIONS.—A bid to lease fugitive methane emissions under this paragraph shall specify whether the prospective lessee intends—

(i) to capture the fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material;

(ii) to destroy the fugitive methane emissions; or

(iii) to employ a specific combination of—

(I) capturing the fugitive methane emissions for beneficial use; and

(II) destroying the fugitive methane emissions.

(D) PRIORITY.—

(i) IN GENERAL.—If there is more than 1 qualified bid for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(ii) CONSIDERATIONS.—In determining the public interest under clause (i), the Secretary shall take into consideration—

(I) the overall decrease in the fugitive methane emissions;

(II) the impacts to other natural resource values, including wildlife, water, and air; and

(III) other public interest values, including scenic, economic, recreation, and cultural values.

(E) LEASE FORM.—

(i) IN GENERAL.—The Secretary shall develop and provide to prospective bidders a lease form for leases issued under this paragraph.

(ii) DUE DILIGENCE.—The lease form developed under clause (i) shall include terms and conditions requiring the leased fugitive methane emissions to be put to beneficial use or destroyed by not later than 3 years after the date of issuance of the lease.

(F) ROYALTY RATE.—The Secretary shall develop a minimum bid, as the Secretary determines to be necessary, and royalty rate for leases under this paragraph.

(d) SEQUESTRATION.—If, by not later than 4 years after the date of completion of the inventory under subsection (b), any significant fugitive methane emissions are not leased under subsection (c)(3), the Secretary shall, subject to the availability of appropriations and in accordance with applicable law, take all reasonable measures—

(1) to provide incentives for new leases under subsection (c)(3);

(2) to cap those fugitive methane emissions at the source in any case in which the cap will result in the long-term sequestration of all or a significant portion of the fugitive methane emissions; or

(3) to destroy the fugitive methane emissions, if incentivizing leases under paragraph (1) or sequestration under paragraph (2) is not feasible, with priority for locations that destroy the greatest quantity of fugitive methane emissions at the lowest cost.

(e) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report detailing—

(1) the economic and environmental impacts of the pilot program, including information on increased royalties and estimates of avoided greenhouse gas emissions; and

(2) any recommendations of the Secretary on whether the pilot program could be expanded to include—

(A) other significant sources of emissions of fugitive methane located outside the boundaries of the area depicted as ''Fugitive Coal Mine Methane Use Pilot Program Area'' on the pilot program map; and

(B) the leasing of natural methane seeps under the activities authorized pursuant to subsection (c)(3).

SEC. 5306. EFFECT.

Except as expressly provided in this title, nothing in this title—

(1) expands, diminishes, or impairs any valid existing mineral leases, mineral interest, or other property rights wholly or partially within the Thompson Divide Withdrawal and Protection Area, including access to the leases, interests, rights, or land in accordance with applicable Federal, State, and local laws (including regulations);

(2) prevents the capture of methane from any active, inactive, or abandoned coal mine covered by this title, in accordance with applicable laws; or

(3) prevents access to, or the development of, any new or existing coal mine or lease in Delta or Gunnison County in the State.

TITLE IV—CURECANTI NATIONAL RECREATION AREA

SEC. 5401. DEFINITIONS.

In this title:

(1) MAP.—The term ''map'' means the map entitled ''Curecanti National Recreation Area, Proposed Boundary'', numbered 616/100,485D, and dated April 25, 2022.

(2) NATIONAL RECREATION AREA.—The term ''National Recreation Area'' means the Curecanti National Recreation Area established by section 5402(a).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 5402. CURECANTI NATIONAL RECREATION AREA.

(a) ESTABLISHMENT.—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Curecanti National Recreation Area, in accordance with this division, consisting of approximately 50,300 acres of land in the State, as generally depicted on the map as ''Curecanti National Recreation Area Proposed Boundary''.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the National Recreation Area in accordance with—

(A) this title; and

(B) the laws (including regulations) generally applicable to units of the National Park System, including section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) DAM, POWER PLANT, AND RESERVOIR MANAGEMENT AND OPERATIONS.—

(A) IN GENERAL.—Nothing in this title affects or interferes with the authority of the Secretary—

(i) to operate the Uncompahgre Valley Reclamation Project under the reclamation laws;

(ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620 et seq.); or

(iii) under the Federal Water Project Recreation Act (16 U.S.C. 4601–12 et seq.).

(B) RECLAMATION LAND.—

(i) SUBMISSION OF REQUEST TO RETAIN ADMINISTRATIVE JURISDICTION.—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the minimum quantity of land within the land identified on the map as ''Lands withdrawn or acquired for Bureau of Reclamation projects'' that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(I) approve, approve with modifications, or disapprove the request; and

(II) if the request is approved under subclause (I), make any modifications to the map that are necessary to reflect that the Commissioner of Reclamation retains management authority over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TRANSFER OF LAND.—

(I) IN GENERAL.—Administrative jurisdiction over the land identified on the map as ''Lands withdrawn or acquired for Bureau of Reclamation projects'', as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(II) ACCESS TO TRANSFERRED LAND.—

(aa) IN GENERAL.—Subject to item (bb), the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subclause (I) for reclamation purposes, including for the operation, maintenance, and expansion or replacement of facilities.

(bb) MEMORANDUM OF UNDERSTANDING.—The terms of the access authorized under item (aa) shall be determined by a memorandum of understanding entered into between the Commissioner of Reclamation and the Director of the National Park Service not later than 1 year after the date of enactment of this Act.

(3) MANAGEMENT AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into management agreements, or modify management agreements in existence on the date of enactment of this Act, relating to the authority of the Director of the National Park Service, the Commissioner of Reclamation, the Director of the Bureau of Land Management, or the Chief of the Forest Service to manage Federal land within or adjacent to the boundary of the National Recreation Area.

(B) STATE LAND.—The Secretary may enter into cooperative management agreements for any land administered by the State that is within or adjacent to the National Recreation Area, in accordance with the cooperative management authority under section 101703 of title 54, United States Code.

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATED ZONES.—

(i) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, no boating, hunting, or fishing shall be permitted in the National Recreation Area under subparagraph (A) for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in the case of an emergency, any closure proposed by the Secretary under clause (i) shall not take effect until after the date on which the Superintendent of the National Recreation Area consults with—

(I) the appropriate State agency responsible for hunting and fishing activities; and

(II) the Board of County Commissioners in each county in which the zone is proposed to be designated.

(5) LANDOWNER ASSISTANCE.—On the written request of an individual that owns private land located within the area generally depicted as ''Conservation Opportunity Area'' on the map entitled ''Preferred Alternative'' in the document entitled ''Report to Congress: Curecanti Special Resource Study'' and dated June 2009, the Secretary may work in partnership with the individual to enhance the long-term conservation of natural, cultural, recreational, and scenic resources in and around the National Recreation Area—

(A) by acquiring all or a portion of the private land or interests in private land within the Conservation Opportunity Area by purchase, exchange, or donation, in accordance with section 5403;

(B) by providing technical assistance to the individual, including cooperative assistance;

(C) through available grant programs; and

(D) by supporting conservation easement opportunities.

(6) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land acquired by the United States under paragraph (5) shall—

(A) become part of the National Recreation Area; and

(B) be managed in accordance with this title.

(7) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the National Recreation Area, including land acquired pursuant to this section, is withdrawn from—

(A) 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, mineral materials, and geothermal leasing laws.

(8) GRAZING.—

(A) STATE LAND SUBJECT TO A STATE GRAZING LEASE.—

(i) IN GENERAL.—If State land acquired under this title is subject to a State grazing lease in effect on the date of acquisition, the Secretary shall allow the grazing to continue for the remainder of the term of the lease, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(ii) ACCESS.—A lessee of State land may continue to use established routes within the National Recreation Area to access State land for purposes of administering the lease if the use was permitted before the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(B) STATE AND PRIVATE LAND.—The Secretary may, in accordance with applicable laws, authorize grazing on land acquired from the State or private landowners under section 5403, if grazing was established before the date of acquisition.

(C) PRIVATE LAND.—On private land acquired under section 5403 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of acquisition or by agreement between the Secretary and the lessee, subject to applicable law (including regulations).

(D) FEDERAL LAND.—The Secretary shall—

(i) allow, consistent with the grazing leases, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area on which grazing is allowed before the date of enactment of this Act, unless the Secretary determines that grazing on the Federal land would present unacceptable impacts (as defined in section 1.4.7.1 of the National Park Service document entitled ''Management Policies 2006: The Guide to Managing the National Park System'') to the natural, cultural, recreational, and scenic resource values and the character of the land within the National Recreation Area; and

(ii) retain all authorities to manage grazing in the National Recreation Area.

(E) TERMINATION OF LEASES.—Within the National Recreation Area, the Secretary may—

(i) accept the voluntary termination of a lease or permit for grazing; or

(ii) in the case of a lease or permit vacated for a period of 3 or more years, terminate the lease or permit.

(9) WATER RIGHTS.—Nothing in this title—

(A) affects any use or allocation in existence on the date of enactment of this Act of any water, water right, or interest in water;

(B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) affects any interstate water compact in existence on the date of enactment of this Act;

(D) shall be considered to be a relinquishment or reduction of any water right reserved or appropriated by the United States in the State on or before the date of enactment of this Act; or

(E) constitutes an express or implied Federal reservation of any water or water rights with respect to the National Recreation Area.

(10) FISHING EASEMENTS.—

(A) IN GENERAL.—Nothing in this title diminishes or alters the fish and wildlife program for the Aspinall Unit developed under section 8 of the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (70 Stat. 110, chapter 203; 43 U.S.C. 620g), by the United States Fish and Wildlife Service, the Bureau of Reclamation, and the Colorado Division of Wildlife (including any successor in interest to that division) that provides for the acquisition of public access fishing easements as mitigation for the Aspinall Unit (referred to in this paragraph as the ''program'').

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill the obligation of the Secretary under the program to acquire 26 miles of class 1 public fishing easements to provide to sportsmen access for fishing within the Upper Gunnison Basin upstream of the Aspinall Unit, subject to the condition that no existing fishing access downstream of the Aspinall Unit shall be counted toward the minimum mileage requirement under the program.

(C) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B) by the date that is 10 years after the date of enactment of this Act.

(D) REPORTS.—Not later than each of 2 years, 5 years, and 8 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the progress made in fulfilling the obligation of the Secretary described in subparagraph (B).

(d) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this title affects the treaty rights of any Indian Tribe.

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the National Recreation Area by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

SEC. 5403. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.

(a) ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundary of the National Recreation Area.

(2) MANNER OF ACQUISITION.—

(A) IN GENERAL.—Subject to subparagraph (B), land described in paragraph (1) may be acquired under this subsection by—

(i) donation;

(ii) purchase from willing sellers with donated or appropriated funds;

(iii) transfer from another Federal agency; or

(iv) exchange.

(B) STATE LAND.—Land or interests in land owned by the State or a political subdivision of the State may only be acquired by purchase, donation, or exchange.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) FOREST SERVICE LAND.—

(A) IN GENERAL.—Administrative jurisdiction over the approximately 2,500 acres of land identified on the map as ''U.S. Forest Service proposed transfer to the National Park Service'' is transferred to the Secretary, to be administered by the Director of the National Park Service as part of the National Recreation Area.

(B) BOUNDARY ADJUSTMENT.—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).

(2) BUREAU OF LAND MANAGEMENT LAND.—Administrative jurisdiction over the approximately 6,100 acres of land identified on the map as ''Bureau of Land Management proposed transfer to National Park Service'' is transferred from the Director of the Bureau of Land Management to the Director of the National Park Service, to be administered as part of the National Recreation Area.

(3) WITHDRAWAL.—Administrative jurisdiction over the land identified on the map as ''Proposed for transfer to the Bureau of Land Management, subject to the revocation of Bureau of Reclamation withdrawal'' shall be transferred to the Director of the Bureau of Land Management on relinquishment of the land by the Bureau of Reclamation and revocation by the Bureau of Land Management of any withdrawal as may be necessary.

(c) POTENTIAL LAND EXCHANGE.—

(1) IN GENERAL.—The withdrawal for reclamation purposes of the land identified on the map as ''Potential exchange lands'' shall be relinquished by the Commissioner of Reclamation and revoked by the Director of the Bureau of Land Management and the land shall be transferred to the National Park Service.

(2) EXCHANGE; INCLUSION IN NATIONAL RECREATION AREA.—On transfer of the land described in paragraph (1), the transferred land—

(A) may be exchanged by the Secretary for private land described in section 5402(c)(5)—

(i) subject to a conservation easement remaining on the transferred land, to protect the scenic resources of the transferred land; and

(ii) in accordance with the laws (including regulations) and policies governing National Park Service land exchanges; and

(B) if not exchanged under subparagraph (A), shall be added to, and managed as a part of, the National Recreation Area.

(d) ADDITION TO NATIONAL RECREATION AREA.—Any land within the boundary of the National Recreation Area that is acquired by the United States shall be added to, and managed as a part of, the National Recreation Area.

SEC. 5404. GENERAL MANAGEMENT PLAN.

Not later than 3 years after the date on which funds are made available to carry out this title, the Director of the National Park Service, in consultation with the Commissioner of Reclamation, shall prepare a general management plan for the National Recreation Area in accordance with section 100502 of title 54, United States Code.

SEC. 5405. BOUNDARY SURVEY.

The Secretary (acting through the Director of the National Park Service) shall prepare a boundary survey and legal description of the National Recreation Area.

SA 2546. Mr. BENNET (for himself and Mr. HICKENLOOPER) 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—DOLORES RIVER NATIONAL CONSERVATION AREA AND SPECIAL MANAGEMENT AREA

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Dolores River National Conservation Area and Special Management Area Act''.

SEC. 5002. DEFINITIONS.

In this division:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the Dolores River National Conservation Area established by section 5101(a).

(2) COUNCIL.—The term ''Council'' means the Dolores River National Conservation Area Advisory Council established under section 5103(a).

(3) COVERED LAND.—The term ''covered land'' means—

(A) the Conservation Area; and

(B) the Special Management Area.

(4) DOLORES PROJECT.—The term ''Dolores Project'' has the meaning given the term in section 3 of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2974).

(5) MAP.—The term ''Map'' means the map prepared by the Bureau of Land Management entitled ''Proposed Dolores River National Conservation Area and Special Management Area'' and dated December 14, 2022.

(6) SECRETARY.—The term ''Secretary'' means—

(A) in title I, the Secretary of the Interior;

(B) in title II, the Secretary of Agriculture; and

(C) in title IV—

(i) the Secretary of the Interior, with respect to land under the jurisdiction of the Secretary of the Interior; and

(ii) the Secretary of Agriculture, with respect to land under the jurisdiction of the Secretary of Agriculture.

(7) SPECIAL MANAGEMENT AREA.—The term ''Special Management Area'' means the Dolores River Special Management Area established by section 5201(a).

(8) STATE.—The term ''State'' means the State of Colorado.

(9) UNREASONABLY DIMINISH.—The term ''unreasonably diminish'' has the same meaning as used in section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)).

(10) WATER RESOURCE PROJECT.—The term ''water resource project'' means any dam, irrigation and pumping facility, reservoir, water conservation work, aqueduct, canal, ditch, pipeline, well, hydropower project, and transmission and other ancillary facility, and other water diversion, storage, and carriage structure.

TITLE I—DOLORES RIVER NATIONAL CONSERVATION AREA

SEC. 5101. ESTABLISHMENT OF DOLORES RIVER NATIONAL CONSERVATION AREA.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to valid existing rights, there is established the Dolores River National Conservation Area in the State.

(2) LAND INCLUDED.—The Conservation Area shall consist of approximately 52,872 acres of Bureau of Land Management land in the State, as generally depicted as ''Proposed Lower Dolores River National Conservation Area'' on the Map.

(b) PURPOSE.—The purpose of the Conservation Area is to conserve, protect, and enhance the native fish, whitewater boating, recreational, hunting, fishing, scenic, cultural, archaeological, natural, geological, historical, ecological, watershed, wildlife, educational, and scientific resources of the Conservation Area.

(c) MAP AND LEGAL DESCRIPTION.—

(1) 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 Conservation Area.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 5102. MANAGEMENT OF CONSERVATION AREA.

(a) IN GENERAL.—The Secretary shall manage the Conservation Area in accordance with—

(1) this division;

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) other applicable laws.

(b) USES.—Subject to the provisions of this division, the Secretary shall allow only such uses of the Conservation Area as are consistent with the purpose described in section 5101(b).

(c) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term protection, management, and monitoring of the Conservation Area.

(B) REVIEW AND REVISION.—The management plan under subparagraph (A) shall, from time to time, be subject to review and revision, in accordance with—

(i) this division;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(iii) other applicable laws.

(2) CONSULTATION AND COORDINATION.—The Secretary shall prepare and revise the management plan under paragraph (1)—

(A) in consultation with—

(i) the State;

(ii) units of local government;

(iii) the public;

(iv) the Council; and

(v) the Native Fish Monitoring and Recommendation Team, as described in section 5402(b)(1); and

(B) in coordination with the Secretary of Agriculture, with respect to the development of the separate management plan for the Special Management Area, as described in section 5202(c).

(3) RECOMMENDATIONS.—In preparing and revising the management plan under paragraph (1), the Secretary shall take into consideration any recommendations from the Council.

(4) TREATY RIGHTS.—In preparing and revising the management plan under paragraph (1), taking into consideration the rights and obligations described in section 5402, the Secretary shall ensure that the management plan does not alter or diminish—

(A) the treaty rights of any Indian Tribe;

(B) any rights described in the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973); or

(C) the operation or purposes of the Dolores Project.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land located within the boundary of the Conservation Area that is acquired by the United States in accordance with section 5401(c) after the date of enactment of this Act shall—

(1) become part of the Conservation Area; and

(2) be managed as provided in this section.

(e) DEPARTMENT OF ENERGY LEASES.—

(1) IN GENERAL.—Nothing in this title affects valid leases or lease tracts existing on the date of enactment of this Act issued under the uranium leasing program of the Department of Energy .

(2) MANAGEMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), land designated for the program described in paragraph (1) shall be—

(i) exempt from section 5401(b); and

(ii) managed in a manner that allow the leases to fulfill the purposes of the program, consistent with the other provisions of this title and title IV.

(B) DESIGNATION.—Land subject to a lease described in paragraph (1) shall be considered part of the Conservation Area and managed in accordance with other provisions of this title on a finding by the Secretary that—

(i)(I) the lease has expired; and

(II) the applicable lease tract has been removed from the leasing program by the Secretary of Energy; and

(ii) the land that was subject to the lease is suitable for inclusion in the Conservation Area.

(C) EFFECT.—Nothing in subparagraph (B) prevents the Secretary of Energy from extending any lease described in paragraph (1).

SEC. 5103. DOLORES RIVER NATIONAL CONSERVATION AREA ADVISORY COUNCIL.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish an advisory council, to be known as the ''Dolores River National Conservation Area Advisory Council''.

(b) DUTIES.—The Council shall advise—

(1) the Secretary with respect to the preparation, implementation, and monitoring of the management plan prepared under section 5102(c); and

(2) the Secretary of Agriculture with respect to the preparation, implementation, and monitoring of the management plan prepared under section 5202(c).

(c) APPLICABLE LAW.—The Council shall be subject to—

(1) chapter 10 of title 5, United States Code (commonly referred to as the ''Federal Advisory Committee Act'');

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) this division.

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall include 14 members to be appointed by the Secretary, of whom, to the extent practicable—

(A) 2 members shall represent agricultural water user interests in the Conservation Area or the Dolores River watershed, of whom 1 shall represent the Dolores Water Conservancy District;

(B) 2 members shall represent conservation interests in the Conservation Area;

(C) 2 members shall represent recreation interests in the Conservation Area, 1 of whom shall represent whitewater boating interests;

(D) 1 member shall be a representative of Dolores County, Colorado;

(E) 1 member shall be a representative of San Miguel County, Colorado;

(F) 1 member shall be a representative of Montezuma County, Colorado;

(G) 1 member shall be a private landowner that owns land in immediate proximity to the Conservation Area;

(H) 1 member shall be a representative of Colorado Parks and Wildlife;

(I) 1 member shall be a holder of a grazing-allotment permit in the Conservation Area; and

(J) 2 members shall be representatives of Indian Tribes, 1 of whom shall be a representative of the Ute Mountain Ute Tribe.

(2) REPRESENTATION.—

(A) IN GENERAL.—The Secretary shall ensure that the membership of the Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Council.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The members of the Council described in subparagraphs (B) and (C) of paragraph (1) shall be residents that live within reasonable proximity to the Conservation Area.

(ii) COUNTY REPRESENTATIVES.—The members of the Council described in subparagraphs (D) and (E) of paragraph (1) shall be—

(I) residents of the respective counties referred to in those subparagraphs; and

(II) capable of representing the interests of the applicable board of county commissioners.

(e) TERMS OF OFFICE.—

(1) IN GENERAL.—The term of office of a member of the Council shall be 5 years.

(2) REAPPOINTMENT.—A member may be reappointed to the Council on completion of the term of office of the member.

(f) COMPENSATION.—A member of the Council—

(1) shall serve without compensation for service on the Council; but

(2) may be reimbursed for qualified expenses of the member.

(g) CHAIRPERSON.—The Council shall elect a chairperson from among the members of the Council.

(h) MEETINGS.—

(1) IN GENERAL.—The Council shall meet at the call of the chairperson—

(A) not less frequently than quarterly until the management plan under section 5102(c) is developed; and

(B) thereafter, at the call of the Secretary.

(2) PUBLIC MEETINGS.—Each meeting of the Council shall be open to the public.

(3) NOTICE.—A notice of each meeting of the Council shall be published in advance of the meeting.

(i) TECHNICAL ASSISTANCE.—The Secretary shall provide, to the maximum extent practicable in accordance with applicable law, any information and technical services requested by the Council to assist in carrying out the duties of the Council.

(j) RENEWAL.—The Secretary shall ensure that the Council charter is renewed as required under applicable law.

(k) DURATION.—The Council—

(1) shall continue to function for the duration of existence of the Conservation Area; but

(2) on completion of the management plan, shall only meet—

(A) at the call of the Secretary; or

(B) in the case of a review or proposed revision to the management plan.

TITLE II—DOLORES RIVER SPECIAL MANAGEMENT AREA

SEC. 5201. DESIGNATION OF DOLORES RIVER SPECIAL MANAGEMENT AREA.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to valid existing rights, there is established the Dolores River Special Management Area in the State.

(2) LAND INCLUDED.—The Special Management Area shall consist of approximately 15,452 acres of Federal land in the San Juan National Forest in the State, including National Forest System land in the Dolores River segment that extends from the Dolores Project boundary downstream to the boundary of the San Juan National Forest, as of the date of enactment of this Act, as generally depicted as ''Proposed Dolores River Special Management Area'' on the Map.

(b) PURPOSE.—The purpose of the Special Management Area is to conserve, protect, and enhance the native fish, whitewater boating, recreational, hunting, fishing, scenic, cultural, archaeological, natural, geological, historical, ecological, watershed, wildlife, educational, and scientific resources of the Special Management Area.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Special Management Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 5202. MANAGEMENT OF SPECIAL MANAGEMENT AREA.

(a) IN GENERAL.—The Secretary shall manage the Special Management Area in accordance with—

(1) this division;

(2) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.); and

(3) other applicable laws.

(b) USES.—The Secretary shall allow only such uses of the Special Management Area as the Secretary determines would further the purpose of the Special Management Area, as described in section 5201(b).

(c) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term protection, management, and monitoring of the Special Management Area.

(B) REVIEW AND REVISION.—The management plan under subparagraph (A) shall, from time to time, be subject to review and revision in accordance with—

(i) this division;

(ii) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.); and

(iii) other applicable laws.

(2) CONSULTATION AND COORDINATION.—The Secretary shall prepare and revise the management plan under paragraph (1)—

(A) in consultation with—

(i) the State;

(ii) units of local government;

(iii) the public;

(iv) the Council; and

(v) the Native Fish Monitoring and Recommendation Team, as described in section 5402(b)(1); and

(B) in coordination with the Secretary of the Interior, with respect to the development of the separate management plan for the Conservation Area, as described in section 5102(c).

(3) RECOMMENDATIONS.—In preparing and revising the management plan under paragraph (1), the Secretary shall take into consideration any recommendations from the Council.

(4) TREATY RIGHTS.—In preparing and revising the management plan under paragraph (1), taking into consideration the rights and obligations described in section 5402, the Secretary shall ensure that the management plan does not alter or diminish—

(A) the treaty rights of any Indian Tribe;

(B) any rights described in the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973); or

(C) the operation or purposes of the Dolores Project.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land located within the boundary of the Special Management Area that is acquired by the United States in accordance with section 5401(c) after the date of enactment of this Act shall—

(1) become part of the Special Management Area; and

(2) be managed as provided in this section.

TITLE III—TECHNICAL MODIFICATIONS TO POTENTIAL ADDITIONS TO NATIONAL WILD AND SCENIC RIVERS SYSTEM

SEC. 5301. PURPOSE.

The purpose of this title is to release portions of the Dolores River and certain tributaries from designation for potential addition under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) or from further study under that Act.

SEC. 5302. RELEASE OF DESIGNATED SEGMENTS FROM DOLORES RIVER CONGRESSIONAL STUDY AREA.

Section 5(a)(56) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)(56)) is amended by inserting ''and the segments of the Dolores River located in the Dolores River National Conservation Area designated by the Dolores River National Conservation Area and Special Management Area Act'' before the period at the end.

SEC. 5303. APPLICABILITY OF CONTINUING CONSIDERATION PROVISION.

Section 5(d)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(d)(1)) shall not apply to—

(1) the Conservation Area; or

(2) the Special Management Area.

TITLE IV—GENERAL PROVISIONS

SEC. 5401. MANAGEMENT OF COVERED LAND.

(a) MOTORIZED VEHICLES.—

(1) IN GENERAL.—Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the covered land shall be permitted only on designated routes.

(2) ROAD CONSTRUCTION.—Except as necessary for administrative purposes, protection of public health and safety, or providing reasonable access to private property, the Secretary shall not construct any permanent or temporary road within the covered land after the date of enactment of this Act.

(b) WITHDRAWALS.—Subject to valid existing rights, all covered land, including any land or interest in land that is acquired by the United States within the covered land after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws, except as provided in section 5102(e).

(c) WILLING SELLERS.—Any acquisition of land or interests in land under this division shall be only by purchase from willing sellers, donation, or exchange.

(d) GRAZING.—The Secretary shall issue and administer any grazing leases or permits and trailing permits and administer allotments in the covered land in accordance with the laws (including regulations) applicable to the issuance and administration of leases and permits on other land under the jurisdiction of the Bureau of Land Management or Forest Service, as applicable.

(e) ACCESS TO PRIVATE LAND.—To ensure reasonable use and enjoyment of private property (whether in existence on the date of enactment of this Act or in an improved state), the Secretary shall grant reasonable and feasible access through the covered land to any private property that is located within or adjacent to the covered land, if other routes to the private property are blocked by physical barriers, such as the Dolores River or the cliffs of the Dolores River.

(f) EASEMENTS.—The Secretary may lease or acquire easements on private land from willing lessors, donors, or sellers for recreation, access, conservation, or other permitted uses, to the extent necessary to fulfill the purposes of the Conservation Area or Special Management Area, as applicable.

(g) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—The Secretary may take any measures that the Secretary determines to be necessary to control fire, insects, and diseases in the covered land, (including, as the Secretary determines to be appropriate, the coordination of the measures with the State or a local agency).

(h) MANAGEMENT OF PONDEROSA GORGE.—

(1) IN GENERAL.—The Secretary shall manage the areas of the Conservation Area and Special Management Area identified on the Map as ''Ponderosa Gorge'' in a manner that maintains the wilderness character of those areas as of the date of enactment of this Act.

(2) PROHIBITED ACTIVITIES.—Subject to paragraphs (3) and (4), in the areas described in paragraph (1), the following activities shall be prohibited:

(A) New permanent or temporary road construction or the renovation of nonsystem roads in existence on the date of enactment of this Act.

(B) The use of motor vehicles, motorized equipment, or mechanical transport, except as necessary to meet the minimum requirements for the administration of the Federal land, to protect public health and safety, or to conduct ecological restoration activities to improve the aquatic habitat of the Dolores River channel.

(C) Projects undertaken for the purpose of harvesting commercial timber.

(3) UTILITY CORRIDOR.—Nothing in this subsection affects the operation, maintenance, or location of the utility right-of-way within the corridor, as depicted on the Map.

(4) EFFECT ON CERTAIN VEGETATION MANAGEMENT PROJECTS.—Nothing in this subsection—

(A) affects the implementation of the Lone Pine Vegetation Management Project authorized by the Forest Service in a decision notice dated January 23, 2020; or

(B) prohibits activities relating to the harvest of merchantable products that are by-products of activities conducted—

(i) for ecological restoration; or

(ii) to further the purposes of this division.

(i) EFFECT.—Nothing in this division prohibits the Secretary from issuing a new permit and right-of-way within the covered land for a width of not more than 150 feet for a right-of-way that serves a transmission line in existence on the date of enactment of this Act, on the condition that the Secretary shall relocate the right-of-way in a manner that furthers the purposes of this division.

(j) CLIMATOLOGICAL DATA COLLECTION.—Subject to such terms and conditions as the Secretary may require, nothing in this division precludes the installation and maintenance of hydrologic, meteorological, or climatological collection devices in the covered land if the facilities and access to the facilities are essential to public safety, flood warning, flood control, water reservoir operation activities, or the collection of hydrologic data for water resource management purposes.

SEC. 5402. PROTECTION OF WATER RIGHTS AND OTHER INTERESTS.

(a) DOLORES PROJECT.—

(1) OPERATION.—The Dolores Project and the operation of McPhee Reservoir shall continue to be the responsibility of, and be operated by, the Secretary, in cooperation with the Dolores Water Conservancy District, in accordance with applicable laws and obligations.

(2) EFFECT.—Nothing in this division affects the Dolores Project or the current or future operation of McPhee Reservoir in accordance with—

(A) the reclamation laws;

(B) any applicable—

(i) Dolores Project water contract, storage contract, or carriage contract; or

(ii) allocation of Dolores Project water;

(C) the environmental assessment and finding of no significant impact prepared by the Bureau of Reclamation Upper Colorado Region and approved August 2, 1996;

(D) the operating agreement entitled ''Operating Agreement, McPhee Dam and Reservoir, Contract No. 99-WC-40-R6100, Dolores Project, Colorado'' and dated April 25, 2000 (or any subsequent renewal or revision of that agreement);

(E) mitigation measures for whitewater boating, including any such measure described in—

(i) the document entitled ''Dolores Project Colorado Definite Plan Report'' and dated April 1977;

(ii) the Dolores Project final environmental statement dated May 9, 1977; or

(iii) a document referred to in subparagraph (C) or (D);

(F) applicable Federal or State laws relating to the protection of the environment, including—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(G) the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973).

(b) MANAGEMENT OF FLOWS.—

(1) IN GENERAL.—In managing available flows below McPhee Dam to conserve, protect, and enhance the resources described in sections 5101(b) and 5201(b) of the Dolores River within the covered land, including native fish and whitewater boating resources, the Secretary shall seek to provide regular and meaningful consultation and collaboration with interested stakeholders, including the Native Fish Monitoring and Recommendation Team, which includes water management entities, affected counties, conservation interests, whitewater boating interests, Colorado Parks and Wildlife, and the Ute Mountain Ute Tribe, during the process of decision making.

(2) ANNUAL REPORT.—Beginning on the date that is 1 year after the date of enactment of this Act and annually thereafter, the Commissioner of Reclamation shall prepare and make publically available a report that describes any progress with respect to the conservation, protection, and enhancement of native fish in the Dolores River.

(c) WATER RESOURCE PROJECTS.—

(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), after the date of enactment of this Act, the Secretary or any other officer, employee, or agent of the United States may not assist by loan, grant, license, or otherwise in the construction or modification of any water resource project—

(A) located on the covered land that would—

(i) affect the free-flowing character of any stream within the covered land; or

(ii) unreasonably diminish the resource values described in sections 5101(b) and 5201(b) of the Dolores River within the covered land; or

(B) located outside the covered land that would unreasonably diminish the resource values described in sections 5101(b) and 5201(b) of the Dolores River within the covered land.

(2) LIMITATIONS.—Subject to the requirements of this section, nothing in paragraph (1)—

(A) prevents, outside the covered land—

(i) the construction of small diversion dams or stock ponds;

(ii) new minor water developments in accordance with existing decreed water rights; or

(iii) minor modifications to structures; or

(B) affects access to, or operation, maintenance, relicensing, repair, or replacement of, existing water resource projects.

(d) EFFECT.—Nothing in this division—

(1) affects—

(A) any water right that is—

(i) decreed under the laws of the State; and

(ii) in existence on the date of enactment of this Act;

(B) the use, allocation, ownership, or control, in existence on the date of enactment of this Act, of any water or water right;

(C) any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(D) any interstate water compact in existence on the date of enactment of this Act; or

(E) State jurisdiction over any water law, water right, or adjudication or administration relating to any water resource;

(2) imposes—

(A) any mandatory streamflow requirement within the covered land; or

(B) any Federal water quality standard within, or upstream of, the covered land that is more restrictive than would be applicable if the covered land had not been designated as the Conservation Area or Special Management Area under this division; or

(3) constitutes an express or implied reservation by the United States of any reserved or appropriative water right within the covered land.

SEC. 5403. EFFECT ON PRIVATE PROPERTY AND REGULATORY AUTHORITY.

(a) EFFECT.—Nothing in this division—

(1) affects valid existing rights;

(2) requires any owner of private property to bear any costs associated with the implementation of the management plan under this division;

(3) affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State;

(4) requires a change in or affects local zoning laws of the State or a political subdivision of the State; or

(5) affects—

(A) the jurisdiction over, use, or maintenance of county roads in the covered land; or

(B) the administration of the portion of the road that is not a county road and that is commonly known as the ''Dolores River Road'' within the Conservation Area, subject to the condition that the Secretary shall not improve the road beyond the existing primitive condition of the road.

(b) ADJACENT MANAGEMENT.—

(1) NO BUFFER ZONES.—The designation of the Conservation Area and the Special Management Area by this division shall not create any protective perimeter or buffer zone around the Conservation Area or Special Management Area, as applicable.

(2) PRIVATE LAND.—Nothing in this division requires the prohibition of any activity on private land outside the boundaries of the

Conservation Area or the Special Management Area that can be seen or heard from within such a boundary.

SEC. 5404. TRIBAL RIGHTS AND TRADITIONAL USES.

(a) TREATY RIGHTS.—Nothing in this division affects the treaty rights of any Indian Tribe, including rights under the Agreement of September 13, 1873, ratified by the Act of April 29, 1874 (18 Stat. 36, chapter 136).

(b) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the covered land by members of Indian Tribes—

(1) for traditional ceremonies; and

(2) as a source of traditional plants and other materials.

SA 2547. Mr. BENNET (for himself, Mr. HICKENLOOPER, and Mrs. GILLIBRAND) 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 X, insert the following:

SEC. 1006. CONTINUING APPROPRIATIONS TO SUPPORT FACULTY AND CAMPUS OPERATIONS AT THE SERVICE ACADEMIES IN THE EVENT OF A GOVERNMENT SHUTDOWN.

(a) IN GENERAL.—For any period in which there is a lapse in appropriations for the Department of Defense, there are appropriated, out of any money in the Treasury not otherwise appropriated, such sums as are necessary to provide—

(1) pay to faculty members at the Service Academies; and

(2) funding for mixed-funded athletic and recreational extracurricular programs of the Service Academies, to the extent such funding is not available from non-appropriated funds sources.

(b) TERMINATION.—Appropriations and funds made available and authority granted for any fiscal year under subsection (a) shall be available until whichever of the following first occurs:

(1) The enactment into law of an appropriation (including a continuing appropriation) for the purposes for which amounts are made available under subsection (a).

(2) The enactment into law of a regular appropriation Act, or a law making continuing appropriations until the end of the fiscal year, without any appropriation for such purposes.

(c) SERVICE ACADEMY DEFINED.—In this section, the term ''Service Academy'' has the meaning given such term in section 347 of title 10, United States Code.

SA 2548. Mr. KELLY (for himself, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. WARREN, Ms. DUCKWORTH, and Ms. HIRONO) 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 sections 708 and 709.

SA 2549. Mr. PADILLA 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. AGE-OUT PROTECTIONS AND PRIORITY DATE RETENTION FOR VISA RESTRICTIONS.

(a) AGE-OUT PROTECTIONS.—

(1) IN GENERAL.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended—

(A) in section 101(b) (8 U.S.C. 1101(b)), by adding at the end the following:

''(6) DETERMINATION OF CHILD STATUS.—A determination as to whether an alien is a child shall be made as follows:

''(A) IN GENERAL.—For purposes of a petition under section 204 and any subsequent application for an immigrant visa or adjustment of status, such determination shall be made using the age of the alien on the earlier of—

''(i) the date on which the petition is filed with the Secretary of Homeland Security; or

''(ii) the date on which an application for a labor certification under section 212(a)(5)(A)(i) is filed with the Secretary of Labor.

''(B) CERTAIN DEPENDENTS OF NONIMMIGRANTS.—With respect to an alien who, for an aggregate period of 8 years before attaining the age of 21, was in the status of a dependent child of a nonimmigrant pursuant to a lawful admission as an alien eligible to be employed in the United States (other than a nonimmigrant described in subparagraph (A), (G), (N), or (S) of section 101(a)(15)), notwithstanding clause (i), the determination of the alien's age shall be based on the date on which such initial nonimmigrant employment-based petition or application was filed by the alien's nonimmigrant parent.

''(C) FAILURE TO ACQUIRE STATUS AS ALIEN LAWFULLY ADMITTED FOR PERMANENT RESIDENCE.—With respect to an alien who has not sought to acquire status as an alien lawfully admitted for permanent residence during the 2 years beginning on the date on which an immigrant visa becomes available to such alien, the alien's age shall be determined based on the alien's biological age, unless the failure to seek to acquire such status was due to extraordinary circumstances.''; and

(B) in section 201(f) (8 U.S.C. 1151)—

(i) by striking the subsection heading and all that follows through ''TERMINATION DATE.—'' in paragraph (3) and inserting ''RULE FOR DETERMINING WHETHER CERTAIN ALIENS ARE IMMEDIATE RELATIVES.—''; and

(ii) by striking paragraph (4).

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection shall be effective as if included in the Child Status Protection Act (Public Law 107–208; 116 Stat. 927).

(B) MOTION TO REOPEN OR RECONSIDER.—

(i) IN GENERAL.—A motion to reopen or reconsider the denial of a petition or application described in the amendment made by paragraph (1)(A) may be granted if—

(I) such petition or application would have been approved if the amendment described in such paragraph had been in effect at the time of adjudication of the petition or application;

(II) the individual seeking relief pursuant to such motion was in the United States at the time the underlying petition or application was filed; and

(III) such motion is filed with the Secretary of Homeland Security or the Attorney General not later than the date that is 2 years after the date of the enactment of this Act.

(ii) IN LIEU OF MOTION TO REOPEN.—If an alien who qualifies under section 101(b)(6)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(6)(B)) has a parent who has been lawfully admitted for permanent residence or is a citizen of the United States, the alien shall not be required to file a motion to reopen and shall be immediately eligible to apply for adjustment of status or have a pending adjustment of status considered based upon any immigrant visa petition in which the alien is a beneficiary or derivative beneficiary if such adjustment of status is filed not later than the date that is 2 years after the date of the enactment of this Act.

(iii) EXEMPTION FROM NUMERICAL LIMITATIONS.—Notwithstanding any other provision of law, an individual granted relief under clause (i) or (ii) shall be exempt from the numerical limitations in sections 201, 202, and 203 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, and 1153).

(b) NONIMMIGRANT DEPENDENT CHILDREN.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended by adding at the end the following:

''(s) DERIVATIVE BENEFICIARIES.—

''(1) IN GENERAL.—Except as described in paragraph (2), the determination as to whether an alien who is the derivative beneficiary of a properly filed pending or approved immigrant petition under section 204 is eligible to be a dependent child shall be based on whether the alien is determined to be a child under section 101(b)(6).

''(2) LONG-TERM DEPENDENTS.—If otherwise eligible, an alien who is determined to be a child pursuant to section 101(b)(6)(B) may change status to, or extend status as, a dependent child of a nonimmigrant with an approved employment-based petition under this section or an approved application under section 101(a)(15)(E), notwithstanding such alien's marital status.

''(3) EMPLOYMENT AUTHORIZATION.—An alien admitted to the United States as a dependent child of a nonimmigrant who is described in this section is authorized to engage in employment in the United States incident to status.''.

(c) PRIORITY DATE RETENTION.—Section 203(h) of the Immigration and Nationality Act (8 U.S.C. 1153(h)) is amended—

(1) by striking the subsection heading and inserting ''RETENTION OF PRIORITY DATES'';

(2) by striking paragraphs (1) through (4);

(3) by redesignating paragraph (5) as paragraph (3); and

(4) by inserting before paragraph (3) the following:

''(1) IN GENERAL.—The priority date for an individual shall be the date on which a petition under section 204 is filed with the Secretary of Homeland Security or the Secretary of State, as applicable, unless such petition was preceded by the filing of a labor certification with the Secretary of Labor, in which case the date on which the labor certification is filed shall be the priority date.

''(2) APPLICABILITY.—The principal beneficiary and all derivative beneficiaries shall retain the priority date associated with the earliest of any approved petition or labor certification, and such priority date shall be applicable to any subsequently approved petition.''.

SA 2550. Mr. PADILLA 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 part I of subtitle F of title V, add the following:

SEC. 578. PILOT PROGRAM ON PEER-TO-PEER MENTAL HEALTH SUPPORT PROGRAMS AT DEPARTMENT OF DEFENSE EDUCATION ACTIVITY HIGH SCHOOLS.

(a) IN GENERAL.—Beginning in the first academic year to begin after the date of the enactment of this Act, the Secretary of Defense shall establish and implement a pilot program to assess the feasibility and advisability of establishing peer-to-peer mental health support programs for students in covered DODEA schools.

(b) LOCATIONS.—The Secretary shall carry out the pilot program required by subsection (a) in not fewer than 5 covered DODEA schools that the Secretary determines have adequate mental health infrastructure in place to carry out the pilot program, one of which shall be located outside the United States.

(c) PARENTAL CONSENT REQUIRED.—In carrying out the pilot program required by subsection (a), the Secretary shall ensure that a covered DODEA school participating in the pilot program obtains the consent of the parents of any student who participates in a peer-to-peer mental health support program under the pilot program.

(d) TERMINATION.—The pilot program required by subsection (a) shall terminate on the date that is 2 years after the commencement of the pilot program.

(e) DEFINITIONS.—In this section:

(1) COVERED DODEA SCHOOL.—The term ''covered DODEA school'' means a high school operated by the Department of Defense Education Activity within or outside the United States.

(2) HIGH SCHOOL.—The term ''high school'' has the meaning given that term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) PEER-TO-PEER MENTAL HEALTH SUPPORT PROGRAM.—The term ''peer-to-peer mental health support program'' means an evidence-based intervention that trains students to become peer support specialists and provide mental health support to other students.

SA 2551. Mr. PADILLA 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, insert the following:

SEC. 1095. LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM.

The Secretary of Health and Human Services shall carry out, as a Low-Income Household Water Assistance Program, the water program established under sections 2912 of the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 51) and section 533 of division H of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1627).

SA 2552. Mr. PADILLA 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. _____. ALLOWING CLAIMS AGAINST THE UNITED STATES FOR INJURY AND DEATH OF MEMBERS OF THE ARMED FORCES CAUSED BY IMPROPER MEDICAL CARE.

(a) IN GENERAL.—Chapter 171 of title 28, United States Code, is amended by adding at the end the following:

''§ 2681. Claims against the United States for injury and death of members of the Armed Forces

''(a) In this section—

''(1) the term 'Armed Forces' has the meaning given the term in section 101 of title 38; and

''(2) the term 'covered military medical treatment facility'—

''(A) means the facilities described in subsections (b), (c), and (d) of section 1073d of title 10, regardless of whether the facility is located in or outside the United States; and

''(B) does not include battalion aid stations or other medical treatment locations deployed in an area of armed conflict.

''(b) A claim may be brought against the United States under this chapter for damages for personal injury or death of a member of the Armed Forces arising out of a negligent or wrongful act or omission in the performance of medical, dental, or related health care functions (including clinical studies and investigations) that is provided at a covered military medical treatment facility by a person acting within the scope of the office or employment of that person by or at the direction of the Government of the United States and shall be exclusive of any other civil action or proceeding by reason of the same subject matter against such person (or the estate of such person) whose act or omission gave rise to the action or proceeding.

''(c) A claim under this section shall not be reduced by the amount of any benefit received under subchapter III (relating to Servicemembers' Group Life Insurance) of chapter 19 of title 38.

''(d) Notwithstanding section 2401(b)—

''(1) except as provided in paragraph (2), a claim arising under this section may not be commenced later than 3 years after the date on which the claimant discovered, or by reasonable diligence should have discovered, the injury and the cause of the injury; and

''(2) with respect to a claim pending before the date of enactment of this section, the limitations period described in paragraph (1) shall begin on the date of enactment of this section.

''(e) For purposes of claims brought under this section—

''(1) subsections (j) and (k) of section 2680 shall not apply; and

''(2) in the case of an act or omission occurring outside the United States, the law of the place where the act or omission occurred shall be deemed to be the law of the State of domicile of the claimant.

''(f) Not later than 2 years after the date of the enactment of this section, and every 2 years thereafter, the Secretary of Defense shall submit to Congress a report on the number of claims filed under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 171 of title 28, United States Code, is amended by adding at the end the following:

''2681. Claims against the United States for injury and death of members of the Armed Forces.''.

(c) EFFECTIVE DATE.—This Act and the amendments made by this Act shall apply to—

(1) a claim arising on or after January 1, 2017; and

(2) a pending claim arising before January 1, 2017.

(d) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall be construed to limit the application of the administrative process and procedures of chapter 171 of title 28, United States Code, to claims permitted under section 2681, as added by this section.

SA 2553. Mr. PADILLA 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. _____. EXPANSION OF AUTHORIZED ACTIVITIES UNDER DEPARTMENT OF DEFENSE EDUCATION PARTNERSHIPS TO INCLUDE FINANCIAL ASSISTANCE FOR ACTIVITIES.

Section 2194(b) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(8) entering into contracts, cooperative agreements, or grants with the educational institution to provide financial assistance for activities under the partnership agreement.''.

SA 2554. Mr. PADILLA 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 III, add the following:

SEC. 358. IMPROVEMENTS TO FIREGUARD PROGRAM OF NATIONAL GUARD.

(a) INTERAGENCY PARTNERSHIP.—Section 510 of title 32, United States Code, is amended—

(1) by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following new subsection:

''(b) CONTRACTS AND AGREEMENTS.—

''(1) IN GENERAL.—The Secretary of Defense may enter into a contract or cooperative agreement with a qualified individual or entity to carry out the duties of the FireGuard Program under subsection (a).

''(2) QUALIFIED INDIVIDUAL OR ENTITY DEFINED.—In this subsection, the term 'qualified individual or entity' means—

''(A) any individual who possesses a requisite security clearance for handling classified remote sensing data for the purpose of wildfire detection and monitoring; or

''(B) any corporation, firm, partnership, company, nonprofit, Federal agency or subagency, or State or local government, with contractors or employees who possess a requisite security clearance for handling such data.''.

(b) TRANSITION OF FIREGUARD PROGRAM TO CIVILIAN OR COMMERCIAL CAPABILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with other entities pursuant to a memorandum of understanding under paragraph (3), shall develop a plan to transition the operation of the FireGuard Program under section 510 of title 32, United States Code, to a Federal agency or subagency (other than the Department of Defense or within the Department of Defense) or a State or local government with civilian or commercial capabilities.

(2) OPERATION OF CIVILIAN OR COMMERCIAL CAPABILITIES.—All civilian or commercial capabilities under the FireGuard Program pursuant to a transition conducted under paragraph (1) shall be—

(A) performed by an individual who possesses a requisite security clearance for handling classified remote sensing data for the purpose of wildfire detection and monitoring, including pursuant to a contract with a corporation, firm, partnership, company, nonprofit, Federal agency or sub-agency, or State or local government; and

(B) coordinated with the United States Geological Survey.

(3) MEMORANDUM OF UNDERSTANDING.—In developing the transition plan required under paragraph (1), the Secretary may enter into a memorandum of understanding with one or more Federal agencies or subagencies or State or local governments to identify and leverage shared or external civilian resources from Federal, State, local, and tribal entities.

(c) 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 Secretary of Agriculture, shall submit to Congress a report that evaluates the effectiveness of the FireGuard Program under section 510 of title 32, United States Code, and opportunities to further engage civilian capacity within the program.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) An assessment of the efficacy of the FireGuard Program in detecting and monitoring wildfires, including the speed of detection.

(B) A plan to facilitate production and dissemination of unclassified remote sensing information for use by civilian organizations, including Federal, State, and local government organizations, in carrying out wildfire detection activities.

(C) A plan to contract with qualified civilian entities to facilitate access to remote sensing information for the purpose of wildfire detection and monitoring beginning January 1, 2026.

SA 2555. Mr. PADILLA (for himself and Mr. YOUNG) 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, insert the following:

SEC. 1095. AGRICULTURE AND NATIONAL SECURITY.

(a) SENSE OF CONGRESS RELATING TO AGRICULTURE AND NATIONAL SECURITY.—It is the sense of Congress that there are increasingly robust Federal activities to address homeland security vulnerabilities across the food and agriculture sector, including with regard to agriculture and food defense, critical infrastructure, emergency management, and catastrophic events, but additional efforts are needed to identify national security vulnerabilities related to food and agriculture, particularly with regard to emerging technologies.

(b) NATIONAL SECURITY.—

(1) IN GENERAL.—In recognition that food and agriculture are critical to the national security of the United States, the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall prioritize national security in addition to homeland security in the Department of Agriculture (referred to in this section as the ''Department''), including by increasing the number of staff at the Department with security clearances and access to classified systems and networks.

(2) SENIOR ADVISOR FOR NATIONAL SECURITY.—

(A) APPOINTMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(i) establish within the Office of the Secretary the position of Senior Advisor for National Security (referred to in this section as the ''Senior Advisor''); and

(ii) appoint an individual to the position of Senior Advisor.

(B) DUTIES.—The Senior Advisor shall, in coordination with and complementary to the duties of the Office of Homeland Security of the Department—

(i) serve as the principal advisor to the Secretary on national security;

(ii) act as the primary liaison on behalf of the Department with the National Security Council and other Federal departments and agencies in activities relating to national security;

(iii) coordinate national security activities across the Department, including to ensure that national security concerns are integrated into the homeland security activities of the Department wherever appropriate; and

(iv) communicate with stakeholders to identify national security vulnerabilities and risk mitigation strategies relevant to food and agriculture.

(3) INTERAGENCY COORDINATION.—Section 221(e) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6922(e)) is amended by adding at the end the following:

''(3) DETAILEES AUTHORIZED.—The Secretary may provide detailees to, and accept and employ personnel detailed from, defense, national and homeland security, law enforcement, and intelligence agencies, with or without reimbursement, to improve information sharing, vulnerability identification, and risk mitigation related to food and agriculture.''.

(4) BIENNIAL REPORTS.—Section 221 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6922) is amended by adding at the end the following:

''(f) BIENNIAL REPORTS.—Not later than 180 days after the date of enactment of this subsection, and not less frequently than once every 2 years thereafter, the Secretary shall submit to Congress and the National Security Council a report that includes—

''(1) from the perspective of the Department, an assessment of any gaps or limitations in national security efforts related to food and agriculture in the United States, including—

''(A) influence of foreign state-owned enterprise;

''(B) control of and access to agricultural data;

''(C) foreign acquisition of intellectual property, agricultural assets, and land;

''(D) agricultural input shortages and dependence on foreign-sourced inputs;

''(E) supply chain and trade disruptions;

''(F) science and technology cooperation;

''(G) cybersecurity and artificial intelligence;

''(H) unequal investments in research, development, and scale-up;

''(I) incongruent regulatory policies; and

''(J) other vulnerabilities throughout the food and agriculture sector, particularly with regard to emerging technologies;

''(2) the actions taken by the Secretary to address any gaps or limitations identified under paragraph (1), including through interagency coordination, threat information sharing, and stakeholder outreach;

''(3) policy recommendations, including recommendations for executive actions and legislative proposals—

''(A) to reduce any gaps or limitations identified under paragraph (1); and

''(B) to address any identified vulnerabilities with respect to the gaps or limitations identified under paragraph (1); and

''(4) resources the Department requires to address current and future national security vulnerabilities related to food and agriculture.''.

SA 2556. Mr. PADILLA (for himself and Mr. YOUNG) 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, insert the following:

SEC. 1095. BIOTECHNOLOGY AT THE DEPARTMENT OF AGRICULTURE.

(a) PRIORITIZATION.—The Secretary of Agriculture shall prioritize biotechnology at the Department of Agriculture by providing for the effective coordination of policies and activities with respect to biotechnology, biomanufacturing, synthetic biology, and related emerging technologies.

(b) OFFICE OF BIOTECHNOLOGY POLICY.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6912 et seq.) is amended by adding at the end the following:

''SEC. 224B. OFFICE OF BIOTECHNOLOGY POLICY.

''(a) ESTABLISHMENT.—The Secretary shall establish within the Department the Office of Biotechnology Policy (referred to in this section as the 'Office').

''(b) DIRECTOR.—The Office shall be headed by a Director (referred to in this section as the 'Director'), who shall report directly to the Secretary or a designee of the Secretary.

''(c) DUTIES OF THE OFFICE.—The Office shall be responsible for—

''(1) the development and coordination of policies, activities, and services of the Department with respect to biotechnology and related topics, including—

''(A) research and development;

''(B) communication, extension, and education;

''(C) regulation and labeling; and

''(D) commercialization, use, and trade;

''(2) assisting other offices and agencies of the Department in fulfilling their responsibilities relating to biotechnology under applicable laws; and

''(3) carrying out such other duties as are required by law or determined by the Secretary.

''(d) INTERAGENCY COORDINATION.—In support of the duties required under subsection (c), the Director shall provide leadership to ensure coordination of interagency activities with the Environmental Protection Agency, the Food and Drug Administration, and other Federal and State agencies.

''(e) OUTREACH.—In carrying out the duties of the Office under this section, the Director shall consult as necessary with biotechnology developers, academics, agricultural producers, and other entities that may be affected by biotechnology-related activities or actions of the Department or other Federal or State agencies.''.

(c) CONFORMING AMENDMENT.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by redesignating section 225 (7 U.S.C. 6925) (relating to the Food Access Liaison) as section 224A.

SA 2557. Mr. PADILLA 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 AND REMEDIATION OF THE SAN PEDRO BASIN.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATORS.—The term ''Administrators'' means the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Defense and heads of other relevant agencies.

(2) COVERED WASTE.—The term ''covered waste'' means—

(A) dichlorodiphenyltrichloroethane, dichlorodiphenyltrichloroethane degradation products, and byproducts of dichlorodiphenyltrichloroethane manufacturing; and

(B) other industrial wastes including military explosives, munitions, radioactive waste, refinery byproducts, and associated chemicals.

(b) RESEARCH, MONITORING, AND REMEDIATION.—The Administrators shall—

(1) conduct status and trend monitoring of the dumping of covered waste in the San Pedro Basin;

(2) conduct research to characterize the scope, impact, and potential for penetration into the marine food web of the dumping of covered waste in the San Pedro Basin; and

(3) assess, analyze, and explore the potential of remediation with respect to the dumping of covered waste at dump sites in the San Pedro Basin, including bioremediation.

(c) STUDY OF SEAFLOOR CONTAMINATION.—The Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Defense, may provide funding under the Competitive Research Program of the National Centers for Coastal Ocean Science to support the study of deep seafloor contamination from the dumping of covered waste off the coast of California, including the study of—

(1) spatial and co-contaminant inventories;

(2) transport and fate processes; and

(3) ecosystem biomagnification.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrators shall submit a report describing a strategy for further research and remediation in the San Pedro Basin, and identifying any other locations used as offshore dump sites for the dumping of covered waste, to the following committees:

(1) The Committee on Commerce, Science, and Transportation of the Senate.

(2) The Committee on Environment and Public Works of the Senate.

(3) The Committee on Natural Resources of the House of Representatives.

(4) The Committee on Transportation and Infrastructure of the House of Representatives.

(5) The Committee on Energy and Commerce of the House of Representatives.

(6) The Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(7) The Committee on Science, Space, and Technology of the House of Representatives.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (c) $6,000,000 for each of fiscal years 2025 through 2031.

SA 2558. Mr. PADILLA 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. _____. BRIEFING ON INDIUM PHOSPHIDE OPTICAL COMPOUND SEMICONDUCTORS AND PHOTONIC INTEGRATED CIRCUITS.

Not later than March 1, 2025, the Assistant Secretary of Defense for Critical Technologies shall, in coordination with the Assistant Secretary of Defense for Industrial Base Policy, provide to the Committee on Armed Services of the Senate a briefing on the following:

(1) The Department of Defense's current and potential uses of indium phosphide optical compound semiconductors or photonic integrated circuits technology.

(2) An assessment of the dependence of the United States on China for substrates, fabrication, advanced test and packaging, and finished products containing indium phosphide optical compound semiconductors or photonic integrated circuits.

(3) An assessment of supply chain vulnerabilities for indium phosphide optical compound semiconductors.

SA 2559. Mr. PADILLA 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 XXXI, add the following:

SEC. 3123. DESIGNATION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION AS TECHNICAL NUCLEAR FORENSICS LEAD.

(a) IN GENERAL.—Section 3211(b) of the National Nuclear Security Administration Act (50 U.S.C. 2401(b)) is amended by adding at the end the following new paragraph:

''(7) To lead the technical nuclear forensics efforts of the United States.''.

(b) RULE OF CONSTRUCTION.—The amendment made by this section may not be construed to alter the functions vested in any department or agency of the Federal Government by statute other than the National Nuclear Security Administration pursuant to such amendment.

SA 2560. Mr. PADILLA 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 XXVIII, add the following:

SEC. 2836. LAND CONVEYANCE AND AUTHORIZATION FOR INTERIM LEASE, DEFENSE FUEL SUPPORT POINT SAN PEDRO, LOS ANGELES, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy (in this section referred to as the ''Secretary''), may convey to the city of Los Angeles or the city of Lomita, California, at a cost less than fair market value, all right, title, and interest of the United States in and to parcels of real property, including any improvements thereon, known as the ballfields and the firing range at Naval Weapons Station Seal Beach, Defense Fuel Support Point, San Pedro, California, as further described in subsection (i), for the purposes of permitting the city of Los Angeles or the city of Lomita (as appropriate) to use such conveyed parcel of real property for park and recreational activities or law enforcement affiliated purposes, as set forth in subsection (e).

(b) INTERIM LEASE.—

(1) IN GENERAL.—Until such time as a parcel of real property described in subsection (a) is conveyed to the city of Los Angeles or the city of Lomita (as appropriate), the Secretary may lease such parcel or a portion of such parcel to either the city of Los Angeles or the city of Lomita at no cost for a term of not more than 3 years.

(2) LIMITATION.—If the conveyance under subsection (a) of a parcel leased under paragraph (1), is not completed within the period of the lease term, the Secretary shall have no further obligation to make any part of such parcel available for use by the city of Los Angeles or the city of Lomita (as appropriate).

(c) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for a conveyance under subsection (a), the city of Los Angeles or the city of Lomita (as appropriate) shall pay to the Secretary an amount determined by the Secretary, which may consist of cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the city of Los Angeles or the city of Lomita (as appropriate) under this subsection may include—

(A) the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any

property, facility, or infrastructure with proximity to Naval Weapons Station Seal Beach, that the Secretary considers acceptable; or

(B) the delivery of services relating to the needs of Naval Weapons Station Seal Beach that the Secretary considers acceptable.

(3) TREATMENT OF AMOUNTS RECEIVED FOR CONVEYANCE.—Cash payments received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out a conveyance under subsection (a) shall be—

(A) credited to and merged with the fund or account used to cover the costs incurred by the Secretary in carrying out the conveyance or an appropriate fund or account available to the Secretary for the purposes for which the costs were paid; and

(B) available for the same purposes and subject to the same conditions and limitations as amounts in such fund or account.

(4) PAYMENT OF COSTS OF CONVEYANCE.—

(A) PAYMENT REQUIRED.—The Secretary shall require the city of Los Angeles or the city of Lomita (as appropriate) to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out a conveyance under subsection (a) or an inteirm lease under subsection (b), including costs for environmental and real estate due diligence and any other administrative costs related to the conveyance or lease execution.

(B) REFUND OF EXCESS AMOUNTS.—If amounts collected from the city of Los Angeles or the city of Lomita under subparagraph (A) exceed the costs actually incurred by the Secretary to carry out a conveyance under subsection (a) or an interim lease execution under subsection (b), the Secretary shall refund the excess amount to the city of Los Angeles or the city of Lomita (as appropriate).

(d) VALUATION.—The values of the property interests to be conveyed by the Secretary under subsection (a) shall be determined by an independent appraiser selected by the Secretary and in accordance with the Uniform Standards of Professional Appraisal Practice.

(e) CONDITIONS OF CONVEYANCE.—A conveyance under subsection (a) shall be subject to all existing easements, restrictions, and covenants of record and the following conditions:

(1) The parcels of real property described in paragraphs (1) and (2) of subsection (i) shall be used solely for park and recreational activities, which may include ancillary uses such as vending and restrooms.

(2) The parcel of real property described in paragraph (3) of subsection (i) shall be used solely for law enforcement affiliated purposes.

(3) The city of Los Angeles or the city of Lomita (as appropriate) may not use Federal funds to cover any portion of the amounts required by subsection (c) to be paid.

(f) EXCLUSION OF REQUIREMENTS FOR PRIOR SCREENING.—Section 2696(b) of title 10, United States Code, and the requirements under title V of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.) relating to prior screenings shall not apply to a conveyance under subsection (a) or the grant of interim lease authorized under subsection (b).

(g) REVERSIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that a parcel of real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in this section, all right, title, and interest in and to the land, including any improvements thereon, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property.

(2) OPPORTUNITY FOR HEARING.—A determination by the Secretary under paragraph (1) shall be made on the record after an opportunity for a hearing.

(h) CONVEYANCE AGREEMENT.—A conveyance of land under subsection (a) shall be accomplished—

(1) using a quitclaim deed or other legal instrument; and

(2) upon terms and conditions mutually satisfactory to the Secretary and the city of Los Angeles or the city of Lomita (as appropriate), including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(i) DESCRIPTION OF PROPERTY.—The parcels of real property that may be conveyed under subsection (a) are the following:

(1) The City of Lomita Ballfield Parcel consisting of approximately 5.7 acres.

(2) The City of Los Angeles Ballfield Parcels consisting of approximately 15.3 acres.

(3) The firing range located at 2981 North Gaffey Street, San Pedro, California, consisting of approximately 3.2 acres.

(j) RULE OF CONSTRUCTION.—Nothing in this section affects the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SA 2561. Mr. PADILLA 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. REQUIREMENT TO CONNECT TO SUICIDE AND CRISIS LIFELINE FOR ALL UNCLASSIFIED TELEPHONE SYSTEMS OF THE DEPARTMENT OF DEFENSE.

The Secretary of Defense shall ensure that all unclassified multi-line telephone systems of the Department of Defense that are connected to or capable of connecting to the telephone network of the United States permit a user of such a system to directly initiate a call to the 9-8-8 Suicide and Crisis Lifeline from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit ''9'', regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

SA 2562. Mr. PADILLA (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, insert the following:

DIVISION __—NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM REAUTHORIZATION

SEC. ___01. SHORT TITLE.

This division may be cited as the ''National Earthquake Hazards Reduction Program Reauthorization Act of 2024''.

SEC. ___02. MODIFICATION OF FINDINGS.

Section 2 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701) is amended—

(1) in paragraph (1)—

(A) by striking ''50 States, and the Commonwealth of Puerto Rico,'' and inserting ''States and Tribal jurisdictions'';

(B) by striking ''of them'' and inserting ''States''; and

(C) by adding at the end the following: ''Almost half of the United States population resides in areas that are at risk or experiencing a damaging earthquake during the 50-year period beginning on the date of the enactment of the National Earthquake Hazards Reduction Program Reauthorization Act of 2024'';

(2) in paragraph (2)—

(A) by inserting after the first sentence the following: ''A 2023 report by the Federal Emergency Management Agency and the United States Geological Survey (FEMA P-366) estimates the annualized earthquake losses to the national building stock is $14,700,000,000 per year and the total economic exposure to earthquake losses (buildings and contents) across the nation is $107,800,000,000,000.''; and

(B) in the third sentence—

(i) by striking ''and construction'' and inserting '', construction, evaluation, and retrofitting'';

(ii) by striking ''and (E)'' and inserting the following: ''(E) inventories of buildings and infrastructure with high seismic risk, especially those that are critical to community resilience, (F) programs that require or incentivize replacement or retrofit of existing buildings and infrastructure with high seismic risk, especially those that are critical to community resilience, and (G)'';

(3) in paragraph (3), by inserting ''Tribal,'' after ''local,'';

(4) in paragraph (4), by striking ''could provide'' and all that follows through the period at the end and inserting ''is necessary to provide the scientific understanding needed to improve and expand the earthquake early warning system.'';

(5) in paragraph (8), by striking ''cave-ins'' and inserting ''collapse'';

(6) in paragraph (9)—

(A) in the first sentence, by striking ''and local'' and inserting ''local, and Tribal government''; and

(B) in the second sentence, by striking ''transfer knowledge and information to'' and inserting ''exchange knowledge and information between''; and

(C) in the third sentence, by striking ''specifications, criteria'' and inserting ''guidelines, codes, standards'';

(7) in paragraph (12)—

(A) in the second sentence—

(i) by striking ''When earthquakes occur, the built environment is generally'' and inserting ''Relatively newer buildings and infrastructure have generally been'';

(ii) by striking ''and is'' and inserting ''when earthquakes occur, but most are''; and

(B) by adding at the end the following: ''In addition, buildings and infrastructure built to older codes and standards may pose significant risk of injury, loss of life, or irreparable damage. A 2021 report submitted to Congress pursuant to section 8(b), as amended by section 5 of the National Earthquake Hazards Reduction Program Reauthorization

Act of 2018 (Public Law 115–307), by the Federal Emergency Management Agency and the National Institute of Standards and Technology (FEMA P2090/NST SP-1254) provides recommendations for improving post-earthquake functional recovery time of the built environment to support community resilience goals and many of these recommendations still need to be implemented.''; and

(8) in paragraph (13)—

(A) in the first sentence, by inserting ''in 2011'' after ''a study'';

(B) in the second sentence, by inserting ''(in 2011 dollars)'' after ''$300,000,000''; and

(C) by adding at the end the following: ''The cost of actual seismic retrofits to reduce known risks is not included in such valuation.''.

SEC. ___03. MODIFICATION OF PURPOSE.

Section 3 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7702) is amended—

(1) in paragraph (1)—

(A) by striking ''and local'' and inserting '', local, and Tribal government''; and

(B) by striking ''locations and structures'' and inserting ''buildings and infrastructure'';

(2) in paragraph (2)—

(A) by striking ''and construction'' and inserting '', construction, evaluation, and retrofitting''; and

(B) by inserting ''housing and care facilities for vulnerable populations,'' after ''occupancy buildings''; and

(3) in paragraph (4)—

(A) by striking ''and local'' and inserting '', local, and Tribal government''; and

(B) by striking ''encourage consideration of'' and inserting ''incorporate''.

SEC. ___04. MODIFICATION OF DEFINITIONS.

Section 4 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7703) is amended—

(1) in paragraph (3), by inserting '', including secondary effects such as earthquake-caused tsunamis''; and

(2) by adding at the end the following:

''(11) The term 'Tribal government' has the meaning given the term 'tribal government' in section in section 421 of the Congressional Budget Act of 1974 (2 U.S.C. 658).

''(12) The term 'functional recovery' means a post-earthquake performance state in which a building or lifeline infrastructure system is maintained, or restored, to safely and adequately support the basic intended functions associated with the pre-earthquake use or occupancy of a building, or the pre-earthquake service level of a lifeline infrastructure system.''.

SEC. ___05. IMPROVEMENTS TO NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM.

(a) PROGRAM ACTIVITIES.—Subsection (a)(2) of section 5 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704) is amended—

(1) in subparagraph (B)—

(A) in the matter before clause (i)—

(i) by striking ''and local'' and inserting '', local, and Tribal''; and

(ii) by striking ''and constructing'' and inserting '', designing, constructing, evaluating, and retrofitting'';

(B) in clause (ii), by striking ''voluntary consensus codes for earthquake hazards reduction'' and inserting ''consensus codes for earthquake hazards reduction, including improved post-earthquake functional recovery,'';

(C) in clause (iii), by striking ''and hazards reduction; and'' and inserting ''functional recovery, and other hazards reduction topics;'';

(D) in clause (iv)—

(i) by inserting ''and maintaining'' after ''publishing'';

(ii) by inserting ''tsunami susceptibility,'' after ''liquefaction susceptibility,''; and

(iii) by striking ''; and'' and inserting a semicolon; and

(E) by adding at the end the following:

''(v) development of best practices and guidelines to create an inventory of and conduct seismic performance evaluations of buildings, structures, and lifeline infrastructure with high seismic risk, especially those that are critical to community resilience; and

''(vi) the provision of technical assistance upon request by a State, local, or Tribal government regarding—

''(I) the creation of an inventory of buildings, structures, and lifeline infrastructure;

''(II) the performance of seismic performance evaluations; and

''(III) cost-effective best practices for retrofitting existing buildings, structures, and lifeline infrastructure.'';

(2) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(3) by redesignating subparagraph (D) as subparagraph (E); and

(4) by inserting after subparagraph (C) the following:

''(D) improve the understanding of—

''(i) the multiple hazards associated with earthquakes, including liquefaction, tsunamis, landslides, structural fires, and the compounding effects of climate on these hazards; and

''(ii) potential mitigation measures for such hazards; and''.

(b) DUTIES OF INTERAGENCY COORDINATING COMMITTEE ON EARTHQUAKE HAZARDS REDUCTION.—Subsection (a)(3)(D)(ii) of such section is amended—

(1) in subclause (V), by inserting ''and associated secondary hazards'' before the period at the end; and

(2) by adding at the end the following:

''(VIII) Coordinating with the Chair of the Federal Communications Commission on the timely broadcasting of emergency alerts generated by the earthquake early warning system.''.

(c) BIENNIAL REPORT.—Subsection (a)(4)(A) of such section is amended by striking ''under paragraph (3)(D)(i)(I)'' each place it appears and inserting ''under paragraph (3)(D)(ii)(I)''.

(d) ADVISORY COMMITTEE.—Subsection (a)(5)(A) of such section is amended—

(1) by striking ''and local government'' and inserting '', local, and Tribal governments''; and

(2) by inserting ''social,'' after ''scientific,''.

(e) LEAD AGENCY FOR RESPONSIBILITIES OF PROGRAM AGENCIES.—Subsection (b)(1) of such section is amended—

(1) in subparagraph (A)—

(A) by striking ''and local'' and inserting ''local, and Tribal governments''; and

(B) by striking ''plan and constructing'' and inserting ''planning, designing, constructing, evaluating, and retrofitting'';

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (F) and (G), respectively; and

(3) by inserting after subparagraph (B) the following:

''(C) improve the understanding of earthquake-caused fires and support the development of engineering tools and construction methods that mitigate the risk of fire following earthquakes;

''(D) develop, in coordination with the Administrator of the Federal Emergency Management Agency, best practices and guidelines for a State, local, or Tribal government to create an inventory of buildings, structures, or lifeline infrastructure that are critical to community resilience or otherwise have high seismic risk;

''(E) provide, in coordination with the Administrator of the Federal Emergency Management Agency, technical assistance to a State, local, or Tribal government requesting such assistance with respect to the creation of an inventory of buildings, structures, or lifeline infrastructure;''.

(f) RESPONSIBILITIES OF FEDERAL EMERGENCY MANAGEMENT AGENCY.—Subsection (b)(2) of such section is amended—

(1) in subparagraph (A)—

(A) in clause (i)—

(i) by inserting ''and Tribal governments'' after ''States'';

(ii) by striking ''safety inspections'' and inserting ''performance evaluations''; and

(iii) by inserting ''and improve post-earthquake functional recovery'' after ''seismic safety'';

(B) in clause (ii), by inserting '', including Tribal entities,'' after ''appropriate audiences'';

(C) in clause (iii)—

(i) by striking ''of seismic resistant'' and inserting ''to all appropriate audiences, including Tribal governments, of''; and

(ii) by inserting ''that enhance seismic safety, improve post-earthquake functional recovery, and reduce losses from earthquakes'' after ''and lifeline infrastructure'';

(D) in clause (iv)—

(i) in striking ''and local'' and inserting '', local, and Tribal''; and

(ii) by striking ''; and'' and inserting a semicolon;

(E) by redesignating clause (v) as clause (vi); and

(F) by inserting after clause (iv) the following:

''(v) shall provide technical assistance to State, local, or Tribal governmental entities in the creation of evacuation plans in the event of an earthquake, landslide, tsunami, or other earthquake-related hazard; and''; and

(2) in subparagraph (B)—

(A) in the subparagraph heading, by inserting ''AND TRIBAL'' after ''STATE'';

(B) in the matter before clause (i), by inserting ''or Tribal government'' after ''State''; and

(C) in clause (i), by striking ''safety'' and inserting ''performance, community resilience, or public awareness''.

(g) RESPONSIBILITIES OF UNITED STATES GEOLOGICAL SURVEY.—Subsection (b)(3) of such section is amended—

(1) in subparagraph (B), by striking ''and local'' and inserting '', local, and Tribal'';

(2) in subparagraph (C), by inserting '', the Chair of the Federal Communications Commission,'' after ''Agency'';

(3) by redesignating subparagraphs (D) through (K) as subparagraphs (J) through (O), respectively;

(4) by inserting after subparagraph (C) the following:

''(D) coordinate with the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Federal Emergency Management Agency on data sharing and resource allocation to support a timely response to oceanic earthquakes and tsunamis;

''(E) in consultation with the Chair of the Federal Communications Commission, ensure that earthquake alerts and early warnings are broadcast as rapidly and reliably as possible, in the predominant languages in the affected region, to ensure maximum warning time for nearby persons;

''(F) expand the earthquake early warning system within and to additional high earthquake hazard areas, including making improvements as practicable to improve detection and increase the time between warning messages and perceptible ground motion;

''(G) coordinating with affected State and Tribal governments on earthquake early warning system improvements;'';

(5) in subparagraph (H), as redesignated by paragraph (3), by inserting ''the Chair of the Federal Communications Commission,'' after ''Agency,'';

(6) in subparagraph (K), as redesignated by paragraph (3), by striking ''; and'' and inserting a semicolon;

(7) in subparagraph (L), as redesignated by paragraph (3), by striking the period at the end and inserting a semicolon; and

(8) in subparagraph (N), as redesignated by paragraph (3), by inserting ''maps of natural hazards associated with earthquakes and''.

(h) RESPONSIBILITIES OF NATIONAL SCIENCE FOUNDATION.—Subsection (b)(4)(A) of such section is amended—

(1) in clause (iii), by inserting ''including updated tsunami and liquefaction risk maps,''; and

(2) in clause (vii), by striking ''Historically Black Colleges and Universities and those serving large proportions of Hispanics, Native Americans, Asian-Pacific Americans, and other underrepresented populations'' and inserting ''institutions described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))''.

SEC. ____06. SEISMIC PERFORMANCE PROPERTY STANDARDS.

Section 947 of the Cranston-Gonzales National Affordable Housing Act (42 U.S.C. 7704a) is amended—

(1) in subsection (a), by striking ''safety'' both places it appears and inserting ''performance''; and

(2) in subsection (b), by striking ''shake-related property damage'' and inserting ''seismic-related property damage to improve the post-earthquake functional recovery time''.

SEC. ____07. SEISMIC STANDARDS.

Section 8 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705b) is amended—

(1) in subsection (b), by striking ''under paragraph (1)'' and inserting ''under subsection (a)''; and

(2) by adding at the end the following:

''(c) IMPLEMENTATION OF RECOMMENDATIONS.—Each Program agency, as part of their Program responsibilities, shall execute research, projects, grants, and other activities that support, promote, advance, or otherwise implement the recommendations in the report submitted pursuant to subsection (b) to improve the performance of the built environment in terms of post-earthquake reoccupancy and functional recovery time.

''(d) BIENNIAL REPORTS.—

''(1) BIENNIAL REPORTS TO INTERAGENCY COORDINATING COMMITTEE.—No later than June 30, 2025, and not less frequently than once every 2 years thereafter, each Program agency shall submit to the Interagency Coordinating Committee a report on activities and progress made to support, promote, or advance the implementation of the recommendations included in the report submitted pursuant to subsection (b).

''(2) INCLUSION IN BIENNIAL REPORTS OF INTERAGENCY COORDINATING COMMITTEE.—The Interagency Coordinating Committee shall include the information received under paragraph (1) in each biennial report submitted under section 5(a)(4), including consideration of a prioritized work plan to coordinate activities among the Program agencies and the necessary Program budget to fully implement the recommendations described in paragraph (1).''.

SEC. ____08. IMPROVEMENTS TO POST-EARTHQUAKE INVESTIGATIONS PROGRAM.

Section 11 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705e) is amended, in the matter before paragraph (1)—

(1) in the first sentence, by inserting ''domestic and international'' after ''investigate major''; and

(2) in the fifth sentence, by inserting ''Federal Emergency Management'' before ''Agency''.

SEC. ____09. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION FOR PROGRAM.—Subsection (a)(8) of section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) is amended—

(1) in subparagraph (I), by striking '', and'' and inserting a comma; and

(2) by inserting after subparagraph (J) the following:

''(K) $10,590,000 for fiscal year 2024,

''(L) $10,590,000 for fiscal year 2025,

''(M) $10,590,000 for fiscal year 2026,

''(N) $10,590,000 for fiscal year 2027, and

''(O) $10,590,000 for fiscal year 2028,''.

(b) UNITED STATES GEOLOGICAL SURVEY.—Subsection (b)(2) of such section is amended—

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

(2) in subparagraph (J), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(K) $100,900,000 for fiscal year 2024, of which not less than $36,000,000 shall be made available for completion of the Advanced National Seismic System established under section 13;

''(L) $100,900,000 for fiscal year 2025, of which not less than $36,000,000 shall be made available for completion of the Advanced National Seismic System established under section 13;

''(M) $100,900,000 for fiscal year 2026, of which not less than $36,000,000 shall be made available for completion of the Advanced National Seismic System established under section 13;

''(N) $100,900,000 for fiscal year 2027, of which not less than $36,000,000 shall be made available for completion of the Advanced National Seismic System established under section 13; and

''(O) $100,900,000 for fiscal year 2028, of which not less than $36,000,000 shall be made available for completion of the Advanced National Seismic System established under section 13.''.

(c) NATIONAL SCIENCE FOUNDATION.—Subsection (c)(2) of such section is amended—

(1) in subparagraph (I), by striking '', and'' and inserting a comma;

(2) in subparagraph (J), by striking the period at the end and inserting a comma; and

(3) by adding at the end the following:

''(K) $58,000,000 for fiscal year 2024,

''(L) $58,000,000 for fiscal year 2025,

''(M) $58,000,000 for fiscal year 2026,

''(N) $58,000,000 for fiscal year 2027, and

''(O) $58,000,000 for fiscal year 2028.''.

(d) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Subsection (d)(2) of such section is amended—

(1) in subparagraph (I), by striking '', and'' and inserting a comma;

(2) in subparagraph (J), by striking the period at the end and inserting a comma; and

(3) by inserting after subparagraph (J) the following:

''(K) $5,900,000 for fiscal year 2024,

''(L) $5,900,000 for fiscal year 2025,

''(M) $5,900,000 for fiscal year 2026,

''(N) $5,900,000 for fiscal year 2027, and

''(O) $5,900,000 for fiscal year 2028,''.

SA 2563. Mr. PADILLA 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. IMPLEMENTATION OF GAO RECOMMENDATIONS TO LEVERAGE PERFORMANCE INFORMATION TO IMPROVE TAP PARTICIPATION.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—The Secretaries of the military departments, in coordination with the Assistant Secretary of Defense for Manpower and Reserve Affairs, shall develop a plan to address the recommendations in the Government Accountability Office's report entitled ''DOD Can Better Leverage Performance Information to Improve Participation in Counseling Pathways'' (GAO–23–104538).

(2) ELEMENTS.—The plan required under paragraph (1) shall, with respect to each recommendation in the report described in such paragraph that the Secretaries of the military departments, in coordination with the Assistant Secretary of Defense for Manpower and Reserve Affairs, have implemented or intend to implement, include—

(A) a summary of actions that have been or will be taken to implement the recommendation; and

(B) a schedule, with specific milestones, for completing implementation of the recommendation.

(b) SUBMISSION TO CONGRESSIONAL DEFENSE COMMITTEES.—Not later than one year after the date of the enactment of this Act, the Secretaries shall submit to the congressional defense committees the plan required under subsection (a).

(c) DEADLINE FOR IMPLEMENTATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 18 months after the date of the enactment of this Act, the Secretaries shall carry out activities to implement the plan developed under subsection (a).

(2) EXCEPTION FOR IMPLEMENTATION OF CERTAIN RECOMMENDATIONS.—

(A) DELAYED IMPLEMENTATION.—The Secretaries may initiate implementation of a recommendation in the report described in subsection (a)(1) after the date specified in paragraph (1) if the Secretaries provide the congressional defense committees with a specific justification for the delay in implementation of the recommendation on or before such date.

(B) NON-IMPLEMENTATION.—The Secretaries may decide not to implement a recommendation in the report described in subsection (a)(1) if the Secretaries provide to the congressional defense committees, on or before the date specified in paragraph (1)—

(i) a specific justification for the decision not to implement the recommendation; and

(ii) a summary of alternative actions the Secretaries plan to take to address the conditions underlying the recommendation.

(d) SEMIANNUAL REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Department of Defense shall report to the congressional defense committees on the progress of the Department of Defense and each of the Military Departments in implementing all outstanding recommendations of the Comptroller General of the United States and the Inspector General of the Department of the Defense related to the Transition Assistance Program and on the use of funds made available for the current fiscal year to implement the outstanding recommendations.

(2) TERMINATION OF REQUIREMENT.—The Department of Defense shall stop reporting on each recommendation described in paragraph (1) when the recommending office considers the recommendation closed.

SA 2564. Mr. PADILLA 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. COUNSELING IN THE TRANSITION ASSISTANCE PROGRAM REGARDING SEXUAL ASSAULT, SEXUAL OR GENDER HARASSMENT, AND INTIMATE PARTNER VIOLENCE.

Section 1142(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(20) Information concerning benefits and health care (including mental health care) furnished by the Secretary of Veterans Affairs to veterans and members of the Armed Forces who have survived sexual assault, sexual or gender harassment, or intimate partner violence.''.

SA 2565. Mr. PADILLA 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—Tule River Tribe Reserved Water Rights Settlement Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Tule River Tribe Reserved Water Rights Settlement Act of 2024''.

SEC. 1097. PURPOSES.

The purposes of this subtitle are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of California for—

(A) the Tule River Tribe; and

(B) the United States, acting as trustee for the Tribe;

(2) to authorize, ratify, and confirm the 2007 Agreement entered by the Tribe, the South Tule Independent Ditch Company, and the Tule River Association, to the extent that the 2007 Agreement is consistent with this subtitle;

(3) to authorize and direct the Secretary—

(A) to execute the 2007 Agreement, with amendments to facilitate implementation and approval of the 2007 Agreement; and

(B) to take any other actions necessary to carry out the 2007 Agreement in accordance with this subtitle;

(4) to authorize funds necessary for the implementation of the 2007 Agreement and this subtitle; and

(5) to authorize the transfer of certain lands to the Tribe, to be held in trust.

SEC. 1098. DEFINITIONS.

(a) IN GENERAL.—In this subtitle:

(1) 2007 AGREEMENT.—The term ''2007 Agreement'' means—

(A) the agreement dated November 21, 2007, as amended on April 22, 2009, between the Tribe, the South Tule Independent Ditch Company, and the Tule River Association, and exhibits attached thereto; and

(B) any amendment to the Agreement referred to in subparagraph (A) (including an amendment to any exhibit) that is executed in accordance with section 1099(a)(2).

(2) COURT.—The term ''Court'' means the United States District Court for the Eastern District of California, unless otherwise specified herein.

(3) DIVERT; DIVERSION.—The terms ''divert'' and ''diversion'' mean to remove water from its natural course or location by means of a ditch, canal, flume, bypass, pipeline, conduit, well, pump, or other structure or device, or act of a person.

(4) DOWNSTREAM WATER USERS.—The term ''Downstream Water Users'' means—

(A) the Tule River Association and its successors and assigns;

(B) the South Tule Independent Ditch Company and its successors and assigns; and

(C) any and all other holders of water rights in the South Fork Tule River Basin.

(5) ENFORCEABILITY DATE.—The term ''Enforceability Date'' means the date described in section 1099G.

(6) OM&R.—

(A) IN GENERAL.—The term ''OM&R'' means operation, maintenance, and replacement.

(B) INCLUSIONS.—The term ''OM&R'' includes—

(i) any recurring or ongoing activity relating to the day-to-day operation of a project;

(ii) any activity relating to scheduled or unscheduled maintenance of a project; and

(iii) any activity relating to repairing or replacing a feature of a project.

(7) OPERATION RULES.—The term ''Operation Rules'' means the rules of operation for the Phase I Reservoir, as established in accordance with the 2007 Agreement and this subtitle.

(8) PARTIES.—The term ''Parties'' means the signatories to the 2007 Agreement, including the Secretary.

(9) PHASE I RESERVOIR.—The term ''Phase I Reservoir'' means the reservoir described in either section 3.4.B.(1) or section 3.4.B.(2) of the 2007 Agreement.

(10) RESERVATION; TULE RIVER RESERVATION.—The terms ''Reservation'' and ''Tule River Reservation'' mean the reservation of lands set aside for the Tribe by the Executive Orders of January 9, 1873, October 3, 1873, and August 3, 1878, including lands added to the Reservation pursuant to section 1099D.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(12) SOUTH TULE INDEPENDENT DITCH COMPANY.—The term ''South Tule Independent Ditch Company'' means the nonprofit mutual water company incorporated in 1895 that has claims to ownership of water rights dating back to 1854, which provides water diverted from the South Fork of the Tule River to its shareholders on lands downstream from the Tule River Reservation.

(13) TRIBAL WATER RIGHT.—The term ''Tribal Water Right'' means the water rights ratified, confirmed, and declared to be valid for the benefit of the Tribe as set forth and described in the 2007 Agreement and this subtitle.

(14) TRIBE.—The term ''Tribe'' means the Tule River Indian Tribe of the Tule River Reservation, California, a federally recognized Indian Tribe.

(15) TRUST FUND.—The term ''Trust Fund'' means the Tule River Indian Tribe Settlement Trust Fund established under section 1099B(a).

(16) TULE RIVER ASSOCIATION.—

(A) IN GENERAL.—The term ''Tule River Association'' means the association formed by agreement in 1965, the members of which are representatives of all pre-1914 appropriative and certain riparian water right holders of the Tule River at and below the Richard L. Schafer Dam and Reservoir.

(B) INCLUSIONS.—The term ''Tule River Association'' includes the Pioneer Water Company, the Vandalia Irrigation District, the Porterville Irrigation District, and the Lower Tule River Irrigation District.

(17) WATER DEVELOPMENT PROJECT.—The term ''Water Development Project'' means a project for domestic, commercial, municipal, and industrial water supply, including but not limited to water treatment, storage, and distribution infrastructure, to be constructed, in whole or in part, using monies from the Trust Fund.

(b) DEFINITIONS OF OTHER TERMS.—Any other term used in this subtitle but not defined in subsection (a)—

(1) has the meaning given the term in the 2007 Agreement; or

(2) if no definition for the term is provided in the 2007 Agreement, shall be used in a manner consistent with its use in the 2007 Agreement.

SEC. 1099. RATIFICATION OF 2007 AGREEMENT.

(a) RATIFICATION.—

(1) IN GENERAL.—Except as modified by this subtitle and to the extent that the 2007 Agreement does not conflict with this subtitle, the 2007 Agreement is authorized, ratified, and confirmed.

(2) AMENDMENTS.—

(A) GENERAL AMENDMENTS.—If an amendment to the 2007 Agreement, or to any exhibit attached to the 2007 Agreement requiring the signature of the Secretary, is executed in accordance with this subtitle to make the 2007 Agreement consistent with this subtitle, the amendment is authorized, ratified, and confirmed.

(B) SPECIFIC AMENDMENTS.—

(i) SUBSTITUTE SITES.—If a substitute site for the Phase I Reservoir is identified by the Tribe pursuant to section 3.4.B.(2)(a) of the 2007 Agreement, then amendments related to the Operation Rules are authorized, ratified, and confirmed, to the extent that such Amendments are consistent with the 2007 Agreement and this subtitle.

(ii) PRIORITY DATE.—Amendments agreed to by the Parties to establish that the priority date for the Tribal Water Right is no later than January 9, 1873, is authorized, ratified, and confirmed.

(iii) SENIOR WATER RIGHTS.—Amendments agreed to by the Parties to accommodate senior water rights of those Downstream Water Users described in section 1098(a)(4)(C) are authorized, ratified, and confirmed, to the extent that the Court finds any such Downstream Water Users possess senior water rights that can be accommodated only by amendment of the 2007 Agreement.

(iv) OTHER AMENDMENTS.—Other amendments agreed to by the Parties to facilitate implementation and approval of the 2007 Agreement are authorized, ratified, and confirmed, to the extent that such amendments are otherwise consistent with this subtitle and with other applicable law.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent the 2007 Agreement does not conflict with this subtitle, the Secretary shall execute the 2007 Agreement, in accordance with paragraph (2), including all exhibits to, or parts of, the 2007 Agreement requiring the signature of the Secretary.

(2) TIMING.—The Secretary shall not execute the 2007 Agreement until—

(A) the Parties agree on amendments related to the priority date for the Tribal Water Right; and

(B) either—

(i) the Tribe moves forward with the Phase I Reservoir described in section 3.4.B.(1) of the 2007 Agreement; or

(ii) if the Tribe selects a substitute site pursuant to section 3.4.B.(2) of the 2007 Agreement, either—

(I) the Parties agree on Operation Rules; or

(II) the Secretary determines, in the discretion of the Secretary, that the Parties have reached an impasse in attempting to negotiate the Operation Rules.

(3) MODIFICATIONS.—Nothing in this subtitle prohibits the Secretary, after execution of the 2007 Agreement, from approving any modification to the 2007 Agreement, including any exhibit to the 2007 Agreement, that is consistent with this subtitle, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the 2007 Agreement and this subtitle, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the 2007 Agreement and this subtitle, the Tribe shall prepare any necessary environmental documents, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the 2007 Agreement by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities under this subsection shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 1099A. TRIBAL WATER RIGHT.

(a) CONFIRMATION OF TRIBAL WATER RIGHT.—

(1) IN GENERAL.—The Tribal Water Right is ratified, confirmed, and declared valid.

(2) QUANTIFICATION.—The Tribal Water Right includes the right to divert and use or permit the diversion and use of up to 5,828 acre-feet per year of surface water from the South Fork Tule River, as described in the 2007 Agreement and as confirmed in the decree entered by the Court pursuant to subsections (b) and (c) of section 1099H.

(3) USE.—Any diversion, use, and place of use of the Tribal Water Right shall be subject to the terms and conditions of the 2007 Agreement and this subtitle.

(b) TRUST STATUS OF TRIBAL WATER RIGHT.—The Tribal Water Right—

(1) shall be held in trust by the United States for the use and benefit of the Tribe in accordance with this subtitle; and

(2) shall not be subject to loss through nonuse, forfeiture, abandonment, or other operation of law.

(c) AUTHORITY OF THE TULE RIVER TRIBE.—

(1) IN GENERAL.—The Tule River Tribe shall have the authority to allocate and distribute the Tribal Water Right for use on the Reservation in accordance with the 2007 Agreement, this subtitle, and applicable Federal law.

(d) ADMINISTRATION.—

(1) NO ALIENATION.—The Tribe shall not permanently alienate any portion of the Tribal Water Right.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this subtitle for the allocation, distribution, leasing, or other arrangement entered into pursuant to this subtitle shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal Water Right by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal Water Right.

SEC. 1099B. TULE RIVER TRIBE TRUST ACCOUNTS.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund, to be known as the ''Tule River Indian Tribe Settlement Trust Fund'', 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 subsection (c), together with any interest earned on those amounts, for the purpose of carrying out this subtitle.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following Accounts:

(1) The Tule River Tribe Water Development Projects Account.

(2) The Tule River Tribe OM&R Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Tule River Tribe Water Development Projects Account established under subsection (b)(1), the amounts made available pursuant to section 1099C(a)(1); and

(2) in the Tule River Tribe OM&R Account established under subsection (b)(2), the amounts made available pursuant to section 1099C(a)(2).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of funds into the accounts in the Trust Fund pursuant to subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in accordance with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (52 Stat. 1037, chapter 648; 25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the deposits under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund are authorized to be used in accordance with subsections (e) and (h).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, shall be made available to the Tribe by the Secretary beginning on the Enforceability Date and subject to the requirements set forth in this section, except for funds to be made available to the Tribe pursuant to paragraph (2).

(2) USE OF CERTAIN FUNDS.—Notwithstanding paragraph (1), $20,000,000 of the amounts deposited in the Tule River Tribe Water Development Projects Account shall be made available to conduct technical studies and related investigations regarding the Phase I Reservoir and to establish appropriate Operation Rules.

(f) WITHDRAWALS.—

(1) WITHDRAWALS UNDER THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Tribe may withdraw any portion of the amounts in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund, and any investment earnings accrued through the investments under the Tribal management plan, in accordance with this subtitle.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan under this paragraph to ensure that amounts withdrawn by the Tribe from the Trust Fund under this paragraph are used in accordance with this subtitle.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Tribe may submit to the Secretary a request to withdraw amounts from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw amounts under an expenditure plan under this paragraph, the Tribe shall submit to the Secretary an expenditure plan for any portion of the Trust Fund that the Tribe elects to withdraw pursuant to this subparagraph, subject to the condition that the amounts shall be used for the purposes described in this subtitle.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe in accordance with subsections (e) and (h).

(D) APPROVAL.—The Secretary shall approve an expenditure plan submitted under this paragraph if the Secretary determines that the plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this subtitle.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this subtitle.

(g) EFFECT OF SECTION.—Nothing in this section gives the Tribe the right to judicial review of a determination of the Secretary relating to whether to approve a Tribal management plan under subsection (f)(1) or an expenditure plan under subsection (f)(2) except under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(h) USES.—Amounts from the Trust Fund may only be used by the Tribe for the following purposes:

(1) The Tule River Tribe Water Development Projects Account may only be used to

plan, design, and construct Water Development Projects on the Tule River Reservation, and for the conduct of related activities, including for environmental compliance in the development and construction of projects under this subtitle.

(2) The Tule River Tribe OM&R Account may only be used for the OM&R of Water Development Projects.

(i) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under paragraphs (1) and (2) of subsection (f).

(j) TITLE TO INFRASTRUCTURE.—Title to, control over, and operation of any project constructed using funds from the Trust Fund shall remain in the Tribe.

(k) OPERATION, MAINTENANCE, & REPLACEMENT.—All OM&R costs of any project constructed using funds from the Trust Fund shall be the responsibility of the Tribe.

(l) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(m) EXPENDITURE REPORT.—The Tule River Tribe shall annually submit to the Secretary an expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan under this subtitle.

SEC. 1099C. FUNDING.

(a) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary—

(1) for deposit in the Tule River Tribe Water Development Projects Account $518,000,000, to be available until expended, withdrawn, or reverted to the general fund of the Treasury; and

(2) for deposit in the Tule River Tribe OM&R Account $50,000,000, to be available until expended, withdrawn, or reverted to the general fund of the Treasury.

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amounts authorized to be appropriated under subsection (a) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after November 1, 2020, as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend.

(2) CONSTRUCTION COSTS ADJUSTMENT.—The amounts authorized to be appropriated under subsection (a) shall be adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(3) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(4) PERIOD OF INDEXING.—The period of indexing adjustment under this subsection for any increment of funding shall end on the date on which the funds are deposited into the Trust Fund.

SEC. 1099D. TRANSFER OF LAND INTO TRUST.

(a) TRANSFER OF LAND TO TRUST.—

(1) IN GENERAL.—Subject to valid existing rights, and the requirements of this subsection, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be held in trust by the United States for the benefit of the Tribe as part of the Reservation upon the Enforceability Date, provided that the Tribal fee land described in paragraph (2)(C)—

(A) is free from any liens, encumbrances, or other infirmities; and

(B) has no existing evidence of any hazardous substances or other environmental liability.

(2) LANDS TO BE HELD IN TRUST.—The land referred to in paragraph (1) is the following:

(A) BUREAU OF LAND MANAGEMENT LANDS.—

(i) Approximately 26.15 acres of land located in T. 22 S., R. 29 E., sec. 35, Lot 9.

(ii) Approximately 85.50 acres of land located in T. 22 S., R. 29 E., sec. 35, Lots 6 and 7.

(iii) Approximately 38.77 acres of land located in—

(I) T. 22 S., R. 30 E., sec. 30, Lot 1; and

(II) T. 22 S., R. 30 E., sec. 31, Lots 6 and 7.

(iv) Approximately 154.9 acres of land located in T. 22 S., R. 30 E., sec. 34, N¼SW¼ and SW¼SW¼, Lots 2 and 3.

(v) Approximately 40.00 acres of land located in T. 22 S., R. 30 E., sec. 34, NE¼SE¼.

(vi) Approximately 375.17 acres of land located in—

(I) T. 22 S., R. 30 E., sec. 35, S½NE¼, N½SE¼, and SE¼SE¼, Lots 3, 4, and 6; and

(II) T. 23 S., R. 30 E., sec. 2, S½NE¼, Lots 6 and 7.

(vii) Approximately 60.43 acres of land located in—

(I) T. 22 S., R. 30 E., sec. 35, SW¼SW¼; and

(II) T. 23 S., R. 30 E., sec. 2, Lot 9.

(viii) Approximately 15.48 acres of land located in T. 21 S., R. 30 E., sec. 31 in that portion of the NW¼ lying between Lots 8 and 9.

(ix) Approximately 29.26 acres of land located in T. 21 S., R. 30 E., sec. 31, Lot 7.

(B) FOREST SERVICE LANDS.—Approximately 9,037 acres of land comprising the headwaters area of the South Fork Tule River watershed located east of and adjacent to the Tule River Indian Reservation, and more particularly described as follows:

(i) Commencing at the northeast corner of the Tule River Indian Reservation in T. 21 S., R. 31 E., sec. 16, Mount Diablo Base and Meridian, running thence east and then southeast along the ridge of mountains dividing the waters of the South Fork of the Tule River and Middle Fork of the Tule River, continuing south and then southwest along the ridge of mountains dividing the waters of the South Fork of the Tule River and the Upper Kern River until intersecting with the southeast corner of the Tule River Indian Reservation in T. 22 S., R. 31 E., sec. 28, thence from such point north along the eastern boundary of the Tule River Indian Reservation to the place of beginning.

(ii) The area encompasses—

(I) all of secs. 22, 23, 26, 27, 34, 35, and portions of secs. 13, 14, 15, 16, 21, 24, 25, 28, 33, and 36, in T. 21 S., R. 31 E.; and

(II) all of secs. 3 and 10, and portions of secs. 1, 2, 4, 9, 11, 14, 15, 16, 21, 22, 27, and 28, in T. 22 S., R. 31 E.

(C) TRIBALLY OWNED FEE LANDS.—

(i) Approximately 300 acres of land known as the McCarthy Ranch and more particularly described as follows:

(I) The SW¼ and that portion of the SE¼ of sec. 9 in T. 22 S., R. 29 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, lying south and west of the center line of the South Fork of the Tule River, as such river existed on June 9, 1886, in the County of Tulare, State of California; excepting therefrom an undivided one-half interest in and to the oil, gas, minerals, and other hydrocarbon substances in, on, or under such land, as reserved by Alice King Henderson, a single woman, by Deed dated January 22, 1959, and Recorded February 18, 1959, in Book 2106, page 241, Tulare County Official Records.

(II) An easement over and across that portion of the SW¼ of sec. 10 in T. 22 S., R. 29 E., Mount Diablo Base and Meridian, County of Tulare, State of California, more particularly described as follows:

(aa) Beginning at the intersection of the west line of the SW¼ of sec. 10, and the south bank of the South Tule Independent Ditch; thence south 20 rods; thence in an easterly direction, parallel with such ditch, 80 rods; thence north 20 rods, thence westerly along the south bank of such ditch 80 rods to the point of beginning; for the purpose of—

(AA) maintaining thereon an irrigation ditch between the headgate of the King Ditch situated on such land and the SW¼ and that portion of the SE¼ of sec. 9 in T. 22 S., R. 29 E., lying south and west of the centerline of the South Fork of the Tule River, as such river existed on June 9, 1886, in the County of Tulare, State of California; and

(BB) conveying therethrough water from the South Fork of the Tule River to the SW¼ and that portion of the SE¼ of sec. 9 in T. 22 S., R. 29 E., lying south and west of the centerline of the South Fork of the Tule River, as such river existed on June 9, 1886.

(bb) The easement described in item (aa) shall follow the existing route of the King Ditch.

(ii) Approximately 640 acres of land known as the Pierson/Diaz property in T. 22 S., R. 29 E., sec. 16, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof.

(iii) Approximately 375.44 acres of land known as the Hyder property and more particularly described as follows:

(I) That portion of the S½ of sec. 12 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, lying south of the County Road known as Reservation Road, excepting therefrom an undivided one-half interest in all oil, gas, minerals, and other hydrocarbon substances as reserved in the deed from California Lands, Inc., to Lovell J. Wilson and Genevieve P. Wilson, recorded February 17, 1940, in book 888, page 116, Tulare County Official Records.

(II) The NW¼ of sec. 13 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, excepting therefrom the south 1200 feet thereof.

(III) The south 1200 feet of the NW¼ of sec. 13 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof.

(iv) Approximately 157.22 acres of land situated in the unincorporated area of the County of Tulare, State of California, known as the Trailor property, and more particularly described as follows: The SW¼ of sec. 11 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the unincorporated area of the County of Tulare, State of California, according to the official plat thereof.

(v) Approximately 89.45 acres of land known as the Tomato Patch in that portion of the SE¼ of sec. 11 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the Official Plat of the survey of such land on file in the Bureau of Land Management at the date of the issuance of the patent thereof, and more particularly described as follows: Beginning at the southeast corner of T. 22 S., R. 28 E., sec. 11, thence north and along the east line of such sec. 11, 1342 feet, thence south 83° 44' west 258 feet, thence north 84° 30' west 456 feet, thence north 65° 28' west 800 feet, thence north 68° 44' west 295 feet, thence south 71° 40' west 700 feet, thence south 56° 41' west 240 feet to the west line of the SE¼ of such sec. 11, thence south 0° 21' west along such west line of the SE¼ of sec. 11, thence west 1427 feet to the

southwest corner of such SE¼ of sec. 11, thence south 89° 34' east 2657.0 feet to the point of beginning, excepting therefrom—

(I) a strip of land 25 feet in width along the northerly and east sides and used as a County Road; and

(II) an undivided one-half interest in all oil, gas, and minerals in and under such lands, as reserved in the Deed from Bank of America, a corporation, dated August 14, 1935, filed for record August 28, 1935, Fee Book 11904.

(vi) Approximately 160 acres of land known as the Smith Mill in the NW¼ of the NE¼, the N½ of the NW¼, and the SE¼ of the NW¼ of sec. 20 in T. 21 S., R. 31 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof.

(vii) Approximately 35 acres of land located within the exterior boundaries of the Tule River Reservation known as the Highway 190 parcel, with the legal description as follows: That portion of T. 21 S., R. 29 E., sec. 19, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, and more particularly described as follows: Commencing at a point in the south line of the N½ of the S½ of such sec. 19, such point being south 89° 54' 47'' east, 1500.00 feet of the southwest corner of such N½, thence north 52° 41' 17'' east, 1602.80 feet to the true point of beginning of the parcel to be described, thence north 32° 02' 00'' west, 1619.53 feet to a point in the southeasterly line of State Highway 190 per deeds recorded May 5, 1958, in Book 2053, pages 608 and 613, Tulare County Official Records, thence north 57° 58' 00'' east, 232.29 feet, thence north 66° 33' 24'' east, 667.51 fee, thence departing the southeasterly line of such Highway 190, south 44° 53' 27'' east, 913.62 feet, thence south 85° 53' 27'' east, 794.53 feet, thence south 52° 41' 17'' west, 1744.64 feet to the true point of beginning.

(viii) Approximately 61.91 acres of land located within the exterior boundaries of the Tule River Reservation known as the Shan King property, with the legal description as follows:

(I) Parcel 1: Parcel No. 1 of parcel map no. 4028 in the County of Tulare, State of California, as per the map recorded in Book 41, page 32 of Tulare County Records.

(II)(aa) Parcel 2: That portion of T. 21 S., R. 29 E., sec. 19, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows: Commencing at a point in the south line of the N½ of the S½ of such sec. 19, such point being south 89° 54' 58'' east, 1500.00 feet of the southwest corner of such N½, thence north 52° 41' 06'' east, 1602.80 feet to the southwesterly corner of the 40.00 acre parcel shown on the Record of Survey recorded in Book 18, page 17, of Licensed Surveys, Tulare County Records, thence, north 32° 01' 28'' west, 542.04 feet along the southwesterly line of such 40.00 acre parcel to the true point of beginning of the parcel to be described, thence, continuing north 32° 01' 28'' west, 1075.50 feet to the northwesterly corner of such 40.00 acre parcel, thence north 57° 58' 50'' east, 232.31 feet along the southeasterly line of State Highway 190, thence north 66° 34' 12'' east, 6.85 feet, thence, departing the southeasterly line of State Highway 190 south 29° 27' 29'' east, 884.73 feet, thence south 02° 59' 33'' east, 218.00 feet, thence south 57° 58' 31'' west, 93.67 feet to the true point of beginning.

(bb) The property described in item (aa) is subject to a 100 foot minimum building setback from the right-of-way of Highway 190.

(III) Parcel 3: That portion of T. 21 S., R. 29 E., sec. 19, Mount Diablo Base and Meridian, County of Tulare, State of California, described as follows: Beginning at a point in the south line of the N½ of the S½ of such sec. 19, such point being south 89° 54' 47'' east, 1500.00 feet of the southwest corner of such N½, thence north 7° 49' 19'' east, 1205.00 feet, thence north 40° 00' 00'' west, 850.00 feet to a point in the southeasterly line of State Highway 190, per deeds recorded May 5, 1958, in Book 2053, pages 608 and 613, Tulare County Official Records, thence, north 57° 58' 00'' east, 941.46 feet, along the southeasterly line of such Highway 190, thence departing the southeasterly line of such Highway 190, south 32° 02' 00'' east, 1619.53 feet, thence south 52° 41' 17'' west, 1602.80 feet to the point of beginning, together with a three-quarters (¾) interest in a water system, as set forth in that certain water system and maintenance agreement recorded April 15, 2005, as document no. 2005–0039177.

(ix) Approximately 18.44 acres of land located within the exterior boundaries of the Tule River Reservation known as the Parking Lot 4 parcel with the legal description as follows: That portion of the land described in that Grant Deed to Tule River Indian Tribe, recorded June 1, 2010, as document number 2010–0032879, Tulare County Official Records, lying within the following described parcel: beginning at a point on the east line of the NW¼ of sec. 3 in T. 22 S., R. 28 E., Mount Diablo Meridian, lying south 0° 49' 43'' west, 1670.53 feet from the N¼ corner of such sec. 3, thence (1) south 89° 10' 17'' east, 46.50 feet; thence (2) north 0° 49' 43'' east, 84.08 feet; thence (3) north 33° 00' 00'' west, 76.67 feet to the south line of State Route 190 as described in that Grant Deed to the State of California, recorded February 14, 1958, in Volume 2038, page 562, Tulare County Official Records; thence (4) north 0° 22' 28'' east, 73.59 feet to the north line of the SE¼ of the NW¼ of such sec. 3; thence (5) south 89° 37' 32'' east, along such north line, 89.77 feet to the center-north sixteenth corner of such sec. 3; thence (6) south 0° 49' 43'' west, along such east line of the NW¼ of such sec. 3, a distance of 222.06 feet to the point of beginning. Containing 0.08 acres, more or less, in addition to that portion lying within Road 284. Together with the underlying fee interest, if any, contiguous to the above-described property in and to Road 284. This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights including access rights, appurtenant to grantor's remaining property, in and to such freeway. Reserving however, unto grantor, grantor's successors or assigns, the right of access to the freeway over and across Courses (1) and (2) herein above described. The bearings and distances used in this description are on the California Coordinate System of 1983, Zone 4. Divide distances by 0.999971 to convert to ground distances.

(b) TERMS AND CONDITIONS.—

(1) EXISTING AUTHORIZATIONS.—Any Federal land transferred under this section shall be conveyed and taken into trust 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. The Bureau of Indian Affairs shall assume all benefits and obligations of the previous land management agency under such existing rights, contracts, leases, permits, or rights-of-way, and shall disburse to the Tribe any amounts that accrue to the United States from such rights, contracts, leases, permits, or rights-of-ways after the date of transfer 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 Tribe.

(2) IMPROVEMENTS.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on lands transferred under this section shall remain the property of the holder and shall be removed not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Tribe and the holder agree otherwise. Any such property remaining beyond the 90-day period shall become the property of the Tribe and shall be subject to removal and disposition at the Tribe's discretion. The holder shall be liable for the costs the Tribe incurs in removing and disposing of the property.

(c) WITHDRAWAL OF FEDERAL LANDS.—

(1) IN GENERAL.—Subject to valid existing rights, effective on the date of enactment of this Act, all Federal lands within the parcels described in subsection (a)(2) are 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) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(2) EXPIRATION.—The withdrawals pursuant to paragraph (1) shall terminate on the date that the Secretary takes the lands into trust for the benefit of the Tribe pursuant to subsection (a)(1).

(d) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of land in subsection (a)(2), the United States may, with the consent of the Tribe, make technical corrections to the legal land descriptions to more specifically identify the parcels to be exchanged.

(e) SURVEY.—

(1) Unless the United States or the Tribe requests an additional survey for the transferred land or a technical correction is made under subsection (d), the description of land under this section shall be controlling.

(2) If the United States or the Tribe requests an additional survey, that survey shall control the total acreage to be transferred into trust under this section.

(3) The Secretary or the Secretary of Agriculture shall provide such assistance as may be appropriate—

(A) to conduct additional surveys of the transferred land; and

(B) to satisfy administrative requirements necessary to accomplish the land transfers under this section.

(f) DATE OF TRANSFER.—The Secretary shall issue trust deeds for all land transfers under this section by not later than 10 years after the Enforceability Date.

(g) RESTRICTION ON GAMING.—Lands taken into trust pursuant to this section shall not be considered to have been taken into trust for, nor eligible for, class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(h) STATUS OF WATER RIGHTS ON TRANSFERRED LANDS.—Any water rights associated with lands transferred pursuant to subparagraphs (A) through (C) of subsection (a)(2) shall be held in trust for the Tribe but shall not be included in the Tribal Water Right.

SEC. 1099E. SATISFACTION OF CLAIMS.

The benefits provided under this subtitle shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Tribe against the United States that is waived and released by the Tribe under section 1099F(a).

SEC. 1099F. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVERS AND RELEASES OF CLAIMS BY THE TRIBE AND THE UNITED STATES AS TRUSTEE FOR THE TRIBE.—Subject to the reservation of rights and retention of claims set forth in subsection (c), as consideration for recognition of the Tribe's Tribal Water Right and

other benefits described in the 2007 Agreement and this subtitle, the Tribe and the United States, acting as trustee for the Tribe, shall execute a waiver and release of all claims for the following:

(A) All claims for water rights within the State of California based on any and all legal theories that the Tribe or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a general stream adjudication, on or before the Enforceability Date, except to the extent that such rights are recognized in the 2007 Agreement and this subtitle.

(B) All claims for damages, losses, or injuries to water rights or claims of interference with, diversion, or taking of water rights (including claims for injury to lands resulting from such damages, losses, injuries, interference with, diversion, or taking of water rights) within California against the State, or any person, entity, corporation, or municipality, that accrued at any time up to and including the Enforceability Date.

(2) WAIVER AND RELEASE OF CLAIMS BY THE TRIBE AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (c), the Tribe shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States) for water rights within the State of California first arising before the Enforceability Date relating to—

(A) water rights within the State of California that the United States, acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a general stream adjudication, except to the extent that such rights are recognized as part of the Tribal Water Right under this subtitle;

(B) foregone benefits from nontribal use of water, on and off the Reservation (including water from all sources and for all uses);

(C) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights, due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State of California;

(D) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(E) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of irrigation projects on the Reservation and other Federal land and facilities (including damages, losses, or injuries to fish habitat, wildlife, and wildlife habitat);

(F) failure to provide for operation, maintenance, or deferred maintenance for any irrigation system or irrigation project;

(G) failure to provide a dam safety improvement to a dam on the Reservation;

(H) the litigation of claims relating to any water rights of the Tribe within the State of California;

(I) the negotiation, execution, or adoption of the 2007 Agreement (including exhibits A–F) and this subtitle;

(J) the negotiation, execution, or adoption of operational rules referred to in article 3.4 of the 2007 Agreement in connection with any reservoir locations, including any claims related to the resolution of operational rules pursuant to the dispute resolution processes set forth in the article 8 of the 2007 Agreement, including claims arising after the Enforceability Date; and

(K) claims related to the creation or reduction of the Reservation, including any claims relating to the failure to ratify any treaties and any claims that any particular lands were intended to be set aside as a permanent homeland for the Tribe but were not included as part of the present Reservation.

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the Enforceability Date.

(c) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Tribe and the United States, acting as trustee for the Tribe, shall retain—

(1) all claims relating to the enforcement of, or claims accruing after the Enforceability Date relating to water rights recognized under the 2007 Agreement, any final court decree entered in the Federal District Court for the Eastern District of California, or this subtitle;

(2) all claims relating to the right to use and protect water rights acquired after the date of enactment of this Act;

(3) claims regarding the quality of water under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including claims for damages to natural resources;

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(4) all claims for damage, loss, or injury to land or natural resources that are not due to loss of water or water rights, including hunting, fishing, gathering, or cultural rights; and

(5) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this subtitle or the 2007 Agreement.

(d) EFFECT OF 2007 AGREEMENT AND SUBTITLE.—Nothing in the 2007 Agreement or this subtitle—

(1) affects the authority of the Tribe to enforce the laws of the Tribe, including with respect to environmental protections or reduces or extends the sovereignty (including civil and criminal jurisdiction) of any government entity;

(2) affects the ability of the United States, acting as sovereign, to carry out any activity authorized by law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(D) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); and

(E) any regulations implementing the Acts described in subparagraphs (A) through (D);

(3) affects the ability of the United States to act as trustee for any other Indian Tribe or an allotee of any other Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law regarding health, safety, or the environment;

(C) to conduct judicial review of any Federal agency action; or

(D) to interpret Tribal law; or

(5) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe.

(e) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the Enforceability Date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(3) LIMITATION.—Nothing in this section precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.

(f) EXPIRATION.—

(1) IN GENERAL.—This subtitle shall expire in any case in which the Secretary fails to publish a statement of findings under section 1099G by not later than—

(A) 8 years from the date of enactment of this Act; or

(B) such alternative later date as is agreed to by the Tribe and the Secretary, after providing reasonable notice to the State of California.

(2) CONSEQUENCES.—If this subtitle expires under paragraph (1)—

(A) the waivers and releases under subsection (a) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the 2007 Agreement under section 1099 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into pursuant to this subtitle, shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this subtitle, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this subtitle shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this subtitle that were expended or withdrawn, or any funds made available to carry out this subtitle from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State of California asserted by—

(aa) the Tribe; or

(bb) any user of the Tribal Water Right; or

(II) any other matter covered by subsection (a)(2); or

(ii) in any future settlement of water rights of the Tribe.

SEC. 1099G. ENFORCEABILITY DATE.

The Enforceability Date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) to the extent that the 2007 Agreement conflicts with this subtitle, the 2007 Agreement has been amended to conform with this subtitle;

(2) the 2007 Agreement, so revised, includes waivers and releases of claims set forth in section 1099F and has been executed by the parties, including the United States;

(3) a final judgment and decree approving the 2007 Agreement, including Operation Rules, and binding all parties to the action has been entered by the Court, and all appeals have been exhausted;

(4) all of the amounts authorized to be appropriated under section 1099C(a) have been appropriated and deposited in the designated accounts; and

(5) the waivers and releases under section 1099F(a) have been executed by the Tribe and the Secretary.

SEC. 1099H. BINDING EFFECT; JUDICIAL APPROVAL; ENFORCEABILITY.

(a) IN GENERAL.—

(1) LAWSUIT.—1 or more Parties may file suit in the Court requesting the entry of a final judgement and decree approving the Tribal Water Right and the 2007 Agreement, provided that no such suit shall be filed until after—

(A) the Tribe has confirmed that the Phase I Reservoir will be sited at the location described in section 3.4.B.(1) of the 2007 Agreement and that Exhibit E governs operation of the Phase I Reservoir; or

(B) the Tribe has selected a substitute site for the Phase I Reservoir pursuant to section 3.4.B.(2)(a) of the 2007 Agreement and—

(i) the Parties have agreed on Operation Rules and the Secretary has executed the 2007 Agreement; or

(ii) if the Parties have reached an impasse in attempting to negotiate Operation Rules, at least 1 Party has developed proposed Operation Rules to submit for judicial review and approval, and has shared the proposed Operation Rules with the other Parties at least 90 days in advance of filing the lawsuit.

(2) JOINING UNITED STATES AS PARTY.—Where suit is filed pursuant to this subsection, including the satisfaction of the requirements in subparagraph (A) or (B) of paragraph (1), the United States may be joined in litigation for the purposes set forth in this section.

(b) JUDICIAL APPROVAL.—The Court shall have exclusive jurisdiction to review and determine whether to approve the Tribal Water Right and the 2007 Agreement, and on doing so over any cause of action initiated by any Party arising from a dispute over the interpretation of the 2007 Agreement or this subtitle, and any cause of action initiated by any Party for the enforcement of the 2007 Agreement.

(c) FAILURE TO AGREE ON OPERATION RULES.—

(1) IN GENERAL.—Subject to subsection (a)(1)(B)(ii), the Court shall have jurisdiction over a cause of action that a Party initiates to establish Operation Rules, where the Parties failed to reach agreement on such Operation Rules.

(2) VOLUNTARY DISPUTE RESOLUTION.—If a suit is filed under paragraph (1), the Court shall refer the Parties to the voluntary dispute resolution program of the Court.

(3) COURT SELECTION OF OPERATION RULES.—

(A) IN GENERAL.—If the voluntary dispute resolution program does not, after a reasonable amount of time as determined by the Court, result in agreed-on Operation Rules, the Court shall set a deadline by which any Party or Downstream Water User may submit proposed Operation Rules and, after briefing and hearing evidence, select among the proffered Operation Rule based on the criteria set forth in paragraph (4).

(B) IMPLEMENTATION OF AGREED-ON OPERATION RULES.—Once the Court selects Operation Rules pursuant to subparagraph (A), such Operation Rules shall thereafter control and shall be implemented by the Parties pursuant to the terms directed by the Court.

(4) CRITERIA FOR COURT SELECTION OF OPERATION RULES.—

(A) IN GENERAL.—The Court shall select the proffered Operation Rules that, if implemented, would be the most effective in—

(i) regulating the flows in the South Tule River to comply with the terms contained in the 2007 Agreement and the following diversion limits, where the South Tule Independent Ditch Company's point of diversion is the point of measurement, including—

(I) where the natural flow is less than 3 cubic feet per second (referred to in this clause as ''cfs''), the Tribe has a right to 1 cfs;

(II) where the natural flow is greater than or equal to 3 cfs and less than 5 cfs, the Tribe has a right to 1½ cfs;

(III) where the natural flow is greater than or equal to 5 cfs and less than 10 cfs, the Tribe has a right to 2 cfs; and

(IV) where the natural flow is greater than or equal to 10 cfs, the Tribe has a right to any amount;

(ii) minimizing adverse impact on the Parties other than the Tribe; and

(iii) maintaining the right of the Tribe to the reasonable and economic use of water for domestic and stock purposes on the Reservation.

(B) CONSIDERATION OF EXHIBIT E.—In applying the criteria set forth in subparagraph (A), the Court should consider the Operation Rules governing the Phase I Reservoir described in section 3.4.B.(1) of the 2007 Agreement, as set forth in Exhibit E to the 2007 Agreement, which the Parties agreed on based on consideration of that criteria.

(C) INCONSISTENCY OF PROPOSED OPERATION RULES WITH CRITERIA.—

(i) IN GENERAL.—The Court shall not approve the 2007 Agreement if the Court finds that none of the proffered Operation Rules are consistent with the criteria set forth in subparagraph (A).

(ii) ALTERNATIVE OPERATION RULES.—If the Court finds that none of the proffered Operation Rules are consistent with the criteria set forth in subparagraph (A), the Court may establish an alternate process to allow the Parties to develop alternate Operation Rules that are consistent with that criteria.

SEC. 1099I. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Nothing in this subtitle waives the sovereign immunity of the United States, except as provided in section 1099H(a)(2).

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this subtitle quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Tribe.

(c) OTHER WATER RIGHTS OF UNITED STATES NOT ADVERSELY AFFECTED.—Nothing in this subtitle quantifies or diminishes any other water right held by the United States other than as a Downstream Water User.

(d) EFFECT ON CURRENT LAW.—Nothing in this subtitle affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) CONFLICT.—In the event of a conflict between the 2007 Agreement and this subtitle, this subtitle shall control.

SEC. 1099J. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this subtitle, including any obligation or activity under the 2007 Agreement if adequate appropriations are not provided by Congress expressly to carry out the purposes of this subtitle.

SA 2566. Mr. PADILLA 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_____. CÉSAR E. CHÁVEZ AND THE FARMWORKER MOVEMENT NATIONAL HISTORICAL PARK; FARMWORKER PEREGRINACIÓN NATIONAL HISTORIC TRAIL STUDY.

(a) CÉSAR E. CHÁVEZ AND THE FARMWORKER MOVEMENT NATIONAL HISTORICAL PARK.—

(1) PURPOSE.—The purpose of this subsection is to establish the César E. Chávez and the Farmworker Movement National Historical Park—

(A) to help preserve, protect, and interpret the nationally significant resources associated with César Chávez and the farmworker movement;

(B) to interpret and provide for a broader understanding of the extraordinary achievements and contributions to the history of the United States made by César Chávez and the farmworker movement; and

(C) to support and enhance the network of sites and resources associated with César Chávez and the farmworker movement.

(2) DEFINITIONS.—In this subsection:

(A) HISTORICAL PARK.—The term ''historical park'' means the César E. Chávez and the Farmworker Movement National Historical Park designated by paragraph (3)(A).

(B) MAP.—The term ''map'' means the map entitled ''Cesar E. Chávez and the Farmworker Movement National Historical Park Proposed Boundary'', numbered 502/179857B, and dated September 2022.

(C) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(D) STATES.—The term ''States'' means—

(i) the State of California; and

(ii) the State of Arizona.

(E) STUDY.—The term ''Study'' means the study conducted by the National Park Service entitled ''César Chávez Special Resource Study and Environmental Assessment'' and submitted to Congress on October 24, 2013.

(3) REDESIGNATION OF CÉSAR E. CHÁVEZ NATIONAL MONUMENT.—

(A) IN GENERAL.—The César E. Chávez National Monument established on October 8, 2012, by Presidential Proclamation 8884 (54 U.S.C. 320301 note) is redesignated as the ''César E. Chávez and the Farmworker Movement National Historical Park''.

(B) AVAILABILITY OF FUNDS.—Any funds available for the purposes of the monument referred to in subparagraph (A) shall be available for the purposes of the historical park.

(C) REFERENCES.—Any reference in a law, regulation, document, record, map, or other paper of the United States to the monument referred to in subparagraph (A) shall be considered to be a reference to the ''César E. Chávez and the Farmworker Movement National Historical Park''.

(4) BOUNDARY.—

(A) IN GENERAL.—The boundary of the historical park shall include the area identified as ''César E. Chávez National Monument'' in Keene, California, as generally depicted on the map.

(B) INCLUSION OF ADDITIONAL SITES.—Subject to subparagraph (C), the Secretary may include within the boundary of the historical park the following sites, as generally depicted on the map:

(i) The Forty Acres in Delano, California.

(ii) Santa Rita Center in Phoenix, Arizona.

(iii) McDonnell Hall in San Jose, California.

(C) CONDITIONS FOR INCLUSION.—A site described in subparagraph (B) shall not be included in the boundary of the historical park until—

(i) the date on which the Secretary acquires the land or an interest in the land at the site; or

(ii) the date on which the Secretary enters into a written agreement with the owner of the site providing that the site shall be managed in accordance with this subsection.

(D) NOTICE.—Not later than 30 days after the date on which the Secretary includes a site described in subparagraph (B) in the historical park, the Secretary shall publish in the Federal Register notice of the addition to the historical park.

(5) AVAILABILITY OF MAP.—The map shall be available for public inspection in the appropriate offices of the National Park Service.

(6) LAND ACQUISITION.—The Secretary may acquire land and interests in land within the area generally depicted on the map as ''Proposed NPS Boundary'' by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

(7) ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall administer the historical park in accordance with—

(i) this subsection; and

(ii) the laws generally applicable to units of the National Park System, including—

(I) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(II) chapter 3201 of title 54, United States Code.

(B) INTERPRETATION.—The Secretary may provide technical assistance and public interpretation of historic sites, museums, and resources on land not administered by the Secretary relating to the life of César E. Chávez and the history of the farmworker movement.

(C) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the States, local governments, public and private organizations, and individuals to provide for the preservation, development, interpretation, and use of the historical park.

(8) GENERAL MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this paragraph, the Secretary shall prepare a general management plan for the historical park in accordance with section 100502 of title 54, United States Code.

(B) ADDITIONAL SITES.—

(i) IN GENERAL.—The general management plan prepared under subparagraph (A) shall include a determination of whether there are—

(I) sites located in the Coachella Valley in the State of California that were reviewed in the Study that should be added to the historical park;

(II) additional representative sites in the States that were reviewed in the Study that should be added to the historical park; or

(III) sites outside of the States in the United States that relate to the farmworker movement that should be linked to, and interpreted at, the historical park.

(ii) RECOMMENDATION.—On completion of the preparation of the general management plan under subparagraph (A), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives any recommendations for additional sites to be included in the historical park.

(C) CONSULTATION.—The general management plan under subparagraph (A) shall be prepared in consultation with—

(i) any owner of land that is included within the boundaries of the historical park; and

(ii) appropriate Federal, State, and Tribal agencies, public and private organizations, and individuals, including—

(I) the National Chávez Center; and

(II) the César Chávez Foundation.

(b) FARMWORKER PEREGRINACIÓN NATIONAL HISTORIC TRAIL STUDY.—Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

''(50) FARMWORKER PEREGRINACIÓN NATIONAL HISTORIC TRAIL.—The Farmworker Peregrinación National Historic Trail, a route of approximately 300 miles taken by farmworkers between Delano and Sacramento, California, in 1966, as generally depicted as 'Alternative C' in the study conducted by the National Park Service entitled 'César Chávez Special Resource Study and Environmental Assessment' and submitted to Congress on October 24, 2013.''.

SA 2567. Mr. PADILLA 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___. NATIONAL ACADEMY OF SCIENCES STUDY OF RESERVATION SYSTEMS FOR RECREATION ACTIVITIES ON FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) BOOKING WINDOW.—The term ''booking window'', with respect to a reservation system, means the time period during which a reservation or lottery entry is available to the public.

(2) FEDERAL LAND.—The term ''Federal land'' means—

(A) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702));

(B) National Forest System land;

(C) units of the National Park System;

(D) units of the National Wildlife Refuge System;

(E) sites administered by the Bureau of Reclamation; and

(F) sites administered by the Corps of Engineers.

(3) RECREATION ACTIVITY.—The term ''recreation activity'' includes camping, backpacking, climbing, fishing, hiking, driving, and other recreational opportunities.

(4) RESERVATION SYSTEM.—

(A) IN GENERAL.—The term ''reservation system'' means any platform or method used by managers of Federal land to ration recreation activities.

(B) INCLUSIONS.—The term ''reservation system'' includes reservation, lottery, metering, pricing, merit-based, and other similar rationing methods via online, telephone, paper, in-person, or other methods.

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

(b) STUDY.—

(1) IN GENERAL.—The Secretary, in coordination with the Secretary of Agriculture and the Secretary of the Army, acting through the Chief of Engineers, shall, not later than 60 days after the date of enactment of this Act, enter into an agreement with the National Academy of Sciences to carry out a study of reservation systems for recreation activities on Federal land.

(2) REQUIREMENTS.—In carrying out the study under paragraph (1), the National Academy of Sciences shall carry out the following:

(A) A comprehensive review of the history of reservation systems, such as recreation.gov, including a review of—

(i) the studies that led to the establishment of the applicable reservation system;

(ii) the iterations of the applicable reservation system over time to meet the needs of the applicable Federal agency; and

(iii) any visitor feedback provided with respect to the applicable reservation system.

(B) Based on available data and existing research, answer the following questions:

(i) What are the benefits and challenges of implementing reservation systems for visitor management and conservation goals for Federal land?

(ii) What data are available to understand demand for recreation on Federal land? How can the data be used to balance visitor management and conservation goals?

(iii) What information is available regarding Federal land users and reservation system users? What information is available or needs to be collected regarding demographics and characteristics of successful applicants using the reservation systems?

(iv) What best practices should guide reservation system design, including diversity of rationing mechanisms and booking windows, and would promote equal access to recreation activities? What metrics can be used to record outcomes of reservation system design?

(v) How have fees been collected for reservation systems over time to meet the needs of the applicable Federal agency? How are the revenues from fees for reservation systems split between, and spent by, Federal land units, Federal agencies, and third-party contractors? How is the fee structure disseminated to users? How could dissemination of information with respect to the fee structure be improved?

(vi) What are the odds of success with respect to securing a reservation under reservation systems? How are the odds of success disseminated to users? How could dissemination of information with respect to the odds of success be improved?

(vii) How are data, including data collected by contractors, on reservation systems shared with Federal land managers, researchers, and the public? How can transparency be improved to inform the decision-making of users of reservation systems?

(c) REPORT.—The agreement entered into under subsection (b)(1) shall include a requirement that, not later than 18 months after the date of enactment of this Act, the National Academy of Sciences shall submit to the appropriate committees of Congress a report that describes the results of the study carried out under subsection (b)(1).

SA 2568. Mr. PADILLA 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. LAND TO BE TAKEN INTO TRUST FOR THE JAMUL INDIAN VILLAGE OF CALIFORNIA.

(a) IN GENERAL.—The approximately 172.1 acres of land owned in fee by the Jamul Indian Village of California located in San Diego, California, and described in subsection (b) are hereby taken into trust by

the United States for the benefit of the Jamul Indian Village of California.

(b) LAND DESCRIPTIONS.—The land referred to in subsection (a) is the following:

(1) PARCEL 1.—The parcels of land totaling approximately 161.23 acres, located in San Diego County, California, that are held in fee by the Jamul Indian Village of California, as legally described in Document No. 2022–0010260 in the Official Records of the Office of the Recorder, San Diego County, California, and recorded January 7, 2022.

(2) PARCEL 2.—The parcel of land totaling approximately 6 acres, located in San Diego County, California, that is held in fee by the Jamul Indian Village of California, as legally described in Document No. 2021–0540770 in the Official Records of the Office of the Recorder, San Diego County, California, and recorded July 29, 2021.

(3) PARCEL 3.—The parcel of land totaling approximately 4.03 acres, located in San Diego County, California, that is held in fee by the Jamul Indian Village of California, as legally described in Document No. 1998–0020339 in the Official Records of the Office of the Recorder, San Diego County, California, and recorded January 15, 1998.

(4) PARCEL 4.—The parcel of land comprised of approximately 0.84 acres, located in San Diego County, California, that is held in fee by the Jamul Indian Village of California, as legally described in Document No. 2017–0410384 in the Official Records of the Office of the Recorder, San Diego County, California, and recorded September 7, 2017.

(c) FUTURE TRUST LAND.—On acquisition by the Jamul Indian Village of California of the land depicted as ''Proposed 1.1. acres'' on the map of the California Department of Fish and Wildlife entitled ''Amended Acres Proposal'' and dated May 2023, that land shall be taken into trust by the United States for the benefit of the Jamul Indian Village of California.

(d) ADMINISTRATION.—Land taken into trust under subsections (a) and (c) shall be—

(1) part of the reservation of the Jamul Indian Village of California; and

(2) administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for the benefit of an Indian Tribe.

(e) GAMING PROHIBITED.—Land taken into trust under subsections (a) and (c) shall not be used for any class II gaming or class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) (as those terms are defined in section 4 of that Act (25 U.S.C. 2703)).

SA 2569. Mr. PADILLA 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. SUPERCOMPUTING FOR SAFER CHEMICALS (SUPERSAFE) CONSORTIUM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator''), in consultation with the heads of relevant Federal agencies (including the Secretary of Health and Human Services and the Secretary of Energy), shall form a consortium, to be known as the ''Supercomputing for Safer Chemicals (SUPERSAFE) Consortium'' (referred to in this section as the ''Consortium''). The Consortium shall include the National Laboratories of the Department of Energy, academic and other research institutions, and other entities, as determined by the Administrator, to carry out the activities described in subsection (b).

(2) INCLUSION OF STATE AGENCIES.—The Administrator shall allow the head of a relevant State agency to join the Consortium on request of the State agency.

(b) CONSORTIUM ACTIVITIES.—

(1) IN GENERAL.—The Consortium shall use supercomputing, machine learning, and other similar capabilities—

(A) to establish rapid approaches for large-scale identification of toxic substances and the development of safer alternatives to toxic substances by developing and validating computational toxicology methods based on unique high-performance computing, artificial intelligence, machine learning, and precision measurements;

(B) to address the need to identify safe chemicals for use in consumer and industrial products and in their manufacture to support the move away from toxic substances and toward safe-by-design alternatives; and

(C) to make recommendations on how the information produced can be applied in risk assessments and other characterizations for use by the Environmental Protection Agency and other agencies in regulatory decisions, and by industry in identifying toxic and safer chemicals.

(2) MODELS.—In carrying out paragraph (1), the Consortium—

(A) shall use supercomputers and other virtual tools to develop, validate, and run models to predict adverse health effects caused by toxic substances and to identify safe chemicals for use in products and manufacturing; and

(B) may utilize, as needed, appropriate biological test systems to test and evaluate approaches and improve their predictability and reliability in industrial and regulatory applications.

(c) PUBLIC RESULTS.—The Consortium shall make model predictions, along with supporting documentation, available to the public in an accessible format.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section—

(1) for fiscal year 2025, $20,000,000;

(2) for fiscal year 2026, $30,000,000; and

(3) for each of fiscal years 2027 through 2029, $35,000,000.

SA 2570. Mr. PADILLA 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. LYTTON RANCHERIA OF CALIFORNIA LAND REAFFIRMATION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Lytton Rancheria of California is subject to the Act of June 18, 1934 (commonly known as the ''Indian Reorganization Act'') (48 Stat. 984, chapter 576; 25 U.S.C. 5101 et seq.), and the Secretary of the Interior may acquire and take into trust land for the benefit of the Lytton Rancheria of California pursuant to section 5 of that Act (25 U.S.C. 5108).

(b) LAND TO BE MADE PART OF THE RESERVATION.—Land taken into trust pursuant to subsection (a) shall be—

(1) part of the reservation of the Lytton Rancheria of California; and

(2) administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for an Indian Tribe.

SA 2571. Mr. PADILLA 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____. SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT.

(a) BOUNDARY ADJUSTMENT.—Section 507(c) of the National Parks and Recreation Act of 1978 (16 U.S.C. 460kk(c)) is amended by striking paragraph (1) and inserting the following:

''(1) BOUNDARY.—

''(A) IN GENERAL.—The recreation area shall consist of—

''(i) the land, water, and interests in land and water generally depicted as the recreation area on the map entitled 'Santa Monica Mountains National Recreation Area and Santa Monica Mountains Zone, California, Boundary Map', numbered 80,047–C, and dated August 2001; and

''(ii) the land, water, and interests in land and water, as generally depicted as 'Proposed Addition' on the map entitled 'Rim of the Valley Unit—Santa Monica Mountains National Recreation Area', numbered 638/147,723, and dated April 2023.

''(B) AVAILABILITY OF MAPS.—The maps described in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

''(C) REVISIONS.—After advising the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, in writing, of the proposed revision, the Secretary may make minor revisions to the boundaries of the recreation area by publication of a revised drawing or other boundary description in the Federal Register.''.

(b) ADMINISTRATION.—Any land or interest in land acquired by the Secretary of the Interior within the Rim of the Valley Unit shall be administered as part of the Santa Monica Mountains National Recreation Area (referred to in this section as the ''National Recreation Area'') in accordance with the laws (including regulations) applicable to the National Recreation Area.

(c) UTILITIES AND WATER RESOURCE FACILITIES.—The addition of the Rim of the Valley Unit to the National Recreation Area shall not affect the operation, maintenance, or modification of water resource facilities or public utilities within the Rim of the Valley Unit, except that any utility or water resource facility activities in the Rim of the Valley Unit shall be conducted in a manner that reasonably avoids or reduces the impact of the activities on resources of the Rim of the Valley Unit.

SA 2572. Mr. PADILLA 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_____. PERMANENT AUTHORIZATION TO COLLECT SHASTA-TRINITY NATIONAL FOREST MARINA FEES.

Section 422 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2149; 123 Stat. 747; 128 Stat. 346), is amended by striking ''through fiscal year 2019''.

SA 2573. Mr. PADILLA 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___. ADDITION OF CASTLE MOUNTAINS NATIONAL MONUMENT LAND TO THE MOJAVE NATIONAL PRESERVE, CALIFORNIA.

(a) BOUNDARY ADJUSTMENT.—The boundary of the Mojave National Preserve established by section 502 of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–42) (referred to in this section as the ''Preserve'') is adjusted to include the Federal land described in subsection (b).

(b) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in subsection (a) is the approximately 20,920 acres of land designated as the Castle Mountains National Monument by Presidential Proclamation Number 9394, dated February 12, 2016 (54 U.S.C. 320301 note), as depicted on the map accompanying the proclamation.

(c) AVAILABILITY OF MAP.—The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) ADMINISTRATION.—The Secretary of the Interior (acting through the Director of the National Park Service) shall administer the Federal land added to the Preserve by subsection (a)—

(1) as part of the Preserve; and

(2) in accordance with applicable laws (including regulations).

SA 2574. Mr. PADILLA 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___. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER CERTAIN FEDERAL LAND IN THE STATE OF CALIFORNIA.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) NATIONAL FOREST SYSTEM LAND.—Administrative jurisdiction over the approximately 160 acres of National Forest System land more particularly described as T.1 S., R.19 E., sec. 24, SE¼NE¼, NW¼SE¼, NE¼SE¼, and SE¼SE¼, Mount Diablo Meridian, Tuolumne County, California, as generally depicted on the map entitled ''Ackerson Meadow Land Interchange'' and dated February 24, 2022, is transferred to the Secretary of the Interior to be managed as part of Yosemite National Park, in accordance with laws applicable to the National Park System.

(2) NATIONAL PARK SYSTEM LAND.—Administrative jurisdiction over the approximately 170 acres of National Park System land more particularly described as the SE¼ of sec. 23 and the land to the north and west of Road 1S25 within the NW¼SE¼NW¼ of sec. 24, T.1 S., R. 19 E., Mount Diablo Meridian, Tuolumne County, California, as generally depicted on the map entitled ''Ackerson Meadow Land Interchange'' and dated February 24, 2022, is transferred to the Secretary of Agriculture to be managed as part of Stanislaus National Forest in accordance with laws applicable to the National Forest System.

(b) CORRECTIONS.—

(1) MINOR ADJUSTMENTS.—The Secretary of Agriculture and the Secretary of the Interior may, by mutual agreement, make minor corrections and adjustments to the Federal land transferred under subsection (a) to facilitate land management, including making a correction or adjustment to any applicable survey.

(2) PUBLICATIONS.—Any correction or adjustment made under paragraph (1) shall be effective on the date of publication of a notice of the correction or adjustment in the Federal Register.

(c) HAZARDOUS SUBSTANCES.—

(1) NOTICE.—The Secretary of Agriculture and the Secretary of the Interior shall, with respect to the land described in paragraphs (1) and (2) of subsection (a), respectively—

(A) identify any known sites containing hazardous substances; and

(B) provide to the head of the Federal agency to which the land is being transferred under subsection (a) notice of any site containing hazardous substances, as identified under subparagraph (A).

(2) CLEANUP OBLIGATIONS.—To the same extent as on the day before the date of enactment of this Act, with respect to any Federal liability—

(A) the Secretary shall remain responsible for any cleanup of hazardous substances on the Federal land described in subsection (a)(1); and

(B) the Secretary of the Interior shall remain responsible for any cleanup of hazardous substances on the Federal land described in subsection (a)(2).

(d) EFFECT ON EXISTING RIGHTS AND AUTHORIZATIONS.—Nothing in this section affects—

(1) any valid existing rights; or

(2) the validity or terms and conditions of any existing withdrawal, right-of-way, easement, lease, license, or permit on the land to which administrative jurisdiction is transferred under this section, except that beginning on the date of enactment of this Act, the head of the agency to which administrative jurisdiction over the land is transferred shall be responsible for administering the interests or authorizations in accordance with applicable law.

SA 2575. Mr. PADILLA 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—CALIFORNIA PUBLIC LANDS

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Protecting Unique and Beautiful Landscapes by Investing in California Lands Act'' or the ''PUBLIC Lands Act''.

SEC. 5002. DEFINITIONS.

In this division:

(1) SECRETARY.—The term ''Secretary'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(2) STATE.—The term ''State'' means the State of California.

TITLE I—CALIFORNIA FOREST RESTORATION, RECREATION, AND CONSERVATION

Subtitle A—Forest Restoration

SEC. 5111. SOUTH FORK TRINITY-MAD RIVER RESTORATION AREA.

(a) DEFINITIONS.—In this section:

(1) ECOLOGICAL INTEGRITY.—The term ''ecological integrity'' has the meaning given the term in section 219.19 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) RESTORATION.—The term ''restoration'' has the meaning given the term in section 219.19 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(3) RESTORATION AREA.—The term ''restoration area'' means the South Fork Trinity-Mad River Restoration Area established by subsection (b).

(4) SHADED FUEL BREAK.—The term ''shaded fuel break'' means a vegetation treatment that—

(A) reduces fuel characteristics in order to affect fire behavior such that a fire can be more readily controlled; and

(B) retains, to the maximum extent practicable—

(i) adequate canopy cover to suppress plant regrowth in the forest understory following treatment; and

(ii) the largest and most vigorous trees in order to provide the most shade per tree over the longest period of time.

(b) ESTABLISHMENT.—Subject to valid existing rights, there is established the South Fork Trinity-Mad River Restoration Area, comprising approximately 871,414 acres of Federal land administered by the Forest Service and the Bureau of Land Management, as generally depicted on the map entitled ''South Fork Trinity-Mad River Restoration Area'' and dated May 15, 2020.

(c) PURPOSES.—The purposes of the Restoration Area are—

(1) to establish, restore, and maintain fire-resilient mature and late successional forests, as ecologically appropriate;

(2) to protect and restore aquatic habitat and anadromous fisheries;

(3) to protect the quality of water;

(4) to reduce the threat posed by wildfires to neighboring communities; and

(5) to allow visitors to enjoy the scenic, recreational, natural, cultural, and wildlife values of the Restoration Area.

(d) COLLABORATIVE RESTORATION AND FIRE MANAGEMENT PLANS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture and Secretary of

the Interior shall jointly submit to Congress—

(1) a plan to conduct restoration activities and improve the ecological integrity of the restoration area; and

(2) an updated fire management plan for the land that includes the restoration area.

(e) COLLABORATION REQUIREMENT.—In developing the plans required under subsection (d), the Secretary shall solicit input from a collaborative group that—

(1) includes—

(A) appropriate representatives of State and local governments; and

(B) multiple interested persons representing diverse interests; and

(2) is transparent and inclusive.

(f) FIRE MANAGEMENT PLAN COMPONENTS.—The updated fire management plan required under subsection (d)(2) shall, to the maximum extent practicable, include—

(1) the use of prescribed fire; and

(2) the use of shaded fuel breaks.

(g) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall conduct restoration activities in a manner consistent with the plans required under subsection (d).

(2) CONFLICT OF LAWS.—

(A) IN GENERAL.—The establishment of the restoration area shall not modify the management status of any land or water that is designated as a component of the National Wilderness Preservation System or the National Wild and Scenic Rivers System, including land or water designated as a component of the National Wilderness Preservation System or the National Wild and Scenic Rivers System by this division(including an amendment made by this division).

(B) RESOLUTION OF CONFLICT.—If there is a conflict between a law applicable to a component described in subparagraph (A) and this section, the more restrictive provision shall control.

(h) WITHDRAWAL.—Subject to valid existing rights, the restoration area is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under laws relating to mineral and geothermal leasing or mineral materials.

SEC. 5112. CALIFORNIA PUBLIC LAND REMEDIATION PARTNERSHIP.

(a) DEFINITIONS.—In this section:

(1) PARTNERSHIP.—The term ''partnership'' means the California Public Land Remediation Partnership established by subsection (b).

(2) PRIORITY LAND.—The term ''priority land'' means Federal land in the State that is determined by the partnership to be a high-priority for remediation.

(3) REMEDIATION.—

(A) IN GENERAL.—The term ''remediation'' means to facilitate the recovery of land or water that has been degraded, damaged, or destroyed by illegal marijuana cultivation or another illegal activity.

(B) INCLUSIONS.—The term ''remediation'' includes—

(i) the removal of trash, debris, or other material; and

(ii) establishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial or aquatic ecosystem sustainability, resilience, or health under current and future conditions.

(b) ESTABLISHMENT.—There is established the California Public Land Remediation Partnership.

(c) PURPOSES.—The purposes of the partnership are to support coordination of activities among Federal, State, Tribal, and local authorities and the private sector in the remediation of priority land in the State affected by illegal marijuana cultivation or another illegal activity.

(d) MEMBERSHIP.—The members of the partnership shall include the following:

(1) The Secretary of Agriculture (or a designee) to represent the Forest Service.

(2) The Secretary of the Interior (or a designee) to represent—

(A) the United States Fish and Wildlife Service;

(B) the Bureau of Land Management; and

(C) the National Park Service.

(3) The Director of the Office of National Drug Control Policy (or a designee).

(4) The Secretary of the State Natural Resources Agency (or a designee) to represent the California Department of Fish and Wildlife.

(5) A designee of the California State Water Resources Control Board.

(6) A designee of the California State Sheriffs' Association.

(7) 1 member to represent federally recognized Indian Tribes, to be appointed by the Secretary of Agriculture.

(8) 1 member to represent nongovernmental organizations with an interest in Federal land remediation, to be appointed by the Secretary of Agriculture.

(9) 1 member to represent local governmental interests, to be appointed by the Secretary of Agriculture.

(10) A law enforcement official from each of the following:

(A) The Department of the Interior.

(B) The Department of Agriculture.

(11) A subject matter expert to provide expertise and advice on methods needed for remediation efforts, to be appointed by the Secretary of Agriculture.

(12) A designee of the National Guard Counterdrug Program.

(13) Any other members that are determined to be appropriate by the partnership.

(e) DUTIES.—To further the purposes of this section and subject to subsection (f), the partnership shall—

(1) identify priority land for remediation in the State;

(2) secure voluntary contributions of resources from Federal sources and non-Federal sources for remediation of priority land in the State;

(3) support efforts by Federal, State, Tribal, and local agencies and nongovernmental organizations in carrying out remediation of priority land in the State;

(4) support research and education on the impacts of, and solutions to, illegal marijuana cultivation and other illegal activities on priority land in the State;

(5) involve other Federal, State, Tribal, and local agencies, nongovernmental organizations, and the public in remediation efforts on priority land in the State, to the maximum extent practicable; and

(6) carry out any other administrative or advisory activities necessary to address remediation of priority land in the State.

(f) LIMITATION.—Nothing in this section limits the authorities of the Federal, State, Tribal, and local entities that comprise the partnership.

(g) AUTHORITIES.—Subject to the prior approval of the Secretary of Agriculture and consistent with applicable law (including regulations), the partnership may—

(1) provide grants to the State, political subdivisions of the State, nonprofit organizations, and other persons;

(2) enter into cooperative agreements with or provide technical assistance to Federal agencies, the State, political subdivisions of the State, nonprofit organizations, and other interested persons;

(3) identify opportunities for collaborative efforts among members of the partnership;

(4) hire and compensate staff;

(5) obtain funds or services from any source, including—

(A) Federal funds (including funds and services provided under any other Federal law or program); and

(B) non-Federal funds;

(6) coordinate to identify sources of funding or services that may be available for remediation activities;

(7) seek funds or services from any source, including—

(A) Federal funds (including funds and services provided under any other Federal law or program); and

(B) non-Federal funds; and

(8) support—

(A) activities of partners; and

(B) any other activities that further the purposes of this section.

(h) PROCEDURES.—The partnership shall establish any internal administrative procedures for the partnership that the partnership determines to be necessary or appropriate.

(i) LOCAL HIRING.—The partnership shall, to the maximum extent practicable and in accordance with existing law, give preference to local entities and individuals in carrying out this section.

(j) SERVICE WITHOUT COMPENSATION.—A member of the partnership shall serve without pay.

(k) DUTIES AND AUTHORITIES OF THE SECRETARIES.—

(1) IN GENERAL.—The Secretary of Agriculture shall convene the partnership on a regular basis to carry out this section.

(2) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary of Agriculture and the Secretary of the Interior may provide technical and financial assistance, on a reimbursable or nonreimbursable basis, as determined to be appropriate by the Secretary of Agriculture or the Secretary of the Interior, as applicable, to the partnership or any members of the partnership to carry out this section.

(3) COOPERATIVE AGREEMENTS.—The Secretary of Agriculture and the Secretary of the Interior may enter into cooperative agreements with the partnership, any member of the partnership, or other public or private entities to provide technical, financial, or other assistance to carry out this section.

SEC. 5113. LAND AND RESOURCE MANAGEMENT PLANS.

In revising the land and resource management plan for the Shasta-Trinity and Six Rivers National Forests, the Secretary of Agriculture shall consider the purposes of the South Fork Trinity-Mad River Restoration Area established by section 5111(b).

SEC. 5114. ANNUAL FIRE MANAGEMENT PLANS.

In revising the fire management plan for a wilderness area or wilderness addition designated by section 5141(a), the Secretary shall—

(1) develop spatial fire management plans in accordance with—

(A) the Guidance for Implementation of Federal Wildland Fire Management Policy, dated February 13, 2009, including any amendments to the guidance; and

(B) other appropriate policies;

(2) ensure that a fire management plan—

(A) considers how prescribed or managed fire can be used to achieve ecological management objectives of wilderness and other natural or primitive areas; and

(B) in the case of a wilderness area to which land is added under section 5141, provides consistent direction regarding fire management to the entire wilderness area, including the wilderness addition;

(3) consult with—

(A) appropriate State, Tribal, and local governmental entities; and

(B) members of the public; and

(4) comply with applicable law (including regulations).

Subtitle B—Recreation

SEC. 5121. BIGFOOT NATIONAL RECREATION TRAIL.

(a) FEASIBILITY STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary of Agriculture (referred to in this section as the ''Secretary''), in cooperation with the Secretary of the Interior, shall prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a study that describes the feasibility of establishing a nonmotorized Bigfoot National Recreation Trail that follows the route described in paragraph (2).

(2) ROUTE.—The route referred to in paragraph (1) shall extend from the Ides Cove Trailhead in the Mendocino National Forest to Crescent City, California, following the route as generally depicted on the map entitled ''Bigfoot National Recreation Trail—Proposed'' and dated July 25, 2018.

(3) ADDITIONAL REQUIREMENT.—In completing the study required under paragraph (1), the Secretary shall consult with—

(A) appropriate Federal, State, Tribal, regional, and local agencies;

(B) private landowners;

(C) nongovernmental organizations; and

(D) members of the public.

(b) DESIGNATION.—

(1) IN GENERAL.—On completion of the study under subsection (a), if the Secretary determines that the Bigfoot National Recreation Trail is feasible and meets the requirements for a National Recreation Trail under section 4 of the National Trails System Act (16 U.S.C. 1243), the Secretary shall designate the Bigfoot National Recreation Trail (referred to in this section as the ''trail'') in accordance with—

(A) the National Trails System Act (16 U.S.C. 1241 et seq.);

(B) this title; and

(C) other applicable law (including regulations).

(2) ADMINISTRATION.—On designation by the Secretary, the trail shall be administered by the Secretary, in consultation with—

(A) other Federal, State, Tribal, regional, and local agencies;

(B) private landowners; and

(C) other interested organizations.

(3) PRIVATE PROPERTY RIGHTS.—

(A) IN GENERAL.—No portions of the trail may be located on non-Federal land without the written consent of the landowner.

(B) PROHIBITION.—The Secretary shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally managed area without the consent of the owner of the land or interest in the land.

(C) EFFECT.—Nothing in this section—

(i) requires any private property owner to allow public access (including Federal, State, or local government access) to private property; or

(ii) modifies any provision of Federal, State, or local law with respect to public access to or use of private land.

(c) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary may enter into cooperative agreements with State, Tribal, and local government entities and private entities—

(1) to complete necessary trail construction, reconstruction, realignment, or maintenance; or

(2) carry out education projects relating to the trail.

(d) MAP.—

(1) MAP REQUIRED.—On designation of the trail, the Secretary shall prepare a map of the trail.

(2) PUBLIC AVAILABILITY.—The map referred to in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 5122. ELK CAMP RIDGE RECREATION TRAIL.

(a) DESIGNATION.—

(1) IN GENERAL.—In accordance with paragraph (2), the Secretary of Agriculture (referred to in this section as the ''Secretary''), after providing an opportunity for public comment, shall designate a trail (which may include a system of trails)—

(A) for use by off-highway vehicles, mountain bicycles, or both; and

(B) to be known as the ''Elk Camp Ridge Recreation Trail'' (referred to in this section as the ''trail'').

(2) REQUIREMENTS.—In designating the trail under paragraph (1), the Secretary shall only include routes that are—

(A) as of the date of enactment of this Act, authorized for use by off-highway vehicles, mountain bicycles, or both; and

(B) located on land that is managed by the Forest Service in Del Norte County in the State.

(3) MAP.—A map that depicts the trail shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(b) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the trail—

(A) in accordance with applicable law (including regulations);

(B) in a manner that ensures the safety of citizens who use the trail; and

(C) in a manner that minimizes any damage to sensitive habitat or cultural resources.

(2) MONITORING; EVALUATION.—To minimize the impacts of the use of the trail on environmental and cultural resources, the Secretary shall annually assess the effects of the use of off-highway vehicles and mountain bicycles on—

(A) the trail;

(B) land located in proximity to the trail; and

(C) plants, wildlife, and wildlife habitat.

(3) CLOSURE.—The Secretary, in consultation with the State and Del Norte County in the State and subject to paragraph (4), may temporarily close or permanently reroute a portion of the trail if the Secretary determines that—

(A) the trail is having an adverse impact on—

(i) wildlife habitat;

(ii) natural resources;

(iii) cultural resources; or

(iv) traditional uses;

(B) the trail threatens public safety; or

(C) closure of the trail is necessary—

(i) to repair damage to the trail; or

(ii) to repair resource damage.

(4) REROUTING.—Any portion of the trail that is temporarily closed by the Secretary under paragraph (3) may be permanently rerouted along any road or trail—

(A) that is—

(i) in existence as of the date of the closure of the portion of the trail;

(ii) located on public land; and

(iii) open to motorized or mechanized use; and

(B) if the Secretary determines that rerouting the portion of the trail would not significantly increase or decrease the length of the trail.

(5) NOTICE OF AVAILABLE ROUTES.—The Secretary shall ensure that visitors to the trail have access to adequate notice relating to the availability of trail routes through—

(A) the placement of appropriate signage along the trail; and

(B) the distribution of maps, safety education materials, and other information that the Secretary determines to be appropriate.

(c) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 5123. TRINITY LAKE TRAIL.

(a) TRAIL CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 3 years after the date of enactment of this Act, the Secretary shall study the feasibility and public interest of constructing a recreational trail for nonmotorized uses around Trinity Lake (referred to in this section as the ''trail'').

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—Subject to appropriations and in accordance with paragraph (3), if the Secretary determines under paragraph (1) that the construction of the trail is feasible and in the public interest, the Secretary may provide for the construction of the trail.

(B) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—The trail may be constructed under this section through the acceptance of volunteer services and contributions from non-Federal sources to reduce or eliminate the need for Federal expenditures to construct the trail.

(3) COMPLIANCE.—In carrying out this section, the Secretary shall comply with—

(A) the laws (including regulations) generally applicable to the National Forest System; and

(B) this title.

(b) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 5124. CONDOR NATIONAL SCENIC TRAIL STUDY.

(a) IN GENERAL.—The Secretary of Agriculture shall conduct a study that addresses the feasibility of, and alternatives for, connecting the northern and southern portions of the Los Padres National Forest by establishing a trail across the applicable portions of the northern and southern Santa Lucia Mountains of the southern California Coastal Range by designating the Condor National Scenic Trail as a component of the National Trails System.

(b) CONTENTS.—In carrying out the study required under subsection (a), the Secretary of Agriculture shall—

(1) comply with the requirements for studies for a national scenic trail described in section 5(b) of the National Trails System Act (16 U.S.C. 1244(b));

(2) provide for a continual hiking route through and connecting the southern and northern sections of the Los Padres National Forest;

(3) promote recreational, scenic, wilderness, and cultural values;

(4) enhance connectivity with the overall system of National Forest System trails;

(5) consider new connectors and realignment of existing trails;

(6) emphasize safe and continuous public access, dispersal from high-use areas, and suitable water sources; and

(7) to the extent practicable, provide all-year use.

(c) ADDITIONAL REQUIREMENT.—In completing the study required under subsection (a), the Secretary of Agriculture shall consult with—

(1) appropriate Federal, State, Tribal, regional, and local agencies;

(2) private landowners;

(3) nongovernmental organizations; and

(4) members of the public.

(d) SUBMISSION.—The Secretary of Agriculture shall submit the study required under subsection (a) to—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

SEC. 5125. NONMOTORIZED RECREATION OPPORTUNITIES.

Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary of Agriculture, in consultation with interested parties, shall conduct a study to improve nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the Santa Barbara, Ojai, and Mt. Pinos ranger districts of the Los Padres National Forest.

SEC. 5126. TRAILS STUDY.

(a) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary of Agriculture, in accordance with subsection (b) and in consultation with interested parties, shall conduct a study—

(1) to improve motorized and nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the portions of the Six Rivers, Shasta-Trinity, and Mendocino National Forests located in Del Norte, Humboldt, Trinity, and Mendocino Counties in the State; and

(2) of the feasibility of opening a new trail, for vehicles measuring 50 inches or less, connecting Forest Service Highway 95 to the existing off-highway vehicle trail system in the Ballinger Canyon Off-Highway Vehicle Area.

(b) CONSULTATION.—In carrying out the study under subsection (a), the Secretary of Agriculture shall consult with the Secretary of the Interior regarding opportunities to improve, through increased coordination, recreation trail opportunities on land under the jurisdiction of the Secretary of the Interior that shares a boundary with the National Forest System land described in subsection (a)(1).

SEC. 5127. CONSTRUCTION OF MOUNTAIN BICYCLING ROUTES.

(a) TRAIL CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall study the feasibility and public interest of constructing recreational trails for mountain bicycling and other nonmotorized uses on the routes as generally depicted in the report entitled ''Trail Study for Smith River National Recreation Area Six Rivers National Forest'' and dated 2016.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—Subject to appropriations and in accordance with paragraph (3), if the Secretary determines under paragraph (1) that the construction of 1 or more routes described in that paragraph is feasible and in the public interest, the Secretary may provide for the construction of the routes.

(B) MODIFICATIONS.—The Secretary may modify the routes, as determined to be necessary by the Secretary.

(C) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—Routes may be constructed under this section through the acceptance of volunteer services and contributions from non-Federal sources to reduce or eliminate the need for Federal expenditures to construct the route.

(3) COMPLIANCE.—In carrying out this section, the Secretary shall comply with—

(A) the laws (including regulations) generally applicable to the National Forest System; and

(B) this title.

(b) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 5128. PARTNERSHIPS.

(a) AGREEMENTS AUTHORIZED.—The Secretary may enter into agreements with qualified private and nonprofit organizations to carry out the following activities on Federal land in Mendocino, Humboldt, Trinity, and Del Norte Counties in the State:

(1) Trail and campground maintenance.

(2) Public education, visitor contacts, and outreach.

(3) Visitor center staffing.

(b) CONTENTS.—An agreement entered into under subsection (a) shall clearly define the role and responsibility of the Secretary and the private or nonprofit organization.

(c) COMPLIANCE.—The Secretary shall enter into agreements under subsection (a) in accordance with existing law.

(d) EFFECT.—Nothing in this section—

(1) reduces or diminishes the authority of the Secretary to manage land and resources under the jurisdiction of the Secretary; or

(2) amends or modifies the application of any existing law (including regulations) applicable to land under the jurisdiction of the Secretary.

SEC. 5129. TRINITY LAKE VISITOR CENTER.

(a) IN GENERAL.—The Secretary of Agriculture may establish, in cooperation with any other public or private entity that the Secretary determines to be appropriate, a visitor center in Weaverville, California—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of the Whiskeytown-Shasta-Trinity National Recreation Area.

(b) REQUIREMENTS.—The Secretary shall ensure that the visitor center authorized under subsection (a) is designed to provide for the interpretation of the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of the Whiskeytown-Shasta-Trinity National Recreation Area and other Federal land in the vicinity of the visitor center.

(c) COOPERATIVE AGREEMENTS.—In a manner consistent with this section, the Secretary may enter into cooperative agreements with the State and any other appropriate institutions and organizations to carry out the purposes of this section.

SEC. 5130. DEL NORTE COUNTY VISITOR CENTER.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of the Interior, acting jointly or separately (referred to in this section as the ''Secretaries''), may establish, in cooperation with any other public or private entity that the Secretaries determine to be appropriate, a visitor center in Del Norte County, California—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of Redwood National and State Parks, the Smith River National Recreation Area, and any other Federal land in the vicinity of the visitor center.

(b) REQUIREMENTS.—The Secretaries shall ensure that the visitor center authorized under subsection (a) is designed to interpret the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of Redwood National and State Parks, the Smith River National Recreation Area, and any other Federal land in the vicinity of the visitor center.

SEC. 5131. STUDY; PARTNERSHIPS RELATED TO OVERNIGHT ACCOMMODATIONS.

(a) STUDY.—The Secretary of the Interior, in consultation with interested Federal, State, Tribal, and local entities and private and nonprofit organizations, shall conduct a study to evaluate the feasibility and suitability of establishing overnight accommodations near Redwood National and State Parks on—

(1) Federal land that is within 20 miles of the northern boundary of Redwood National and State Parks; and

(2) Federal land that is within 20 miles of the southern boundary of Redwood National and State Parks.

(b) PARTNERSHIPS.—

(1) AGREEMENTS AUTHORIZED.—If the Secretary determines, based on the study conducted under subsection (a), that establishing the accommodations described in that subsection is suitable and feasible, the Secretary may, in accordance with applicable law, enter into 1 or more agreements with qualified private and nonprofit organizations for the development, operation, and maintenance of the accommodations.

(2) CONTENTS.—Any agreement entered into under paragraph (1) shall clearly define the role and responsibility of the Secretary and the private or nonprofit organization entering into the agreement.

(3) EFFECT.—Nothing in this subsection—

(A) reduces or diminishes the authority of the Secretary to manage land and resources under the jurisdiction of the Secretary; or

(B) amends or modifies the application of any law (including regulations) applicable to land under the jurisdiction of the Secretary.

Subtitle C—Conservation

SEC. 5141. DESIGNATION OF WILDERNESS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) BLACK BUTTE RIVER WILDERNESS.—Certain Federal land in the Mendocino National Forest, comprising approximately 11,155 acres, as generally depicted on the map entitled ''Black Butte Wilderness—Proposed'' and dated May 15, 2020, which shall be known as the ''Black Butte River Wilderness''.

(2) CALIENTE MOUNTAIN WILDERNESS.—Certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 35,116 acres, as generally depicted on the map entitled ''Proposed Caliente Mountain Wilderness'' and dated February 2, 2022, which shall be known as the ''Caliente Mountain Wilderness''.

(3) CHANCHELULLA WILDERNESS ADDITIONS.—Certain Federal land in the Shasta-Trinity National Forest, comprising approximately 6,382 acres, as generally depicted on the map entitled ''Chanchelulla Wilderness Additions—Proposed'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the Chanchelulla Wilderness designated by section 101(a)(4) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1619).

(4) CHINQUAPIN WILDERNESS.—Certain Federal land in the Shasta-Trinity National Forest, comprising approximately 31,028 acres, as generally depicted on the map entitled ''Chinquapin Wilderness—Proposed'' and dated November 14, 2023, which shall be known as the ''Chinquapin Wilderness''.

(5) CHUMASH WILDERNESS ADDITION.—Certain Federal land in the Los Padres National Forest comprising approximately 23,670 acres, as generally depicted on the map entitled ''Chumash Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Chumash Wilderness as designated by section 2(5) of the Los Padres Condor Range and River Protection Act (16 U.S.C. 1132 note; Public Law 102–301; 106 Stat. 243).

(6) CONDOR PEAK WILDERNESS.—Certain Federal land in the Angeles National Forest, comprising approximately 8,207 acres, as generally depicted on the map entitled ''Condor Peak Wilderness—Proposed'' and dated June 6, 2019, which shall be known as the ''Condor Peak Wilderness''.

(7) DIABLO CALIENTE WILDERNESS.—Certain Federal land in the Los Padres National Forest comprising approximately 17,870 acres, as generally depicted on the map entitled ''Diablo Caliente Wilderness Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Diablo Caliente Wilderness''.

(8) DICK SMITH WILDERNESS ADDITION.—Certain Federal land in the Los Padres National Forest comprising approximately 54,036 acres, as generally depicted on the maps entitled ''Dick Smith Wilderness Area Additions—Proposed Map 1 of 2 (Bear Canyon and Cuyama Peak Units)'' and ''Dick Smith Wilderness Area Additions—Proposed Map 2 of 2 (Buckhorn and Mono Units)'' and dated November 14, 2019, which shall be incorporated into and managed as part of the Dick Smith Wilderness as designated by section 101(a)(6) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1620).

(9) ELKHORN RIDGE WILDERNESS ADDITION.—Certain Federal land administered by the Bureau of Land Management in the State , comprising approximately 37 acres, as generally depicted on the map entitled ''Proposed Elkhorn Ridge Wilderness Additions'' and dated February 2, 2022, which is incorporated in, and considered to be a part of, the Elkhorn Ridge Wilderness designated by section 6(d) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2070).

(10) ENGLISH RIDGE WILDERNESS.—Certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 6,204 acres, as generally depicted on the map entitled ''English Ridge Wilderness—Proposed'' and dated February 2, 2022, which shall be known as the ''English Ridge Wilderness''.

(11) GARCIA WILDERNESS ADDITION.—Certain Federal land in the Los Padres National Forest and certain Federal land administered by the Bureau of Land Management in the State comprising approximately 7,289 acres, as generally depicted on the map entitled ''Garcia Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Garcia Wilderness as designated by section 2(4) of the Los Padres Condor Range and River Protection Act (16 U.S.C. 1132 note; Public Law 102–301; 106 Stat. 243).

(12) MACHESNA MOUNTAIN WILDERNESS ADDITION.—Certain Federal land in the Los Padres National Forest and certain Federal land administered by the Bureau of Land Management in the State comprising approximately 10,817 acres, as generally depicted on the map entitled ''Machesna Mountain Wilderness—Proposed Additions'' and dated October 30, 2019, and depicted on the map entitled ''Machesna Mountain Potential Wilderness'' and dated November 14, 2023, which shall be incorporated into and managed as part of the Machesna Mountain Wilderness as designated by section 101(a)(38) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1624).

(13) MAD RIVER BUTTES WILDERNESS.—Certain Federal land in the Six Rivers National Forest comprising approximately 6,097 acres, as generally depicted on the map entitled ''Mad River Buttes Wilderness—Proposed'' and dated May 15, 2020, which shall be known as the ''Mad River Buttes Wilderness''.

(14) MATILIJA WILDERNESS ADDITION.—Certain Federal land in the Los Padres National Forest comprising approximately 30,184 acres, as generally depicted on the map entitled ''Matilija Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Matilija Wilderness as designated by section 2(2) of the Los Padres Condor Range and River Protection Act (16 U.S.C. 1132 note; Public Law 102–301; 106 Stat. 242).

(15) MOUNT LASSIC WILDERNESS ADDITION.—Certain Federal land in the Six Rivers National Forest, comprising approximately 1,288 acres, as generally depicted on the map entitled ''Mt. Lassic Wilderness Additions—Proposed'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the Mount Lassic Wilderness designated by section 3(6) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2065).

(16) NORTH FORK WILDERNESS ADDITION.—Certain Federal land in the Six Rivers National Forest and certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 16,342 acres, as generally depicted on the map entitled ''North Fork Eel Wilderness Additions'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the North Fork Wilderness designated by section 101(a)(19) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1621).

(17) PATTISON WILDERNESS.—Certain Federal land in the Shasta-Trinity National Forest, comprising approximately 29,451 acres, as generally depicted on the map entitled ''Pattison Wilderness—Proposed'' and dated May 15, 2020, which shall be known as the ''Pattison Wilderness''.

(18) SAN GABRIEL WILDERNESS ADDITIONS.—Certain Federal land in the Angeles National Forest, comprising approximately 2,032 acres, as generally depicted on the map entitled ''San Gabriel Wilderness Additions'' and dated June 6, 2019, which is incorporated in, and considered to be a part of, the San Gabriel Wilderness designated by Public Law 90–318 (16 U.S.C. 1132 note; 82 Stat. 131).

(19) SAN RAFAEL WILDERNESS ADDITION.—Certain Federal land in the Los Padres National Forest comprising approximately 23,969 acres, as generally depicted on the map entitled ''San Rafael Wilderness Area Additions—Proposed'' and dated November 14, 2023, which shall be incorporated into and managed as part of the San Rafael Wilderness as designated by Public Law 90–271 (16 U.S.C. 1132 note; 82 Stat. 51).

(20) SANTA LUCIA WILDERNESS ADDITION.—Certain Federal land in the Los Padres National Forest comprising approximately 2,921 acres, as generally depicted on the map entitled ''Santa Lucia Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Santa Lucia Wilderness as designated by section 2(c) of the Endangered American Wilderness Act of 1978 (16 U.S.C. 1132 note; Public Law 95–237; 92 Stat. 41).

(21) SESPE WILDERNESS ADDITION.—Certain Federal land in the Los Padres National Forest comprising approximately 14,313 acres, as generally depicted on the map entitled ''Sespe Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Sespe Wilderness as designated by section 2(1) of the Los Padres Condor Range and River Protection Act (16 U.S.C. 1132 note; Public Law 102–301; 106 Stat. 242).

(22) SHEEP MOUNTAIN WILDERNESS ADDITIONS.—Certain Federal land in the Angeles National Forest, comprising approximately 11,938 acres, as generally depicted on the map entitled ''Sheep Mountain Wilderness Additions'' and dated November 14, 2023, which is incorporated in, and considered to be a part of, the Sheep Mountain Wilderness designated by section 101(a)(29) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1623).

(23) SISKIYOU WILDERNESS ADDITION.—Certain Federal land in the Six Rivers National Forest comprising approximately 29,594 acres, as generally depicted on the maps entitled ''Siskiyou Wilderness Additions—Proposed (North)'' and ''Siskiyou Wilderness Additions—Proposed (South)'' and dated November 14, 2023, which is incorporated in, and considered to be a part of, the Siskiyou Wilderness, as designated by section 101(a)(30) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1623).

(24) SODA LAKE WILDERNESS.—Certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 13,332 acres, as generally depicted on the map entitled ''Proposed Soda Lake Wilderness'' and dated June 25, 2019, which shall be known as the ''Soda Lake Wilderness''.

(25) SOUTH FORK EEL RIVER WILDERNESS ADDITION.—Certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 603 acres, as generally depicted on the map entitled ''South Fork Eel River Wilderness Additions—Proposed'' and dated October 24, 2019, which is incorporated in, and considered to be a part of, the South Fork Eel River Wilderness designated by section 3(10) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2066).

(26) SOUTH FORK TRINITY RIVER WILDERNESS.—Certain Federal land in the Shasta-Trinity National Forest, comprising approximately 26,562 acres, as generally depicted on the map entitled ''South Fork Trinity River Wilderness Additions—Proposed'' and dated November 14, 2023, which shall be known as the ''South Fork Trinity River Wilderness''.

(27) TEMBLOR RIDGE WILDERNESS ADDITION.—Certain land in the Bakersfield Field Office of the Bureau of Land Management comprising approximately 12,585 acres, as generally depicted on the map entitled ''Proposed Temblor Range Wilderness'' and dated June 25, 2019, which shall be known as the ''Temblor Range Wilderness''.

(28) TRINITY ALPS WILDERNESS ADDITION.—Certain Federal land in the Shasta-Trinity National Forest and certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 62,474 acres, as generally depicted on the maps entitled ''Trinity Alps Proposed Wilderness Additions EAST'' and dated November 14, 2023, and ''Trinity Alps Wilderness Additions West—Proposed'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the Trinity Alps Wilderness designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1623).

(29) UNDERWOOD WILDERNESS.—Certain Federal land in the Six Rivers and Shasta-Trinity National Forests comprising approximately 15,068 acres, as generally depicted on the map entitled ''Underwood Wilderness—Proposed'' and dated May 15, 2020, which shall be known as the ''Underwood Wilderness''.

(30) YERBA BUENA WILDERNESS.—Certain Federal land in the Angeles National Forest, comprising approximately 6,694 acres, as generally depicted on the map entitled ''Yerba Buena Wilderness—Proposed'' and dated June 6, 2019, which shall be known as the ''Yerba Buena Wilderness''.

(31) YOLLA BOLLY-MIDDLE EEL WILDERNESS ADDITIONS.—Certain Federal land in the Mendocino National Forest and certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 21,126 acres, as generally depicted on the maps entitled ''Yolla Bolly Wilderness Proposed—NORTH'' and dated May 15, 2020, ''Yolla Bolly Wilderness Proposed—SOUTH'' and dated November 14, 2023, and ''Yolla Bolly Wilderness Proposed—WEST'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the Yolla Bolly-Middle Eel Wilderness designated by section 3 of the Wilderness Act (16 U.S.C. 1132).

(32) YUKI WILDERNESS ADDITION.—Certain Federal land in the Mendocino National Forest and certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 14,132 acres, as generally depicted on the map entitled ''Yuki Wilderness Additions—Proposed'' and dated November 14, 2023, which is incorporated in, and considered to be a part of, the Yuki Wilderness designated by section 3(3) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2065).

(b) REDESIGNATION OF NORTH FORK WILDERNESS AS NORTH FORK EEL RIVER WILDERNESS.—

(1) IN GENERAL.—Section 101(a)(19) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1621) is amended by striking ''which shall be known as the North Fork Wilderness'' and inserting ''which shall be known as the North Fork Eel River Wilderness''.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the North Fork Wilderness shall be considered to be a reference to the ''North Fork Eel River Wilderness''.

(c) ELKHORN RIDGE WILDERNESS MODIFICATION.—The boundary of the Elkhorn Ridge Wilderness established by section 6(d) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2070) is modified by removing approximately 30 acres of Federal land, as generally depicted on the map entitled ''Proposed Elkhorn Ridge Wilderness Additions'' and dated October 24, 2019.

SEC. 5142. ADMINISTRATION OF WILDERNESS.

(a) IN GENERAL.—Subject to valid existing rights, a wilderness area or addition established by section 5141(a) (referred to in this section as a ''wilderness area'') shall be administered by the Secretary in accordance with this subtitle and the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness 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) for land under the jurisdiction of the Secretary of the Interior, any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(b) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may carry out any activities in a wilderness area as are necessary for the control of fire, insects, or disease in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)).

(2) REVISION AND DEVELOPMENT OF LOCAL FIRE MANAGEMENT PLANS.—As soon as practicable after the date of enactment of this Act, the Secretary shall amend the local information in the Fire Management Reference System or individual operational plan that applies to the land designated as a wilderness area.

(3) FUNDING PRIORITIES.—Nothing in this subtitle limits funding for fire or fuels management in a wilderness area.

(4) ADMINISTRATION.—In accordance with paragraph (1) and any other applicable Federal law, to ensure a timely and efficient response to a fire emergency in a wilderness area, the Secretary of Agriculture and the Secretary of the Interior shall—

(A) not later than 1 year after the date of enactment of this Act, establish agency approval procedures (including appropriate delegations of authority to the Forest Supervisor, District Manager, and other applicable agency field office officials) for responding to fire emergencies; and

(B) enter into agreements with appropriate State or local firefighting agencies.

(c) GRAZING.—The grazing of livestock in a wilderness area, if established before the date of enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4));

(2)(A) for land under the jurisdiction of the Secretary of Agriculture, the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617); and

(B) for land under the jurisdiction of the Secretary of the Interior, the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405); and

(3) all other laws governing livestock grazing on Federal public land.

(d) FISH AND WILDLIFE.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this subtitle affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(2) MANAGEMENT ACTIVITIES.—In support of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activity that the Secretary determines to be necessary to maintain or restore a fish, wildlife, or plant population or habitat in a wilderness area, if the management activity is conducted in accordance with—

(A) an applicable wilderness management plan;

(B) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(C) appropriate policies, such as the policies established in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(e) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this subtitle establishes a protective perimeter or buffer zone around a wilderness area.

(2) OUTSIDE ACTIVITIES OR USES.—The fact that a nonwilderness activity or use can be seen or heard from within a wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(f) MILITARY ACTIVITIES.—Nothing in this subtitle precludes—

(1) low-level overflights of military aircraft over a wilderness area;

(2) the designation of a new unit of special airspace over a wilderness area; or

(3) the use or establishment of a military flight training route over a wilderness area.

(g) HORSES.—Nothing in this subtitle precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, a wilderness area—

(1) in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(h) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas and additions to wilderness area made by this subtitle are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral materials and geothermal leasing laws.

(i) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of a wilderness area that is acquired by the United States shall—

(1) become part of the wilderness area in which the land is located;

(2) be withdrawn in accordance with subsection (h); and

(3) be managed in accordance with—

(A) this section;

(B) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(C) any other applicable law.

(j) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in a wilderness area if the Secretary determines that the devices and access to the devices are essential to a flood warning, flood control, or water reservoir operation activity.

(k) RECREATIONAL CLIMBING.—Nothing in this title prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of enactment of this Act—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and other applicable laws; and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

SEC. 5143. DESIGNATION OF POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land is designated as potential wilderness:

(1) Certain Federal land in Redwood National Park administered by the National Park Service, compromising approximately 31,000 acres, as generally depicted on the map entitled ''Redwood National Park—Potential Wilderness'' and dated October 9, 2019.

(2) Certain Federal land administered by the Bureau of Land Management in the State, comprising approximately 2,918 acres, as generally depicted on the map entitled ''Yuki Proposed Potential Wilderness'' and dated May 15, 2020.

(b) MANAGEMENT.—Except as provided in subsection (c), the Secretary shall manage the potential wilderness area designated by subsection (a) (referred to in this section as a ''potential wilderness area'') as wilderness until the date on which the potential wilderness area is designated as wilderness under subsection (d).

(c) ECOLOGICAL RESTORATION.—

(1) IN GENERAL.—For purposes of ecological restoration (including the elimination of non-native species, removal of illegal, unused, or decommissioned roads, repair of skid tracks, and any other activities necessary to restore the natural ecosystems in a potential wilderness area and consistent with paragraph (2)), the Secretary may use motorized equipment and mechanized transport in the potential wilderness area until the date on which the potential wilderness area is designated as wilderness under subsection (d).

(2) LIMITATION.—To the maximum extent practicable, the Secretary shall use the minimum tool or administrative practice necessary to accomplish ecological restoration with the least amount of adverse impact on wilderness character and resources.

(d) WILDERNESS DESIGNATION.—The potential wilderness area shall be designated as wilderness and as a component of the National Wilderness Preservation System on the date on which the Secretary publishes in the Federal Register notice that the conditions in the potential wilderness area that are incompatible with the Wilderness Act (16 U.S.C. 1131 et seq.) have been removed.

(e) ADMINISTRATION AS WILDERNESS.—On the designation of a potential wilderness area as wilderness under subsection (d)—

(1) the land described in subsection (a)(1) shall be administered in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and the laws generally applicable to units of the National Park System; and

(2) the land described in subsection (a)(2) shall be incorporated in, and considered to be a part of, the Yuki Wilderness designated by section 3(3) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2065).

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, and every 3 years thereafter until the date on which the potential wilderness area is designated as wilderness under subsection (d), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(1) the status of ecological restoration within the potential wilderness area; and

(2) the progress toward the eventual designation of the potential wilderness area as wilderness under subsection (d).

SEC. 5144. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(233) SOUTH FORK TRINITY RIVER, CALIFORNIA.—The following segments from the source tributaries in the Yolla Bolly-Middle Eel Wilderness, to be administered by the Secretary of Agriculture:

''(A) The 18.3-mile segment from its multiple source springs in the Cedar Basin of the Yolla Bolly-Middle Eel Wilderness in sec. 15, T. 27 N., R. 10 W., to 0.25 miles upstream of the Wild Mad Road, as a wild river.

''(B) The 0.65-mile segment from 0.25 miles upstream of Wild Mad Road to the confluence with the unnamed tributary approximately 0.4 miles downstream of the Wild Mad Road in sec. 29, T. 28 N., R. 11 W., as a scenic river.

''(C) The 9.8-mile segment from 0.75 miles downstream of Wild Mad Road to Silver Creek, as a wild river.

''(D) The 5.4-mile segment from Silver Creek confluence to Farley Creek, as a scenic river.

''(E) The 3.6-mile segment from Farley Creek to Cave Creek, as a recreational river.

''(F) The 5.6-mile segment from Cave Creek to the confluence of the unnamed creek upstream of Hidden Valley Ranch in sec. 5, T. 15, R. 7 E., as a wild river.

''(G) The 2.5-mile segment from the unnamed creek confluence upstream of Hidden Valley Ranch to the confluence with the unnamed creek flowing west from Bear Wallow Mountain in sec. 29, T. 1 N., R. 7 E., as a scenic river.

''(H) The 3.8-mile segment from the unnamed creek confluence in sec. 29, T. 1 N., R. 7 E., to Plummer Creek, as a wild river.

''(I) The 1.8-mile segment from Plummer Creek to the confluence with the unnamed tributary north of McClellan Place in sec. 6, T. 1 N., R. 7 E., as a scenic river.

''(J) The 5.4-mile segment from the unnamed tributary confluence in sec. 6, T. 1 N., R. 7 E., to Hitchcock Creek, as a wild river.

''(K) The 7-mile segment from Eltapom Creek to the Grouse Creek, as a scenic river.

''(L) The 5-mile segment from Grouse Creek to Coon Creek, as a wild river.

''(234) EAST FORK SOUTH FORK TRINITY RIVER, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 8.4-mile segment from its source in the Pettijohn Basin in the Yolla Bolly-Middle Eel Wilderness in sec. 10, T. 3 S., R. 10 W., to 0.25 miles upstream of the Wild Mad Road, as a wild river.

''(B) The 3.4-mile segment from 0.25 miles upstream of the Wild Mad Road to the South Fork Trinity River, as a recreational river.

''(235) RATTLESNAKE CREEK, CALIFORNIA.—The 5.9-mile segment from the confluence with the unnamed tributary in the southeast corner of sec. 5, T. 1 S., R. 12 W., to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a recreational river.

''(236) BUTTER CREEK, CALIFORNIA.—The 7-mile segment from 0.25 miles downstream of the Road 3N08 crossing to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a scenic river.

''(237) HAYFORK CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 3.2-mile segment from Little Creek to Bear Creek, as a recreational river.

''(B) The 13.2-mile segment from Bear Creek to the northern boundary of sec. 19, T. 3 N., R. 7 E., as a scenic river.

''(238) OLSEN CREEK, CALIFORNIA.—The 2.8-mile segment from the confluence of its source tributaries in sec. 5, T. 3 N., R. 7 E., to the northern boundary of sec. 24, T. 3 N., R. 6 E., to be administered by the Secretary of the Interior as a scenic river.

''(239) RUSCH CREEK, CALIFORNIA.—The 3.2-mile segment from 0.25 miles downstream of the 32N11 Road crossing to Hayfork Creek, to be administered by the Secretary of Agriculture as a recreational river.

''(240) ELTAPOM CREEK, CALIFORNIA.—The 3.4-mile segment from Buckhorn Creek to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a wild river.

''(241) GROUSE CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 3.9-mile segment from Carson Creek to Cow Creek, as a scenic river.

''(B) The 7.4-mile segment from Cow Creek to the South Fork Trinity River, as a recreational river.

''(242) MADDEN CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 6.8-mile segment from the confluence of Madden Creek and its unnamed tributary in sec. 18, T. 5 N., R. 5 E., to Fourmile Creek, as a wild river.

''(B) The 1.6-mile segment from Fourmile Creek to the South Fork Trinity River, as a recreational river.

''(243) CANYON CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture and the Secretary of the Interior:

''(A) The 6.6-mile segment from the outlet of lower Canyon Creek Lake to Bear Creek upstream of Ripstein, as a wild river.

''(B) The 11.2-mile segment from Bear Creek upstream of Ripstein to the southern boundary of sec. 25, T. 34 N., R. 11 W., as a recreational river.

''(244) NORTH FORK TRINITY RIVER, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 12-mile segment from the confluence of source tributaries in sec. 24, T. 8 N., R. 12 W., to the Trinity Alps Wilderness boundary upstream of Hobo Gulch, as a wild river.

''(B) The 0.5-mile segment from where the river leaves the Trinity Alps Wilderness to where it fully reenters the Trinity Alps Wilderness downstream of Hobo Gulch, as a scenic river.

''(C) The 13.9-mile segment from where the river fully reenters the Trinity Alps Wilderness downstream of Hobo Gulch to the Trinity Alps Wilderness boundary upstream of the County Road 421 crossing, as a wild river.

''(D) The 1.3-mile segment from the Trinity Alps Wilderness boundary upstream of the County Road 421 crossing to the Trinity River, as a recreational river.

''(245) EAST FORK NORTH FORK TRINITY RIVER, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 9.5-mile segment from the source north of Mt. Hilton in sec. 19, T. 36 N., R. 10 W., to the end of Road 35N20 approximately 0.5 miles downstream of the confluence with the East Branch East Fork North Fork Trinity River, as a wild river.

''(B) The 3.25-mile segment from the end of Road 35N20 to 0.25 miles upstream of Coleridge, as a scenic river.

''(C) The 4.6-mile segment from 0.25 miles upstream of Coleridge to the confluence of Fox Gulch, as a recreational river.

''(246) NEW RIVER, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 12.7-mile segment of Virgin Creek from its source spring in sec. 22, T. 9 N., R. 7 E., to Slide Creek, as a wild river.

''(B) The 2.3-mile segment of the New River where it begins at the confluence of Virgin and Slide Creeks to Barron Creek, as a wild river.

''(247) MIDDLE EEL RIVER, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 37.7-mile segment from its source in Frying Pan Meadow to Rose Creek, as a wild river.

''(B) The 1.5-mile segment from Rose Creek to the Black Butte River, as a recreational river.

''(C) The 10.5-mile segment of Balm of Gilead Creek from its source in Hopkins Hollow to the Middle Eel River, as a wild river.

''(D) The 13-mile segment of the North Fork Middle Fork Eel River from the source on Dead Puppy Ridge in sec. 11, T. 26 N., R. 11 W., to the confluence of the Middle Eel River, as a wild river.

''(248) NORTH FORK EEL RIVER, CALIFORNIA.—The 14.3-mile segment from the confluence with Gilman Creek to the Six Rivers National Forest boundary, to be administered by the Secretary of Agriculture as a wild river.

''(249) RED MOUNTAIN CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of Agriculture:

''(A) The 5.25-mile segment from its source west of Mike's Rock in sec. 23, T. 26 N., R. 12 E., to the confluence with Littlefield Creek, as a wild river.

''(B) The 1.6-mile segment from the confluence with Littlefield Creek to the confluence with the unnamed tributary in sec. 32, T. 26 N., R. 8 E., as a scenic river.

''(C) The 1.25-mile segment from the confluence with the unnamed tributary in sec. 32, T. 4 S., R. 8 E., to the confluence with the North Fork Eel River, as a wild river.

''(250) REDWOOD CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior:

''(A) The 6.2-mile segment from the confluence with Lacks Creek to the confluence with Coyote Creek, as a scenic river, on publication by the Secretary of the Interior of a notice in the Federal Register that sufficient land or interests in land within the boundaries of the segments have been acquired in fee title or as a scenic easement to establish a manageable addition to the National Wild and Scenic Rivers System.

''(B) The 19.1-mile segment from the confluence with Coyote Creek in sec. 2, T. 8 N., R. 2 E., to the Redwood National Park boundary upstream of Orick in sec. 34, T. 11 N., R. 1 E., as a scenic river.

''(C) The 2.3-mile segment of Emerald Creek (also known as Harry Weir Creek) from its source in sec. 29, T. 10 N., R. 2 E., to the confluence with Redwood Creek, as a scenic river.

''(251) LACKS CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior:

''(A) The 5.1-mile segment from the confluence with 2 unnamed tributaries in sec. 14, T. 7 N., R. 3 E., to Kings Crossing in sec. 27, T. 8 N., R. 3 E., as a wild river.

''(B) The 2.7-mile segment from Kings Crossing to the confluence with Redwood Creek, as a scenic river, on publication by the Secretary of a notice in the Federal Register that sufficient inholdings within the segment have been acquired in fee title or as scenic easements to establish a manageable addition to the National Wild and Scenic Rivers System.

''(252) LOST MAN CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior:

''(A) The 6.4-mile segment of Lost Man Creek from its source in sec. 5, T. 10 N., R. 2 E., to 0.25 miles upstream of the Prairie Creek confluence, as a recreational river.

''(B) The 2.3-mile segment of Larry Damm Creek from its source in sec. 8, T. 11 N., R. 2 E., to the confluence with Lost Man Creek, as a recreational river.

''(253) LITTLE LOST MAN CREEK, CALIFORNIA.—The 3.6-mile segment of Little Lost Man Creek from its source in sec. 6, T. 10 N., R. 2 E., to 0.25 miles upstream of the Lost Man Creek road crossing, to be administered by the Secretary of the Interior as a wild river.

''(254) SOUTH FORK ELK RIVER, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior (including through a cooperative management agreement with the State of California where appropriate):

''(A) The 3.6-mile segment of the Little South Fork Elk River from the source in sec. 21, T. 3 N., R. 1 E., to the confluence with the South Fork Elk River, as a wild river.

''(B) The 2.2-mile segment of the unnamed tributary of the Little South Fork Elk River from its source in sec. 15, T. 3 N., R. 1 E., to the confluence with the Little South Fork Elk River, as a wild river.

''(C) The 3.6-mile segment of the South Fork Elk River from the confluence of the Little South Fork Elk River to the confluence with Tom Gulch, as a recreational river.

''(255) SALMON CREEK, CALIFORNIA.—The 4.6-mile segment from its source in sec. 27, T. 3 N., R. 1 E., to the Headwaters Forest Reserve boundary in sec. 18, T. 3 N., R. 1 E., to be administered by the Secretary of the Interior as a wild river.

''(256) SOUTH FORK EEL RIVER, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior:

''(A) The 6.2-mile segment from the confluence with Jack of Hearts Creek to the southern boundary of the South Fork Eel Wilderness in sec. 8, T. 22 N., R. 16 W., as a recreational river to be administered by the Secretary through a cooperative management agreement with the State of California.

''(B) The 6.1-mile segment from the southern boundary of the South Fork Eel Wilderness to the northern boundary of the South Fork Eel Wilderness in sec. 29, T. 23 N., R. 16 W., as a wild river.

''(257) ELDER CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior through a cooperative management agreement with the State of California:

''(A) The 3.6-mile segment from its source north of Signal Peak in sec. 6, T. 21 N., R. 15 W., to the confluence with the unnamed tributary near the center of sec. 28, T. 22 N., R. 16 W., as a wild river.

''(B) The 1.3-mile segment from the confluence with the unnamed tributary near the center of sec. 28, T. 22 N., R. 15 W., to the confluence with the South Fork Eel River, as a recreational river.

''(C) The 2.1-mile segment of Paralyze Canyon from its source south of Signal Peak in sec. 7, T. 21 N., R. 15 W., to the confluence with Elder Creek, as a wild river.

''(258) CEDAR CREEK, CALIFORNIA.—The following segments, to be administered as a wild river by the Secretary of the Interior:

''(A) The 7.7-mile segment from its source in sec. 22, T. 24 N., R. 16 W., to the southern boundary of the Red Mountain unit of the South Fork Eel Wilderness.

''(B) The 1.9-mile segment of North Fork Cedar Creek from its source in sec. 28, T. 24 N., R. 16 E., to the confluence with Cedar Creek.

''(259) EAST BRANCH SOUTH FORK EEL RIVER, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior as a scenic river on publication by the Secretary of a notice in the Federal Register that sufficient inholdings within the boundaries of the segments have been acquired in fee title or as scenic easements to establish a manageable addition to the National Wild and Scenic Rivers System:

''(A) The 2.3-mile segment of Cruso Cabin Creek from the confluence of 2 unnamed tributaries in sec. 18, T. 24 N., R. 15 W., to the confluence with Elkhorn Creek.

''(B) The 1.8-mile segment of Elkhorn Creek from the confluence of 2 unnamed tributaries in sec. 22, T. 24 N., R. 16 W., to the confluence with Cruso Cabin Creek.

''(C) The 14.2-mile segment of the East Branch South Fork Eel River from the confluence of Cruso Cabin and Elkhorn Creeks to the confluence with Rays Creek.

''(D) The 1.7-mile segment of the unnamed tributary from its source on the north flank of Red Mountain's north ridge in sec. 2, T. 24 N., R. 17 W., to the confluence with the East Branch South Fork Eel River.

''(E) The 1.3-mile segment of the unnamed tributary from its source on the north flank of Red Mountain's north ridge in sec. 1, T. 24 N., R. 17 W., to the confluence with the East Branch South Fork Eel River.

''(F) The 1.8-mile segment of Tom Long Creek from the confluence with the unnamed tributary in sec. 12, T. 5 S., R. 4 E., to the confluence with the East Branch South Fork Eel River.

''(260) MATTOLE RIVER ESTUARY, CALIFORNIA.—The 1.5-mile segment from the confluence of Stansberry Creek to the Pacific Ocean, to be administered as a recreational river by the Secretary of the Interior.

''(261) HONEYDEW CREEK, CALIFORNIA.—The following segments, to be administered as a wild river by the Secretary of the Interior:

''(A) The 5.1-mile segment of Honeydew Creek from its source in the southwest corner of sec. 25, T. 3 S., R. 1 W., to the eastern boundary of the King Range National Conservation Area in sec. 18, T. 3 S., R. 1 E.

''(B) The 2.8-mile segment of West Fork Honeydew Creek from its source west of North Slide Peak to the confluence with Honeydew Creek.

''(C) The 2.7-mile segment of Upper East Fork Honeydew Creek from its source in sec. 23, T. 3 S., R. 1 W., to the confluence with Honeydew Creek.

''(262) BEAR CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior:

''(A) The 1.9-mile segment of North Fork Bear Creek from the confluence with the unnamed tributary immediately downstream of the Horse Mountain Road crossing to the confluence with the South Fork, as a scenic river.

''(B) The 6.1-mile segment of South Fork Bear Creek from the confluence in sec. 2, T. 5 S., R. 1 W., with the unnamed tributary flowing from the southwest flank of Queen Peak to the confluence with the North Fork, as a scenic river.

''(C) The 3-mile segment of Bear Creek from the confluence of the North and South Forks to the southern boundary of sec. 11, T. 4 S., R. 1 E., as a wild river.

''(263) GITCHELL CREEK, CALIFORNIA.—The 3-mile segment of Gitchell Creek from its source near Saddle Mountain to the Pacific Ocean, to be administered by the Secretary of the Interior as a wild river.

''(264) BIG FLAT CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior as a wild river:

''(A) The 4-mile segment of Big Flat Creek from its source near King Peak in sec. 36, T. 3 S., R. 1 W., to the Pacific Ocean.

''(B) The 0.8-mile segment of the unnamed tributary from its source in sec. 35, T. 3 S., R. 1 W., to the confluence with Big Flat Creek.

''(C) The 2.7-mile segment of North Fork Big Flat Creek from the source in sec. 34, T. 3 S., R. 1 W., to the confluence with Big Flat Creek.

''(265) BIG CREEK, CALIFORNIA.—The following segments, to be administered by the Secretary of the Interior as a wild river:

''(A) The 2.7-mile segment of Big Creek from its source in sec. 26, T. 3 S., R. 1 W., to the Pacific Ocean.

''(B) The 1.9-mile unnamed southern tributary from its source in sec. 25, T. 3 S., R. 1 W., to the confluence with Big Creek.

''(266) ELK CREEK, CALIFORNIA.—The 11.4-mile segment from its confluence with Lookout Creek to its confluence with Deep Hole Creek, to be jointly administered by the Secretaries of Agriculture and the Interior as a wild river.

''(267) EDEN CREEK, CALIFORNIA.—The 2.7-mile segment from the private property boundary in the northwest quarter of sec. 27, T. 21 N., R. 12 W., to the eastern boundary of sec. 23, T. 21 N., R. 12 W., to be administered by the Secretary of the Interior as a wild river.

''(268) DEEP HOLE CREEK.—The 4.3-mile segment from the private property boundary in the southwest quarter of sec. 13, T. 20 N., R. 12 W., to the confluence with Elk Creek, to be administered by the Secretary of the Interior as a wild river.

''(269) INDIAN CREEK, CALIFORNIA.—The 3.3-mile segment from 300 feet downstream of the jeep trail in sec. 13, T. 20 N., R. 13 W., to the confluence with the Eel River, to be administered by the Secretary of the Interior as a wild river.

''(270) FISH CREEK, CALIFORNIA.—The 4.2-mile segment from the source at Buckhorn Spring to the confluence with the Eel River, to be administered by the Secretary of the Interior as a wild river.

''(271) INDIAN CREEK, CALIFORNIA.—The following segments of Indian Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 9.5-mile segment of Indian Creek from its source in sec. 19, T. 7 N., R. 26 W., to the Dick Smith Wilderness boundary, as a wild river.

''(B) The 1-mile segment of Indian Creek from the Dick Smith Wilderness boundary to 0.25 miles downstream of Road 6N24, as a scenic river.

''(C) The 3.9-mile segment of Indian Creek from 0.25 miles downstream of Road 6N24 to the southern boundary of sec. 32, T. 6 N., R. 26 W., as a wild river.

''(272) MONO CREEK, CALIFORNIA.—The following segments of Mono Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 4.2-mile segment of Mono Creek from its source in sec. 1, T. 7 N., R. 26 W., to 0.25 miles upstream of Don Victor Fire Road in sec. 28, T. 7 N., R. 25 W., as a wild river.

''(B) The 2.1-mile segment of Mono Creek from 0.25 miles upstream of the Don Victor Fire Road in sec. 28, T. 7 N., R. 25 W., to 0.25 miles downstream of Don Victor Fire Road in sec. 34, T. 7 N., R. 25 W., as a recreational river.

''(C) The 14.7-mile segment of Mono Creek from 0.25 miles downstream of Don Victor Fire Road in sec. 34, T. 7 N., R. 25 W., to the Ogilvy Ranch private property boundary in sec. 22, T. 6 N., R. 26 W., as a wild river.

''(D) The 3.5-mile segment of Mono Creek from the Ogilvy Ranch private property boundary to the southern boundary of sec. 33, T. 6 N., R. 26 W., as a recreational river.

''(273) MATILIJA CREEK, CALIFORNIA.—The following segments of Matilija Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 7.2-mile segment of the Matilija Creek from its source in sec. 25, T. 6 N., R. 25 W., to the private property boundary in sec. 9, T. 5 N., R. 24 W., as a wild river.

''(B) The 7.25-mile segment of the Upper North Fork Matilija Creek from its source in sec. 36, T. 6 N., R. 24 W., to the Matilija Wilderness boundary, as a wild river.

''(274) LITTLE ROCK CREEK, CALIFORNIA.—The following segments of Little Rock Creek and tributaries, to be administered by the Secretary of Agriculture in the following classes:

''(A) The 10.3-mile segment from its source on Mt. Williamson in sec. 6, T. 3 N., R. 9 W., to 100 yards upstream of the confluence with the South Fork Little Rock Creek, as a wild river.

''(B) The 6.6-mile segment from 100 yards upstream of the confluence with the South Fork Little Rock Creek to the confluence with Santiago Canyon, as a recreational river.

''(C) The 1-mile segment of Cooper Canyon Creek from 0.25 miles downstream of Highway 2 to 100 yards downstream of Cooper Canyon Campground, as a scenic river.

''(D) The 1.3-mile segment of Cooper Canyon Creek from 100 yards downstream of Cooper Canyon Campground to the confluence with Little Rock Creek, as a wild river.

''(E) The 1-mile segment of Buckhorn Creek from 100 yards downstream of the Buckhorn Campground to its confluence with Cooper Canyon Creek, as a wild river.''.

(b) SESPE CREEK, CALIFORNIA.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (142) and inserting the following:

''(142) SESPE CREEK, CALIFORNIA.—The following segments of Sespe Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 2.7-mile segment of Sespe Creek from the private property boundary in sec. 10, T. 6 N., R. 24 W., to the Hartman Ranch private property boundary in sec. 14, T. 6 N., R. 24 W., as a wild river.

''(B) The 15-mile segment of Sespe Creek from the Hartman Ranch private property boundary in sec. 14, T. 6 N., R. 24 W., to the western boundary of sec. 6, T. 5 N., R. 22 W., as a recreational river.

''(C) The 6.1-mile segment of Sespe Creek from the western boundary of sec. 6, T. 5 N., R. 22 W., to the confluence with Trout Creek, as a scenic river.

''(D) The 28.6-mile segment of Sespe Creek from the confluence with Trout Creek to the southern boundary of sec. 35, T. 5 N., R. 20 W., as a wild river.''.

(c) SISQUOC RIVER, CALIFORNIA.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (143) and inserting the following:

''(143) SISQUOC RIVER, CALIFORNIA.—The following segments of the Sisquoc River and its tributaries in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 33-mile segment of the main stem of the Sisquoc River extending from its origin downstream to the Los Padres Forest boundary, as a wild river.

''(B) The 4.2-mile segment of the South Fork Sisquoc River from its source northeast of San Rafael Mountain in sec. 2, T. 7 N., R. 28 W., to its confluence with the Sisquoc River, as a wild river.

''(C) The 10.4-mile segment of Manzana Creek from its source west of San Rafael Peak in sec. 4, T. 7 N., R. 28 W., to the San Rafael Wilderness boundary upstream of Nira Campground, as a wild river.

''(D) The 0.6-mile segment of Manzana Creek from the San Rafael Wilderness boundary upstream of the Nira Campground to the San Rafael Wilderness boundary downstream of the confluence of Davy Brown Creek, as a recreational river.

''(E) The 5.8-mile segment of Manzana Creek from the San Rafael Wilderness boundary downstream of the confluence of Davy Brown Creek to the private property boundary in sec. 1, T. 8 N., R. 30 W., as a wild river.

''(F) The 3.8-mile segment of Manzana Creek from the private property boundary in sec. 1, T. 8 N., R. 30 W., to the confluence of the Sisquoc River, as a recreational river.

''(G) The 3.4-mile segment of Davy Brown Creek from its source west of Ranger Peak in sec. 32, T. 8 N., R. 29 W., to 300 feet upstream of its confluence with Munch Canyon, as a wild river.

''(H) The 1.4-mile segment of Davy Brown Creek from 300 feet upstream of its confluence with Munch Canyon to its confluence with Manzana Creek, as a recreational river.

''(I) The 2-mile segment of Munch Canyon from its source north of Ranger Peak in sec. 33, T. 8 N., R. 29 W., to 300 feet upstream of its confluence with Sunset Valley Creek, as a wild river.

''(J) The 0.5-mile segment of Munch Canyon from 300 feet upstream of its confluence with Sunset Valley Creek to its confluence with Davy Brown Creek, as a recreational river.

''(K) The 2.6-mile segment of Fish Creek from 500 feet downstream of Sunset Valley Road to its confluence with Manzana Creek, as a wild river.

''(L) The 1.5-mile segment of East Fork Fish Creek from its source in sec. 26, T. 8 N., R. 29 W., to its confluence with Fish Creek, as a wild river.''.

(d) PIRU CREEK, CALIFORNIA.—

(1) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (199) and inserting the following:

''(199) PIRU CREEK, CALIFORNIA.—The following segments of Piru Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 9.1-mile segment of Piru Creek from its source in sec. 3, T. 6 N., R. 22 W., to the private property boundary in sec. 4, T. 6 N., R. 21 W., as a wild river.

''(B) The 17.2-mile segment of Piru Creek from the private property boundary in sec. 4, T. 6 N., R. 21 W., to 0.25 miles downstream of the Gold Hill Road, as a scenic river.

''(C) The 4.1-mile segment of Piru Creek from 0.25 miles downstream of Gold Hill Road to the confluence with Trail Canyon, as a wild river.

''(D) The 7.25-mile segment of Piru Creek from the confluence with Trail Canyon to the confluence with Buck Creek, as a scenic river.

''(E) The 3-mile segment of Piru Creek from 0.5 miles downstream of Pyramid Dam at the first bridge crossing to the boundary of the Sespe Wilderness, as a recreational river.

''(F) The 13-mile segment of Piru Creek from the boundary of the Sespe Wilderness to the boundary of the Sespe Wilderness, as a wild river.

''(G) The 2.2-mile segment of Piru Creek from the boundary of the Sespe Wilderness to the upper limit of Piru Reservoir, as a recreational river.''.

(2) EFFECT.—The designation of additional miles of Piru Creek under paragraph (1) shall not affect valid water rights in existence on the date of enactment of this Act.

(3) MOTORIZED USE OF TRAILS.—Nothing in this subsection (including the amendments made by this subsection) affects the motorized use of trails designated by the Forest Service for motorized use that are located adjacent to and crossing upper Piru Creek, if the use is consistent with the protection and enhancement of river values under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

SEC. 5145. SCENIC AREAS.

(a) IN GENERAL.—Subject to valid existing rights, there are established the following scenic areas:

(1) CONDOR RIDGE SCENIC AREA.—Certain land in the Los Padres National Forest comprising approximately 18,666 acres, as generally depicted on the map entitled ''Condor Ridge Scenic Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Condor Ridge Scenic Area''.

(2) BLACK MOUNTAIN SCENIC AREA.—Certain land in the Los Padres National Forest and the Bakersfield Field Office of the Bureau of Land Management comprising approximately 16,216 acres, as generally depicted on the map entitled ''Black Mountain Scenic Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Black Mountain Scenic Area''.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall file a map and legal description of the scenic areas established by subsection (a) (referred to in this section as the ''scenic areas'') with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary of Agriculture and the Secretary of the Interior may correct any clerical and typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(c) PURPOSE.—The purpose of the scenic areas is to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the scenic areas.

(d) MANAGEMENT.—

(1) IN GENERAL.—The Secretary of Agriculture and the Secretary of the Interior shall administer land under their respective jurisdiction within the scenic areas—

(A) in a manner that conserves, protects, and enhances the resources of the scenic areas, and in particular the scenic character attributes of the scenic areas; and

(B) in accordance with—

(i) this section;

(ii) the Federal Land Policy and Management Act (43 U.S.C. 1701 et seq.) for land under the jurisdiction of the Secretary of the Interior;

(iii) any laws (including regulations) relating to the National Forest System, for land under the jurisdiction of the Secretary of Agriculture; and

(iv) any other applicable law (including regulations).

(2) USES.—The Secretary shall only allow those uses of the scenic areas that the Secretary determines would further the purposes described in subsection (c).

(e) WITHDRAWAL.—Subject to valid existing rights, the Federal land in the scenic areas is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(f) PROHIBITED USES.—The following shall be prohibited on the Federal land within the scenic areas:

(1) Permanent roads.

(2) Permanent structures.

(3) Timber harvesting, except when necessary for the purposes described in subsection (g).

(4) Transmission lines.

(5) Except as necessary to meet the minimum requirements for the administration of the scenic areas and to protect public health and safety—

(A) the use of motorized vehicles; or

(B) the establishment of temporary roads.

(6) Commercial enterprises, except as necessary for realizing the purposes of the scenic areas.

(g) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—Consistent with this section, the Secretary may take any measures in the scenic areas that the Secretary determines to be necessary to control fire, insects, and diseases, including, as the Secretary determines to be appropriate, the coordination of those activities with the State or a local agency.

(h) ADJACENT MANAGEMENT.—The fact that an otherwise authorized activity or use can be seen or heard within a scenic area shall not preclude the activity or use outside the boundary of the scenic area.

SEC. 5146. SPECIAL MANAGEMENT AREAS.

(a) ESTABLISHMENT OF SPECIAL MANAGEMENT AREAS.—

(1) HORSE MOUNTAIN SPECIAL MANAGEMENT AREA.—

(A) ESTABLISHMENT.—Subject to valid existing rights, there is established the Horse Mountain Special Management Area, comprising approximately 7,482 acres of Federal land in the Six Rivers National Forest, as generally depicted on the map entitled ''Horse Mountain Special Management Area'' and dated May 15, 2020.

(B) PURPOSE.—The purpose of the Horse Mountain Special Management Area is to enhance the recreational and scenic values of the special management area while conserving the plants, wildlife, and other natural resource values of the area.

(2) SANHEDRIN SPECIAL MANAGEMENT AREA.—

(A) ESTABLISHMENT.—Subject to valid existing rights, there is established the Sanhedrin Special Management Area, comprising approximately 12,254 acres of Federal land in the Mendocino National Forest, as generally depicted on the map entitled ''Sanhedrin Special Management Area'' and dated November 14, 2023.

(B) PURPOSES.—The purposes of the Sanhedrin Special Management Area are—

(i) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, roadless, cultural, historical, natural, educational, and scientific resources of the area;

(ii) to protect and restore late-successional forest structure, oak woodlands and grasslands, aquatic habitat, and anadromous fisheries within the area;

(iii) to protect and restore the undeveloped character of the area; and

(iv) to allow visitors to enjoy the scenic, natural, cultural, and wildlife values of the area.

(3) FOX MOUNTAIN SPECIAL MANAGEMENT AREA.—

(A) ESTABLISHMENT.—Subject to valid existing rights, there is established the Fox Mountain Special Management Area, comprising approximately 41,082 acres of Federal land in the Los Padres National Forest, as generally depicted on the map entitled ''Fox Mountain Special Management Area'' and dated November 14, 2023.

(B) PURPOSES.—The purposes of the Fox Mountain Special Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations—

(i) the ecological, scenic, wildlife, recreational, roadless, cultural, historical, natural, educational, and scientific resources of the area; and

(ii) the cultural and historical resources and values of the area.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act and in accordance with paragraph (2), the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall develop a comprehensive plan for the long-term management of the special management areas established by subsection (a).

(2) CONSULTATION.—In developing the management plan required under paragraph (1), the Secretary shall consult with—

(A) appropriate State, Tribal, and local governmental entities; and

(B) members of the public.

(3) ADDITIONAL REQUIREMENT.—The management plan required under paragraph (1) shall ensure that recreational use within a special management area established by subsection (a) (referred to in this section as a ''special management area'') does not cause significant adverse impacts on the plants and wildlife of the special management area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage a special management area—

(A) in furtherance of the purpose for the applicable special management area described in subsection (a); and

(B) in accordance with—

(i) the laws (including regulations) generally applicable to the National Forest System;

(ii) this section; and

(iii) any other applicable law (including regulations).

(2) USES.—The Secretary shall only allow uses of a special management area that the Secretary determines would further the purposes of the applicable special management area described in subsection (a).

(3) RECREATION.—The Secretary shall continue to authorize, maintain, and enhance the recreational use of the special management areas, including hunting, fishing, camping, hiking, hang gliding, sightseeing, nature study, horseback riding, rafting, mountain bicycling, motorized recreation on authorized routes, and other recreational activities, if the recreational use is consistent with—

(A) the purpose of the applicable special management area;

(B) this section;

(C) other applicable law (including regulations); and

(D) any applicable management plans.

(4) MOTORIZED VEHICLES.—

(A) IN GENERAL.—Except as provided in paragraph (C), the use of motorized vehicles in a special management area shall be permitted only on existing roads, trails, and areas designated for use by such vehicles as of the date of enactment of this Act.

(B) NEW OR TEMPORARY ROADS.—Except as provided in paragraph (C), no new or temporary roads shall be constructed within a special management area.

(C) EXCEPTIONS.—Nothing in paragraph (A) or (B) prevents the Secretary from—

(i) rerouting or closing an existing road or trail to protect natural resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary;

(ii) designating routes of travel on land acquired by the Secretary and incorporated into a special management area if the designations are—

(I) consistent with the purposes of the applicable special management area described in subsection (a); and

(II) completed, to the maximum extent practicable, not later than 3 years after the date of acquisition;

(iii) constructing a temporary road on which motorized vehicles are permitted as part of a vegetation management project carried out in accordance with subparagraph (D);

(iv) authorizing the use of motorized vehicles for administrative purposes; or

(v) responding to an emergency.

(D) DECOMMISSIONING OF TEMPORARY ROADS.—

(i) DEFINITION OF DECOMMISSION.—In this subparagraph, the term ''decommission'' means, with respect to a road—

(I) to reestablish vegetation on the road; and

(II) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(ii) REQUIREMENT.—Not later than 3 years after the date on which the applicable vegetation management project is completed, the Secretary shall decommission any temporary road constructed under subparagraph (C)(iii).

(d) TIMBER HARVEST.—

(1) IN GENERAL.—Except as provided in paragraph (2), no harvesting of timber shall be allowed within a special management area.

(2) EXCEPTIONS.—The Secretary may authorize harvesting of timber in a special

management area established by subsection (a)—

(A) if the Secretary determines that the harvesting is necessary to further the purposes of the special management area;

(B) in a manner consistent with the purposes for the applicable special management area; and

(C) subject to—

(i) such reasonable regulations, policies, and practices as the Secretary determines to be appropriate; and

(ii) all applicable laws (including regulations).

(e) GRAZING.—The grazing of livestock in a special management area, where established before the date of enactment of this Act, shall be permitted to continue—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers necessary; and

(B) applicable law (including regulations); and

(2) in a manner consistent with the purposes of the applicable special management area described in subsection (a).

(f) WILDFIRE, INSECT, AND DISEASE.—Consistent with this section, the Secretary may carry out any activities within a special management area that the Secretary determines to be necessary to control fire, insects, or diseases, including the coordination of those activities with a State or local agency.

(g) ACQUISITION AND INCORPORATION OF LAND AND INTERESTS IN LAND.—

(1) ACQUISITION AUTHORITY.—In accordance with applicable laws (including regulations), the Secretary may acquire any land or interest in land within or adjacent to the boundaries of a special management area by purchase from a willing seller, donation, or exchange.

(2) INCORPORATION.—Any land or interest in land acquired by the Secretary under paragraph (1) shall be—

(A) incorporated into, and administered as part of, the applicable special management area; and

(B) withdrawn in accordance with subsection (i).

(h) TRIBAL AGREEMENTS AND PARTNERSHIPS.—To the maximum extent practicable and in accordance with applicable laws, on request of an affected federally recognized Indian Tribe, the Secretary of the Interior (acting through the Director of the Bureau of Land Management) and the Secretary of Agriculture (acting through the Chief of the Forest Service) shall enter into agreements, contracts, and other cooperative and collaborative partnerships with the federally recognized Indian Tribe regarding management of a special management area under relevant Federal authority, including—

(1) the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.);

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(3) the Tribal Self-Governance Act of 1994 (25 U.S.C. 5361 et seq.);

(4) the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.);

(5) the good neighbor authority under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a);

(6) Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Indian Tribal governments);

(7) Secretarial Order 3342, issued by the Secretary of the Interior on October 21, 2016 (relating to identifying opportunities for cooperative and collaborative partnerships with federally recognized Indian Tribes in the management of Federal lands and resources); and

(8) Joint Secretarial Order 3403, issued by the Secretary of the Interior and the Secretary of Agriculture on November 15, 2021 (relating to fulfilling the trust responsibility to Indian Tribes in the stewardship of Federal lands and waters).

(i) WITHDRAWAL.—Subject to valid existing rights, all Federal land located in a special management area is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patenting under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

Subtitle D—Miscellaneous

SEC. 5151. MAPS AND LEGAL DESCRIPTIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of—

(1) the South Fork Trinity-Mad River Restoration Area established by section 5111(b);

(2) the wilderness areas and wilderness additions designated by section 5141(a);

(3) the potential wilderness areas designated by section 5143(a); and

(4) the Horse Mountain Special Management Area, Sanhedrin Special Management Area, and Fox Mountain Special Management Area established by section 5146(a).

(b) FORCE OF LAW.—The maps and legal descriptions prepared under subsection (a) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical and typographical errors in the maps and legal descriptions.

(c) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subsection (a) shall be on file and available for public inspection in the appropriate offices of the Forest Service, the Bureau of Land Management, or the National Park Service, as applicable.

SEC. 5152. UPDATES TO LAND AND RESOURCE MANAGEMENT PLANS.

As soon as practicable after the date of enactment of this Act, in accordance with applicable law (including regulations), the Secretary shall incorporate the designations and studies required by this title into updated management plans for units covered by this title.

SEC. 5153. PACIFIC GAS AND ELECTRIC COMPANY UTILITY FACILITIES AND RIGHTS-OF-WAY.

(a) EFFECT OF TITLE.—Nothing in this title—

(1) affects any validly issued right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized activity (including the use of any mechanized vehicle, helicopter, and other aerial device) in a right-of-way acquired by or issued, granted, or permitted to Pacific Gas and Electric Company (including any predecessor or successor in interest or assign) that is located on land included in—

(A) the South Fork Trinity-Mad River Restoration Area established by section 5111(b);

(B) the Bigfoot National Recreation Trail established under section 5121(b)(1); or

(C) the Horse Mountain Special Management Area or Sanhedrin Special Management Area established by section 5146(a); or

(2) prohibits the upgrading or replacement of any—

(A) utility facilities of the Pacific Gas and Electric Company, including those utility facilities in existence on the date of enactment of this Act within—

(i) the South Fork Trinity-Mad River Restoration Area known as—

(I) ''Gas Transmission Line 177A or rights-of-way'';

(II) ''Gas Transmission Line DFM 1312–02 or rights-of-way'';

(III) ''Electric Transmission Line Bridgeville-Cottonwood 115 kV or rights-of-way'';

(IV) ''Electric Transmission Line Humboldt-Trinity 60 kV or rights-of-way'';

(V) ''Electric Transmission Line Humboldt-Trinity 115 kV or rights-of-way'';

(VI) ''Electric Transmission Line Maple Creek-Hoopa 60 kV or rights-of-way'';

(VII) ''Electric Distribution Line-Willow Creek 1101 12 kV or rights-of-way'';

(VIII) ''Electric Distribution Line-Willow Creek 1103 12 kV or rights-of-way'';

(IX) ''Electric Distribution Line-Low Gap 1101 12 kV or rights-of-way'';

(X) ''Electric Distribution Line-Fort Seward 1121 12 kV or rights-of-way'';

(XI) ''Forest Glen Border District Regulator Station or rights-of-way'';

(XII) ''Durret District Gas Regulator Station or rights-of-way'';

(XIII) ''Gas Distribution Line 4269C or rights-of-way'';

(XIV) ''Gas Distribution Line 43991 or rights-of-way'';

(XV) ''Gas Distribution Line 4993D or rights-of-way'';

(XVI) ''Sportsmans Club District Gas Regulator Station or rights-of-way'';

(XVII) ''Highway 36 and Zenia District Gas Regulator Station or rights-of-way'';

(XVIII) ''Dinsmore Lodge 2nd Stage Gas Regulator Station or rights-of-way'';

(XIX) ''Electric Distribution Line-Wildwood 1101 12kV or rights-of-way'';

(XX) ''Low Gap Substation'';

(XXI) ''Hyampom Switching Station''; or

(XXII) ''Wildwood Substation'';

(ii) the Bigfoot National Recreation Trail known as—

(I) ''Gas Transmission Line 177A or rights-of-way'';

(II) ''Electric Transmission Line Humboldt-Trinity 115 kV or rights-of-way'';

(III) ''Electric Transmission Line Bridgeville-Cottonwood 115 kV or rights-of-way''; or

(IV) ''Electric Transmission Line Humboldt-Trinity 60 kV or rights-of-way'';

(iii) the Sanhedrin Special Management Area known as ''Electric Distribution Line-Willits 1103 12 kV or rights-of-way''; or

(iv) the Horse Mountain Special Management Area known as ''Electric Distribution Line Willow Creek 1101 12 kV or rights-of-way''; or

(B) utility facilities of the Pacific Gas and Electric Company in rights-of-way issued, granted, or permitted by the Secretary adjacent to a utility facility referred to in subparagraph (A).

(b) PLANS FOR ACCESS.—Not later than the later of the date that is 1 year after the date of enactment of this Act or the date of issuance of a new utility facility right-of-way within the South Fork Trinity-Mad River Restoration Area, Bigfoot National Recreation Trail, Sanhedrin Special Management Area, or Horse Mountain Special Management Area, the Secretary, in consultation with the Pacific Gas and Electric Company, shall publish plans for regular and emergency access by the Pacific Gas and Electric Company to the inholdings and rights-of-way of the Pacific Gas and Electric Company.

SEC. 5154. REAUTHORIZATION OF EXISTING WATER FACILITIES IN PLEASANT VIEW RIDGE WILDERNESS.

(a) AUTHORIZATION FOR CONTINUED USE.—The Secretary of Agriculture may issue a special use authorization to the owners of a water transport or diversion facility (referred to in this section as a ''facility'') located on National Forest System land in the Pleasant View Ridge Wilderness designated by section 1802(8) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132

note; Public Law 111–11; 123 Stat. 1054) for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(1) the facility was in existence on the date on which the land on which the facility is located was designated as part of the National Wilderness Preservation System (referred to in this section as ''the date of designation'');

(2) the facility has been in substantially continuous use to deliver water for the beneficial use on the non-Federal land of the owner since the date of designation;

(3) the owner of the facility holds a valid water right for use of the water on the non-Federal land of the owner under State law, with a priority date that predates the date of designation; and

(4) it is not practicable or feasible to relocate the facility to land outside of the Pleasant View Ridge Wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(b) TERMS AND CONDITIONS.—A special use authorization issued under this section shall be subject to such terms and conditions as the Secretary determines appropriate to protect wilderness resources and values.

SEC. 5155. USE BY MEMBERS OF INDIAN TRIBES.

(a) ACCESS.—The Secretary shall ensure that Indian Tribes have access, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), to the South Fork Trinity-Mad River Restoration Area, wilderness areas, scenic areas, special management areas, and potential wilderness areas designated by this title for traditional cultural and religious purposes.

(b) TEMPORARY CLOSURES.—

(1) IN GENERAL.—In carrying out this section, the Secretary, on request of an Indian Tribe, may temporarily close to the general public 1 or more specific portions of a wilderness area, scenic area, or potential wilderness area designated by this title to protect the privacy of the members of the Indian Tribe in the conduct of traditional cultural and religious activities.

(2) REQUIREMENT.—Any closure under paragraph (1) shall be—

(A) made in such a manner as to affect the smallest practicable area for the minimum period of time necessary for the activity to be carried out; and

(B) be consistent with—

(i) Public Law 95–341 (commonly known as the ''American Indian Religious Freedom Act'') (42 U.S.C. 1996 et seq.); and

(ii) the Wilderness Act (16 U.S.C. 1131 et seq.).

TITLE II—SAN GABRIEL MOUNTAINS NATIONAL MONUMENT BOUNDARY

SEC. 5201. NATIONAL MONUMENT BOUNDARY MODIFICATION.

(a) IN GENERAL.—The San Gabriel Mountains National Monument established by Presidential Proclamation 9194 (54 U.S.C. 320301 note) (referred to in this section as the ''Monument'') is modified to include the approximately 109,167 acres of additional National Forest System land depicted as the ''Proposed San Gabriel Mountains National Monument Expansion'' on the map entitled ''Proposed San Gabriel Mountains National Monument Expansion'' and dated June 26, 2019.

(b) ADMINISTRATION.—The Secretary shall administer the Monument (including the land added to the Monument by subsection (a)), in accordance with—

(1) Presidential Proclamation Number 9194, dated October 10, 2014 (79 Fed. Reg. 62303);

(2) the laws generally applicable to the Monument; and

(3) this title.

(c) MANAGEMENT PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the State, affected Indian tribes, local governments, and interested members of the public, shall update the San Gabriel Mountains National Monument Plan to include the land added to the Monument by subsection (a).

SA 2576. Mr. PADILLA 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____. REDESIGNATION OF THE COTTONWOOD VISITOR CENTER AT JOSHUA TREE NATIONAL PARK AS THE "SENATOR DIANNE FEINSTEIN VISITOR CENTER".

(a) REDESIGNATION.—The Cottonwood Visitor Center at Joshua Tree National Park shall be known and designated as the ''Senator Dianne Feinstein Visitor Center''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the visitor center referred to in subsection (a) shall be deemed to be a reference to the ''Senator Dianne Feinstein Visitor Center''.

SA 2577. Mr. PADILLA 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____. EXPANSION OF JOSHUA TREE NATIONAL PARK.

Section 402 of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–22) is amended, in the first sentence, by inserting after ''October 1991 or prior,'' the following: ''and including the approximately 17,842 acres of land depicted on the map entitled 'Proposed Joshua Tree National Park Expansion' and dated April 29, 2024,''.

SA 2578. Mr. CASSIDY (for himself and 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 C of title VII, add the following:

SEC. 727. EXPANSION OF RECOGNITION BY THE DEFENSE HEALTH AGENCY OF CERTIFYING BODIES FOR PHYSICIANS.

(a) EXPANSION.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall revise the policy of the Defense Health Agency regarding credentialing and privileging under the military health system to expand the recognition of certifying bodies for physicians under such policy to a wide range of additional board certifications in medical specialties and subspecialties.

(b) RECOGNITION OF CERTAIN CERTIFYING BODIES.—The policy required to be revised under subsection (a) shall include recognition of the following certifying bodies:

(1) The member boards of the American Board of Medical Specialties.

(2) The Bureau of Osteopathic Specialists of the American Osteopathic Association.

(3) The American Board of Foot and Ankle Surgery.

(4) The American Board of Podiatric Medicine.

(5) The American Board of Oral and Maxillofacial Surgery.

(c) STANDARDS FOR RECOGNITION OF OTHER CERTIFYING BODIES.—To be recognized under subsection (a), a certifying body for a specialty or subspecialty shall—

(1) be an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

(2) maintain a process to define, periodically review, enforce, and update specific standards regarding knowledge and skills of the specialty or subspecialty;

(3) administer a psychometrically valid assessment to determine whether a physician meets standards for initial certification, recertification, or continuing certification;

(4) establish and enforce a code of professional conduct; and

(5) require that, in order to be considered a board certified specialty physician, a physician must satisfy—

(A) the certifying body's applicable requirements for initial certification; and

(B) any applicable recertification or continuing certification requirements of the certifying body that granted the initial certification.

SA 2579. Mr. CASSIDY (for himself and 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 C of title VII, add the following:

SEC. 727. PODIATRISTS IN THE DEPARTMENT OF DEFENSE.

(a) QUALIFICATION OF DOCTORS OF PODIATRY FOR ORIGINAL APPOINTMENT AS COMMISSIONED OFFICERS.—Section 532(b)(1) of title 10, United States Code, is amended by inserting ''podiatry,'' after ''osteopathy,''.

(b) MEMBERS OF MEDICAL CORPS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure that podiatrists are assigned to the Medical Corps of each military department.

(2) NOTIFICATION.—The Secretary shall notify the Committees on Armed Services of the Senate and the House of Representatives in writing upon carrying out paragraph (1).

SA 2580. Ms. COLLINS (for herself and Mr. KING) 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 K of title V, add the following:

SEC. 599C. REQUIREMENT TO UTILIZE STATE EXTREME RISK PROTECTION ORDER PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''Armed Forces Crisis Intervention Notification Act''.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish policy—

(1) requiring each branch of the Armed Forces to fully utilize any applicable State extreme risk protection order program in the event a commanding officer determines that a member of the Armed Forces under the commanding officer's command is a covered individual for purposes of subsection (c)(3); and

(2) requiring each branch of the Armed Forces to fully participate in any judicial proceeding authorized under any applicable State extreme risk protection order program to impose, review, extend, modify, or terminate an extreme risk protection order imposed on a current or former member of the Armed Forces.

(c) DEFINITIONS.—In this section:

(1) APPLICABLE STATE EXTREME RISK PROTECTION ORDER PROGRAM.—The term ''applicable State extreme risk protection order program'' means an extreme risk protection order program of a State in which a covered individual resides or is physically present as part of such individual's military service.

(2) ARMED FORCES.—The term ''Armed Forces'' means the Army, Navy, Air Force, Marine Corps, and Space Force.

(3) COVERED INDIVIDUALS.—In this section, the term ''covered individual'' means a member of the Armed Forces who—

(A) has been determined by their commanding officer to be unfit to carry or possess a firearm for the performance of official duties due to the member making a serious, credible threat of violence against one or more members of the Armed Forces, another person, himself or herself, or a military installation or facility; or

(B) is described in section 922(g)(4) of title 18, United States Code, to the extent such status is a basis for initiation of proceedings under an applicable State extreme risk protection order program.

(4) EXTREME RISK PROTECTION ORDER PROGRAM.—The term ''extreme risk protection order program'' means extreme risk protection order program as described in section 501(a)(1)(I)(iv) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(a)(1)(I)(iv)).

(5) FULLY UTILIZE ANY APPLICABLE STATE EXTREME RISK PROTECTION ORDER PROGRAM.—The term ''fully utilize any applicable State extreme risk protection order program'' means, in the case of a branch of the Armed Forces, taking the following steps:

(A) Taking any action available to third parties under an applicable State extreme risk protection order program to initiate proceedings under such program.

(B) Providing to appropriate law enforcement or judicial personnel an accounting of the relevant material facts related to a determination made pursuant to subsection (b)(1), notwithstanding the privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note) and the requirements of section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974'').

(6) FULLY PARTICIPATE IN ANY JUDICIAL PROCEEDING AUTHORIZED UNDER ANY APPLICABLE STATE EXTREME RISK PROTECTION ORDER PROGRAM.—The term ''fully participate in any judicial proceeding authorized under any applicable State extreme risk protection order program'' means, in the case of a branch of the Armed Forces, producing, upon the request of appropriate judicial personnel or a party to the judicial proceeding, evidence that may be relevant to the proceeding, notwithstanding the privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note) and the requirements of section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974'').

(c) GUIDELINES AND POLICY.—The Secretary of Defense shall establish policy to ensure that commanding officers and any other relevant members of the Armed Forces are aware of the requirements of this section, including any State extreme risk protection order programs applicable to their commands, and how to fulfill such requirements.

SA 2581. Mrs. FISCHER (for herself, Mr. TESTER, Mr. RISCH, Mr. COTTON, Mr. RICKETTS, Mr. TUBERVILLE, Mr. ROUNDS, Mr. BARRASSO, Mr. GRASSLEY, Ms. MURKOWSKI, and Mr. MARSHALL) 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 II, add the following:

SEC. 249. PROHIBITION ON RESEARCH OR DEVELOPMENT OF CELL CULTURE AND OTHER NOVEL METHODS USED FOR THE PRODUCTION OF CULTIVATED PROTEIN.

None of the funds authorized to be appropriated by this Act may be used for the research or development of cell culture or any other novel method used for the production of cultivated protein.

SA 2582. Mr. MULLIN 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 XXVIII, insert the following:

SEC. 28___. PLAN AND COST ESTIMATE TO COMPLETE BORDER BARRIER ON SOUTHWEST BORDER OF UNITED STATES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Commanding General of the Army Corps of Engineers, in consultation with the heads of other Federal agencies, as appropriate, shall submit to the congressional defense committees and the Committee on Environment and Public Works of the Senate, not later than March 30, 2025, a plan and cost estimate for completing the construction of a physical barrier along the southwest border of the United States within a two-year period.

(b) ELEMENTS.—The plan and cost estimate required under subsection (a) shall include the following:

(1) An assessment of existing barriers along the southwest border of the United States, including the length of existing barriers that have fallen into disrepair and would require replacement.

(2) An estimate of the length of new construction that would be required to complete the construction of a physical barrier along the southwest border of the United States, factoring in the assessment under paragraph (1).

(3) An assessment of advisability of physical barrier construction due to natural terrain features, land ownership status, land preservation considerations, at risk species, and other considerations as determined appropriate by the Commanding General of the Army Corps of Engineers.

(4) A detailed map of new construction, including planned locations for gates and other access points along the physical barrier.

(5) A detailed map of the land that may be impacted by pre-construction activities, construction activities, post-construction clean-up, and other construction-related activities, including a clear identification of impacted public land, private land, tribal land, and Indigenous and other cultural sites.

(6) An assessment of any land preservation considerations, including an assessment of site restoration, environmental mitigation, habitat mitigation, and other mitigation as determined appropriate for land assessed under paragraphs (1) and (3), as well as an identification of any impact to farm or ranch land, and military bases and ranges.

(7) A detailed consultation plan for State, local, and Tribal community engagement and stakeholder engagement, including specifics on Tribal consultation, to be completed within one year.

(8) A detailed identification of the materials required to complete the construction described in subsection (a), including any electrical, lighting, sensors, and other fixtures, and the estimated cost of those materials.

(9) An estimated number of personnel that would be required to complete the construction of a physical barrier within two years and an estimated cost of such labor.

(10) An assessment of any additional construction that would be advisable to support a physical barrier along the southwest border of the United States, such as access roads or watch towers, and an estimated cost of such construction.

(11) An assessment of any monitoring, sensing, and other technologies that would be advisable for securing the southwest border of the United States and an estimated cost of those technologies.

(12) An assessment of the requirements for maintaining the physical barrier along the southwest border of the United States, including replacement of panels and anticipated repair requirements, and an estimated annual cost of such maintenance.

(c) EXCLUSION.—The plan and cost estimate required under subsection (a) shall exclude any land for which a State has requested excess materials for construction projects pursuant to section 2890 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31).

(d) INCREASE.—The amount specified in E-10, line 470 for the Office of the Secretary of Defense is hereby increased by $5,000,000, with the amount of such increase to be used to carry out the plan and cost estimate required under subsection (a).

(e) OFFSET.—The amount specified in D-10, line 1 of the Airland Mark is hereby decreased by $5,000,000.

SA 2583. Mr. MULLIN 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___. MODIFICATION OF ADMINISTRATION OF MEDICAL MALPRACTICE CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Section 2733a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (g)'' and inserting ''subsection (i)'';

(2) in subsection (b)(6), by striking ''subsection (g)'' and inserting ''subsection (i)'';

(3) in subsection (d)(1), by striking ''subsection (g)'' and inserting ''subsection (i)'';

(4) by redesignating subsections (g) through (j) as subsections (i) through (l), respectively; and

(5) by inserting after subsection (f) the following new subsections:

''(g) EXPERT MEDICAL OPINION.—No claim under this section may be denied on medical grounds until the Secretary obtains an expert medical opinion on the medical malpractice alleged under such claim from an individual who—

''(1) is not a member of the uniformed services or a civilian employee of the Department of Defense; and

''(2) does not have a business, medical, or personal relationship with the claimant.

''(h) APPEALS.—(1) Any appeal from the denial of a claim under this section shall be considered by a third-party review board jointly established by the Chief Judge of the United States Court of Appeals for the Armed Forces and the Secretary of Defense.

''(2) The third-party review board established under paragraph (1) shall consist of not more than five members, all of whom who possess sufficient legal or medical background, or both.

''(3) A claimant under this section that seeks an appeal under paragraph (1) may submit the appeal directly to the third-party review board established under such paragraph.

''(4) In considering an appeal from the denial of a claim under this section, the third-party review board established under paragraph (1) shall, at the request of the claimant, allow for a hearing on the merits of the appeal in an adversarial nature.

''(5) The Secretary of Defense shall provide to a claimant seeking an appeal under paragraph (1) a copy of any response to the appeal that is submitted on behalf of the Department of Defense.

''(6) The third-party review board established under paragraph (1) shall not consist of any member of the uniformed services or civilian employee of the Department of Defense.''.

(b) APPOINTMENT OF MEMBERS.—Not later than 180 days after the date of the enactment of this Act, the Chief Judge of the United States Court of Appeals for the Armed Forces and the Secretary of Defense shall jointly appoint members to the board established under subsection (h)(1) of section 2733a of title 10, United States Code, as added by subsection (a)(5).

(c) REPORT.—Not later than 180 days after the establishment of the board required under subsection (h)(1) of section 2733a of title 10, United States Code, as added by subsection (a)(5), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report indicating—

(1) the membership of the board;

(2) the qualifying background of each member of the board; and

(3) a statement indicating the independence of each member of the board from the Department of Defense.

(d) TREATMENT OF AWARDS.—If the number of awards to be paid for claims under section 2733a of title 10, United States Code, for a fiscal year beginning after the date of the enactment of this Act is greater than the average number of awards paid for the three fiscal years preceding such date of enactment, any award that is greater than such average number shall be paid subject to the discretion of the Secretary of Defense and subject to the availability of appropriations for such purpose.

SA 2584. Mr. YOUNG (for himself and Mr. PADILLA) 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. ___. ASSESSMENT OF BIOTECHNOLOGY CAPABILITIES OF ADVERSARIES OF THE UNITED STATES.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct an assessment relating to biotechnology and provide recommendations to the Secretary.

(b) AGREEMENT ELEMENTS.—Under an agreement between the Secretary and a federally funded research and development center under this section, the center shall agree—

(1) to conduct an assessment of—

(A) scientific topics relating to biotechnology;

(B) scientific capabilities of potential adversaries of the United States, such as China, Iran, and Russia, relating to biotechnology; and

(C) the current gaps and future scientific and technological needs for adversaries of the United States to be successful with respect to biotechnology capabilities; and

(2) to develop recommendations with respect to useful indications of any advancement of such adversaries regarding such capabilities.

(c) RESPONSIBILITIES OF SECRETARY.—Under an agreement between the Secretary and a federally funded research and development center under this section, the Secretary shall agree—

(1) to appoint appropriate Department of Defense employees as liaisons to the center to support the timely conduct of the assessment described in subsection (b)(1);

(2) to provide the center with access to materials relevant to the conduct of such assessment, consistent with the protection of sources and methods and other critically sensitive information; and

(3) to ensure that appropriate members and staff of the center have the necessary security clearances, obtained in an expedited manner, to conduct such assessment.

(d) REPORT.—

(1) IN GENERAL.—If the Secretary enters into an agreement with a federally funded research and development center under this section, not later than October 1, 2025, the Secretary shall submit to the congressional defense committees and the National Security Commission on Emerging Biotechnology a report that includes the findings and recommendations of the center developed pursuant to the assessment described in subsection (b)(1).

(2) FORM OF REPORT.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(3) TRANSMITTAL TO OTHER DEPARTMENT ENTITIES.—The Secretary shall transmit to relevant offices of the Department of Defense, including the offices of the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Policy, the Under Secretary of Defense for Intelligence and Security, and the Office of Net Assessment, a copy of the report under paragraph (1).

SA 2585. Mr. YOUNG (for himself and Mr. PADILLA) 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. REPORT ON INTERNATIONAL COLLABORATION ON DEFENSE BIOTECHNOLOGY RESEARCH AND DEVELOPMENT.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State and the Secretary of Commerce, shall submit to the appropriate congressional committees a report detailing any ongoing work with international partners and treaty allies to advance research and development on biotechnology, especially for applications relevant to national defense.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the international security partnerships that, as of the date on which the report is submitted, do, or could, include biotechnology research and development for defense, including—

(A) the Five Eyes intelligence alliance;

(B) the North Atlantic Treaty Organization (NATO); or

(C) any defense cooperation agreement entered into—

(i) with a major non-NATO ally designated under section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k); or

(ii) under section 2350a of title 10, United States Code, or the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228).

(2) A description of any challenges to collaborative biotechnology research and development, including any challenges that may prevent the partnerships described in paragraph (1) from being leveraged to the fullest extent possible.

(3) A description of any limitations on co-investments within those partnerships.

(4) An assessment of whether any United States export controls or other technology protections, including the International

Traffic in Arms Regulations, are hindering information sharing and cooperation on defense biotechnology research and development.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include 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 Foreign Relations, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2586. Mr. YOUNG (for himself and Mr. PADILLA) 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. BIOTECHNOLOGY OVERSIGHT COORDINATION COMMITTEE.

(a) FINDINGS; PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) biotechnology harnesses the power of biology to create new products and provides opportunities to grow the United States economy, provide jobs for a skilled workforce, improve resilience of supply chains, and improve the quality of human lives and the environment; and

(B) a science-based, risk-proportionate, predictable, efficient, and transparent system to support the safe use of products of biotechnology will enable the United States to continue to be a world leader in biotechnology research and development.

(2) PURPOSE.—The purpose of this section is to coordinate and enhance the efforts of the Federal Government under the Coordinated Framework for the Regulation of Biotechnology to protect health and the environment while enabling the development, commercialization, and safe use of products derived from plants, animals, and microorganisms developed with biotechnology.

(b) ESTABLISHMENT OF COMMITTEE.—

(1) IN GENERAL.—The President, acting through the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget, shall establish an interagency committee to coordinate activities of the Federal Government relating to biotechnology-specific regulation and oversight (referred to in this section as the ''Committee'').

(2) CHARTER.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Committee shall—

(i) ratify a charter for the operation of the Committee; and

(ii) make publicly available on the Unified Website for Biotechnology Regulation developed pursuant to Executive Order 13874 (7 U.S.C. 3121 note; relating to modernizing the regulatory framework for agricultural biotechnology products) (referred to in this section as the ''Unified Website'') that ratified charter.

(B) EXPANSION OR MODIFICATION.—The Committee may expand upon or modify the initial ratified charter under subparagraph (A)(i) as needed.

(c) MEMBERSHIP.—The Committee shall be composed of the heads, or their designees, of agencies responsible for biotechnology oversight, including—

(1) the Animal and Plant Health Inspection Service, the Agricultural Marketing Service, and the Food Safety and Inspection Service of the Department of Agriculture;

(2) the Food and Drug Administration and the National Institutes of Health of the Department of Health and Human Services;

(3) the Environmental Protection Agency;

(4) the Office of Management and Budget;

(5) the Office of Science and Technology Policy; and

(6) other Federal agencies or entities as determined appropriate by the Chair of the Committee.

(d) CHAIR.—The Director of the Office of Science and Technology Policy shall serve as the Chair of the Committee.

(e) REGULATORY STREAMLINING.—The Committee shall expand or build upon efforts to coordinate biotechnology oversight, including through measurable steps—

(1) to align or clarify regulatory timelines, approaches, and data requirements;

(2) to facilitate information-sharing between regulatory agencies, notwithstanding any other provision of law;

(3) to identify an initial point of contact for each type of biotechnology product, including emerging products, and clear handoffs from one process or agency to another;

(4) to identify and minimize any areas of delay relative to established timeframes, including by reducing duplicative review and building upon prior reviews to the maximum extent practicable; and

(5) to conduct periodic horizon-scanning for emerging biotechnology processes and products to ensure appropriate oversight.

(f) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Committee shall submit to Congress and make publicly available on the Unified Website a description of the following:

(1) Actions taken and next steps under subsection (e), with a description of successes, specific staffing and resource needs, and recommendations for removing any identified barriers, including changes to statutes, regulations, or guidance.

(2) A summary of the duration of oversight with respect to biotechnology products, from the initial contact with a developer to a decision with respect to the biotechnology product, during a period of not less than 5 fiscal years preceding the date of the report, including—

(A) the type of product;

(B) the 1 or more types of review;

(C) the 1 or more agencies that reviewed that product; and

(D) an explanation of timelines where needed.

(g) UNIFIED PROCESS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Committee shall submit to Congress and make publicly available on the Unified Website the following:

(1) A singular, unified process to identify whether a plant, animal, or microorganism produced with biotechnology could reasonably have occurred naturally or been developed by conventional means (meaning the genetic sequences of the biotechnology product are present in the gene pool of the plant, animal, or microorganism or could have arisen through natural mutation mechanisms), taking into account existing agency assessments where appropriate.

(2) Measurable actions the Committee and any member of the Committee will take to implement or consider the unified process described in paragraph (1) in their oversight of biotechnology products, taking into account that organisms identified via the process described in paragraph (1) would continue to be regulated with product-specific oversight.

(3) Actions taken and progress made with respect to paragraph (2).

(h) MOLECULAR FARMING AND PRECISION FERMENTATION.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Committee shall submit to Congress and make publicly available on the Unified Website a description of the following:

(1) Characteristics of organisms that may increase risk pathways or otherwise hinder the production of substances intended for extraction.

(2) Characteristics of organisms that may reduce risk pathways associated with the production of substances intended for extraction.

(3) Conditions that are useful for containing or segregating organisms produced with biotechnology that may reduce risk pathways associated with the production of substances intended for extraction.

(4) Examples of organisms that—

(A) fit some or all of the characteristics described in paragraph (2); and

(B) are amenable to some or all of the conditions described in paragraph (3).

(5) Measurable actions the Committee and any member of the Committee will take to implement or consider the characteristics described in paragraph (2) and the conditions described in paragraph (3) into their oversight of biotechnology products.

(6) Actions taken under paragraph (5) and progress made with respect to those actions.

(i) COORDINATION AND CONSULTATION.—

(1) COORDINATION.—The Committee shall coordinate, as appropriate, with—

(A) other working groups and committees of the Federal Government; and

(B) other relevant agencies.

(2) CONSULTATION.—The Committee shall regularly consult in a coordinated fashion regarding biotechnology oversight, including with respect to the reports under subsection (f), with States, Indian Tribes, territories, local governments, biotechnology developers and relevant industries, academic institutions, nongovernmental organizations, and other stakeholders.

(j) EXECUTIVE SECRETARIES.—

(1) DEPARTMENT OF AGRICULTURE.—The Secretary of Agriculture shall appoint an Executive Secretary to serve the Committee, who shall be and remain a permanent employee of the Department of Agriculture.

(2) DEPARTMENT OF HEALTH AND HUMAN SERVICES; ENVIRONMENTAL PROTECTION AGENCY.—The Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency may each appoint an Executive Secretary to serve the Committee, who shall be and remain a permanent employee of the Department of Health and Human Services and the Environmental Protection Agency, respectively.

(k) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall—

(1) not later than 1 year after the date of enactment of this Act, begin a review to assess the efficacy of interagency coordination and other activities conducted by the Committee;

(2) not later than 18 months after the date of enactment of this Act, provide to Congress a briefing of the initial findings of the Comptroller General with respect to the activities of the Committee; and

(3) not later than 2 years after the date of enactment of this Act, provide to Congress a report describing the current statutory authorities and oversight processes applicable

to biotechnology-specific regulation of products derived from plants, animals, and microorganisms developed with biotechnology, including a description of opportunities to reduce gaps, duplication, overlap, and fragmentation.

(l) EXCLUSIONS.—This section shall not apply to human medical research and products that are regulated solely by the Food and Drug Administration.

SA 2587. Mr. YOUNG (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 subtitle F of title XII, add the following:

SEC. 1291. SENSE OF THE SENATE ON DIGITAL TRADE AND THE DIGITAL ECONOMY.

(a) FINDINGS.—The Senate makes the following findings:

(1) Over half of the world's population, totaling more than 5,000,000,000 people, use the internet.

(2) The digital economy encompasses the economic and social activity from billions of online connections among people, businesses, devices, and data as a result of the internet, mobile technology, and the internet of things.

(3) The Bureau of Economic Analysis found that the digital economy contributed nearly 10.3 percent of United States gross domestic product and supported 8,000,000 United States jobs in 2020.

(4) The digital sector added 1,400,000 new jobs between 2019 and 2022.

(5) United States jobs supported by the digital economy have sustained annual wage growth at a rate of 5.9 percent since 2010, as compared to a 4.2 percent for all jobs.

(6) In 2021, United States exports of digital services surpassed $594,000,000,000, accounting for more than half of all United States services exports and generating a digital services trade surplus for the United States of $262,300,000,000.

(7) Digital trade bolsters the digital economy by enabling the sale of goods on the internet and the supply of online services across borders and depends on the free flow of data across borders to promote commerce, manufacturing, and innovation.

(8) Digital trade has become increasingly vital to United States workers and businesses of all sizes, including the countless small and medium-sized enterprises that use digital technology, data flows, and e-commerce to export goods and services across the world.

(9) Digital trade has advanced entrepreneurship opportunities for women, people of color, and individuals from otherwise underrepresented backgrounds and enabled the formation of innovative start-ups.

(10) International supply chains are becoming increasingly digitized and data driven and businesses in a variety of industries, such as construction, healthcare, transportation, and aerospace, invested heavily in digital supply chain technologies in 2020.

(11) United States Trade Representative Katherine Tai said, ''[T]here is no bright line separating digital trade from the digital economy—or the 'traditional' economy for that matter. Nearly every aspect of our economy has been digitized to some degree.''.

(12) Industries outside of the technology sector, such as manufacturing and agriculture, are integrating digital technology into their businesses in order to increase efficiency, improve safety, reach new customers, and remain globally competitive.

(13) The increasing reliance on digital technologies has modernized legacy processes, accelerated workflows, increased access to information and services, and strengthened security in a variety of industries, leading to better health, environmental, and safety outcomes.

(14) The COVID–19 pandemic has led to increased uptake and reliance on digital technologies, data flows, and e-commerce.

(15) Ninety percent of adults in the United States say that the internet has been essential or important for them personally during the COVID–19 pandemic.

(16) United States families, workers, and business owners have seen how vital access to the internet has been to daily life, as work, education, medicine, and communication with family and friends have shifted increasingly online.

(17) Many individuals and families, especially in rural and Tribal communities, struggle to participate in the digital economy because of a lack of access to a reliable internet connection.

(18) New developments in technology must be deployed with consideration to the unique access challenges of rural, urban underserved, and vulnerable communities.

(19) Digital trade has the power to help level the playing field and uplift those in traditionally unrepresented or underrepresented communities.

(20) Countries have negotiated international rules governing digital trade in various bilateral and plurilateral agreements, but those rules remain fragmented, and no multilateral agreement on digital trade exists within the World Trade Organization.

(21) The United States, through free trade agreements or other digital agreements, has been a leader in developing a set of rules and standards on digital governance and e-commerce that has helped allies and partners of the United States unlock the full economic and social potential of digital trade.

(22) Congress recognizes the need for agreements on digital trade, as indicated by its support for a robust digital trade chapter in the United States-Mexico-Canada Agreement.

(23) Other countries are operating under their own digital rules, some of which are contrary to democratic values shared by the United States and many allies and partners of the United States.

(24) Those countries are attempting to advance their own digital rules on a global scale.

(25) Examples of the plethora of nontariff barriers to digital trade that have emerged around the globe include—

(A) overly restrictive data localization requirements and limitations on cross border data flows that do not achieve legitimate public policy objectives;

(B) intellectual property rights infringement;

(C) policies that make market access contingent on forced technology transfers or voluntary transfers subject to coercive terms;

(D) web filtering;

(E) economic espionage;

(F) cybercrime exposure; and

(G) government-directed theft of trade secrets.

(26) Certain countries are pursuing or have implemented digital policies that unfairly discriminate against innovative United States technology companies and United States workers that create and deliver digital products and services.

(27) The Government of the People's Republic of China is currently advancing a model for digital governance and the digital economy domestically and abroad through its Digital Silk Road Initiative that permits censorship, surveillance, human and worker rights abuses, forced technology transfers, and data flow restrictions at the expense of human and worker rights, privacy, the free flow of data, and an open internet.

(28) The 2022 Country Reports on Human Rights Practices of the Department of State highlighted significant human rights issues committed by the People's Republic of China in the digital realm, including ''arbitrary interference with privacy including pervasive and intrusive technical surveillance and monitoring including the use of COVID–19 tracking apps for nonpublic-health purposes; punishment of family members for offenses allegedly committed by an individual; serious restrictions on free expression and media, including physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others; serious restrictions on internet freedom, including site blocking''.

(29) The United States discourages digital authoritarianism, including practices that undermine human and worker rights and result in other social and economic coercion.

(30) Allies and trading partners of the United States in the Indo-Pacific region have urged the United States to deepen economic engagement in the region by negotiating rules on digital trade and technology standards.

(31) The digital economy has provided new opportunities for economic development, entrepreneurship, and growth in developing countries around the world.

(32) Negotiating strong digital trade principles and commitments with allies and partners across the globe enables the United States to unite like-minded economies around common standards and ensure that principles of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of digital governance.

(33) United States leadership and substantive engagement is necessary to ensure that global digital rules reflect United States values so that workers are treated fairly, small businesses can compete and win in the global economy, and consumers are guaranteed the right to privacy and security.

(34) The United States supports rules that reduce digital trade barriers, promote free expression and the free flow of information, enhance privacy protections, protect sensitive information, defend human and worker rights, prohibit forced technology transfer, and promote digitally enabled commerce.

(35) The United States supports efforts to cooperate with allies and trading partners to mitigate the risks of cyberattacks, address potentially illegal or deceptive business activities online, promote financial inclusion and digital workforce skills, and develop rules to govern the use of artificial intelligence and other emerging and future technologies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should negotiate strong, inclusive, forward-looking, and enforceable rules on digital trade and the digital economy with like-minded countries as part of a broader trade and economic strategy to address digital barriers and ensure that the United States values of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of the digital world and advanced technology;

(2) in conducting such negotiations, the United States must—

(A) pursue digital trade rules that—

(i) serve the best interests of workers, consumers, and small and medium-sized enterprises;

(ii) empower United States workers;

(iii) fuel wage growth; and

(iv) lead to materially positive economic outcomes for all people in the United States;

(B) ensure that any future agreement prevents the adoption of non-democratic, coercive, or overly restrictive policies that would be obstacles to a free and open internet and harm the ability of the e-commerce marketplace to continue to grow and thrive;

(C) coordinate sufficient trade-related assistance to ensure that developing countries can improve their capacity and benefit from increased digital trade; and

(D) consult closely with all relevant stakeholders, including workers, consumers, small and medium-sized enterprises, civil society groups, and human rights advocates; and

(3) with respect to any negotiations for an agreement facilitating digital trade, the United States Trade Representative and the heads of other relevant Federal agencies must consult closely and on a timely basis with Congress.

SA 2588. Mr. YOUNG 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. ___. PILOT PROGRAM ON GRIEF COMPANIONS FOLLOWING CASUALTY NOTIFICATIONS.

(a) IN GENERAL.—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy, acting through the Commandant of the Marine Corps, shall carry out a pilot program on providing training to, validating, and deploying grief companions to facilitate bereavement care provided by the Department of Defense following casualty notifications with respect to members of the Armed Forces.

(b) DURATION.—The Secretary of the Navy, acting through the Commandant of the Marine Corps, shall carry out the pilot program required under subsection (a) for a period of not less than one year.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $250,000 to carry out the pilot program required under subsection (a).

SA 2589. Mr. YOUNG (for himself and 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. ARTIFICIAL INTELLIGENCE PUBLIC AWARENESS AND EDUCATION CAMPAIGN ACT.

(a) SHORT TITLE.—This section may be cited as the ''Artificial Intelligence Public Awareness and Education Campaign Act''.

(b) ARTIFICIAL INTELLIGENCE PUBLIC AWARENESS AND EDUCATION CAMPAIGN.—

(1) DEFINITIONS.—In this section:

(A) AI CAMPAIGN.—The term ''AI Campaign'' means the public awareness and education campaign conducted under this section.

(B) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' has the meaning given the term in section 5002 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401).

(C) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given the term ''agency'' in section 551 of title 5, United States Code.

(D) KEY PERFORMANCE INDICATOR.—The term ''key performance indicator'' means a quantifiable metric that demonstrates how effectively an initiative is at achieving its objectives.

(E) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means—

(i) the Committee on Commerce, Science, and Transportation of the Senate; and

(ii) the Committee on Science, Space, and Technology of the House of Representatives.

(F) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(2) AI CAMPAIGN.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the heads of relevant Federal agencies, including the Director of the National Institute of Standards and Technology and the Administrator of the National Telecommunications and Information Administration, shall conduct a public awareness and education campaign to provide information regarding the benefits of, risks relating to, and the prevalence of artificial intelligence in the daily lives of individuals in the United States.

(3) OUTREACH.—In carrying out the AI Campaign, the Secretary shall—

(A) determine the key performance indicators to evaluate the effectiveness of the AI Campaign and obtain any baseline data necessary for a comparative measurement of success;

(B) facilitate access to, and the exchange of, information regarding artificial intelligence in order to promote up-to-date knowledge regarding artificial intelligence and the rights of an individual under law with respect to artificial intelligence;

(C) identify, promote, and encourage the use of best practices for the detection of provenance information with respect to digital media by—

(i) including such media that is generated by human beings and such media that is generated or significantly modified by algorithms, including artificial intelligence, including media commonly referred to as ''deepfakes'' and content created by the programs commonly referred to as ''chatbots'';

(ii) providing resources and guidance on available tools and methods for detecting or differentiating such media; and

(iii) identifying populations particularly susceptible to artificial intelligence-enabled fraudulent activitiy, including senior citizens, and conducting target outreach to inform such populations of, and inoculate such populations against, artificial intelligence-enabled scams and fraud;

(D) conduct outreach to the general public relating to the prevalence of artificial intelligence in the daily lives of individuals in the United States, including—

(i) applications that enable increase the productivity of individuals, such as text-to-speech functionality, real-time route planning, and predictive text suggestions; and

(ii) applications in use commercially, such as automated decision-making, fraud detection, and financial trading; and

(E) conduct outreach about workforce opportunities, including opportunities to work in the Federal Government, for technologists and others with experience in the development, deployment, and use of artificial intelligence, including to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(4) EXPERT CONSULTATION.—In conducting the AI Campaign, the Secretary shall consult with a variety of stakeholders from academic or research communities, public-private partnerships, and private industry, including companies with different roles in the use of artificial intelligence, developers, deployers, users, and community development organizations with expertise working with artificial intelligence.

(5) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date on which the Secretary initiates the AI Campaign, the Secretary shall submit to the relevant congressional committees a report on the activities conducted under the AI Campaign.

(B) CONTENTS.—The report required under subparagraph (A) shall include—

(i) the key performance indicators determined for the purpose of evaluating the overall effectiveness of the AI Campaign; and

(ii) recommendations for subsequent actions, including in any key areas in which the outcomes of the AI Campaign were identified as insufficient.

(6) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

SA 2590. Mr. YOUNG (for himself and Mr. PADILLA) 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___. NATIONAL SYNTHETIC BIOLOGY CENTER.

(a) FINDINGS.—Congress finds that—

(1) the application of synthetic biology to accelerate innovation in food and agriculture is critical to—

(A) the national security and economic future of the United States; and

(B) the ability of the United States to feed and fuel the global economy;

(2) while agriculture has experienced significant advancements in productivity and sustainability, the future of the food system relies on disruptive technologies catalyzed by synthetic biology at the intersections of soil health, plant science, animal health, and, ultimately, human health;

(3) synthetic biology is a key tool to defend against terrorism and high-consequence events;

(4) investments into synthetic biology will catalyze the strengths of engineering, agriculture, and manufacturing to develop a resilient food and agriculture system;

(5) resiliency is accomplished through advanced biotechnology and digital solutions to keep the United States at the forefront of feeding the United States and the world;

(6) Congress has historically prioritized a safe and secure food supply in the United States, as evidenced by the enactment of the Securing Our Agriculture and Food Act (Public Law 115–43; 131 Stat. 884); and

(7) innovation and research are necessary to push the boundaries of science to develop

disruptive technologies that advance national security through food security.

(b) DEFINITIONS.—In this section:

(1) 1862 INSTITUTION; 1890 INSTITUTION.—The terms ''1862 Institution'' and ''1890 Institution'' have the meanings given those terms in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601).

(2) 1994 INSTITUTION.—The term ''1994 Institution'' has the meaning given the term in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382).

(3) CENTER.—The term ''Center'' means the National Synthetic Biology Center established under subsection (c)(1).

(4) ELIGIBLE INSTITUTION.—The term ''eligible institution'' means—

(A) an 1862 Institution;

(B) an 1890 Institution; and

(C) a 1994 Institution.

(5) 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).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(c) ESTABLISHMENT OF NATIONAL SYNTHETIC BIOLOGY CENTER.—

(1) IN GENERAL.—The Secretary, in consultation with the head of any other relevant Federal agency, shall establish a center, to be known as the ''National Synthetic Biology Center'', to award grants, on a competitive basis, to eligible institutions.

(2) PURPOSE.—The purpose of the Center is to provide a hub for researchers and industry partners in the United States to discover and develop science-based solutions based on synthetic biology to improve agricultural performance while minimizing environmental impact and improving overall food system resiliency.

(d) PARTNERSHIPS.—The Center shall provide grants to eligible institutions to carry out projects in partnership with not fewer than 1 other entity, which may include—

(1) a nonprofit organization;

(2) a State entity;

(3) a National Laboratory;

(4) an 1862 Institution;

(5) an 1890 Institution;

(6) a 1994 Institution; or

(7) any combination of entities described in paragraphs (1) through (6).

(e) APPLICATION.—

(1) IN GENERAL.—An eligible institution seeking a grant under this section shall submit an application to the Center at such time, in such manner, and containing such information as the Center may require.

(2) REQUIREMENTS.—An application submitted under paragraph (1) shall include, at a minimum, a description of how the proposed project will—

(A) promote innovative synthetic biology technologies and practices that address current and emerging challenges in the food and agriculture sector;

(B) foster the development and dissemination of science-based educational resources and training programs on synthetic biology for stakeholders in the agricultural community;

(C) enhance the efficiency, sustainability, and resiliency of food production systems through synthetic biology interventions; and

(D) monitor and evaluate the impacts, benefits, and challenges of implementing synthetic biology solutions in real-world agricultural settings.

(f) USE OF FUNDS.—

(1) RESEARCH PRIORITIES.—In awarding grants to eligible institutions, the Center shall prioritize the following areas of research:

(A) Cellular biology.

(B) Genomes to phenomes.

(C) Microbiomes or microbes.

(D) Gene editing.

(E) Digital agriculture.

(F) Fermentation.

(G) Controlled environment agriculture.

(2) PURPOSES.—An eligible institution receiving a grant from the Center may use the grant for the following purposes:

(A) To explore and advance biotechnology applied to food science in the creation of new protein sources for human and animal consumption.

(B) To build on the Agricultural Genome to Phenome Initiative (also known as the ''AG2PI'') of the National Institute of Food and Agriculture to inform approaches to understanding how variable weather, environments, and production systems interact with genetic diversity in crops and animals to impact growth and productivity.

(C) To advance the development and commercialization of nutritional and therapeutic innovations to improve the health of livestock and companion animals.

(D) To create new crops that have functional mutations that improve performance and increase climate resiliency through increased efficiency in the use of inputs and increased disease and pest resistance.

(E) To apply artificial intelligence, machine learning, data science, and advanced computational processes to accelerate modeling and measurement for new synthetic biological solutions.

(F) To strengthen advanced manufacturing sciences and infrastructure to use microorganisms to produce food and agricultural products, including vaccines, crop protection products, and food products for human and animal nutrition, by capitalizing on the strength of food science, engineering, and pharmacy.

(G) To advance diversity of crops to increase the food supply and explore pharmaceutical plant-based derivatives within a controlled environment.

(g) TIMING OF AWARDS.—Not later than 1 year after the date of enactment of this Act, the Center shall begin awarding grants under this section.

(h) COORDINATION.—

(1) GRANT RECIPIENTS.—An eligible institution receiving a grant from the Center under this section shall endeavor to coordinate with a wide range of experts and researchers to create efficiency in the innovation development pipeline.

(2) CENTER.—The Center shall coordinate with technology transfer offices or technology licensing offices in order to disseminate innovations and reach commercialization.

(i) WEBSITE.—The Center shall establish and maintain a website with a user friendly portal in order to disseminate synthetic biology findings and connect researchers and innovators to collaborative opportunities.

(j) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Center shall submit to the relevant committees of Congress a report detailing—

(1) any findings from the research funded by the Center;

(2) the progress of any innovation funded by the Center;

(3) a description of the focus and proposed goals of each grant recipient;

(4) an assessment, based on a common set of metrics across all grant recipients, of the success of each grant recipient in improving efficiency in the innovation development pipeline; and

(5) any recommendations for administrative or legislative action that may optimize the effectiveness of the research activities carried out by grant recipients under this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary—

(1) $5,000,000 for each of fiscal years 2025 through 2029, to remain available until expended, for the awarding of grants by the Center; and

(2) $1,000,000 for each of fiscal years 2025 through 2029, to remain available until expended, for the establishment of the Center and for other activities of the Center.

SA 2591. Ms. SINEMA 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. _____. WILDLAND FIREFIGHTER PAYCHECK PROTECTION.

(a) SPECIAL BASE RATES OF PAY FOR WILDLAND FIREFIGHTERS.—

(1) IN GENERAL.—Subchapter III of chapter 53 of title 5, United States Code, is amended by inserting after section 5332 the following:

''§ 5332a. Special base rates of pay for wildland firefighters

''(a) DEFINITIONS.—In this section—

''(1) the term 'firefighter' means an employee who—

''(A) is a firefighter within the meaning of section 8331(21) or section 8401(14);

''(B) in the case of an employee who holds a supervisory or administrative position and is subject to subchapter III of chapter 83, but who does not qualify to be considered a firefighter within the meaning of section 8331(21), would otherwise qualify if the employee had transferred directly to that position after serving as a firefighter within the meaning of that section;

''(C) in the case of an employee who holds a supervisory or administrative position and is subject to chapter 84, but who does not qualify to be considered a firefighter within the meaning of section 8401(14), would otherwise qualify if the employee had transferred directly to that position after performing duties described in section 8401(14)(A) for at least 3 years; or

''(D) in the case of an employee who is not subject to subchapter III of chapter 83 or chapter 84, holds a position that the Office of Personnel Management determines would satisfy subparagraph (A), (B), or (C) if the employee were subject to subchapter III of chapter 83 or chapter 84;

''(2) the term 'General Schedule base rate' means an annual rate of basic pay established under section 5332 before any additions, such as a locality-based comparability payment under section 5304 or 5304a or a special rate supplement under section 5305;

''(3) the term 'special base rate' means an annual rate of basic pay payable to a wildland firefighter, before any additions or reductions, that replaces the General Schedule base rate otherwise applicable to the wildland firefighter and that is administered in the same manner as a General Schedule base rate; and

''(4) the term 'wildland firefighter' means a firefighter—

''(A) who is employed by the Forest Service or the Department of the Interior; and

''(B) the duties of the position of whom relate primarily to wildland fires, as opposed to structure fires.

''(b) SPECIAL BASE RATES OF PAY.—

''(1) ENTITLEMENT TO SPECIAL RATE.—Notwithstanding section 5332, a wildland firefighter is entitled to a special base rate at grades 1 through 15, which shall—

''(A) replace the otherwise applicable General Schedule base rate for the wildland firefighter;

''(B) be basic pay for all purposes, including the purpose of computing a locality-based comparability payment under section 5304 or 5304a; and

''(C) be computed as described in paragraph (2) and adjusted at the time of adjustments in the General Schedule.

''(2) COMPUTATION.—

''(A) IN GENERAL.—The special base rate for a wildland firefighter shall be derived by increasing the otherwise applicable General Schedule base rate for the wildland firefighter by the following applicable percentage for the grade of the wildland firefighter and rounding the result to the nearest whole dollar:

''(i) For GS–1, 42 percent.
''(ii) For GS–2, 39 percent.
''(iii) For GS–3, 36 percent.
''(iv) For GS–4, 33 percent.
''(v) For GS–5, 30 percent.
''(vi) For GS–6, 27 percent.
''(vii) For GS–7, 24 percent.
''(viii) For GS–8, 21 percent.
''(ix) For GS–9, 18 percent.
''(x) For GS–10, 15 percent.
''(xi) For GS–11, 12 percent.
''(xii) For GS–12, 9 percent.
''(xiii) For GS–13, 6 percent.
''(xiv) For GS–14, 3 percent.
''(xv) For GS–15, 1.5 percent.

''(B) HOURLY, DAILY, WEEKLY, OR BIWEEKLY RATES.—When the special base rate with respect to a wildland firefighter is expressed as an hourly, daily, weekly, or biweekly rate, the special base rate shall be computed from the appropriate annual rate of basic pay derived under subparagraph (A) in accordance with the rules under section 5504(b).''.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter III of chapter 53 of title 5, United States Code, is amended by inserting after the item relating to section 5332 the following:

''5332a. Special base rates of pay for wildland firefighters.''.

(3) PREVAILING RATE EMPLOYEES.—Section 5343 of title 5, United States Code, is amended by adding at the end the following:

''(g)(1) For a prevailing rate employee described in section 5342(a)(2)(A) who is a wildland firefighter, as defined in section 5332a(a), the Secretary of Agriculture or the Secretary of the Interior (as applicable) shall increase the wage rates of that employee by an amount (determined at the sole and exclusive discretion of the applicable Secretary after consultation with the other Secretary) that is generally consistent with the percentage increases given to wildland firefighters in the General Schedule under section 5332a.

''(2) An increased wage rate under paragraph (1) shall be basic pay for the same purposes as the wage rate otherwise established under this section.

''(3) An increase under this subsection may not cause the wage rate of an employee to increase to a rate that would produce an annualized rate in excess of the annual rate for level IV of the Executive Schedule.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the first day of the first applicable pay period beginning on or after the date of enactment of this Act.

(5) APPLICABILITY.—Notwithstanding section 40803(d)(4)(B) of the Infrastructure Investment and Jobs Act (16 U.S.C. 6592(d)(4)(B)), the salary increase in such section shall not apply to the positions described in such section for service performed on or after the effective date described in paragraph (4) of this subsection.

(b) WILDLAND FIRE INCIDENT RESPONSE PREMIUM PAY.—

(1) IN GENERAL.—Subchapter V of chapter 55 of title 5, United Sates Code, is amended by inserting after section 5545b the following:

''§ 5545c. Incident response premium pay for employees engaged in wildland firefighting

''(a) DEFINITIONS.—In this section—

''(1) the term 'appropriate committees of Congress' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(B) the Committee on Energy and Natural Resources of the Senate;

''(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

''(D) the Committee on Appropriations of the Senate;

''(E) the Committee on Oversight and Accountability of the House of Representatives;

''(F) the Committee on Agriculture of the House of Representatives;

''(G) the Committee on Natural Resources of the House of Representatives; and

''(H) the Committee on Appropriations of the House of Representatives;

''(2) the term 'covered employee' means an employee of the Forest Service or the Department of the Interior who is—

''(A) a wildland firefighter, as defined in section 5332a(a); or

''(B) certified by the applicable agency to perform wildland fire incident-related duties during the period that employee is deployed to respond to a qualifying incident;

''(3) the term 'incident response premium pay' means pay to which a covered employee is entitled under subsection (c);

''(4) the term 'prescribed fire incident' means a wildland fire originating from a planned ignition in accordance with applicable laws, policies, and regulations to meet specific objectives;

''(5) the term 'qualifying incident'—

''(A) means—

''(i) a wildfire incident, a prescribed fire incident, or a severity incident; or

''(ii) an incident that the Secretary of Agriculture or the Secretary of the Interior determines is similar in nature to an incident described in clause (i); and

''(B) does not include an initial response (including an initial attack fire) in which a wildfire is contained within 36 hours; and

''(6) the term 'severity incident' means an incident in which a covered employee is prepositioned in an area in which conditions indicate there is a high risk of wildfires.

''(b) ELIGIBILITY.—A covered employee is eligible for incident response premium pay under this section if—

''(1) the covered employee is deployed to respond to a qualifying incident; and

''(2) the deployment described in paragraph (1) is—

''(A) outside of the official duty station of the covered employee; or

''(B) within the official duty station of the covered employee and the covered employee is assigned to an incident-adjacent fire camp or other designated field location.

''(c) ENTITLEMENT TO INCIDENT RESPONSE PREMIUM PAY.—

''(1) IN GENERAL.—A covered employee who satisfies the conditions under subsection (b) is entitled to premium pay for the period in which the covered employee is deployed to respond to the applicable qualifying incident.

''(2) COMPUTATION.—

''(A) FORMULA.—Subject to subparagraphs (B) and (C), premium pay under paragraph (1) shall be paid to a covered employee at a daily rate of 450 percent of the hourly rate of basic pay of the covered employee for each day that the covered employee satisfies the requirements under subsection (b), rounded to the nearest whole cent.

''(B) LIMITATION.—Premium pay under this subsection—

''(i) with respect to a covered employee for whom the annual rate of basic pay is greater than that for step 10 of GS–10, shall be paid at the daily rate established under subparagraph (A) for the applicable rate for step 10 of GS–10 (where the applicable rate is the rate in effect in the same locality that is the basis for a locality-based comparability payment payable to the covered employee under section 5304); and

''(ii) may not be paid to a covered employee in a total amount that exceeds $9,000 in any calendar year.

''(C) ADJUSTMENTS.—

''(i) ASSESSMENT.—The Secretary of Agriculture and the Secretary of the Interior shall assess the difference between the average total amount of compensation that was paid to covered employees, by grade, in fiscal years 2023 and 2024.

''(ii) REPORT.—Not later than 180 days after the date that is 1 year after the effective date of this section, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish a report on the results of the assessment conducted under clause (i).

''(iii) ADMINISTRATIVE ACTIONS.—After publishing the report required under clause (ii), the Secretary of Agriculture and the Secretary of the Interior, in consultation with the Director of the Office of Personnel Management, may, in the sole and exclusive discretion of the Secretaries acting jointly, administratively adjust the amount of premium pay paid under this subsection (or take other administrative action) to ensure that the average annual amount of total compensation paid to covered employees, by grade, is more consistent with such amount that was paid to those employees in fiscal year 2023.

''(iv) CONGRESSIONAL NOTIFICATION.—Not later than 3 days after an adjustment made, or other administrative action taken, under clause (iii) becomes final, the Secretary of Agriculture and the Secretary of the Interior shall jointly submit to the appropriate committees of Congress a notification regarding that adjustment or other administrative action, as applicable.

''(d) TREATMENT OF INCIDENT RESPONSE PREMIUM PAY.—Incident response premium pay under this section—

''(1) is not considered part of the basic pay of a covered employee for any purpose;

''(2) may not be considered in determining a covered employee's lump-sum payment for accumulated and accrued annual leave under section 5551 or section 5552;

''(3) may not be used in determining pay under section 8114 (relating to compensation for work injuries);

''(4) may not be considered in determining pay for hours of paid leave or other paid time off during which the premium pay is not payable; and

''(5) shall be disregarded in determining the minimum wage and overtime pay to which a covered employee is entitled under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).''.

(2) ADDITIONAL PREMIUM PAY AMENDMENTS.—Subchapter V of chapter 55 of title 5, United States Code, is amended—

(A) in section 5544—

(i) by amending the section heading to read as follows: ''**WAGE-BOARD OVERTIME, SUNDAY RATES, AND OTHER PREMIUM PAY**''; and

(ii) by adding at the end the following:

''(d) A prevailing rate employee described in section 5342(a)(2)(A) shall receive incident response premium pay under the same terms and conditions that apply to a covered employee under section 5545c if that employee—

''(1) is employed by the Forest Service or the Department of the Interior; and

''(2)(A) is a wildland firefighter, as defined in section 5332a(a); or

''(B) is certified by the applicable agency to perform wildland fire incident-related duties during the period the employee is deployed to respond to a qualifying incident (as defined in section 5545c(a)).''; and

(B) in section 5547(a), in the matter preceding paragraph (1), by inserting ''5545c,'' after ''5545a,''.

(3) CLERICAL AMENDMENTS.—The table of sections for subchapter V of chapter 55 of title 5, United States Code, is amended—

(A) by amending the item relating to section 5544 to read as follows:

''5544. Wage-board overtime, Sunday rates, and other premium pay.''; and

(B) by inserting after the item relating to section 5545b the following:

''5545c. Incident response premium pay for employees engaged in wildland firefighting.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the first day of the first applicable pay period beginning on or after the date of enactment of this Act.

(c) REST AND RECUPERATION LEAVE FOR EMPLOYEES ENGAGED IN WILDLAND FIREFIGHTING.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6329e. Rest and recuperation leave for employees engaged in wildland firefighting

''(a) DEFINITIONS.—In this section—

''(1) the term 'applicable Secretary' means the Secretary of Agriculture or the Secretary of the Interior, as applicable to a covered employee;

''(2) the term 'covered employee' means an employee of the Forest Service or the Department of the Interior who—

''(A) qualifies as a wildland firefighter based on the definitions of the terms 'firefighter' and 'wildland firefighter' in section 5332a(a) (applying the definition of 'employee' in section 6301(2) in lieu of the definition of 'employee' in section 5331(a)); or

''(B) is certified by the applicable Secretary to perform wildland fire incident-related duties during the period the employee is deployed to respond to a qualifying incident; and

''(3) the term 'qualifying incident' has the meaning given the term in section 5545c(a).

''(b) REST AND RECUPERATION LEAVE.—

''(1) IN GENERAL.—A covered employee may receive paid rest and recuperation leave following the completion of service in which the covered employee is deployed to respond to a qualifying incident, subject to the policies prescribed under this subsection.

''(2) PRESCRIPTION OF POLICIES.—The Secretary of Agriculture and the Secretary of the Interior shall, in the sole and exclusive discretion of the Secretaries acting jointly, prescribe uniform policies described in paragraph (1) after consulting with the other applicable Secretary.

''(3) CONTENT OF POLICIES.—The policies prescribed under paragraph (2) may include—

''(A) a maximum period of days in which a covered employee is deployed to respond to a qualifying incident, which shall—

''(i) begin on the date on which the covered employee departs from the official duty station of the covered employee and end on the date on which the covered employee returns to the official duty station of the covered employee; and

''(ii) be followed by a minimum number of days of rest and recuperation for the covered employee; or

''(B) a requirement that prohibits a covered employee from working more than 16 hours per day on average over a 14-day period during which the covered employee is deployed to respond to a qualifying incident.

''(c) USE OF LEAVE.—

''(1) IN GENERAL.—Rest and recuperation leave granted under this section—

''(A) shall be used during scheduled hours within the tour of duty of the applicable covered employee established for leave-charging purposes;

''(B) shall be paid in the same manner as annual leave;

''(C) shall be used immediately after a qualifying incident; and

''(D) may not be set aside for later use.

''(2) NO PAYMENT.—A covered employee may not receive any payment for unused rest and recuperation leave granted under this section.

''(d) INTERMITTENT WORK SCHEDULE.—A covered employee with an intermittent work schedule—

''(1) shall be excused from duty during the same period of time that other covered employees in the same circumstances are entitled to rest and recuperation leave; and

''(2) shall receive a payment as if the covered employee were entitled to rest and recuperation leave under subsection (b).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329d the following:

''6329e. Rest and recuperation leave for employees engaged in wildland firefighting.''.

SA 2592. Mr. COONS (for himself 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 end of subtitle F of title XII, add the following:

SEC. 1291. PARTNERSHIPS AND EDUCATIONAL EXCHANGE OPPORTUNITIES WITH SUB-SAHARAN AFRICANS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the strategic interest of the United States to strengthen relations with Sub-Saharan African countries to promote shared interests in the areas of—

(A) democracy and good governance;

(B) education and human capital;

(C) trade and economic development;

(D) science and technology;

(E) biodiversity, food, and agriculture; and

(F) the preservation and management of natural resources, including critical minerals; and

(2) historically Black colleges and universities (referred to in this section as ''HBCUs'') have a long history of—

(A) cultivating diaspora relations with Sub-Saharan African states; and

(B) developing innovative solutions to some of the world's most pressing challenges.

(b) STRENGTHENED PARTNERSHIPS.—The Secretary of State and the Administrator of the United States Agency for International Development should seek to strengthen and expand partnerships and educational exchange opportunities, including by working with HBCUs, which build the capacity and expertise of students, scholars, and experts from Sub-Saharan Africa in key development sectors.

(c) TECHNICAL ASSISTANCE.—The Administrator of the United States Agency for International Development may—

(1) provide technical assistance to HBCUs to assist in fulfilling the goals of this section, including in developing contracts, operating agreements, legal documents, and related infrastructure; and

(2) upon request, provide feedback to HBCUs, to the maximum extent practicable, after a grant rejection from relevant Federal programs in order to improve future grant applications, as appropriate.

(d) BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS PROGRAMMING.—The Secretary of State, working through the Bureau of Educational and Cultural Affairs, may establish a short-term graduate and technical expert exchange program for Sub-Saharan African students, scholars, and technical experts to spend a semester or academic year of non-degree study at institutions that have a demonstrated history of cultivating relations with diaspora populations from Sub-Saharan African states, including HBCU's, to support knowledge and skills training in the sectors referred to in subsection (a)(1).

SA 2593. Mr. BENNET (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 F of title XII, add the following:

SEC. 1291. MANDATORY DECLARATIONS OF CERTAIN REAL ESTATE TRANSACTIONS TO COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721(b)(1)(C)(v)(IV) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)(v)(IV)) is amended by adding at the end the following:

''(hh) REQUIRED DECLARATIONS FOR CERTAIN REAL ESTATE TRANSACTIONS.—

''(AA) IN GENERAL.—The parties to a transaction described in subitem (BB) shall submit a declaration described in subclause (I) with respect to the transaction.

''(BB) TRANSACTIONS DESCRIBED.—Any transaction described in this subitem is a covered transaction described in subsection (a)(4)(B)(ii) by a foreign person or a foreign entity described in section 802.221 or 802.218, respectively, of title 31, Code of Federal Regulations, that provides the person or entity an interest, other than a security, in any form of real estate (other than residential property) that is located 50 miles or less from a military installation or other facility or property of the United States Government that is sensitive for reasons relating to national security on the list set forth in Appendix A to part 802 of title 31, Code of Federal Regulations (as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025).''.

SA 2594. Ms. SINEMA 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 ____—IMPROVING DIGITAL IDENTITY

SEC. ___01. FINDINGS.

Congress finds the following:

(1) The lack of an easy, affordable, reliable, and secure way for organizations, businesses, and government agencies to identify whether an individual is who they claim to be online creates an attack vector that is widely exploited by adversaries in cyberspace and precludes many high-value transactions from being available online.

(2) Incidents of identity theft and identity fraud continue to rise in the United States, where more than 293,000,000 people were impacted by data breaches in 2021.

(3) Since 2017, losses resulting from identity fraud have increased by 333 percent, and, in 2020, those losses totaled $56,000,000,000.

(4) The Director of the Financial Crimes Enforcement Network of the Department of the Treasury has stated that the abuse of personally identifiable information and other building blocks of identity is a key enabler behind much of the fraud and cybercrime affecting the United States today.

(5) The inadequacy of current digital identity solutions degrades security and privacy for all people in the United States, and next generation solutions are needed that improve security, privacy, equity, and accessibility.

(6) Government entities, as authoritative issuers of identity in the United States, are uniquely positioned to deliver critical components that address deficiencies in the digital identity infrastructure of the United States and augment private sector digital identity and authentication solutions.

(7) State governments are particularly well-suited to play a role in enhancing digital identity solutions used by both the public and private sectors, given the role of State governments as the issuers of driver's licenses and other identity documents commonly used today.

(8) The public and private sectors should collaborate to deliver solutions that promote confidence, privacy, choice, equity, accessibility, and innovation. The private sector drives much of the innovation around digital identity in the United States and has an important role to play in delivering digital identity solutions.

(9) The bipartisan Commission on Enhancing National Cybersecurity has called for the Federal Government to ''create an interagency task force directed to find secure, user-friendly, privacy-centric ways in which agencies can serve as 1 authoritative source to validate identity attributes in the broader identity market. This action would enable Government agencies and the private sector to drive significant risk out of new account openings and other high-risk, high-value online services, and it would help all citizens more easily and securely engage in transactions online.''.

(10) It should be the policy of the Federal Government to use the authorities and capabilities of the Federal Government, in coordination with State, local, Tribal, and territorial partners and private sector innovators, to enhance the security, reliability, privacy, equity, accessibility, and convenience of consent-based digital identity solutions that support and protect transactions between individuals, government entities, and businesses, and that enable people in the United States to prove who they are online.

SEC. ___02. DEFINITIONS.

In this title:

(1) APPROPRIATE NOTIFICATION ENTITIES.—The term ''appropriate notification entities'' means—

(A) the President;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Commerce, Science, and Transportation of the Senate; and

(C) the Committee on Oversight and Accountability of the House of Representatives.

(2) DIGITAL IDENTITY VERIFICATION.—The term ''digital identity verification'' means a process to verify the identity or an identity attribute of an individual accessing a service online.

(3) DIRECTOR.—The term ''Director'' means the Director of the Task Force.

(4) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given the term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(5) IDENTITY ATTRIBUTE.—The term ''identity attribute'' means a data element associated with the identity of an individual, including the name, address, date of birth, or social security number of an individual.

(6) IDENTITY CREDENTIAL.—The term ''identity credential'' means a document or other evidence of the identity of an individual issued by a government agency that conveys the identity of the individual, including a driver's license or passport.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(8) TASK FORCE.—The term ''Task Force'' means the Improving Digital Identity Task Force established under section ___03(a).

SEC. ___03. IMPROVING DIGITAL IDENTITY TASK FORCE.

(a) ESTABLISHMENT.—There is established in the Executive Office of the President a task force to be known as the ''Improving Digital Identity Task Force''.

(b) PURPOSE.—The purpose of the Task Force shall be to establish and coordinate a government-wide effort to develop secure methods for Federal, State, local, Tribal, and territorial agencies to improve access and enhance security between physical and digital identity attributes and identity credentials, particularly by promoting the development of digital versions of existing physical identity credentials, including driver's licenses, e-Passports, and birth certificates, to—

(1) protect the privacy and security of individuals;

(2) support reliable, interoperable digital identity verification in the public and private sectors; and

(3) in achieving paragraphs (1) and (2), place a particular emphasis on—

(A) reducing identity theft and fraud;

(B) enabling trusted transactions; and

(C) ensuring equitable access to digital identity verification.

(c) DIRECTOR.—

(1) IN GENERAL.—The Task Force shall have a Director, who shall be appointed by the President.

(2) POSITION.—The Director shall serve at the pleasure of the President.

(3) PAY AND ALLOWANCES.—The Director shall be compensated at the rate of basic pay prescribed for level II of the Executive Schedule under section 5313 of title 5, United States Code.

(4) QUALIFICATIONS.—The Director shall have substantive technical expertise and managerial acumen that—

(A) is in the business of digital identity management, information security, or benefits administration;

(B) is gained from not less than 1 organization; and

(C) includes specific expertise gained from academia, advocacy organizations, or the private sector.

(5) EXCLUSIVITY.—The Director may not serve in any other capacity within the Federal Government while serving as Director.

(6) TERM.—The term of the Director, including any official acting in the role of the Director, shall terminate on the date described in subsection (k).

(d) MEMBERSHIP.—

(1) FEDERAL GOVERNMENT REPRESENTATIVES.—The Task Force shall include the following individuals or the designees of such individuals:

(A) The Secretary.

(B) The Secretary of the Treasury.

(C) The Director of the National Institute of Standards and Technology.

(D) The Director of the Financial Crimes Enforcement Network.

(E) The Commissioner of Social Security.

(F) The Secretary of State.

(G) The Administrator of General Services.

(H) The Director of the Office of Management and Budget.

(I) The Postmaster General of the United States Postal Service.

(J) The National Cyber Director.

(K) The Attorney General.

(L) The Chair of the Federal Trade Commission.

(M) The heads of other Federal agencies or offices as the President may designate or invite, as appropriate.

(2) STATE, LOCAL, TRIBAL, AND TERRITORIAL GOVERNMENT REPRESENTATIVES.—The Director shall appoint to the Task Force 6 State, local, Tribal, or territorial government officials who represent agencies that issue identity credentials and who have—

(A) experience in identity technology and services;

(B) knowledge of the systems used to provide identity credentials; or

(C) any other qualifications or competencies that may help achieve balance or otherwise support the mission of the Task Force.

(3) NONGOVERNMENTAL EXPERTS.—

(A) IN GENERAL.—The Director shall appoint to the Task Force 5 nongovernmental experts.

(B) SPECIFIC APPOINTMENTS.—The experts appointed under subparagraph (A) shall include the following:

(i) A member who is a privacy and civil liberties expert.

(ii) A member who is a technical expert in identity verification.

(iii) A member who is a technical expert in cybersecurity focusing on identity verification services.

(iv) A member who represents the identity verification services industry.

(v) A member who represents a party that relies on effective identity verification services to conduct business.

(e) WORKING GROUPS.—The Director shall organize the members of the Task Force into appropriate working groups for the purpose of increasing the efficiency and effectiveness of the Task Force, as appropriate.

(f) MEETINGS.—The Task Force shall—

(1) convene at the call of the Director; and

(2) provide an opportunity for public comment in accordance with section 1009(a)(3) of title 5, United States Code.

(g) DUTIES.—In carrying out the purpose described in subsection (b), the Task Force shall—

(1) identify Federal, State, local, Tribal, and territorial agencies that issue identity

credentials or hold identity attribute information of individuals;

(2) assess restrictions with respect to the abilities of the agencies described in paragraph (1) to verify identity or attribute information for other agencies and nongovernmental organizations;

(3) assess any necessary changes in statutes, regulations, or policy to address any restrictions assessed under paragraph (2);

(4) recommend a strategy, based on existing standards, to enable agencies to provide services relating to digital identity verification in a way that—

(A) is secure, protects privacy, and protects individuals against unfair and misleading practices;

(B) prioritizes equity and accessibility;

(C) requires individual consent for the provision of digital identify verification services by a Federal, State, local, Tribal, or territorial agency;

(D) is interoperable among participating Federal, State, local, Tribal, and territorial agencies, as appropriate and in accordance with applicable laws; and

(E) prioritizes technical standards developed by voluntary consensus standards bodies in accordance with section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) and guidance under OMB Circular A–119, entitled ''Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities'', or any successor thereto;

(5) recommend principles to promote policies for shared identity proofing across public sector agencies, which may include single sign-on or broadly accepted attestations;

(6) identify funding or other resources needed to support the agencies described in paragraph (4) that provide digital identity verification, including recommendations with respect to the need for and the design of a Federal grant program to implement the recommendations of the Task Force and facilitate the development and upgrade of State, local, Tribal, and territorial highly-secure interoperable systems that enable digital identity verification;

(7) recommend funding models to provide digital identity verification to private sector entities, which may include fee-based funding models;

(8) determine if any additional steps are necessary with respect to Federal, State, local, Tribal, and territorial agencies to improve digital identity verification and management processes for the purpose of enhancing the security, reliability, privacy, accessibility, equity, and convenience of digital identity solutions that support and protect transactions between individuals, government entities, and businesses; and

(9) undertake other activities necessary to assess and address other matters relating to digital identity verification, including with respect to—

(A) the potential exploitation of digital identity tools or associated products and services by malign actors;

(B) privacy implications; and

(C) increasing access to foundational identity documents.

(h) PROHIBITION.—The Task Force may not implicitly or explicitly recommend the creation of—

(1) a single identity credential provided or mandated by the Federal Government for the purposes of verifying identity or associated attributes;

(2) a unilateral central national identification registry relating to digital identity verification; or

(3) a requirement that any individual be forced to use digital identity verification for a given public purpose.

(i) REQUIRED CONSULTATION.—The Task Force shall closely consult with leaders of Federal, State, local, Tribal, and territorial governments and nongovernmental leaders, which shall include the following:

(1) The Secretary of Education.

(2) The heads of other Federal agencies and offices determined appropriate by the Director.

(3) State, local, Tribal, and territorial government officials focused on identity, such as information technology officials and directors of State departments of motor vehicles and vital records bureaus.

(4) Digital privacy experts.

(5) Civil liberties experts.

(6) Technology and cybersecurity experts.

(7) Users of identity verification services.

(8) Representatives with relevant expertise from academia and advocacy organizations.

(9) Industry representatives with experience implementing digital identity systems.

(10) Identity theft and fraud prevention experts, including advocates for victims of identity theft and fraud.

(j) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Director shall submit to the appropriate notification entities a report on the activities of the Task Force, including—

(A) recommendations on—

(i) implementing the strategy pursuant to subsection (g)(4); and

(ii) methods to leverage digital driver's licenses, distributed ledger technology, and other technologies; and

(B) summaries of the input and recommendations of the leaders consulted under subsection (i).

(2) INTERIM REPORTS.—

(A) IN GENERAL.—The Director may submit to the appropriate notification entities interim reports the Director determines necessary to support the work of the Task Force and educate the public.

(B) MANDATORY REPORT.—Not later than the date that is 18 months after the date of enactment of this Act, the Director shall submit to the appropriate notification entities an interim report addressing—

(i) the matters described in paragraphs (1), (2), (4), and (6) of subsection (g); and

(ii) any other matters the Director determines necessary to support the work of the Task Force and educate the public.

(3) FINAL REPORT.—Not later than 180 days before the date described in subsection (k), the Director shall submit to the appropriate notification entities a final report that includes recommendations for the President and Congress relating to any relevant matter within the scope of the duties of the Task Force.

(4) PUBLIC AVAILABILITY.—The Task Force shall make the reports required under this subsection publicly available on a centralized website as an open Government data asset (as defined in section 3502 of title 44, United States Code).

(k) SUNSET.—The Task Force shall conclude business on the date that is 3 years after the date of enactment of this Act.

SEC. ___04. SECURITY ENHANCEMENTS TO FEDERAL SYSTEMS.

(a) GUIDANCE FOR FEDERAL AGENCIES.—Not later than 180 days after the date on which the Director submits the report required under section ___03(j)(1), the Director of the Office of Management and Budget shall issue guidance to Federal agencies for the purpose of implementing any recommendations included in such report determined appropriate by the Director of the Office of Management and Budget.

(b) REPORTS ON FEDERAL AGENCY PROGRESS TOWARD IMPROVING DIGITAL IDENTITY VERIFICATION CAPABILITIES.—

(1) ANNUAL REPORT ON GUIDANCE IMPLEMENTATION.—Not later than 1 year after the date of the issuance of guidance under subsection (a), and annually thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the efforts of the Federal agency to implement that guidance.

(2) PUBLIC REPORT.—

(A) IN GENERAL.—Not later than 45 days after the date of the issuance of guidance under subsection (a), and annually thereafter, the Director shall develop and make publicly available a report that includes—

(i) a list of digital identity verification services offered by Federal agencies;

(ii) the volume of digital identity verifications performed by each Federal agency;

(iii) information relating to the effectiveness of digital identity verification services by Federal agencies; and

(iv) recommendations to improve the effectiveness of digital identity verification services by Federal agencies.

(B) CONSULTATION.—In developing the first report required under subparagraph (A), the Director shall consult the Task Force.

(3) CONGRESSIONAL REPORT ON FEDERAL AGENCY DIGITAL IDENTITY CAPABILITIES.—

(A) REFORM.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report relating to the implementation and effectiveness of the digital identity capabilities of Federal agencies.

(B) CONSULTATION.—In developing the report required under subparagraph (A), the Director of the Office of Management and Budget shall—

(i) consult with the Task Force; and

(ii) to the greatest extent practicable, include in the report recommendations of the Task Force.

(C) CONTENTS OF REPORT.—The report required under subparagraph (A) shall include—

(i) an analysis, including metrics and milestones, for the implementation by Federal agencies of—

(I) the guidelines published by the National Institute of Standards and Technology in the document entitled ''Special Publication 800–63'' (commonly referred to as the ''Digital Identity Guidelines''), or any successor document; and

(II) if feasible, any additional requirements relating to enhancing digital identity capabilities identified in the document of the Office of Management and Budget entitled ''M–19–17'' and issued on May 21, 2019, or any successor document;

(ii) a review of measures taken to advance the equity, accessibility, cybersecurity, and privacy of digital identity verification services offered by Federal agencies; and

(iii) any other relevant data, information, or plans for Federal agencies to improve the digital identity capabilities of Federal agencies.

(c) ADDITIONAL REPORTS.—On the first March 1 occurring after the date described in subsection (b)(3)(A), and annually thereafter, the Director of the Office of Management and Budget, in consultation with the Director of the National Institute of Standards and Technology, shall include in the report required under section 3553(c) of title 44, United States Code—

(1) any additional and ongoing reporting on the matters described in subsection (b)(3)(C); and

(2) associated information collection mechanisms.

SEC. ___05. GAO REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the estimated potential savings, including estimated annual potential savings, due to the increased adoption and widespread use of digital identification, of—

(1) the Federal Government from averted fraud, including benefit fraud; and

(2) the economy of the United States and consumers from averted identity theft.

(b) CONTENTS.—Among other variables the Comptroller General of the United States determines relevant, the report required under subsection (a) shall include multiple scenarios with varying uptake rates to demonstrate a range of possible outcomes.

SA 2595. Ms. SINEMA (for herself and Mr. LANKFORD) 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, add the following:

DIVISION E—COMBATING CARTELS ON SOCIAL MEDIA ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Combating Cartels on Social Media Act of 2024''.

SEC. 5002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED OPERATOR.—The term ''covered operator'' means the operator, developer, or publisher of a covered service.

(3) COVERED SERVICE.—The term ''covered service'' means—

(A) a social media platform;

(B) a mobile or desktop service with direct or group messaging capabilities, but not including text messaging services without other substantial social functionalities or electronic mail services, that the Secretary of Homeland Security determines is being or has been used by transnational criminal organizations in connection with matters described in section 5003; and

(C) a digital platform, or an electronic application utilizing the digital platform, involving real-time interactive communication between multiple individuals, including multi-player gaming services and immersive technology platforms or applications, that the Secretary of Homeland Security determines is being or has been used by transnational criminal organizations in connection with matters described in section 5003.

(4) CRIMINAL ENTERPRISE.—The term ''criminal enterprise'' has the meaning given the term ''continuing criminal enterprise'' in section 408 of the Controlled Substances Act (21 U.S.C. 848).

(5) ILLICIT ACTIVITIES.—The term ''illicit activities'' means the following criminal activities that transcend national borders:

(A) A violation of section 401 of the Controlled Substances Act (21 U.S.C. 841).

(B) Narcotics trafficking, as defined in section 808 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1907).

(C) Trafficking of weapons, as defined in section 922 of title 18, United States Code.

(D) Migrant smuggling, defined as a violation of section 274(a)(1)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)(A)(ii)).

(E) Human trafficking, defined as—

(i) a violation of section 1590, 1591, or 1592 of title 18, United States Code; or

(ii) engaging in severe forms of trafficking in persons, as defined in section 103 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102).

(F) Cyber crime, defined as a violation of section 1030 of title 18, United States Code.

(G) A violation of any provision that is subject to intellectual property enforcement, as defined in section 302 of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (15 U.S.C. 8112).

(H) Bulk cash smuggling of currency, defined as a violation of section 5332 of title 31, United States Code.

(I) Laundering the proceeds of the criminal activities described in subparagraphs (A) through (H).

(6) TRANSNATIONAL CRIMINAL ORGANIZATION.—The term ''transnational criminal organization'' means a group or network, and associated individuals, that operate transnationally for the purposes of obtaining power, influence, or monetary or commercial gain, wholly or in part by certain illegal means, while advancing their activities through a pattern of crime, corruption, or violence, and while protecting their illegal activities through a transnational organizational structure and the exploitation of public corruption or transnational logistics, financial, or communication mechanisms.

SEC. 5003. ASSESSMENT OF ILLICIT USAGE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security, the Attorney General, and the Secretary of State shall submit to the appropriate congressional committees a joint assessment describing—

(1) the use of covered services by transnational criminal organizations, or criminal enterprises acting on behalf of transnational criminal organizations, to engage in recruitment efforts, including the recruitment of individuals, including individuals under 18 years of age, located in the United States to engage in or provide support with respect to illicit activities occurring in the United States, Mexico, or otherwise in proximity to an international boundary of the United States;

(2) the use of covered services by transnational criminal organizations to engage in illicit activities or conduct in support of illicit activities, including—

(A) smuggling or trafficking involving narcotics, other controlled substances, precursors thereof, or other items prohibited under the laws of the United States, Mexico, or another relevant jurisdiction, including firearms;

(B) human smuggling or trafficking, including the exploitation of children; and

(C) transportation of bulk currency or monetary instruments in furtherance of smuggling activity; and

(3) the existing efforts of the Secretary of Homeland Security, the Attorney General, the Secretary of State, and relevant government and law enforcement entities to counter, monitor, or otherwise respond to the usage of covered services described in paragraphs (1) and (2).

SEC. 5004. STRATEGY TO COMBAT CARTEL RECRUITMENT ON SOCIAL MEDIA AND ONLINE PLATFORMS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security, the Attorney General, and the Secretary of State shall submit to the appropriate congressional committees a joint strategy, to be known as the National Strategy to Combat Illicit Recruitment Activity by Transnational Criminal Organizations on Social Media and Online Platforms, to combat the use of covered services by transnational criminal organizations, or criminal enterprises acting on behalf of transnational criminal organizations, to recruit individuals located in the United States to engage in or provide support with respect to illicit activities occurring in the United States, Mexico, or otherwise in proximity to an international boundary of the United States.

(b) ELEMENTS.—

(1) IN GENERAL.—The strategy required under subsection (a) shall, at a minimum, include the following:

(A) A proposal to improve cooperation and thereafter maintain cooperation between the Secretary of Homeland Security, the Attorney General, the Secretary of State, and relevant law enforcement entities with respect to the matters described in subsection (a).

(B) Recommendations to implement a process for the voluntary reporting of information regarding the recruitment efforts of transnational criminal organizations in the United States involving covered services.

(C) A proposal to improve intragovernmental coordination with respect to the matters described in subsection (a), including between the Department of Homeland Security, the Department of Justice, the Department of State, and State, Tribal, and local governments.

(D) A proposal to improve coordination within the Department of Homeland Security, the Department of Justice, and the Department of State and between the components of those Departments with respect to the matters described in subsection (a).

(E) Activities to facilitate increased intelligence analysis for law enforcement purposes of efforts of transnational criminal organizations to utilize covered services for recruitment to engage in or provide support with respect to illicit activities.

(F) Activities to foster international partnerships and enhance collaboration with foreign governments and, as applicable, multilateral institutions with respect to the matters described in subsection (a).

(G) Activities to specifically increase engagement and outreach with youth in border communities, including regarding the recruitment tactics of transnational criminal organizations and the consequences of participation in illicit activities.

(H) A detailed description of the measures used to ensure—

(i) law enforcement and intelligence activities focus on the recruitment activities of transitional criminal organizations not individuals the transnational criminal organizations attempt to or successfully recruit; and

(ii) the protection of privacy rights, civil rights, and civil liberties in carrying out the activities described in clause (i), with a particular focus on the protections in place to protect minors and constitutionally protected activities.

(2) LIMITATION.—The strategy required under subsection (a) shall not include legislative recommendations or elements predicated on the passage of legislation that is not enacted as of the date on which the strategy is submitted under subsection (a).

(c) CONSULTATION.—In drafting and implementing the strategy required under subsection (a), the Secretary of Homeland Security, the Attorney General, and the Secretary of State shall, at a minimum, consult and engage with—

(1) the heads of relevant components of the Department of Homeland Security, including—

(A) the Under Secretary for Intelligence and Analysis;

(B) the Under Secretary for Strategy, Policy, and Plans;

(C) the Under Secretary for Science and Technology;

(D) the Commissioner of U.S. Customs and Border Protection;

(E) the Director of U.S. Immigration and Customs Enforcement;

(F) the Officer for Civil Rights and Civil Liberties;

(G) the Privacy Officer; and

(H) the Assistant Secretary of the Office for State and Local Law Enforcement;

(2) the heads of relevant components of the Department of Justice, including—

(A) the Assistant Attorney General for the Criminal Division;

(B) the Assistant Attorney General for National Security;

(C) the Assistant Attorney General for the Civil Rights Division;

(D) the Chief Privacy and Civil Liberties Officer;

(E) the Director of the Organized Crime Drug Enforcement Task Forces;

(F) the Director of the Federal Bureau of Investigation; and

(G) the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

(3) the heads of relevant components of the Department of State, including—

(A) the Assistant Secretary for International Narcotics and Law Enforcement Affairs;

(B) the Assistant Secretary for Western Hemisphere Affairs; and

(C) the Coordinator of the Global Engagement Center;

(4) the Secretary of Health and Human Services;

(5) the Secretary of Education; and

(6) as selected by the Secretary of Homeland Security, or his or her designee in the Office of Public Engagement, representatives of border communities, including representatives of—

(A) State, Tribal, and local governments, including school districts and local law enforcement; and

(B) nongovernmental experts in the fields of—

(i) civil rights and civil liberties;

(ii) online privacy;

(iii) humanitarian assistance for migrants; and

(iv) youth outreach and rehabilitation.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 90 days after the date on which the strategy required under subsection (a) is submitted to the appropriate congressional committees, the Secretary of Homeland Security, the Attorney General, and the Secretary of State shall commence implementation of the strategy.

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date on which the strategy required under subsection (a) is implemented under paragraph (1), and semiannually thereafter for 5 years, the Secretary of Homeland Security, the Attorney General, and the Secretary of State shall submit to the appropriate congressional committees a joint report describing the efforts of the Secretary of Homeland Security, the Attorney General, and the Secretary of State to implement the strategy required under subsection (a) and the progress of those efforts, which shall include a description of—

(i) the recommendations, and corresponding implementation of those recommendations, with respect to the matters described in subsection (b)(1)(B);

(ii) the interagency posture with respect to the matters covered by the strategy required under subsection (a), which shall include a description of collaboration between the Secretary of Homeland Security, the Attorney General, the Secretary of State, other Federal entities, State, local, and Tribal entities, and foreign governments; and

(iii) the threat landscape, including new developments related to the United States recruitment efforts of transnational criminal organizations and the use by those organizations of new or emergent covered services and recruitment methods.

(B) FORM.—Each report required under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex.

(3) CIVIL RIGHTS, CIVIL LIBERTIES, AND PRIVACY ASSESSMENT.—Not later than 2 years after the date on which the strategy required under subsection (a) is implemented under paragraph (1), the Office for Civil Rights and Civil Liberties and the Privacy Office of the Department of Homeland Security shall submit to the appropriate congressional committees a joint report that includes—

(A) a detailed assessment of the measures used to ensure the protection of civil rights, civil liberties, and privacy rights in carrying out this section; and

(B) recommendations to improve the implementation of the strategy required under subsection (a).

(4) RULEMAKING.—Prior to implementation of the strategy required under subsection (a) at the Department of Homeland Security, the Secretary of Homeland Security shall issue rules to carry out this section in accordance with section 553 of title 5, United States Code.

SEC. 5005. RULE OF CONSTRUCTION.

Nothing in this division shall be construed to expand the statutory law enforcement or regulatory authority of the Department of Homeland Security, the Department of Justice, or the Department of State.

SEC. 5006. NO ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated for the purpose of carrying out this division.

SA 2596. Mr. WARNER (for himself, Mr. COTTON, and Mr. KELLY) 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. ___. BRIEFING ON A SECOND PILOT PROGRAM FOR ADVANCED REACTORS.

(a) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing describing the requirements for, and components of, a pilot program to provide resilience for critical national security infrastructure at Department of Defense facilities with high energy intensity requirements by contracting with a commercial entity to site, construct, and operate at least one licensed reactor, capable of producing at least 60 megawatts of power, at a facility selected for purposes of the pilot program by December 31, 2029.

(b) CONTENTS.—The briefing submitted pursuant to subsection (a) shall include the following:

(1) An assessment of how a public-private partnership for the reactor could reduce ratepayer costs and avoid financial risk to the mission of the Department of Defense.

(2) Identification of potential locations to site, construct, and operate a reactor at either—

(A) a commercial site that serves critical mission interests of the Department; or

(B) a Department facility that contains critical national security infrastructure that the Secretary determines may not be energy resilient.

(3) Assessments of different nuclear technologies, including technologies capable of producing at least 60 megawatts of power, to provide energy resiliency for critical national security infrastructure.

(4) A survey of potential commercial stakeholders with which to enter into a contract under the pilot program to construct and operate a licensed reactor and, if appropriate, share offtake needs.

(5) A description of options to enter into long-term contracting, including various financial mechanisms for such purpose.

(6) Identification of requirements for reactors to provide energy resilience to mission-critical functions at facilities identified under paragraph (2).

(7) An estimate of the costs of the pilot program.

(8) A timeline with milestones for the pilot program.

(9) An analysis of the existing authority of the Secretary to permit the siting, construction, and operation of a reactor, if different than authorities for micro-reactors.

(10) Such recommendations for legislative or administrative action as the Secretary determines necessary for the Department to permit the siting, construction, or operation of a reactor under the pilot program.

(11) A strategy for deploying additional reactors at other sites to increase the order book for such reactors, including through public-private partnerships.

(12) A plan for implementing the pilot program, to begin implementation no later than three months after submission of the report.

(c) CONSULTATION.—In preparing the briefing required by subsection (a), the Secretary shall consult with the following:

(1) The Secretary of Energy.

(2) The Nuclear Regulatory Commission.

(3) The Administrator of the General Services Administration.

SA 2597. Mr. WARNER 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 E of title V, insert the following:

SEC. _____. FOOD INSECURITY AMONG MEMBERS OF THE ARMED FORCES TRANSITIONING OUT OF ACTIVE DUTY SERVICE.

(a) STUDY; EDUCATION AND OUTREACH EFFORTS.—

(1) STUDY.—The Secretary of Defense shall, in conjunction with the Secretary of Veterans Affairs and other Federal officials, as appropriate, conduct a study to identify the means by which members of the Armed Forces are provided information about the availability of Federal nutrition assistance programs as they transition out of active duty service.

(2) EDUCATION AND OUTREACH EFFORTS.—The Secretary of Defense, working with the Secretary of Veterans Affairs and other Federal officials, as appropriate, shall increase education and outreach efforts to members of the Armed Forces who are transitioning out of active duty service, particularly those members identified as being at-risk for food insecurity, to increase awareness of the availability of Federal nutrition assistance programs and eligibility for those programs.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(A) submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the study conducted under paragraph (1); and

(B) publish such report on the website of the Department of Defense.

(b) WORKING GROUP.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Agriculture, shall establish a working group to address, across the Department of Defense, the Department of Veterans Affairs, and the Department of Agriculture, coordination, data sharing, and evaluation efforts on underlying factors contributing to food insecurity among members of the Armed Forces transitioning out of active duty service (in this subsection referred to as the ''working group'').

(2) MEMBERSHIP.—The working group be composed of—

(A) representatives from the Department of Defense, the Department of Veterans Affairs, the Department of Agriculture;

(B) other relevant Federal officials, including those connected to veteran transition programs; and

(C) other relevant stakeholders as determined by the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Agriculture.

(3) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the working group shall submit to each congressional committee with jurisdiction over the Department of Defense, the Department of Veterans Affairs, and the Department of Agriculture a report on the coordination, data sharing, and evaluation efforts described in paragraph (1).

(B) ELEMENTS.—The report required by paragraph (1) shall include the following:

(i) An accounting of the funding each department referred to in subparagraph (A) has obligated toward research relating to food insecurity among members of the Armed Forces or veterans.

(ii) An outline of methods of comparing programs and sharing best practices for addressing food insecurity by each such department.

(iii) An outline of—

(I) the plan each such department has to achieve greater government efficiency and cross-agency coordination, data sharing, and evaluation in addressing food insecurity among members transitioning out of the Armed Forces; and

(II) efforts that the departments can undertake to improve coordination to better address food insecurity as it impacts members during and after their active duty service.

(iv) An identification of—

(I) any legal, technological, or administrative barriers to increased coordination and data sharing in addressing food insecurity among members transitioning out of the Armed Forces; and

(II) any additional authorities needed to increase such coordination and data sharing.

(v) Any other information the Secretary of Defense, the Secretary of Veterans Affairs, or the Secretary of Agriculture determines to be appropriate.

SA 2598. Mr. WARNER 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 K of title X, add the following:

SEC. 599C. PROMOTION OF CERTAIN FOOD AND NUTRITION ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Each Secretary concerned shall promote, to members of the Armed Forces under the jurisdiction of the Secretary, awareness of food and nutrition assistance programs administered by the Department of Defense.

(b) REPORTING.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees a report summarizing activities taken by the Secretary to carry out subsection (a).

(c) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 10, United States Code.

SA 2599. Mr. WARNER 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. ADMISSION OF ESSENTIAL SCIENTISTS AND TECHNICAL EXPERTS TO PROMOTE AND PROTECT NATIONAL SECURITY INNOVATION BASE.

(a) SPECIAL IMMIGRANT STATUS.—In accordance with the procedures established under subsection (f)(1), and subject to subsection (c)(1), the Secretary of Homeland Security may provide an alien described in subsection (b) (and the spouse and each child of the alien if accompanying or following to join the alien) with the status of a special immigrant under section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)), if the alien—

(1) submits a classification petition under section 204(a)(1)(G)(i) of such Act (8 U.S.C. 1154(a)(1)(G)(i)); and

(2) is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for lawful permanent residence.

(b) ALIENS DESCRIBED.—An alien is described in this subsection if—

(1) the alien—

(A) is a current or past participant in research funded by the Department of Defense;

(B) is a current or past employee or contracted employee of the Department of Defense;

(C) earned a master's, doctoral, or professional degree from an accredited United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), or completed a graduate fellowship or graduate medical education at an accredited United States institution of higher education, that entailed research in a field of importance to the national security of the United States, as determined by the Secretary of Defense;

(D) is a current employee of, or has a documented job offer from, a company that develops new technologies or cutting-edge research that contributes to the national security of the United States, as determined by the Secretary of Defense; or

(E) is a founder or co-founder of a United States-based company that develops new technologies or cutting-edge research that contributes to the national security of the United States, as determined by the Secretary of Defense; and

(2) the Secretary of Defense issues a written statement to the Secretary of Homeland Security confirming that the alien possesses scientific or technical expertise that will contribute to the national security of the United States.

(c) NUMERICAL LIMITATIONS.—

(1) IN GENERAL.—The total number of principal aliens who may be provided special immigrant status under this section may not exceed—

(A) 10 in each of fiscal years 2025 through 2034; and

(B) 100 in fiscal year 2035 and each fiscal year thereafter.

(2) EXCLUSION FROM NUMERICAL LIMITATION.—Aliens provided special immigrant status under this section shall not be counted against the numerical limitations under sections 201(d), 202(a), and 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4)).

(d) DEFENSE COMPETITION FOR SCIENTISTS AND TECHNICAL EXPERTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a process to select, on a competitive basis from among individuals described in subsection (b), individuals for recommendation to the Secretary of Homeland Security for special immigrant status described in subsection (a).

(e) AUTHORITIES.—In carrying out this section, the Secretary of Defense shall authorize appropriate personnel of the Department of Defense to use all personnel and management authorities available to the Department, including the personnel and management authorities provided to the science and technology reinvention laboratories, the Major Range and Test Facility Base (as defined in section 196(i) of title 10, United States Code), and the Defense Advanced Research Projects Agency.

(f) PROCEDURES.—Not later than 360 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly establish policies and procedures implementing the provisions in this section, which shall include procedures for—

(1) processing of petitions for classification submitted under subsection (a)(1) and applications for an immigrant visa or adjustment of status, as applicable; and

(2) thorough processing of any required security clearances.

(g) FEES.—The Secretary of Homeland Security shall establish a fee—

(1) to be charged and collected to process an application filed under this section; and

(2) that is set at a level that will ensure recovery of the full costs of such processing and any additional costs associated with the administration of the fees collected.

(h) IMPLEMENTATION REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report that includes—

(1) a plan for implementing the authorities provided under this section; and

(2) identification of any additional authorities that may be required to assist the Secretaries in fully implementing this section.

(i) PROGRAM EVALUATION AND REPORT.—

(1) EVALUATION.—The Comptroller General of the United States shall conduct an evaluation of the competitive program and special immigrant program described in subsections (a) through (g).

(2) REPORT.—Not later than October 1, 2028, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the evaluation conducted under paragraph (1).

(j) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on the Judiciary of the Senate; and

(B) the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives.

(2) NATIONAL SECURITY INNOVATION BASE.—The term ''National Security Innovation Base'' means the network of persons and organizations, including Federal agencies, institutions of higher education, federally funded research and development centers, defense industrial base entities, nonprofit organizations, commercial entities, and venture capital firms that are engaged in the military and non-military research, development, funding, and production of innovative technologies that support the national security of the United States.

SA 2600. 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. 1095. PREDISPUTE ARBITRATION OF DISPUTES INVOLVING AGE DISCRIMINATION.

(a) IN GENERAL.—Title 9 of the United States Code is amended by adding at the end the following:

''CHAPTER 5—ARBITRATION OF DISPUTES INVOLVING AGE DISCRIMINATION

''Sec.
''501. Definitions.
''502. No validity or enforceability.

''§ 501. Definitions

''In this chapter:

''(1) AGE DISCRIMINATION DISPUTE.—The term 'age discrimination dispute' means a dispute relating to conduct that is alleged to constitute age discrimination against a person who is not less than 40 years of age in any form, including disparate treatment, disparate impact, harassment, and retaliation, that is prohibited under applicable Federal, Tribal, or State law (including local law).

''(2) PREDISPUTE ARBITRATION AGREEMENT; PREDISPUTE JOINT-ACTION WAIVER.—The terms 'predispute arbitration agreement' and 'predispute joint-action waiver' have the meanings given the terms in section 401.

''§ 502. No validity or enforceability

''(a) IN GENERAL.—Notwithstanding any other provision of this title, at the election of the person alleging conduct constituting an age discrimination dispute, or the named representative of a class or in a collective action alleging such conduct, no predispute arbitration agreement or predispute joint-action waiver shall be valid or enforceable with respect to a case which is filed under Federal, Tribal, or State law and relates to the age discrimination dispute.

''(b) DETERMINATION OF APPLICABILITY.—An issue as to whether this chapter applies with respect to a dispute shall be determined under Federal law. The applicability of this chapter to an agreement to arbitrate and the validity and enforceability of an agreement to which this chapter applies shall be determined by a court, rather than an arbitrator, irrespective of whether the party resisting arbitration challenges the arbitration agreement specifically or in conjunction with other terms of the contract containing such agreement, and irrespective of whether the agreement purports to delegate such determinations to an arbitrator.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Title 9 of the United States Code is amended—

(A) in section 2, by inserting ''or 5'' before the period at the end;

(B) in section 208, in the second sentence, by inserting ''or 5'' before the period at the end; and

(C) in section 307, in the second sentence, by inserting ''or 5'' before the period at the end.

(2) TABLE OF CHAPTERS.—The table of chapters for title 9, United States Code, is amended by adding at the end the following:

''5. Arbitration of disputes involving age discrimination ..... 501.''.

(c) APPLICABILITY.—This section, and the amendments made by this section, shall apply with respect to any dispute or claim that arises or accrues on or after the date of enactment of this Act.

SA 2601. Ms. ROSEN 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 title X, add the following:

Subtitle ____—Veteran Education Empowerment Act

SEC. ____. SHORT TITLE.

This subtitle may be cited as the ''Veteran Education Empowerment Act''.

SEC. ____. FINDINGS.

Congress finds the following:

(1) More than 1,000,000 veterans attend institutions of higher education each year.

(2) Veterans face unique challenges in transitioning from the battlefield to the classroom and eventually to the workforce, including: age differences, family obligations, significant time away from academic life, and service-related disabilities.

(3) The National Education Association found that student veterans can feel lonely and vulnerable on campus and that ''connecting student veterans can effectively ease this isolation'' by bringing together new student veterans with those who have already successfully navigated the first few semesters of college.

(4) According to Mission United—a United Way program that helps veterans re-acclimate to civilian life—it is often ''essential'' for student veterans to be mentored by ''another veteran who understands their mindset and experience''.

(5) Student Veteran Centers are recognized as an institutional best practice by Student Veterans of America.

(6) The American Council on Education, which represents more than 1,700 institutions of higher education across the United States, has called having a dedicated space for veterans on campus ''a promising way for colleges and universities to better serve veterans on campus'' and a ''critical'' component of many colleges' efforts to serve their student veterans.

(7) The Department of Education included as one of its 8 Keys to Veterans' Success that colleges and universities should ''coordinate and centralize campus efforts for all veterans, together with the creation of a designated space for them''.

(8) Budget constraints often make it difficult or impossible for institutions of higher education to dedicate space to veteran offices, lounges, or student centers.

(9) The 110th Congress authorized the funding of Student Veteran Centers through the Centers of Excellence for Veteran Student Success under part T of title VIII of the Higher Education Act of 1965 (20 U.S.C. 1161t). Congress also chose to appropriate funding for this program for fiscal year 2015 under the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235).

(10) According to the Department of Education, federally funded Student Veteran Centers and staff have generated improved recruitment, retention, and graduation rates, have helped student veterans feel better connected across campus, and have directly contributed to the successful academic outcomes of student veterans.

SEC. ____. GRANT PROGRAM TO ESTABLISH, MAINTAIN, AND IMPROVE STUDENT VETERAN CENTERS.

Part T of title VIII of the Higher Education Act of 1965 (20 U.S.C. 1161t) is amended to read as follows:

''PART T—GRANTS FOR STUDENT VETERAN CENTERS

''SEC. 873. GRANTS FOR STUDENT VETERAN CENTERS.

''(a) GRANTS AUTHORIZED.—Subject to the availability of appropriations under subsection (h), the Secretary shall award grants to institutions of higher education or consortia of institutions of higher education to assist in the establishment, maintenance, improvement, and operation of Student Veteran Centers.

''(b) ELIGIBILITY.—

''(1) APPLICATION.—An institution or consortium seeking a grant under subsection (a) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(2) CRITERIA.—The Secretary may award a grant under subsection (a) to an institution or a consortium if the institution or consortium meets each of the following criteria:

''(A) The institution or consortium enrolls in undergraduate or graduate courses—

''(i) a significant number of student veterans, members of the Armed Forces serving on active duty, or members of a reserve component of the Armed Forces; or

''(ii) a significant percentage of student veterans, members of the Armed Forces serving on active duty, or members of a reserve component of the Armed Forces,
as measured by comparing, for the most recent academic year for which data are available, the number or percentage of student veterans, members of the Armed Forces serving on active duty, and members of a reserve component of the Armed Forces who are enrolled in undergraduate or graduate courses at the institution or consortium, with the average number or percentage of student veterans, members of the Armed Forces serving on active duty, and members of a reserve component of the Armed Forces who were enrolled in undergraduate or graduate courses at comparable institutions or consortia of institutions.

''(B) The institution or consortium presents a sustainability plan to demonstrate that the Student Veteran Center will be maintained and will continue to operate after the grant period has ended.

''(3) SELECTION CRITERIA.—In awarding grants under subsection (a), the Secretary shall provide the following:

''(A) Priority consideration to institutions or consortia that meet one or more of the following criteria:

''(i) The institution or consortium is located in a region or community that has a significant population of veterans.

''(ii) The institution or consortium considers the need to serve student veterans at a wide range of institutions of higher education, including the need to provide equitable distribution of grants to institutions of various sizes, geographic locations, and institutions in urban and rural areas.

''(iii) The institution or consortium carries out programs or activities that assist veterans in the local community, and the spouses or partners and children of student veterans.

''(iv) The institution or consortium partners in its veteran-specific programming with nonprofit veteran service organizations, local workforce development organizations, or other institutions of higher education.

''(v) The institution or consortium commits to hiring a staff at the Student Veteran Center that includes veterans (including student veteran volunteers and student veterans participating in a Federal work-study program under part C of title IV, a work-study program administered by the Secretary of Veteran Affairs, or a State work-study program).

''(vi) The institution or consortium commits to providing an orientation for student veterans that—

''(I) is separate from the new student orientation provided by the institution or consortium; and

''(II) provides student veterans with information on the benefits and resources available to such students at or through the institution or consortium.

''(vii) The institution or consortium commits to using a portion of the grant received under this section to develop or maintain a student veteran retention program carried out by the Student Veteran Center.

''(viii) The institution or consortium commits to providing mental health counseling to its student veterans (and the spouses or partners and children of such students).

''(B) Equitable distribution of such grants to institutions or consortia of various sizes, geographic locations, and in urban and rural areas.

''(c) USE OF FUNDS.—

''(1) IN GENERAL.—An institution or consortium that is awarded a grant under subsection (a) shall use such grant to establish, maintain, improve, or operate a Student Veteran Center.

''(2) OTHER ALLOWABLE USES.—An institution or consortium receiving a grant under subsection (a) may use a portion of such grant to carry out supportive instruction services for student veterans, including—

''(A) assistance with special admissions and transfer of credit from previous postsecondary education or experience; and

''(B) any other support services the institution or consortium determines to be necessary to ensure the success of student veterans in achieving education and career goals.

''(d) AMOUNTS AWARDED.—

''(1) DURATION.—Each grant awarded under subsection (a) shall be for a 4-year period.

''(2) TOTAL AMOUNT OF GRANT AND SCHEDULE.—Each grant awarded under subsection (a) may not exceed a total of $500,000. The Secretary shall disburse to an institution or consortium the amount awarded under the grant in such amounts and at such times during the grant period as the Secretary determines appropriate.

''(e) REPORT.—From the amounts appropriated to carry out this section, and not later than 3 years after the date on which the first grant is awarded under subsection (a), the Secretary shall submit to Congress a report on the grant program established under subsection (a), including—

''(1) the number of grants awarded;

''(2) the institutions of higher education and consortia that have received grants;

''(3) with respect to each such institution of higher education and consortium—

''(A) the amounts awarded;

''(B) how such institution or consortium used such amounts;

''(C) a description of the demographics of student veterans (and spouses or partners and children of such students) to whom services were offered as a result of the award, including students who are women and belong to minority groups;

''(D) the number of student veterans (and spouses or partners and children of such students) to whom services were offered as a result of the award, and a description of the services that were offered and provided; and

''(E) data enumerating whether the use of the amounts awarded helped student veterans at the institution or consortium toward completion of a degree, certificate, or credential;

''(4) best practices for student veteran success, identified by reviewing data provided by institutions and consortia that received a grant under this section; and

''(5) a determination by the Secretary with respect to whether the grant program under this section should be extended or expanded.

''(f) DEPARTMENT OF EDUCATION BEST PRACTICES WEBSITE.—Subject to the availability of appropriations under subsection (h) and not later than 3 years after the date on which the first grant is awarded under subsection (a), the Secretary shall develop and implement a website for Student Veteran Centers at institutions of higher education, which details best practices for serving student veterans at institutions of higher education.

''(g) DEFINITIONS.—In this section:

''(1) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101.

''(2) STUDENT VETERAN CENTER.—The term 'Student Veteran Center' means a dedicated space on a campus of an institution of higher education that provides students who are veterans, members of the Armed Forces serving on active duty, or members of a reserve component of the Armed Forces with the following:

''(A) A lounge or meeting space for such student veterans (and the spouses or partners and children of such students), and veterans in the community.

''(B) A centralized office for student veteran services that—

''(i) is a single point of contact to coordinate comprehensive support services for student veterans;

''(ii) is staffed by trained employees and volunteers, which includes veterans and at least one full-time employee or volunteer who is trained as a veterans' benefits counselor;

''(iii) provides student veterans with assistance relating to—

''(I) transitioning from the military to student life;

''(II) transitioning from the military to the civilian workforce;

''(III) networking with other student veterans and veterans in the community;

''(IV) understanding and obtaining benefits provided by the institution of higher education, Federal Government, and State for which such students may be eligible;

''(V) understanding how to succeed in the institution of higher education, including by understanding academic policies, the course selection process, and institutional policies and practices related to the transfer of academic credits; and

''(VI) understanding disability-related rights and protections under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

''(iv) provides comprehensive academic and tutoring services for student veterans, including peer-to-peer tutoring and academic mentorship.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2025 and each of the 7 succeeding fiscal years.''.

SA 2602. Mr. CORNYN (for himself, Mrs. SHAHEEN, Mr. COONS, 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 end of subtitle C of title XII, add the following:

SEC. 1239. 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 State, in consultation with 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 2603. Mrs. BRITT (for Mr. DAINES) submitted an amendment intended to be proposed by Mrs. Britt 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. _____. PROHIBITION ON CERTAIN FEDERAL EMPLOYEES ENGAGING IN TELEWORK OR REMOTE WORK.

(a) DEFINITIONS.—In this section:

(1) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of an Executive agency who is serving in—

(A) a position for which appointment is made by the President, by and with the advice and consent of the Senate; or

(B) a Senior Executive Service position.

(2) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given the term in section 105 of title 5, United States Code.

(3) SENIOR EXECUTIVE SERVICE POSITION.—The term ''Senior Executive Service position'' has the meaning given the term in section 3132(a) of title 5, United States Code.

(4) TELEWORK.—The term ''telework'' has the meaning given the term in section 6501 of title 5, United States Code.

(b) PROHIBITION.—Notwithstanding any other provision of law or regulation, a covered employee may not telework or engage in remote work.

SA 2604. Mrs. BRITT (for Mr. DAINES) submitted an amendment intended to be proposed by Mrs. Britt 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. REIMBURSEMENT OF CERTAIN MEMBERS OF RESERVE COMPONENTS FOR MILEAGE DRIVEN TO INACTIVE-DUTY TRAINING.

The Secretary of Defense shall revise the Joint Travel Regulations maintained under section 464 of title 37, United States Code, to ensure that, if a member of a reserve component drives a vehicle of the member to inactive-duty training, the member may be paid a mileage allowance for the mileage driven by the member.

SA 2605. Mrs. BRITT 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 title VIII, add the following:

Subtitle F—Preventing Procurement and Operation of Humanoid Robots From Covered Foreign Entities

SEC. 894. SHORT TITLE.

This subtitle may be cited as the ''Preventing Procurement and Operation of Humanoid Robots from Covered Foreign Entities Act of 2024''.

SEC. 895. DEFINITIONS.

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity included on a list developed and maintained by the Federal Acquisition Security Council and published in the System for Award Management (SAM). This list will include entities in the following categories:

(A) An entity included on the Consolidated Screening List.

(B) Any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Defense, in coordination with the Secretary of State.

(C) Any entity the Secretary of Defense, in coordination with the Secretary of State, the Attorney General, the Director of National Intelligence, and the Secretary of Homeland Security, determines poses a national security risk.

(D) Any entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People's Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Defense, in coordination with the Secretary of State.

(E) Any subsidiary or affiliate of an entity described in subparagraphs (A) through (D).

(2) HUMANOID ROBOT.—The term ''humanoid robot''—

(A) means an autonomous or semi-autonomous machine that—

(i) possesses a body structure that simulates the human form, including—

(I) a head, torso, arms, and legs, or any configuration thereof that resembles a human silhouette; and

(II) articulated joints and limbs allowing for human-like movement and dexterity;

(ii) is capable of performing tasks typically associated with human activities, including—

(I) walking, running, or any other forms of bipedal or quadrupedal locomotion;

(II) grasping, lifting, or manipulating objects using hands or hand-like appendages; and

(III) communicating using natural language processing to understand and respond to verbal or written commands;

(iii) operates with varying levels of autonomy, including—

(I) fully autonomous operation using integrated artificial intelligence systems to make decisions without direct human intervention; or

(II) semi-autonomous operation requiring human oversight, command, or control for certain functions; and

(iv) is equipped with sensors, cameras, or other devices that enable—

(I) environmental perception and interaction, including recognizing and navigating physical spaces; and

(II) interaction with humans or other robots, including understanding and responding to social cues, gestures, and speech; and

(B) does not include—

(i) industrial robots that—

(I) are designed for repetitive, non-interactive tasks within a controlled environment; and

(II) do not meet the criteria outlined in subparagraph (A); and

(ii) remote-controlled devices that—

(I) lack autonomous decision-making capabilities; and

(II) do not meet the criteria outlined in subparagraph (A).

(3) INTELLIGENCE; INTELLIGENCE COMMUNITY.—The terms ''intelligence'' and ''intelligence community'' have the meanings given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 896. PROHIBITION ON PROCUREMENT OF HUMANOID ROBOTS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Except as provided under subsections (b) and (c), the Secretary of Defense may not procure any humanoid robot that is manufactured or assembled by a covered foreign entity.

(b) EXEMPTION.—The Secretary of Defense is exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of humanoid robots or counter-humanoid robot technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of a humanoid robot or counter-humanoid robot technology; or

(3) is a humanoid robot that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to the Committee on Armed Service of the Senate and the Committee on Armed Service of the House of Representatives.

(d) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations or guidance to implement this section.

SEC. 897. PROHIBITION ON OPERATION OF HUMANOID ROBOTS FROM COVERED FOREIGN ENTITIES.

(a) PROHIBITION.—

(1) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, the Department of Defense may not operate a humanoid robot manufactured or assembled by a covered foreign entity.

(2) APPLICABILITY TO CONTRACTED SERVICES.—The prohibition under paragraph (1) applies to any covered humanoid robot that is being used by the Department of Defense through the method of contracting for the services of humanoid robots.

(b) EXEMPTION.—The Secretary of Defense is exempt from the restriction under subsection (a) if the operation is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of humanoid robot technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations,

including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of humanoid robot technology; or

(3) is a humanoid robot that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to the Committee on Armed Service of the Senate and the Committee on Armed Service of the House of Representatives.

(d) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations or guidance to implement this section.

SEC. 898. PROHIBITION ON USE OF FEDERAL FUNDS FOR PROCUREMENT AND OPERATION OF HUMANOID ROBOTS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through a contract, grant, or cooperative agreement, or otherwise made available may be used—

(1) to procure a humanoid robot that is manufactured or assembled by a covered foreign entity; or

(2) in connection with the operation of such a humanoid robot.

(b) EXEMPTION.—The Secretary of Defense is exempt from the restriction under subsection (a) if the procurement or operation is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of humanoid robots;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of a humanoid robot; or

(3) is a humanoid robot that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to the Committee on Armed Service of the Senate and the Committee on Armed Service of the House of Representatives.

(d) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations or guidance, as necessary, to implement the requirements of this section pertaining to Department of Defense contracts.

SEC. 899. MANAGEMENT OF EXISTING INVENTORIES OF COVERED HUMANOID ROBOTS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—The Department of Defense must account for existing inventories of humanoid robots manufactured or assembled by a covered foreign entity in its personal property accounting system, within one year of the date of enactment of this Act, regardless of the original procurement cost, or the purpose of procurement due to the special monitoring and accounting measures necessary to track the items' capabilities.

(b) CLASSIFIED TRACKING.—Due to the sensitive nature of missions and operations conducted by the United States Government, inventory data related to humanoid robots manufactured or assembled by a covered foreign entity may be tracked at a classified level, as determined by the Secretary of Defense or the Secretary's designee.

(c) EXCEPTIONS.—The Department of Defense may exclude from the full inventory process humanoid robots that are deemed expendable due to mission risk such as recovery issues, or that are one-time-use humanoid robots due to requirements and low cost.

(d) INTELLIGENCE COMMUNITY EXCEPTION.—Nothing in this section shall apply to any element of the intelligence community.

SEC. 899A. COMPTROLLER GENERAL REPORT.

Not later than 275 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the amount of commercial off-the-shelf humanoid robots procured by the Department of Defense from covered foreign entities, except that nothing in this section shall apply to any element of the intelligence community.

SEC. 899B. STUDY.

(a) STUDY ON THE SUPPLY CHAIN FOR HUMANOID ROBOTS AND COMPONENTS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall provide to the appropriate congressional committees a report on the supply chain for humanoid robots, including a discussion of current and projected future demand for humanoid robots.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description of the current and future global and domestic market for humanoid robots that are not widely commercially available except from a covered foreign entity.

(2) A description of the sustainability, availability, cost, and quality of secure sources of humanoid robots domestically and from sources in allied and partner countries.

(3) The plan of the Secretary of Defense to address any gaps or deficiencies identified in subparagraph (B), including through the use of funds available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and partnerships with the National Aeronautics and Space Administration and other interested persons.

(4) Such other information as the Under Secretary of Defense for Acquisition and Sustainment determines to be appropriate.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section the term ''appropriate congressional committees'' means:

(1) The Committees on Armed Services of the Senate and the House of Representatives.

(2) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

(3) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(4) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(5) The Committee on Transportation and Infrastructure of the House of Representatives.

(6) The Committee on Homeland Security of the House of Representatives.

(7) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 899C. EXCEPTION FOR INTELLIGENCE ACTIVITIES.

Sections 896, 897, and 898 shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), any authorized intelligence activities of the United States, or any activity or procurement that supports an authorized intelligence activity.

SA 2606. Mr. CORNYN (for himself and Mr. KING) 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. 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.

(J) An assessment of timely access to sterilization products for medical instruments and devices.

(K) An assessment of the sterilization product supply chain serving medical facilities of the Defense Health Agency.

(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 2607. 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 A of title XII, add the following:

SEC. 1216. 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 2608. 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 or a university-affiliated research center 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 or university-affiliated research center 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) DEFINITION OF MAJOR DEFENSE ACQUISITION PROGRAM.—In this section, the term ''major defense acquisition program'' has the meaning given that term in section 4201 of title 10, United States Code.

SA 2609. Mr. ROUNDS (for himself 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 appropriate place, insert the following:

SEC. ___. ESTABLISHMENT OF MEDSHIELD PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''MedShield Act of 2024''.

(b) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds as follows:

(A) The COVID–19 pandemic revealed the need to better organize pathogen defense of the people of the United States.

(B) The National Security Commission on Artificial Intelligence concluded that COVID–19 scientific advancements, notably accelerated by the application of artificial intelligence, in addition to many other existing science and technology initiatives in the United States, should be used to build a comprehensive, operational, and integrated biodefense program that functions like a ''shield'' against manmade and non-manmade pathogens.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) an initiative such as Operation Warp Speed should not be required for the next pandemic;

(B) there is a requirement for a pandemic preparedness and response program that would negate the need for a future Operation Warp Speed-like program or a declaration of a public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d); and

(C) the program established under subsection (c) would operationalize artificial intelligence and a system-of-systems integration across the interagency and private sector, under the direction of the Secretary of Health and Human Services.

(c) MEDSHIELD PROGRAM.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall implement a pandemic preparedness and response program utilizing artificial intelligence and other relevant technologies, to be known as the ''MedShield program'' (referred to in this section as the ''Program''), in accordance with recommendations of the National Security Commission on Artificial Intelligence. The Program shall operationalize a national medical shield that gathers innovations across the public-private ecosystem in the United States, as well as from allies and partners, to improve the efficiency and effectiveness of delivering medical solutions to individuals, functioning as a shield against biological threats. The Program shall continuously operate and monitor threats, for the purpose of safeguarding the public health of the United States.

(2) PLAN AND INTEGRATION.—Pursuant to the Program, the Secretary shall—

(A) develop a plan to integrate the recommendations of the National Security Commission on Artificial Intelligence for pandemic preparedness and response, in accordance with the responsibilities of the Department of Health and Human Services as the primary agency and coordinator for the emergency support function relating to public health and medical services under the National Response Framework of the Federal Emergency Management Agency; and

(B) consult with heads of appropriate Federal agencies and select allies and partners to ensure the integration of the Program between relevant departments and agencies and international partners to achieve a coordinated international effort to address a pandemic.

(3) UTILIZATION OF ARTIFICIAL INTELLIGENCE.—In carrying out the Program, the Secretary shall leverage artificial intelligence and other relevant technologies and capabilities, including as follows:

(A) Development and deployment of a global pathogen surveillance system for the real-time detection and tracking of pathogens.

(B) Employment of artificial intelligence enabled systems to accelerate the identification and development of effective vaccines.

(C) Development and deployment of therapeutic treatments for individuals affected by biological threats.

(D) Advanced artificial intelligence-enabled modeling to optimize strategies for pathogen tracking, vaccine distribution, and therapeutic interventions.

(E) Streamlining and enhancing rapid manufacturing of vaccines and therapeutics.

(d) REPORTING.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives a report detailing the plan required under subsection (c)(2). Such report shall be submitted in unclassified form, and may include a classified annex.

(e) DEFINITIONS.—In this section—

(1) the term ''artificial intelligence'' has the meaning given such term in section 1051(f) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1962).

(2) the term ''MedShield'' has the meaning given the term ''BioShield'' in the final report of the Commission submitted under section 1051(c)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (132 Stat. 1965; Public Law 115–232); and

(3) the term ''National Security Commission on Artificial Intelligence'' means such commission established under section 1051 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (132 Stat. 1962; Public Law 115–232).

(f) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out the MedShield program, there are authorized to be appropriated to the Secretary—

(1) $300,000,000 for fiscal year 2025;
(2) $350,000,000 for fiscal year 2026;
(3) $400,000,000 for fiscal year 2027;
(4) $450,000,000 for fiscal year 2028; and
(5) $500,000,000 for fiscal year 2029,

to remain available until expended.

SA 2610. Mr. ROUNDS (for himself 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:

DIVISION __—UNIDENTIFIED ANOMALOUS PHENOMENA DISCLOSURE

SEC. ___01. SHORT TITLE.

This division may be cited as the ''Unidentified Anomalous Phenomena Disclosure Act of 2024'' or the ''UAP Disclosure Act of 2024''.

SEC. ___02. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) All Federal Government records related to unidentified anomalous phenomena should be preserved and centralized for historical and Federal Government purposes.

(2) All Federal Government records concerning unidentified anomalous phenomena should carry a presumption of immediate disclosure and all records should be eventually disclosed to enable the public to become fully informed about the history of the Federal Government's knowledge and involvement surrounding unidentified anomalous phenomena.

(3) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of such records.

(4) Legislation is necessary because credible evidence and testimony indicates that Federal Government unidentified anomalous phenomena records exist that have not been declassified or subject to mandatory declassification review as set forth in Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) due in part to exemptions under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), as well as an over-broad interpretation of ''transclassified foreign nuclear information'', which is also exempt from mandatory declassification, thereby preventing public disclosure under existing provisions of law.

(5) Legislation is necessary because section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), as implemented by the Executive branch of the Federal Government, has proven inadequate in achieving the timely public disclosure of Government unidentified anomalous phenomena records that are subject to mandatory declassification review.

(6) Legislation is necessary to restore proper oversight over unidentified anomalous phenomena records by elected officials in both the executive and legislative branches of the Federal Government that has otherwise been lacking as of the enactment of this Act.

(7) Legislation is necessary to afford complete and timely access to all knowledge gained by the Federal Government concerning unidentified anomalous phenomena in furtherance of comprehensive open scientific and technological research and development essential to avoiding or mitigating potential technological surprise in furtherance of urgent national security concerns and the public interest.

(b) PURPOSES.—The purposes of this division are—

(1) to provide for the creation of the unidentified anomalous phenomena Records Collection at the National Archives and Records Administration; and

(2) to require the expeditious public transmission to the Archivist and public disclosure of such records.

SEC. ___03. DEFINITIONS.

In this division:

(1) ARCHIVIST.—The term ''Archivist'' means the Archivist of the United States.

(2) CLOSE OBSERVER.—The term ''close observer'' means anyone who has come into close proximity to unidentified anomalous phenomena or non-human intelligence.

(3) COLLECTION.—The term ''Collection'' means the Unidentified Anomalous Phenomena Records Collection established under section ___04.

(4) CONTROLLED DISCLOSURE CAMPAIGN PLAN.—The term ''Controlled Disclosure Campaign Plan'' means the Controlled Disclosure Campaign Plan required by section ___09(c)(3).

(5) CONTROLLING AUTHORITY.—The term ''controlling authority'' means any Federal, State, or local government department, office, agency, committee, commission, commercial company, academic institution, or private sector entity in physical possession of technologies of unknown origin or biological evidence of non-human intelligence.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Government Ethics.

(7) EXECUTIVE AGENCY.—The term ''Executive agency'' means an Executive agency, as defined in subsection 552(f) of title 5, United States Code.

(8) GOVERNMENT OFFICE.—The term ''Government office'' means any department, office, agency, committee, or commission of the Federal Government and any independent office or agency without exception that has possession or control, including via contract or other agreement, of unidentified anomalous phenomena records.

(9) IDENTIFICATION AID.—The term ''identification aid'' means the written description prepared for each record, as required in section ___04.

(10) LEADERSHIP OF CONGRESS.—The term ''leadership of Congress'' means—

(A) the majority leader of the Senate;
(B) the minority leader of the Senate;
(C) the Speaker of the House of Representatives; and
(D) the minority leader of the House of Representatives.

(11) LEGACY PROGRAM.—The term ''legacy program'' means all Federal, State, and local government, commercial industry, academic, and private sector endeavors to collect, exploit, or reverse engineer technologies of unknown origin or examine biological evidence of living or deceased non-human intelligence that pre-dates the date of the enactment of this Act.

(12) NATIONAL ARCHIVES.—The term ''National Archives'' means the National Archives and Records Administration and all components thereof, including presidential archival depositories established under section 2112 of title 44, United States Code.

(13) NON-HUMAN INTELLIGENCE.—The term ''non-human intelligence'' means any sentient intelligent non-human lifeform regardless of nature or ultimate origin that may be presumed responsible for unidentified anomalous phenomena or of which the Federal Government has become aware.

(14) ORIGINATING BODY.—The term ''originating body'' means the Executive agency, Federal Government commission, committee of Congress, or other Governmental entity that created a record or particular information within a record.

(15) PROSAIC ATTRIBUTION.—The term ''prosaic attribution'' means having a human (either foreign or domestic) origin and operating according to current, proven, and generally understood scientific and engineering principles and established laws-of-nature and not attributable to non-human intelligence.

(16) PUBLIC INTEREST.—The term ''public interest'' means the compelling interest in the prompt public disclosure of unidentified anomalous phenomena records for historical and Governmental purposes and for the purpose of fully informing the people of the United States about the history of the Federal Government's knowledge and involvement surrounding unidentified anomalous phenomena.

(17) RECORD.—The term ''record'' includes a book, paper, report, memorandum, directive, email, text, or other form of communication, or map, photograph, sound or video recording, machine-readable material, computerized, digitized, or electronic information, including intelligence, surveillance, reconnaissance, and target acquisition sensor data, regardless of the medium on which it is stored, or other documentary material, regardless of its physical form or characteristics.

(18) REVIEW BOARD.—The term ''Review Board'' means the Unidentified Anomalous Phenomena Records Review Board established by section ___07.

(19) TECHNOLOGIES OF UNKNOWN ORIGIN.—The term ''technologies of unknown origin'' means any materials or meta-materials, ejecta, crash debris, mechanisms, machinery, equipment, assemblies or sub-assemblies, engineering models or processes, damaged or intact aerospace vehicles, and damaged or intact ocean-surface and undersea craft associated with unidentified anomalous phenomena or incorporating science and technology that lacks prosaic attribution or known means of human manufacture.

(20) TEMPORARILY NON-ATTRIBUTED OBJECTS.—

(A) IN GENERAL.—The term ''temporarily non-attributed objects'' means the class of objects that temporarily resist prosaic attribution by the initial observer as a result of environmental or system limitations associated with the observation process that nevertheless ultimately have an accepted human origin or known physical cause. Although some unidentified anomalous phenomena may at first be interpreted as temporarily non-attributed objects, they are not temporarily non-attributed objects, and the two categories are mutually exclusive.

(B) INCLUSION.—The term ''temporarily non-attributed objects'' includes—

(i) natural celestial, meteorological, and undersea weather phenomena;

(ii) mundane human-made airborne objects, clutter, and marine debris;

(iii) Federal, State, and local government, commercial industry, academic, and private sector aerospace platforms;

(iv) Federal, State, and local government, commercial industry, academic, and private sector ocean-surface and undersea vehicles; and

(v) known foreign systems.

(21) THIRD AGENCY.—The term ''third agency'' means a Government agency that originated a unidentified anomalous phenomena record that is in the possession of another Government agency.

(22) UNIDENTIFIED ANOMALOUS PHENOMENA.—

(A) IN GENERAL.—The term ''unidentified anomalous phenomena'' means any object operating or judged capable of operating in outer-space, the atmosphere, ocean surfaces, or undersea lacking prosaic attribution due to performance characteristics and properties not previously known to be achievable based upon commonly accepted physical principles. Unidentified anomalous phenomena are differentiated from both attributed and temporarily non-attributed objects by one or more of the following observables:

(i) Instantaneous acceleration absent apparent inertia.

(ii) Hypersonic velocity absent a thermal signature and sonic shockwave.

(iii) Transmedium (such as space-to-ground and air-to-undersea) travel.

(iv) Positive lift contrary to known aerodynamic principles.

(v) Multispectral signature control.

(vi) Physical or invasive biological effects to close observers and the environment.

(B) INCLUSIONS.—The term ''unidentified anomalous phenomena'' includes what were previously described as—

(i) flying discs;

(ii) flying saucers;

(iii) unidentified aerial phenomena;

(iv) unidentified flying objects (UFOs); and

(v) unidentified submerged objects (USOs).

(23) UNIDENTIFIED ANOMALOUS PHENOMENA RECORD.—The term ''unidentified anomalous phenomena record'' means a record that is related to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence (and all equivalent subjects by any other name with the specific and sole exclusion of temporarily non-attributed objects) that was created or made available for use by, obtained by, or otherwise came into the possession of—

(A) the Executive Office of the President;

(B) the Department of Defense and its progenitors, the Department of War and the Department of the Navy;

(C) the Department of the Army;

(D) the Department of the Navy;

(E) the Department of the Air Force, specifically the Air Force Office of Special Investigations;

(F) the Department of Energy and its progenitors, the Manhattan Project, the Atomic Energy Commission, and the Energy Research and Development Administration;

(G) the Office of the Director of National Intelligence;

(H) the Central Intelligence Agency and its progenitor, the Office of Strategic Services;

(I) the National Reconnaissance Office;

(J) the Defense Intelligence Agency;

(K) the National Security Agency;

(L) the National Geospatial-Intelligence Agency;

(M) the National Aeronautics and Space Administration:

(N) the Federal Bureau of Investigation;

(O) the Federal Aviation Administration;

(P) the National Oceanic and Atmospheric Administration;

(Q) the Library of Congress;

(R) the National Archives and Records Administration;

(S) any Presidential library;

(T) any Executive agency;

(U) any independent office or agency;

(V) any other department, office, agency, committee, or commission of the Federal Government;

(W) any State or local government department, office, agency, committee, or commission that provided support or assistance or performed work, in connection with a Federal inquiry into unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence; and

(X) any private sector person or entity formerly or currently under contract or some other agreement with the Federal Government.

SEC. ___04. UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS COLLECTION AT THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—(A) Not later than 60 days after the date of the enactment of this Act, the Archivist shall commence establishment of a collection of records in the National Archives to be known as the ''Unidentified Anomalous Phenomena Records Collection''.

(B) In carrying out subparagraph (A), the Archivist shall ensure the physical integrity and original provenance (or if indeterminate, the earliest historical owner) of all records in the Collection.

(C) The Collection shall consist of record copies of all Government, Government-provided, or Government-funded records relating to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence (or equivalent subjects by any other name with the specific and sole exclusion of temporarily non-attributed objects), which shall be transmitted to the National Archives in accordance with section 2107 of title 44, United States Code.

(D) The Archivist shall prepare and publish a subject guidebook and index to the Collection.

(2) CONTENTS.—The Collection shall include the following:

(A) All unidentified anomalous phenomena records, regardless of age or date of creation—

(i) that have been transmitted to the National Archives or disclosed to the public in an unredacted form prior to the date of the enactment of this Act;

(ii) that are required to be transmitted to the National Archives; and

(iii) that the disclosure of which is postponed under this Act.

(B) A central directory comprised of identification aids created for each record transmitted to the Archivist under section ___05.

(C) All Review Board records as required by this Act.

(b) DISCLOSURE OF RECORDS.—All unidentified anomalous phenomena records transmitted to the National Archives for disclosure to the public shall—

(1) be included in the Collection; and

(2) be available to the public—

(A) for inspection and copying at the National Archives within 30 days after their transmission to the National Archives; and

(B) digitally via the National Archives online database within a reasonable amount of time not to exceed 180 days thereafter.

(c) FEES FOR COPYING.—

(1) IN GENERAL.—The Archivist shall—

(A) charge fees for copying unidentified anomalous phenomena records; and

(B) grant waivers of such fees pursuant to the standards established by section 552(a)(4) of title 5, United States Code.

(2) AMOUNT OF FEES.—The amount of a fee charged by the Archivist pursuant to paragraph (1)(A) for the copying of an unidentified anomalous phenomena record shall be such amount as the Archivist determines appropriate to cover the costs incurred by the National Archives in making and providing such copy, except that in no case may the amount of the fee charged exceed the actual expenses incurred by the National Archives in making and providing such copy.

(d) ADDITIONAL REQUIREMENTS.—

(1) USE OF FUNDS.—The Collection shall be preserved, protected, archived, digitized, and made available to the public at the National Archives and via the official National Archives online database using appropriations authorized, specified, and restricted for use under the terms of this Act.

(2) SECURITY OF RECORDS.—The National Security Program Office at the National Archives, in consultation with the National Archives Information Security Oversight Office, shall establish a program to ensure the security of the postponed unidentified anomalous phenomena records in the protected, and yet-to-be disclosed or classified portion of the Collection.

(e) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing legislative oversight jurisdiction in the Senate with respect to the Collection.

(2) HOUSE OF REPRESENTATIVES.—The Committee on Oversight and Accountability of the House of Representatives shall have continuing legislative oversight jurisdiction in the House of Representatives with respect to the Collection.

SEC. ___05. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES, AND PUBLIC DISCLOSURE OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS BY GOVERNMENT OFFICES.

(a) IDENTIFICATION, ORGANIZATION, AND PREPARATION FOR TRANSMISSION.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, each head of a Government office shall—

(A) identify and organize records in the possession of the Government office or under the control of the Government office relating to unidentified anomalous phenomena; and

(B) prepare such records for transmission to the Archivist for inclusion in the Collection.

(2) PROHIBITIONS.—(A) No unidentified anomalous phenomena record shall be destroyed, altered, or mutilated in any way.

(B) No unidentified anomalous phenomena record made available or disclosed to the public prior to the date of the enactment of this Act may be withheld, redacted, postponed for public disclosure, or reclassified.

(C) No unidentified anomalous phenomena record created by a person or entity outside the Federal Government (excluding names or identities consistent with the requirements of section ___06) shall be withheld, redacted, postponed for public disclosure, or reclassified.

(b) CUSTODY OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS PENDING REVIEW.—During the review by the heads of Government offices under subsection (c) and pending review activity by the Review Board, each head of a Government office shall retain custody of the unidentified anomalous phenomena records of the office for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of the records for purposes of conducting an independent and impartial review;

(2) transfer is necessary for an administrative hearing or other Review Board function; or

(3) it is a third agency record described in subsection (c)(2)(C).

(c) REVIEW BY HEADS OF GOVERNMENT OFFICES.—

(1) IN GENERAL.—Not later than 300 days after the date of the enactment of this Act, each head of a Government office shall review, identify, and organize each unidentified anomalous phenomena record in the custody or possession of the office for—

(A) disclosure to the public;

(B) review by the Review Board; and

(C) transmission to the Archivist.

(2) REQUIREMENTS.—In carrying out paragraph (1), the head of a Government office shall—

(A) determine which of the records of the office are unidentified anomalous phenomena records;

(B) determine which of the unidentified anomalous phenomena records of the office have been officially disclosed or made publicly available in a complete and unredacted form;

(C)(i) determine which of the unidentified anomalous phenomena records of the office, or particular information contained in such a record, was created by a third agency or by another Government office; and

(ii) transmit to a third agency or other Government office those records, or particular information contained in those records, or complete and accurate copies thereof;

(D)(i) determine whether the unidentified anomalous phenomena records of the office or particular information in unidentified anomalous phenomena records of the office are covered by the standards for postponement of public disclosure under this division; and

(ii) specify on the identification aid required by subsection (d) the applicable postponement provision contained in section ____06;

(E) organize and make available to the Review Board all unidentified anomalous phenomena records identified under subparagraph (D) the public disclosure of, which in-whole or in-part, may be postponed under this division;

(F) organize and make available to the Review Board any record concerning which the office has any uncertainty as to whether the record is an unidentified anomalous phenomena record governed by this division;

(G) give precedence of work to—

(i) the identification, review, and transmission of unidentified anomalous phenomena records not already publicly available or disclosed as of the date of the enactment of this Act;

(ii) the identification, review, and transmission of all records that most unambiguously and definitively pertain to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence;

(iii) the identification, review, and transmission of unidentified anomalous phenomena records that on the date of the enactment of this Act are the subject of litigation under section 552 of title 5, United States Code; and

(iv) the identification, review, and transmission of unidentified anomalous phenomena records with earliest provenance when not inconsistent with clauses (i) through (iii) and otherwise feasible; and

(H) make available to the Review Board any additional information and records that the Review Board has reason to believe the Review Board requires for conducting a review under this division.

(3) PRIORITY OF EXPEDITED REVIEW FOR DIRECTORS OF CERTAIN ARCHIVAL DEPOSITORIES.—The Director of each archival depository established under section 2112 of title 44, United States Code, shall have as a priority the expedited review for public disclosure of unidentified anomalous phenomena records in the possession and custody of the depository, and shall make such records available to the Review Board as required by this division.

(d) IDENTIFICATION AIDS.—

(1) IN GENERAL.—(A) Not later than 45 days after the date of the enactment of this Act, the Archivist, in consultation with the heads of such Government offices as the Archivist considers appropriate, shall prepare and make available to all Government offices a standard form of identification, or finding aid, for use with each unidentified anomalous phenomena record subject to review under this division whether in hardcopy (physical), softcopy (electronic), or digitized data format as may be appropriate.

(B) The Archivist shall ensure that the identification aid program is established in such a manner as to result in the creation of a uniform system for cataloging and finding every unidentified anomalous phenomena record subject to review under this division where ever and how ever stored in hardcopy (physical), softcopy (electronic), or digitized data format.

(2) REQUIREMENTS FOR GOVERNMENT OFFICES.—Upon completion of an identification aid using the standard form of identification prepared and made available under subparagraph (A) of paragraph (1) for the program established pursuant to subparagraph (B) of such paragraph, the head of a Government office shall—

(A) attach a printed copy to each physical unidentified anomalous phenomena record, and an electronic copy to each softcopy or digitized data unidentified anomalous phenomena record, the identification aid describes;

(B) transmit to the Review Board a printed copy for each physical unidentified anomalous phenomena record and an electronic copy for each softcopy or digitized data unidentified anomalous phenomena record the identification aid describes; and

(C) attach a printed copy to each physical unidentified anomalous phenomena record, and an electronic copy to each softcopy or digitized data unidentified anomalous phenomena record the identification aid describes, when transmitted to the Archivist.

(3) RECORDS OF THE NATIONAL ARCHIVES THAT ARE PUBLICLY AVAILABLE.—Unidentified anomalous phenomena records which are in the possession of the National Archives on the date of the enactment of this Act, and which have been publicly available in their entirety without redaction, shall be made available in the Collection without any additional review by the Review Board or another authorized office under this division, and shall not be required to have such an identification aid unless required by the Archivist.

(e) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each head of a Government office shall—

(1) transmit to the Archivist, and make immediately available to the public, all unidentified anomalous phenomena records of the Government office that can be publicly disclosed, including those that are publicly available on the date of the enactment of this Act, without any redaction, adjustment, or withholding under the standards of this division; and

(2) transmit to the Archivist upon approval for postponement by the Review Board or upon completion of other action authorized by this division, all unidentified anomalous phenomena records of the Government office the public disclosure of which has been postponed, in whole or in part, under the standards of this division, to become part of the protected, yet-to-be disclosed, or classified portion of the Collection.

(f) CUSTODY OF POSTPONED UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.—An unidentified anomalous phenomena record the public disclosure of which has been postponed shall, pending transmission to the Archivist, be held for reasons of security and preservation by the originating body until such time as the information security program has been established at the National Archives as required in section ____04(d)(2).

(g) PERIODIC REVIEW OF POSTPONED UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.—

(1) IN GENERAL.—All postponed or redacted records shall be reviewed periodically by the originating agency and the Archivist consistent with the recommendations of the Review Board in the Controlled Disclosure Campaign Plan under section ____09(c)(3)(B).

(2) REQUIREMENTS.—(A) A periodic review under paragraph (1) shall address the public disclosure of additional unidentified anomalous phenomena records in the Collection under the standards of this division.

(B) All postponed unidentified anomalous phenomena records determined to require continued postponement shall require an unclassified written description of the reason for such continued postponement relevant to these specific records. Such description shall be provided to the Archivist and published in the Federal Register upon determination.

(C) The time and release requirements specified in the Controlled Disclosure Campaign Plan shall be revised or amended only if the Review Board is still in session and concurs with the rationale for postponement, subject to the limitations in section ____09(d)(1).

(D) The periodic review of postponed unidentified anomalous phenomena records shall serve to downgrade and declassify security classified information.

(E) Each unidentified anomalous phenomena record shall be publicly disclosed in full, and available in the Collection, not later than the date that is 25 years after the date of the first creation of the record by the originating body, unless the President certifies, as required by this division, that—

(i) continued postponement is made necessary by an identifiable harm to the military defense, intelligence operations, law enforcement, or conduct of foreign relations; and

(ii) the identifiable harm is of such gravity that it outweighs the public interest in disclosure.

(h) REQUIREMENTS FOR EXECUTIVE AGENCIES.—

(1) IN GENERAL.—Executive agencies shall—

(A) transmit digital records electronically in accordance with section 2107 of title 44, United States Code;

(B) charge fees for copying unidentified anomalous phenomena records; and

(C) grant waivers of such fees pursuant to the standards established by section 552(a)(4) of title 5, United States Code.

(2) AMOUNT OF FEES.—The amount of a fee charged by the head of an Executive agency pursuant to paragraph (1)(B) for the copying of an unidentified anomalous phenomena record shall be such amount as the head determines appropriate to cover the costs incurred by the Executive agency in making and providing such copy, except that in no case may the amount of the fee charged exceed the actual expenses incurred by the Executive agency in making and providing such copy.

SEC. ____06. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.

Disclosure of unidentified anomalous phenomena records or particular information in

unidentified anomalous phenomena records to the public may be postponed subject to the limitations of this division if there is clear and convincing evidence that—

(1) the threat to the military defense, intelligence operations, or conduct of foreign relations of the United States posed by the public disclosure of the unidentified anomalous phenomena record is of such gravity that it outweighs the public interest in disclosure, and such public disclosure would reveal—

(A) an intelligence agent whose identity currently requires protection;

(B) an intelligence source or method which is currently utilized, or reasonably expected to be utilized, by the Federal Government and which has not been officially disclosed, the disclosure of which would interfere with the conduct of intelligence activities; or

(C) any other matter currently relating to the military defense, intelligence operations, or conduct of foreign relations of the United States, the disclosure of which would demonstrably and substantially impair the national security of the United States;

(2) the public disclosure of the unidentified anomalous phenomena record would reveal the name or identity of a living person who provided confidential information to the Federal Government and would pose a substantial risk of harm to that person;

(3) the public disclosure of the unidentified anomalous phenomena record could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(4) the public disclosure of the unidentified anomalous phenomena record would compromise the existence of an understanding of confidentiality currently requiring protection between a Federal Government agent and a cooperating individual or a foreign government, and public disclosure would be so harmful that it outweighs the public interest.

SEC. ___07. ESTABLISHMENT AND POWERS OF THE UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established as an independent agency a board to be known as the ''Unidentified Anomalous Phenomena Records Review Board''.

(b) APPOINTMENT.—

(1) IN GENERAL.—The President, by and with the advice and consent of the Senate, shall appoint, without regard to political affiliation, 9 citizens of the United States to serve as members of the Review Board to ensure and facilitate the review, transmission to the Archivist, and public disclosure of government records relating to unidentified anomalous phenomena.

(2) PERIOD FOR NOMINATIONS.—(A) The President shall make nominations to the Review Board not later than 90 calendar days after the date of the enactment of this Act.

(B) If the Senate votes not to confirm a nomination to the Review Board, the President shall make an additional nomination not later than 30 days thereafter.

(3) CONSIDERATION OF RECOMMENDATIONS.—(A) The President shall make nominations to the Review Board after considering persons recommended by the following:

(i) The majority leader of the Senate.

(ii) The minority leader of the Senate.

(iii) The Speaker of the House of Representatives.

(iv) The minority leader of the House of Representatives.

(v) The Secretary of Defense.

(vi) The National Academy of Sciences.

(vii) Established nonprofit research organizations relating to unidentified anomalous phenomena.

(viii) The American Historical Association.

(ix) Such other persons and organizations as the President considers appropriate.

(B) If an individual or organization described in subparagraph (A) does not recommend at least 2 nominees meeting the qualifications stated in paragraph (5) by the date that is 45 days after the date of the enactment of this Act, the President shall consider for nomination the persons recommended by the other individuals and organizations described in such subparagraph.

(C) The President may request an individual or organization described in subparagraph (A) to submit additional nominations.

(4) QUALIFICATIONS.—Persons nominated to the Review Board—

(A) shall be impartial citizens, none of whom shall have had any previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence;

(B) shall be distinguished persons of high national professional reputation in their respective fields who are capable of exercising the independent and objective judgment necessary to the fulfillment of their role in ensuring and facilitating the review, transmission to the public, and public disclosure of records related to the government's understanding of, and activities associated with unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence and who possess an appreciation of the value of such material to the public, scholars, and government; and

(C) shall include at least—

(i) 1 current or former national security official;

(ii) 1 current or former foreign service official;

(iii) 1 scientist or engineer;

(iv) 1 economist;

(v) 1 professional historian; and

(vi) 1 sociologist.

(5) MANDATORY CONFLICTS OF INTEREST REVIEW.—

(A) IN GENERAL.—The Director shall conduct a review of each individual nominated and appointed to the position of member of the Review Board to ensure the member does not have any conflict of interest during the term of the service of the member.

(B) REPORTS.—During the course of the review under subparagraph (A), if the Director becomes aware that the member being reviewed possesses a conflict of interest to the mission of the Review Board, the Director shall, not later than 30 days after the date on which the Director became aware of the conflict of interest, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the conflict of interest.

(c) SECURITY CLEARANCES.—

(1) IN GENERAL.—All Review Board nominees shall be granted the necessary security clearances and accesses, including any and all relevant Presidential, departmental, and agency special access programs, in an accelerated manner subject to the standard procedures for granting such clearances.

(2) QUALIFICATION FOR NOMINEES.—All nominees for appointment to the Review Board under subsection (b) shall qualify for the necessary security clearances and accesses prior to being considered for confirmation by the Committee on Homeland Security and Governmental Affairs of the Senate.

(d) CONSIDERATION BY THE SENATE.—Nominations for appointment under subsection (b) shall be referred to the Committee on Homeland Security and Governmental Affairs of the Senate for consideration.

(e) VACANCY.—A vacancy on the Review Board shall be filled in the same manner as specified for original appointment within 30 days of the occurrence of the vacancy.

(f) REMOVAL OF REVIEW BOARD MEMBER.—

(1) IN GENERAL.—No member of the Review Board shall be removed from office, other than—

(A) by impeachment and conviction; or

(B) by the action of the President for inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the member's duties.

(2) NOTICE OF REMOVAL.—(A) If a member of the Review Board is removed from office, and that removal is by the President, not later than 10 days after the removal, the President shall submit to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report specifying the facts found and the grounds for the removal.

(B) The President shall publish in the Federal Register a report submitted under subparagraph (A), except that the President may, if necessary to protect the rights of a person named in the report or to prevent undue interference with any pending prosecution, postpone or refrain from publishing any or all of the report until the completion of such pending cases or pursuant to privacy protection requirements in law.

(3) JUDICIAL REVIEW.—(A) A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) The member may be reinstated or granted other appropriate relief by order of the court.

(g) COMPENSATION OF MEMBERS.—

(1) IN GENERAL.—A member of the Review Board, other than the Executive Director under section ___08(c)(1), shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Review Board.

(h) DUTIES OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall consider and render decisions on a determination by a Government office to seek to postpone the disclosure of unidentified anomalous phenomena records.

(2) CONSIDERATIONS AND RENDERING OF DECISIONS.—In carrying out paragraph (1), the Review Board shall consider and render decisions—

(A) whether a record constitutes a unidentified anomalous phenomena record; and

(B) whether a unidentified anomalous phenomena record or particular information in a record qualifies for postponement of disclosure under this division.

(i) POWERS.—

(1) IN GENERAL.—The Review Board shall have the authority to act in a manner prescribed under this division, including authority—

(A) to direct Government offices to complete identification aids and organize unidentified anomalous phenomena records;

(B) to direct Government offices to transmit to the Archivist unidentified anomalous phenomena records as required under this division, including segregable portions of unidentified anomalous phenomena records and substitutes and summaries of unidentified anomalous phenomena records that can be publicly disclosed to the fullest extent;

(C)(i) to obtain access to unidentified anomalous phenomena records that have been identified and organized by a Government office;

(ii) to direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records, or testimony from individuals which the Review Board has reason to believe are required to fulfill its functions and responsibilities under this division; and

(iii) request the Attorney General to subpoena private persons to compel testimony, records, and other information relevant to its responsibilities under this division;

(D) require any Government office to account in writing for the destruction of any records relating to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence;

(E) receive information from the public regarding the identification and public disclosure of unidentified anomalous phenomena records;

(F) hold hearings, administer oaths, and subpoena witnesses and documents;

(G) use the Federal Acquisition Service in the same manner and under the same conditions as other Executive agencies; and

(H) use the United States mails in the same manner and under the same conditions as other Executive agencies.

(2) ENFORCEMENT OF SUBPOENA.—A subpoena issued under paragraph (1)(C)(iii) may be enforced by any appropriate Federal court acting pursuant to a lawful request of the Review Board.

(j) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code. Witnesses, close observers, and whistleblowers providing information directly to the Review Board shall also be afforded the protections provided to such persons specified under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)).

(k) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing legislative oversight jurisdiction in the Senate with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board, and shall have access to any records held or created by the Review Board.

(2) HOUSE OF REPRESENTATIVES.—Unless otherwise determined appropriate by the House of Representatives, the Committee on Oversight and Accountability of the House of Representatives shall have continuing legislative oversight jurisdiction in the House of Representatives with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board, and shall have access to any records held or created by the Review Board.

(3) DUTY TO COOPERATE.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction described in this subsection.

(4) SECURITY CLEARANCES.—The Chairmen and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and staff of such committees designated by such Chairmen and Ranking Members, shall be granted all security clearances and accesses held by the Review Board, including to relevant Presidential and department or agency special access and compartmented access programs.

(l) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(m) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(n) TERMINATION AND WINDING DOWN.—

(1) IN GENERAL.—The Review Board and the terms of its members shall terminate not later than September 30, 2030, unless extended by Congress.

(2) REPORTS.—Upon its termination, the Review Board shall submit to the President and Congress reports, including a complete and accurate accounting of expenditures during its existence and shall complete all other reporting requirements under this division.

(3) TRANSFER OF RECORDS.—Upon termination and winding down, the Review Board shall transfer all of its records to the Archivist for inclusion in the Collection, and no record of the Review Board shall be destroyed.

SEC. ___08. UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) APPOINTMENT.—Not later than 45 days after the date of the enactment of this Act, the President shall appoint 1 citizen of the United States, without regard to political affiliation, to the position of Executive Director of the Review Board. This position counts as 1 of the 9 Review Board members under section ___07(b)(1).

(2) QUALIFICATIONS.—The person appointed as Executive Director shall be a private citizen of integrity and impartiality who—

(A) is a distinguished professional; and

(B) is not a present employee of the Federal Government; and

(C) has had no previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence.

(3) MANDATORY CONFLICTS OF INTEREST REVIEW.—

(A) IN GENERAL.—The Director shall conduct a review of each individual appointed to the position of Executive Director to ensure the Executive Director does not have any conflict of interest during the term of the service of the Executive Director.

(B) REPORTS.—During the course of the review under subparagraph (A), if the Director becomes aware that the Executive Director possesses a conflict of interest to the mission of the Review Board, the Director shall, not later than 30 days after the date on which the Director became aware of the conflict of interest, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the conflict of interest.

(4) SECURITY CLEARANCES.—(A) A candidate for Executive Director shall be granted all the necessary security clearances and accesses, including to relevant Presidential and department or agency special access and compartmented access programs in an accelerated manner subject to the standard procedures for granting such clearances.

(B) A candidate shall qualify for the necessary security clearances and accesses prior to being appointed by the President.

(5) FUNCTIONS.—The Executive Director shall—

(A) serve as principal liaison to the Executive Office of the President and Congress;

(B) serve as Chairperson of the Review Board;

(C) be responsible for the administration and coordination of the Review Board's review of records;

(D) be responsible for the administration of all official activities conducted by the Review Board;

(E) exercise tie-breaking Review Board authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure; and

(F) retain right-of-appeal directly to the President for decisions pertaining to executive branch unidentified anomalous phenomena records for which the Executive Director and Review Board members may disagree.

(6) REMOVAL.—The Executive Director shall not be removed for reasons other for cause on the grounds of inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the responsibilities of the Executive Director or the staff of the Review Board.

(b) STAFF.—

(1) IN GENERAL.—The Review Board, without regard to the civil service laws, may appoint and terminate additional personnel as are necessary to enable the Review Board and its Executive Director to perform the duties of the Review Board.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a person appointed to the staff of the Review Board shall be a citizen of integrity and impartiality who has had no previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence.

(B) CONSULTATION WITH DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS.—In their consideration of persons to be appointed as staff of the Review Board under paragraph (1), the Review Board shall consult with the Director—

(i) to determine criteria for possible conflicts of interest of staff of the Review Board, consistent with ethics laws, statutes, and regulations for employees of the executive branch of the Federal Government; and

(ii) ensure that no person selected for such position of staff of the Review Board possesses a conflict of interests in accordance with the criteria determined pursuant to clause (i).

(3) SECURITY CLEARANCES.—(A) A candidate for staff shall be granted the necessary security clearances (including all necessary special access program clearances) in an accelerated manner subject to the standard procedures for granting such clearances.

(B)(i) The Review Board may offer conditional employment to a candidate for a staff position pending the completion of security clearance background investigations. During the pendency of such investigations, the Review Board shall ensure that any such employee does not have access to, or responsibility involving, classified or otherwise restricted unidentified anomalous phenomena record materials.

(ii) If a person hired on a conditional basis under clause (i) is denied or otherwise does

not qualify for all security clearances necessary to carry out the responsibilities of the position for which conditional employment has been offered, the Review Board shall immediately terminate the person's employment.

(4) SUPPORT FROM NATIONAL DECLASSIFICATION CENTER.—The Archivist shall assign one representative in full-time equivalent status from the National Declassification Center to advise and support the Review Board disclosure postponement review process in a nonvoting staff capacity.

(c) COMPENSATION.—Subject to such rules as may be adopted by the Review Board, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates—

(1) the Executive Director shall be compensated at a rate not to exceed the rate of basic pay for level II of the Executive Schedule and shall serve the entire tenure as one full-time equivalent; and

(2) the Executive Director shall appoint and fix compensation of such other personnel as may be necessary to carry out this division.

(d) ADVISORY COMMITTEES.—

(1) AUTHORITY.—The Review Board may create advisory committees to assist in fulfilling the responsibilities of the Review Board under this division.

(2) FACA.—Any advisory committee created by the Review Board shall be subject to chapter 10 of title 5, United States Code.

(e) SECURITY CLEARANCE REQUIRED.—An individual employed in any position by the Review Board (including an individual appointed as Executive Director) shall be required to qualify for any necessary security clearance prior to taking office in that position, but may be employed conditionally in accordance with subsection (b)(3)(B) before qualifying for that clearance.

SEC. ___09. REVIEW OF RECORDS BY THE UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD.

(a) CUSTODY OF RECORDS REVIEWED BY REVIEW BOARD.—Pending the outcome of a review of activity by the Review Board, a Government office shall retain custody of its unidentified anomalous phenomena records for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of records for reasons of conducting an independent and impartial review; or

(2) such transfer is necessary for an administrative hearing or other official Review Board function.

(b) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date of its appointment, publish a schedule in the Federal Register for review of all unidentified anomalous phenomena records;

(2) not later than 180 days after the date of the enactment of this Act, begin its review of unidentified anomalous phenomena records under this division; and

(3) periodically thereafter as warranted, but not less frequently than semiannually, publish a revised schedule in the Federal Register addressing the review and inclusion of any unidentified anomalous phenomena records subsequently discovered.

(c) DETERMINATIONS OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all unidentified anomalous phenomena records be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that—

(A) a Government record is not an unidentified anomalous phenomena record; or

(B) a Government record, or particular information within an unidentified anomalous phenomena record, qualifies for postponement of public disclosure under this division.

(2) REQUIREMENTS.—In approving postponement of public disclosure of a unidentified anomalous phenomena record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of such a record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this division, which of the following alternative forms of disclosure shall be made by the originating body:

(i) Any reasonably segregable particular information in a unidentified anomalous phenomena record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a unidentified anomalous phenomena record.

(3) CONTROLLED DISCLOSURE CAMPAIGN PLAN.—With respect to unidentified anomalous phenomena records, particular information in unidentified anomalous phenomena records, recovered technologies of unknown origin, and biological evidence for nonhuman intelligence the public disclosure of which is postponed pursuant to section ___06, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall create and transmit to the President, the Archivist, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Accountability of the House of Representatives a Controlled Disclosure Campaign Plan, with classified appendix, containing—

(A) a description of actions by the Review Board, the originating body, the President, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board with regard to specific unidentified anomalous phenomena records; and

(B) a benchmark-driven plan, based upon a review of the proceedings and in conformity with the decisions reflected therein, recommending precise requirements for periodic review, downgrading, and declassification as well as the exact time or specified occurrence following which each postponed item may be appropriately disclosed to the public under this division.

(4) NOTICE FOLLOWING REVIEW AND DETERMINATION.—(A) Following its review and a determination that a unidentified anomalous phenomena record shall be publicly disclosed in the Collection or postponed for disclosure and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination of the Review Board and publish a copy of the determination in the Federal Register within 14 days after the determination is made.

(B) Contemporaneous notice shall be made to the President for Review Board determinations regarding unidentified anomalous phenomena records of the executive branch of the Federal Government, and to the oversight committees designated in this division in the case of records of the legislative branch of the Federal Government. Such notice shall contain a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards contained in section ___06.

(d) PRESIDENTIAL AUTHORITY OVER REVIEW BOARD DETERMINATION.—

(1) PUBLIC DISCLOSURE OR POSTPONEMENT OF DISCLOSURE.—After the Review Board has made a formal determination concerning the public disclosure or postponement of disclosure of an unidentified anomalous phenomena record of the executive branch of the Federal Government or information within such a record, or of any information contained in a unidentified anomalous phenomena record, obtained or developed solely within the executive branch of the Federal Government, the President shall—

(A) have the sole and nondelegable authority to require the disclosure or postponement of such record or information under the standards set forth in section ___06; and

(B) provide the Review Board with both an unclassified and classified written certification specifying the President's decision within 30 days after the Review Board's determination and notice to the executive branch agency as required under this division, stating the justification for the President's decision, including the applicable grounds for postponement under section ___06, accompanied by a copy of the identification aid required under section ___04.

(2) PERIODIC REVIEW.—(A) Any unidentified anomalous phenomena record postponed by the President shall henceforth be subject to the requirements of periodic review, downgrading, declassification, and public disclosure in accordance with the recommended timeline and associated requirements specified in the Controlled Disclosure Campaign Plan unless these conflict with the standards set forth in section ___06.

(B) This paragraph supersedes all prior declassification review standards that may previously have been deemed applicable to unidentified anomalous phenomena records.

(3) RECORD OF PRESIDENTIAL POSTPONEMENT.—The Review Board shall, upon its receipt—

(A) publish in the Federal Register a copy of any unclassified written certification, statement, and other materials transmitted by or on behalf of the President with regard to postponement of unidentified anomalous phenomena records; and

(B) revise or amend recommendations in the Controlled Disclosure Campaign Plan accordingly.

(e) NOTICE TO PUBLIC.—Every 30 calendar days, beginning on the date that is 60 calendar days after the date on which the Review Board first approves the postponement of disclosure of a unidentified anomalous phenomena record, the Review Board shall publish in the Federal Register a notice that summarizes the postponements approved by the Review Board or initiated by the President, the Senate, or the House of Representatives, including a description of the subject, originating agency, length or other physical description, and each ground for postponement that is relied upon to the maximum extent classification restrictions permitting.

(f) REPORTS BY THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall report its activities to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, the President, the Archivist, and the head of any Government office whose records have been the subject of Review Board activity.

(2) FIRST REPORT.—The first report shall be issued on the date that is 1 year after the date of enactment of this Act, and subsequent reports every 1 year thereafter until termination of the Review Board.

(3) CONTENTS.—A report under paragraph (1) shall include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its personnel.

(B) The progress made on review, transmission to the Archivist, and public disclosure of unidentified anomalous phenomena records.

(C) The estimated time and volume of unidentified anomalous phenomena records involved in the completion of the Review Board's performance under this division.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to operate as required by this division.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorized by this division, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional legislative authority needs.

(4) COPIES AND BRIEFS.—Coincident with the reporting requirements in paragraph (2), or more frequently as warranted by new information, the Review Board shall provide copies to, and fully brief, at a minimum the President, the Archivist, leadership of Congress, the Chairmen and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and the Chairs and Chairmen, as the case may be, and Ranking Members and Vice Chairmen, as the case may be, of such other committees as leadership of Congress determines appropriate on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures, specifically addressing—

(A) recommendations for periodic review, downgrading, and declassification as well as the exact time or specified occurrence following which specific unidentified anomalous phenomena records and material may be appropriately disclosed;

(B) the rationale behind each postponement determination and the recommended means to achieve disclosure of each postponed item;

(C) any other findings that the Review Board chooses to offer; and

(D) an addendum containing copies of reports of postponed records to the Archivist required under subsection (c)(3) made since the date of the preceding report under this subsection.

(5) NOTICE.—At least 90 calendar days before completing its work, the Review Board shall provide written notice to the President and Congress of its intention to terminate its operations at a specified date.

(6) BRIEFING THE ALL-DOMAIN ANOMALY RESOLUTION OFFICE.—Coincident with the provision in paragraph (5), if not accomplished earlier under paragraph (4), the Review Board shall brief the All-domain Anomaly Resolution Office established pursuant to section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor, as subsequently designated by Act of Congress, on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures.

SEC. ___10. DISCLOSURE OF RECOVERED TECHNOLOGIES OF UNKNOWN ORIGIN AND BIOLOGICAL EVIDENCE OF NON-HUMAN INTELLIGENCE.

(a) EXERCISE OF EMINENT DOMAIN.—The Federal Government shall exercise eminent domain over any and all recovered technologies of unknown origin and biological evidence of non-human intelligence that may be controlled by private persons or entities in the interests of the public good.

(b) AVAILABILITY TO REVIEW BOARD.—Any and all such material, should it exist, shall be made available to the Review Board for personal examination and subsequent disclosure determination at a location suitable to the controlling authority of said material and in a timely manner conducive to the objectives of the Review Board in accordance with the requirements of this division.

(c) ACTIONS OF REVIEW BOARD.—In carrying out subsection (b), the Review Board shall consider and render decisions—

(1) whether the material examined constitutes technologies of unknown origin or biological evidence of non-human intelligence beyond a reasonable doubt;

(2) whether recovered technologies of unknown origin, biological evidence of non-human intelligence, or a particular subset of material qualifies for postponement of disclosure under this division; and

(3) what changes, if any, to the current disposition of said material should the Federal Government make to facilitate full disclosure.

(d) REVIEW BOARD ACCESS TO TESTIMONY AND WITNESSES.—The Review Board shall have access to all testimony from unidentified anomalous phenomena witnesses, close observers and legacy program personnel and whistleblowers within the Federal Government's possession as of and after the date of the enactment of this Act in furtherance of Review Board disclosure determination responsibilities in section ___07(h) and subsection (c) of this section.

(e) SOLICITATION OF ADDITIONAL WITNESSES.—The Review Board shall solicit additional unidentified anomalous phenomena witness and whistleblower testimony and afford protections under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)) if deemed beneficial in fulfilling Review Board responsibilities under this division.

SEC. ___11. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) INFORMATION HELD UNDER SEAL OF A COURT.—The Review Board may request the Attorney General to petition any court in the United States or abroad to release any information relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence that is held under seal of the court.

(2) INFORMATION HELD UNDER INJUNCTION OF SECRETARY OF GRAND JURY.—(A) The Review Board may request the Attorney General to petition any court in the United States to release any information relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence that is held under the injunction of secrecy of a grand jury.

(B) A request for disclosure of unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence materials under this division shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(2) the Secretary of State should contact any foreign government that may hold material relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence and seek disclosure of such material; and

(3) all heads of Executive agencies should cooperate in full with the Review Board to seek the disclosure of all material relevant to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence consistent with the public interest.

SEC. ___12. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this division requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other provision of law (except section 6103 of the Internal Revenue Code of 1986 specifying confidentiality and disclosure of tax returns and tax return information), judicial decision construing such provision of law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this division shall be construed to eliminate or limit any right to file requests with any executive agency or seek judicial review of the decisions pursuant to section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this division shall be construed to preclude judicial review, under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this division.

(d) EXISTING AUTHORITY.—Nothing in this division revokes or limits the existing authority of the President, any executive agency, the Senate, or the House of Representatives, or any other entity of the Federal Government to publicly disclose records in its possession.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this division establishes a procedure to be followed in the Senate or the House of Representatives, such provision is adopted—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. ___13. TERMINATION OF EFFECT OF DIVISION.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this division that pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated pursuant to section ___07(n).

(b) OTHER PROVISIONS.—(1) The remaining provisions of this division shall continue in effect until such time as the Archivist certifies to the President and Congress that all unidentified anomalous phenomena records have been made available to the public in accordance with this division.

(2) In facilitation of the provision in paragraph (1), the All-domain Anomaly Resolution Office established pursuant to section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor as subsequently designated by Act of Congress, shall develop standardized unidentified anomalous phenomena declassification guidance applicable to any and all unidentified anomalous phenomena records generated by originating bodies subsequent to termination of the Review Board consistent with the requirements and intent of the Controlled Disclosure Campaign Plan with respect to unidentified anomalous phenomena records originated prior to Review Board termination.

SEC. ___14. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out the provisions of this division $20,000,000 for fiscal year 2025.

SEC. ___15. CONFORMING REPEAL.

(a) REPEAL.—Subtitle C of title XVIII of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31) is hereby repealed.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of such Act is amended by striking the items relating to subtitle C of title XVIII.

SEC. ___16. SEVERABILITY.

If any provision of this division or the application thereof to any person or circumstance is held invalid, the remainder of this division and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

SA 2611. 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 appropriate place in title X, insert the following:

SEC. ___. NET ASSESSMENT OF ARTIFICIAL GENERAL INTELLIGENCE.

(a) STUDY.—The Secretary of Defense shall, acting through the Office of Net Assessment, conduct a study to analyze the impact of future developments in artificial general intelligence on the military readiness and economic competitiveness of the United States.

(b) SCENARIOS.—

(1) IN GENERAL.—In conducting the study required by subsection (a), the Secretary shall analyze multiple scenarios in which a specified artificial intelligence capability is assumed to exist and the goal is to understand what the implications would be on the United States military and the broader United States economy.

(2) LEVELS OF CAPABILITY.—Each scenario analyzed under paragraph (1) shall assume the existence of a certain level of capability to perform intellectual or physical tasks using software or hardware, but without human involvement, and may assume a specific cost of this artificial intelligence capability, such as the ability to perform all job tasks that a typical human would perform at a specified price.

(3) DYNAMIC CAPABILITIES.—Scenarios analyzed under this subsection may allow the capabilities of artificial intelligence systems to increase over time instead of remaining fixed.

(c) PROPERTIES.—The study conducted under subsection (a) shall have the following properties:

(1) A taxonomy of levels of artificial general intelligence. To the degree possible, such taxonomy shall be developed in conjunction with relevant experts in the Federal Government or outside of government and shall be as consistent as possible with any similar taxonomy developed by such experts.

(2) At least one scenario under subsection (b) shall assume the existence of an artificial general intelligence system that is more intelligent than any human.

(3) The study is not required to estimate the likelihood of any such scenario occurring, nor should the likelihood of the scenario occurring affect the analysis of the scenario. However, the study may optionally estimate these likelihoods.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings of the Secretary with respect to the study conducted under subsection (a).

(2) FORM.—The report submitted pursuant to paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(e) BRIEFING.—Not later than 30 days after the date of the submittal of the report under subsection (d), the Secretary shall provide the congressional defense committees a briefing on the main findings of the Secretary with respect to the study conducted under subsection (a).

SA 2612. 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 of subtitle B of title XXXI, add the following:

SEC. 3123. ARTIFICIAL INTELLIGENCE AND NATIONAL SECURITY.

(a) EVALUATIONS.—

(1) IN GENERAL.—The Administrator for Nuclear Security shall develop tools and testbeds to evaluate the capabilities of artificial intelligence systems to assist in the development of chemical, biological, nuclear, or radiological weapons.

(2) PUBLIC ARTIFICIAL INTELLIGENCE SYSTEMS.—The Administrator shall evaluate publicly available artificial intelligence systems for such capabilities on an ongoing basis.

(b) REQUIREMENTS ON COMMERCIAL ARTIFICIAL INTELLIGENCE PROVIDERS.—

(1) IN GENERAL.—Any commercial cloud computing service that provides unclassified access to artificial intelligence systems on its platform, and which in general offers software services in a classified computing environment to the Department of Energy or Department of Defense, shall, at the request of the Administrator, offer a particular artificial intelligence system in a classified computing environment at no cost to the National Nuclear Security Administration, upon a determination by the Administrator that the specified artificial intelligence system is relevant for performing the tasks specified in subsection (a).

(2) ASSISTANCE.—Developers of any such artificial intelligence systems shall provide any necessary design and engineering assistance necessary to support the usage of those systems in the classified computing environment.

(c) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall provide to the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a classified briefing that includes—

(1) a description of the work performed by the National Nuclear Security Administration in response to Executive Order 14110 (88 Fed. Reg. 75191; relating to safe, secure, and trustworthy development and use of artificial intelligence) and the evaluations conducted pursuant to subsection (a) to understand the national security risks posed by artificial intelligence;

(2) a description of the extent to which commercial and open source artificial intelligence systems can generate sensitive or classified information about nuclear weapons, and whether any such systems are developed using classified information;

(3) a description of the status of authorities for running commercial and open source artificial intelligence systems on classified computational infrastructure;

(4) a summary of potential risk mitigation and response options in the event that Restricted Data (as that term is defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)) is discovered on, or generated by, commercial or open source artificial intelligence systems;

(5) recommendations regarding the infrastructure and personnel needed to continue to evaluate the national security risks of artificial intelligence systems; and

(6) recommendations on the legal authorities needed by the National Nuclear Security Administration to address national security risks of artificial intelligence systems.

SA 2613. 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 appropriate place in title X, insert the following:

SEC. ___. REPORTS ON APPROVAL AND DEPLOYMENT OF LETHAL AUTONOMOUS WEAPON SYSTEMS.

(a) IN GENERAL.—On an annual basis in accordance with subsection (c), the President shall submit to the congressional defense committees a comprehensive report on the approval and deployment of lethal autonomous weapon systems by the United States.

(b) ELEMENTS.—Each report under subsection (a) shall include, with respect to the period covered by the report, the following:

(1) A comprehensive list of any lethal autonomous weapon systems that have been approved by senior defense officials for use by the United States military under Department of Defense policies in effect as of the date of the report, the dates of such approvals, and a description how such weapons systems have been, are being, or will be deployed and whether they operated as intended.

(2) A comprehensive list of any lethal autonomous weapon systems that have received a waiver of the requirement for review by senior defense officials under Department of Defense policies in effect as of the date of the report, the dates such waivers were issued, and a description of how such weapon systems have been, are being, or will be deployed and whether they operated as intended.

(3) A comprehensive list of any lethal autonomous weapon systems that are undergoing senior review or waiver request processes as of the date of the report.

(4) A comprehensive list of any lethal autonomous weapon systems not approved during a senior review or waiver request process and the reasons for such disapproval.

(c) TIMING OF REPORTS.—

(1) INITIAL REPORT.—The President shall submit the first report required under subsection (a) not later than one year after the

date of the enactment of this Act. Such report shall include the information described in subsection (b) for all relevant time periods preceding the date of the report.

(2) SUBSEQUENT REPORTS.—Following submittal of the initial report under paragraph (1), the President shall submit subsequent reports under subsection (a) on an annual basis. Each subsequent report shall include the information described in subsection (b) with respect to the period that elapsed since the date of the immediately preceding report.

(d) FORM.—Each report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 2614. Mr. HEINRICH (for himself 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:

SEC. ___. MODERNIZATION OF INFORMATION TECHNOLOGY SYSTEMS AND APPLICATIONS OF THE BUREAU OF INDUSTRY AND SECURITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the effective use of export controls requires that—

(1) the Bureau of Industry and Security of the Department of Commerce adopt and deploy cutting-edge data fusion, analytics, and decision-making capabilities, as well as supply chain illumination tools, and additional commercial data sets to streamline and standardize the export license adjudication process, better assess global industrial relationships, and identify evasive trade patterns and shell companies being used by adversary militaries;

(2) the Bureau expand and scale up the adoption and use of modern data sharing interfaces and capabilities to share data safely and efficiently with industry, Federal agencies, and international partners;

(3) Bureau information technology systems should overtime enable the incorporation of artificial intelligence, machine learning, and other advanced tools as technologies evolve;

(4) the Bureau expedite Entity List deliberations tied to countries of concern and enforcement activities related to tracking military end users and end uses in countries of concern including the People's Republic of China, the Russian Federation, and Iran;

(5) the Bureau work with relevant agencies to comprehensively map the defense industrial base of the People's Republic of China and its military-civil fusion strategy; and

(6) the Bureau work with relevant agencies to comprehensively map the commercial linkages between the industrial bases of the People's Republic of China and the Russian Federation.

(b) MODERNIZATION.—Subject to the availability of appropriations, the Under Secretary of Commerce for Industry and Security shall, on an ongoing basis through fiscal year 2029, modernize the information technology systems of the Bureau of Industry and Security of the Department of Commerce.

(c) ELEMENTS.—In carrying out subsection (b), the Under Secretary should—

(1) replace the Bureau's primary information technology systems with a unified environment that—

(A) allows for deployment of a seamless case and customer relationship management information technology solution; and

(B) provides analysis of data obtained from external data providers that is collected by trade transactions and other sources as appropriate;

(2) adopt and deploy cutting-edge data fusion, analytics, and decision-making capabilities, as well as supply chain illumination tools, and additional commercial data sets to streamline and standardize the export license adjudication process, better assess global industrial relationships, enhance Entity List deliberations, support enforcement activities, including by tracking military end users and end uses, and identify evasive trade patterns and shell companies; and

(3) expand and scale up the adoption and use of modern data-sharing interfaces and capabilities to share data safely and efficiently with industry, Federal agencies, and international partners.

(d) OBJECTIVES.—Before any technology solutions are adopted with respect to the elements described in subsection (c), such solutions should be analyzed based on their ability to—

(1) enhance productivity and efficiency, including by reducing the need for manual review and processing of data;

(2) reduce redundancies and manage costs;

(3) enhance the overall data and cyber security of Bureau systems;

(4) facilitate seamless and safe sharing of appropriate data with relevant stakeholders and partners;

(5) facilitate seamless data sharing with relevant agencies and the intelligence community; and

(6) enhance the ease of access and user experience for United States exporters that are utilizing Bureau systems.

(e) PERSONNEL ASSESSMENT.—The Under Secretary should—

(1) reassess staffing and personnel needs across the Bureau throughout the modernization process described in this section; and

(2) consult with Congress on whether additional or less personnel may be most effective for utilizing modern applications and systems.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $25,000,000 for each of fiscal years 2025 through 2028 to carry out this section.

SA 2615. Mr. HEINRICH (for himself 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 end of subtitle H of title X, add the following:

SEC. 10___. HARDWARE SECURITY RESEARCH FOR HIGH-PERFORMANCE COMPUTING AND ARTIFICIAL INTELLIGENCE.

(a) IN GENERAL.—Title LIII of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9441 et seq.) is amended by adding at the end the following:

"SEC. 5304. HARDWARE SECURITY RESEARCH FOR HIGH-PERFORMANCE COMPUTING AND ARTIFICIAL INTELLIGENCE.

"(a) IN GENERAL.—The Secretary of Commerce shall, subject to the availability of appropriations—

"(1)(A) designate certain properties or capabilities of integrated circuits as being critical, or specialized, for high-performance computing, high-performance networking, artificial intelligence development, or artificial intelligence deployment;

"(B) perform research to make designations under subparagraph (A); and

"(C) regularly update those designations as commercially available integrated circuits change over time;

"(2)(A) identify categories of products containing integrated circuits that have properties or capabilities designated under paragraph (1); and

"(B) regularly update the categories of products identified under subparagraph (A) as available products change over time;

"(3) in conjunction with relevant entities from government, academia, and industry—

"(A) establish a research and development program for the development of security and governance mechanisms for the categories of products identified under paragraph (2); and

"(B) develop and refine benchmarks and procedures for evaluating the robustness of the security mechanisms developed under subparagraph (A) for the categories of products identified under paragraph (2); and

"(4) promote and facilitate the development of standards for software and hardware security mechanisms for the categories of products identified under paragraph (2) that focus on limiting the extent to which unauthorized entities may operate the products, either in general or in specific usage configurations.

"(b) INTERAGENCY COORDINATION.—The Secretary shall coordinate with all relevant committees of the National Science and Technology Council to oversee the efforts carried out under subsection (a).

"(c) EXTERNAL CONSULTATION.—The Secretary shall consult with the industrial advisory committee established under section 9906(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4656(b)) in carrying out the efforts under subsection (a).".

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by inserting after the item relating to section 5303 the following:

"Sec. 5304. Hardware security research for high-performance computing and artificial intelligence.".

SA 2616. Mr. HEINRICH (for himself, Mr. SCHUMER, Mr. YOUNG, Mr. BOOKER, 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 title X, add the following:

Subtitle I—National Artificial Intelligence Research Resource

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the "Creating Resources for Every American To Experiment with Artificial Intelligence Act of 2024" or the "CREATE AI Act of 2024".

SEC. 1097. FINDINGS.

Congress finds the following:

(1) Cutting-edge artificial intelligence research relies on access to computational resources and large datasets.

(2) Access to the computational resources and datasets necessary for artificial intelligence research and development is often limited to very large technology companies.

(3) The lack of access to computational and data resources has resulted in insufficient diversity in the artificial intelligence research and development community.

(4) Engaging the full and diverse talent of the United States is critical for maintaining United States leadership in artificial intelligence and ensuring that artificial intelligence is developed in a manner that benefits all people of the United States.

(5) The National Artificial Intelligence Research Resource Task Force, authorized under section 5106 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401 et seq.), recommended the establishment of a National Artificial Intelligence Research Resource in a report entitled ''Strengthening and Democratizing the U.S. Artificial Intelligence Innovation Ecosystem: An Implementation Plan for a National Artificial Intelligence Research Resource'', issued on January 24, 2023.

SEC. 1098. NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH RESOURCE.

(a) IN GENERAL.—The National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401 et seq.) is amended by adding at the end the following:

''TITLE LVI—NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH RESOURCE

''SEC. 5601. DEFINITIONS.

''In this title:

''(1) ADVISORY COMMITTEE.—The term 'Advisory Committee' means any Advisory Committee established under section 5602(c).

''(2) AI TESTBED.—The term 'AI testbed' means a testbed described in section 22A(g) of the National Institute of Standards and Technology Act (15 U.S.C. 278h–1(g)).

''(3) EXECUTIVE AGENCY.—The term 'Executive agency' has the meaning given such term in section 105 of title 5, United States Code.

''(4) NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH RESOURCE; NAIRR.—The terms 'National Artificial Intelligence Research Resource' and 'NAIRR' have the meaning given the term 'National Artificial Intelligence Research Resource' in section 5106(g).

''(5) OPERATING ENTITY.—The term 'Operating Entity' means the Operating Entity selected by the Program Management Office as described in section 5602(b)(3)(A).

''(6) PROGRAM MANAGEMENT OFFICE.—The term 'Program Management Office' means the Program Management Office established under section 5602(b).

''(7) RESOURCE OF THE NAIRR.—The term 'resource of the NAIRR' means a resource described in section 5603(b).

''(8) SELECT COMMITTEE ON AI.—The term 'Select Committee on AI' means the Interagency Committee.

''(9) STEM.—The term 'STEM' means science, technology, engineering, and mathematics, including computer science.

''SEC. 5602. ESTABLISHMENT; GOVERNANCE.

''(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of the Creating Resources for Every American To Experiment with Artificial Intelligence Act of 2024, the Director of the National Science Foundation shall establish the National Artificial Intelligence Research Resource to—

''(1) spur innovation and advance artificial intelligence research and development;

''(2) advance the development of trustworthy artificial intelligence;

''(3) improve access to artificial intelligence resources for researchers and students of artificial intelligence, including groups historically underrepresented in STEM;

''(4) improve capacity for artificial intelligence research in the United States; and

''(5) support the testing, benchmarking, and evaluation of artificial intelligence systems developed and deployed in the United States.

''(b) PROGRAM MANAGEMENT OFFICE.—

''(1) ESTABLISHMENT.—The Director of the National Science Foundation shall establish within the National Science Foundation a Program Management Office to oversee the day-to-day functions of the NAIRR and shall appoint an individual to head the Program Management Office.

''(2) STAFF.—

''(A) IN GENERAL.—The head of the Program Management Office may identify staff and direct all employees of the Program Management Office, in accordance with the applicable provisions of title 5, United States Code.

''(B) REPRESENTATION.—The staff of the Program Management Office may include representation from other Executive agencies providing support for NAIRR resources.

''(3) DUTIES.—The duties of the Program Management Office shall include—

''(A) in consultation with any relevant Advisory Committee as appropriate—

''(i) overseeing and approving the operating plan for the NAIRR;

''(ii) developing the budget for the NAIRR, in consultation with any relevant Executive agency or office represented on the Select Committee on AI;

''(iii) developing the funding opportunity and soliciting bids for the Operating Entity, which will be responsible for operation of the National Artificial Intelligence Research Resource;

''(iv) selecting, through a competitive and transparent process, a nongovernmental organization, which may be an independent legal entity or a consortium of 1 or more partners (which may include federally funded research and development centers), to be designated the Operating Entity;

''(v) overseeing compliance with the contractual obligations of the Operating Entity;

''(vi) establishing evaluation criteria, including key performance indicators, for the NAIRR;

''(vii) overseeing asset allocation and utilization;

''(viii) identifying an external independent evaluation entity;

''(ix) assessing the performance of the Operating Entity on not less than an annual basis and, if such performance is unsatisfactory, ending the agreement with such Operating Entity and selecting a new Operating Entity in accordance with clause (iv);

''(x) developing funding opportunities for resources of the NAIRR, in consultation with relevant Executive agencies or offices represented on the Select Committee on AI; and

''(xi) coordinating resource contributions from participating Federal agencies;

''(B) delegating, with appropriate oversight, operational tasks to the Operating Entity, including—

''(i) coordinating the provisioning of resources of the NAIRR;

''(ii) maintaining a portal and associated services for users to access resources of the NAIRR;

''(iii) developing policies and procedures for the NAIRR;

''(iv) hiring and managing a staff (including experts in cyber infrastructure management, data science, research design, privacy, ethics, civil rights and civil liberties, and legal and policy matters) to support the operations of the NAIRR;

''(v) continually modernizing NAIRR infrastructure;

''(vi) annually reviewing and cataloging the performance of the NAIRR (including performance on the key performance indicators established under subparagraph (A)(vi)), the resources of the NAIRR, and the NAIRR governance structure;

''(vii) establishing and administering training to new users on accessing a resource of the NAIRR, research design, and issues related to privacy, ethics, civil rights and civil liberties, safety, and trustworthiness of artificial intelligence systems;

''(viii) facilitating connections to AI testbeds; and

''(ix) making educational resources of the NAIRR available to other Executive agencies, and to Congress and agencies in the legislative and judicial branches, for the purpose of educating Federal Government officials and employees about artificial intelligence;

''(C) developing an annual report, transmitted to the Director of the Office of Science and Technology Policy, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives and made available to the public, on the progress of the NAIRR that includes—

''(i) a summary of the information collected under subparagraph (B)(vi);

''(ii) a list of projects that used the NAIRR during the reporting period, including, as appropriate, relevant details about the projects that demonstrate the value to the public provided by the projects; and

''(iii) any recommendations for changes to the NAIRR; and

''(D) overseeing a periodic independent assessment of the NAIRR.

''(c) ADVISORY COMMITTEES.—

''(1) ESTABLISHMENT.—The head of the Program Management Office, acting through the Director of the Operating Entity, shall establish Advisory Committees to provide advice to the Operating Entity and the Program Management Office. Any such Advisory Committees shall be comprised of members from government agencies, the private sector, academia, and public interest groups.

''(2) DETERMINATION REGARDING APPLICABILITY OF FACA.—The Director of the National Science Foundation may determine that the requirements of chapter 10 of title 5, United States Code, shall not apply with respect to a specific Advisory Committee established under paragraph (1).

''(d) PROVISION OF RESOURCES OF THE NAIRR.—Each Executive agency or office represented on the Select Committee on AI is authorized to provide the Operating Entity with resources of the NAIRR or funding for resources of the NAIRR.

''SEC. 5603. RESOURCES OF THE NAIRR.

''(a) IN GENERAL.—The head of the Program Management Office, acting through the Director of the Operating Entity and in consultation with relevant Executive agencies and offices represented on the Select Committee on AI and any relevant Advisory Committee, shall—

''(1) coordinate and provision resources of the NAIRR;

''(2) establish processes to manage the procurement of new resources of the NAIRR, and intake of in-kind contribution of resources of the NAIRR, from Executive agencies or other entities;

''(3) establish policies on and review resources of the NAIRR for concerns related to ethics, privacy, civil rights, and civil liberties;

''(4) retire resources of the NAIRR no longer available or needed; and

''(5) publicly report a summary of categories of available resources of the NAIRR, categories of sources of such resources of the NAIRR, and issues related to resources of the NAIRR.

''(b) RESOURCES OF THE NAIRR.—The NAIRR shall offer resources that include, at a minimum, all of the following, subject to the availability of appropriations:

''(1) A mix of computational resources that—

''(A) shall include—

''(i) on-premises, cloud-based, hybrid, and emergent resources;

''(ii) public cloud providers providing access to popular computational and storage services for NAIRR users;

''(iii) a secure unclassified computing environment for projects involving sensitive applications involving personally identifiable information, health data, or other sensitive or high-risk data;

''(iv) an open source software environment for the NAIRR; and

''(v) an application programming interface providing structured access to artificial intelligence models; and

''(B) may include a classified computing environment for national security applications.

''(2) Data, including by—

''(A)(i) in coordination with the National Institute of Standards and Technology and consistent with the guidance of the National Science and Technology Council titled 'Desirable Characteristics of Data Repositories for Federally Funded Data,' dated May 2022, or any successor document, publishing interoperability standards for data repositories based on the data sharing and documentation standards and guidelines produced under section 22A of the National Institute of Standards and Technology Act (15 U.S.C. 278h–1); and

''(ii) selecting and developing, through a competitive bidding process, data repositories to be available to NAIRR users;

''(B) establishing acceptable criteria for datasets used as resources of the NAIRR;

''(C) identifying and providing access to existing curated datasets of value and interest to the NAIRR user community;

''(D) establishing an artificial intelligence open data commons to facilitate community sharing and curation of data, code, and models; and

''(E) coordinating with the Interagency Council on Statistical Policy to explore options to make Federal statistical data available to NAIRR users, including through the standard application process established under section 3583(a) of title 44, United States Code.

''(3) Educational tools and services, including by—

''(A) facilitating and curating educational and training materials;

''(B) providing technical training and user support; and

''(C) providing outreach and programming for groups historically underrepresented in STEM.

''(4) AI testbeds and high-performance computing testbeds, including by—

''(A) in coordination with the National Institute of Standards and Technology, facilitating access to artificial intelligence testbeds through which researchers can measure, benchmark, test, or evaluate engineering or algorithmic developments;

''(B) developing a comprehensive catalog of open AI testbeds; and

''(C) in coordination with the Department of Energy, and subject to the availability of appropriations, providing access to 1 or more secure testbeds for data, models, tools, and applications related to the reliability, resilience, and security of the electrical grid, with applications including energy forecasting and provisioning (in real time or near-real time, such as at an hourly or higher frequency), long-term reliability planning, and other areas of power systems analysis.

''SEC. 5604. NAIRR PROCESSES AND PROCEDURES.

''(a) USER ELIGIBILITY.—

''(1) ELIGIBLE USERS.—Subject to paragraph (3), the following users shall be eligible for access to the NAIRR:

''(A) A researcher, educator, or student based in the United States that is affiliated with an entity described in paragraph (2).

''(B) An employee of an entity described in clause (iii) or (iv) of paragraph (2)(B) with a demonstrable mission-need.

''(2) ENTITIES DESCRIBED.—An entity described in this paragraph is an entity that—

''(A) is based in the United States; and

''(B) is one of the following:

''(i) An institution of higher education.

''(ii) A nonprofit institution (as such term is defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)).

''(iii) An Executive agency, Congress, an agency of the legislative branch, or an agency of the judicial branch.

''(iv) A federally funded research and development center.

''(v) A small business concern (as such term is defined in section 3 of the Small Business Act (15 U.S.C. 632), notwithstanding section 121.103 of title 13, Code of Federal Regulations) that has received funding from an Executive agency, including through the Small Business Innovation Research Program or the Small Business Technology Transfer Program (as described in section 9 of the Small Business Act (15 U.S.C. 638)).

''(vi) A category of entity that the Director of the National Science Foundation and the Director of the Office of Science and Technology Policy determine shall be eligible.

''(vii) A consortium composed of entities described in clauses (i) through (vi).

''(3) EXCLUDED ENTITIES.—

''(A) IN GENERAL.—No individual is authorized to be an eligible user under paragraph (1) if the individual is employed by a foreign country that is listed in section 4872(d)(2) of title 10, United States Code, or is otherwise authorized by such country to act for or on its behalf.

''(B) ENFORCEMENT.—The Director of the National Science Foundation shall ensure that individuals authorized as eligible users meet the requirements of subparagraph (A).

''(4) USER ACCESS SELECTION.—The head of the Program Management Office, acting through the Director of the Operating Entity, shall establish an application process for eligible users to request access to the NAIRR.

''(b) PRIVACY, ETHICS, CIVIL RIGHTS AND CIVIL LIBERTIES, SAFETY, AND TRUSTWORTHINESS.—

''(1) IN GENERAL.—

''(A) REQUIREMENTS.—The head of the Program Management Office, acting through the Director of the Operating Entity and in consultation with any relevant Advisory Committee, shall establish requirements, a review process for applications, and a process for auditing resources of the NAIRR and research conducted using resources of the NAIRR on matters related to privacy, ethics, civil rights and civil liberties, safety, security, and trustworthiness of artificial intelligence systems developed using resources of the NAIRR.

''(B) FEDERAL STATISTICAL DATA.—Any auditing process required under subparagraph (A) for Federal statistical data included in a resource of the NAIRR shall be completed by the head of a designated statistical agency (as defined in section 3576(e) of title 44, United States Code), in coordination with the Chief Statistician of the United States, consistent with relevant law.

''(2) CONSISTENCY.—The head of the Program Management Office shall ensure the requirements and processes described in paragraph (1) are consistent with the policies of the Office of Management and Budget policy and relevant policies of other Executive agencies. The head of the Program Management Office shall coordinate with the Senior Agency Official for Privacy and the General Counsel of the National Science Foundation in ensuring compliance with applicable privacy law and policy and Federal laws and regulations.

''(3) AVAILABILITY.—The head of the Program Management Office, acting through the Director of the Operating Entity, shall—

''(A) when determining access to computational resources of the NAIRR, take into consideration the extent to which the access relates to privacy, ethics, civil rights and civil liberties, safety, security, risk mitigation, and trustworthiness of artificial intelligence systems, or other topics that demonstrate that a project is in the public interest;

''(B) ensure that a significant percentage of the annual allotment of computational resources of the NAIRR is provided to projects whose primary focus is related to any of the topics described in subparagraph (A); and

''(C) to the extent that demand for access to computational resources of the NAIRR exceeds availability, consider, on a priority basis, projects focusing on any of the topics described in subparagraph (A) when ranking applications for such access.

''(c) SCIENTIFIC RESEARCH MISCONDUCT.—The head of the Program Management Office, acting through the Director of the Operating Entity and in consultation with any relevant Advisory Committee, shall develop mechanisms for an employee of the Operating Entity, an employee of the Program Management Office, a member of an Advisory Committee, a researcher or student affiliated with a NAIRR user described in subsection (a)(1), an employee of a provider of a resource of the NAIRR, an employee of a NAIRR funding agency, or a member of the public to report scientific research misconduct related to resources of the NAIRR.

''(d) SYSTEM SECURITY AND USER ACCESS CONTROLS.—The head of the Program Management Office, acting through the Director of the Operating Entity and in consultation with the Director of the Office of Management and Budget, the Director of the National Institute of Standards and Technology, and the Director of the Cybersecurity and Infrastructure Security Agency—

''(1) shall establish minimum security requirements for all persons interacting with the NAIRR, consistent with the most recent version of the Cybersecurity Framework, or successor document, maintained by the National Institute of Standards and Technology; and

''(2) may establish tiers of security requirements and user access controls beyond the minimum requirements relative to security risks.

''(e) FEE SCHEDULE.—

''(1) IN GENERAL.—The head of the Program Management Office, acting through the Director of the Operating Entity, may establish a fee schedule for access to the NAIRR. The Operating Entity may only charge fees in such fee schedule. Such fee schedule—

''(A) may differ by type of eligible user and type of affiliated entity described in subsection (a);

''(B) shall include a free tier of access based on appropriated funds and anticipated costs and demand;

''(C) may include cost-based charges for eligible users to purchase resources of the NAIRR beyond the resources included in a free or subsidized tier; and

''(D) shall ensure that the primary purpose of the NAIRR is to support research.

''(2) RETENTION AND USE OF FUNDS.—

''(A) RETAINING OF FUNDS.—Notwithstanding section 3302 of title 31, United States Code, the head of the Program Management Office may retain fees collected under this subsection.

''(B) AVAILABILITY AND USE OF FUNDS.—Amounts retained under subparagraph (A)—

''(i) shall remain available until expended; and

''(ii) shall be available to the head of the Program Management Office, without further appropriation, for the purposes of this title.

''(f) RESEARCH SECURITY.—The head of the Program Management Office, acting through the Director of the Operating Entity, shall—

''(1) ensure conformance with the requirements of National Security Presidential Memorandum–33 (relating to supported research and development national policy), issued January 2021, and its implementation guidance on research security and research integrity, or any successor policy document or guidance, by establishing NAIRR operating principles that emphasize the research integrity principles of openness, reciprocity, and transparency; and

''(2) designate a member of the leadership team for the Operating Entity as a research security point of contact with responsibility for overseeing conformance with the National Security Presidential Memorandum–33 and its implementation guidance, or any successor policy document or guidance.

''(g) OPEN SOURCE.—The head of the Program Management Office, acting through the Director of the Operating Entity, shall establish policies to encourage software developed to administer the NAIRR, and software developed using resources of the NAIRR, to be open-source software.''.

(b) CONFORMING AMENDMENTS.—The table of contents in section 2(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3388) is amended by inserting after the items relating to title LV the following:

''TITLE LVI—NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH RESOURCE

''Sec. 5601. Definitions.
''Sec. 5602. Establishment; governance.
''Sec. 5603. Resources of the NAIRR.
''Sec. 5604. NAIRR processes and procedures.''.

SA 2617. Mr. WELCH 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 1048 and insert the following:

SEC. 1048. PROHIBITION ON USE OF FUNDS FOR RESETTLEMENT IN THE UNITED STATES OF CERTAIN INDIVIDUALS FROM THE WEST BANK OR GAZA.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Defense may not use any asset, facility, or installation of the Department of Defense for the transport or processing of any individual from the West Bank or Gaza who is not a United States citizen, or who is not the spouse, parent, or child of a United States citizen, for purposes of resettlement in the United States.

(b) EXCEPTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may use assets, facilities, and installations of the Department to transport and process for resettlement in the United States an individual described in subsection (a) who—

(A) is a former employee of the United States Government;

(B) was so employed for a period of not less than two years; and

(C) maintains documentation demonstrating such employment.

(2) INAPPLICABILITY.—Paragraph (1) shall not apply to an individual described in that paragraph whose employment with the United States Government was involuntarily terminated.

(c) RECONSIDERATION OF POLICY.—Not later than five years after the date of the enactment of this Act, the Secretary may reconsider the prohibition set forth in subsection (a) and provide recommendations to Congress on whether to continue or discontinue such prohibition.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be interpreted to limit the authority or ability of any other Federal agency or department from assisting in the resettlement in the United States of individuals from the West Bank and Gaza.

SA 2618. Mr. WELCH 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 2855 and insert the following:

SEC. 2855. PROHIBITION ON USE OF FUNDS FOR RESETTLEMENT IN THE UNITED STATES OF CERTAIN INDIVIDUALS FROM THE WEST BANK OR GAZA.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Defense may not use any asset, facility, or installation of the Department of Defense for the transport or processing of any individual from the West Bank or Gaza who is not a United States citizen, or who is not the spouse, parent, or child of a United States citizen, for purposes of resettlement in the United States.

(b) EXCEPTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may use assets, facilities, and installations of the Department to transport and process for resettlement in the United States an individual described in subsection (a) who—

(A) is a former employee of the United States Government;

(B) was so employed for a period of not less than two years; and

(C) maintains documentation demonstrating such employment.

(2) INAPPLICABILITY.—Paragraph (1) shall not apply to an individual described in that paragraph whose employment with the United States Government was involuntarily terminated.

(c) RECONSIDERATION OF POLICY.—Not later than five years after the date of the enactment of this Act, the Secretary may reconsider the prohibition set forth in subsection (a) and provide recommendations to Congress on whether to continue or discontinue such prohibition.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be interpreted to limit the authority or ability of any other Federal agency or department from assisting in the resettlement in the United States of individuals from the West Bank and Gaza.

SA 2619. Mr. WELCH 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 1048.

SA 2620. Mr. WELCH 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 2855.

SA 2621. Ms. HIRONO (for herself and Mr. CORNYN) 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 X, insert the following:

SEC. 10___. REPORT ON WILDFIRE FIGHTING CAPABILITIES OF DEPARTMENT OF DEFENSE IN HAWAII.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that includes—

(1) an assessment of the wildfire fighting capabilities of the Department of Defense in Hawaii, including any shortfalls in firefighting equipment, facilities, training, plans, or personnel;

(2) an assessment of the wildfire mitigation capabilities of the Department in Hawaii, including any shortfalls in fuel breaks, facilities, water storage, or suppression access;

(3) a determination of the feasibility of establishing a wildfire training institute on O'ahu;

(4) an identification of any additional authorities or resources required to integrate the capabilities of the Department with the capabilities of other Federal, State, and local emergency responders;

(5) an identification of any memoranda or other agreements between the Department and State, local, Federal, or other disaster response organizations regarding wildland fire mitigation, prevention, response, and recovery; and

(6) opportunities for the Department to partner with local producers or organizations for the purposes of reducing and managing fuels loads on lands owned by the Department.

SA 2622. Mr. WELCH 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 XVI, insert the following:

SEC. _____. MANAGING RISKS RELATING TO MILITARY USE OF ARTIFICIAL INTELLIGENCE.

(a) LEDGER OF USE AND DEPLOYMENT.—

(1) IN GENERAL.—The Secretary of Defense shall create a ledger of all uses by the Department of Defense of covered systems.

(2) REQUIREMENTS.—The ledger created pursuant to paragraph (1) shall be a structured, indexed database.

(b) RISK ASSESSMENT PROCESS.—

(1) IN GENERAL.—The Secretary shall establish a risk assessment process that holistically evaluates each unique deployment or implementation by the Department of a covered system in the ledger required by such subsection.

(2) ELEMENTS.—

(A) IN GENERAL.—The process required by paragraph (1) shall, at a minimum, cover matters relating to the following:

(i) Accuracy.

(ii) Cybersecurity.

(iii) Privacy.

(iv) Bias.

(v) Bias towards escalation.

(vi) Deployment span.

(vii) Risk of civilian harm.

(B) BIAS TOWARDS ESCALATION.—For purposes of subparagraph (A)(iii), the process shall cover assessment of bias relating to whether technology ever deescalates conflict situations.

(C) DEPLOYMENT SPAN.—For purposes of subparagraph (A)(v), the process shall address changes in risk levels based on whether covered systems are deployed singularly or in clusters or swarms.

(3) ANNUAL ASSESSMENTS.—The Secretary shall ensure that the process required by paragraph (1) requires reevaluation of each covered system included in the ledger required by subsection (a)—

(A) not less frequently than annually; and

(B) whenever—

(i) the underlying foundation artificial intelligence model receives an update that notably shifts the capabilities of the covered system; and

(ii) the Department procures any covered system that has not previously been evaluated by the process.

(c) ANNOTATIONS REGARDING EXPORTS.—The Secretary shall annotate in the ledger required by subsection (a) when—

(1) a covered system developed or owned by the Department is shared with a foreign country, exported to a foreign country, or used by any foreign person or government; and

(2) such sharing, exporting, or use presents additional risk covered by the risk assessment process required by subsection (b).

(d) SUBMITTAL TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress the following:

(A) The ledger required by subsection (a).

(B) A report on the findings of the Secretary with respect to the risk assessments conducted pursuant to the risk assessment process established under subsection (b).

(C) The annotations made under subsection (c).

(2) FORM.—Submittal pursuant to paragraph (1) shall be, to the fullest extent possible, in unclassified form, but may include a classified annex to the degree the Secretary considers necessary.

(3) PUBLIC AVAILABILITY.—The Secretary shall make available to the public the unclassified portion of the submittal under paragraph (1).

(e) COVERED SYSTEM DEFINED.—In this section, the term ''covered system'' includes the following systems that are enabled by artificial intelligence:

(1) A weapon system.

(2) A targeting system.

(3) A decision support system that aids a system described in paragraph (1) or (2).

SA 2623. Mr. FETTERMAN (for himself and Mr. CASEY) 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. _____. INCREASE IN MILITARY LEAVE ACCRUAL AND ACCUMULATION FOR FEDERAL EMPLOYEES.

Section 6323(a)(1) of title 5, United States Code, is amended, in the second sentence, by striking ''15 days'' each place that term appears and inserting ''20 days''.

SA 2624. Mr. FETTERMAN (for himself and Ms. ERNST) 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_____. PROHIBITION ON CERTAIN EXPORTS.

(a) IN GENERAL.—The Energy Policy and Conservation Act is amended by inserting after section 163 (42 U.S.C. 6243) the following:

''SEC. 164. PROHIBITION ON CERTAIN EXPORTS.

''(a) IN GENERAL.—The Secretary shall prohibit the export or sale of petroleum products drawn down from the Strategic Petroleum Reserve, under any provision of law, to—

''(1) the People's Republic of China;

''(2) the Democratic People's Republic of Korea;

''(3) the Russian Federation;

''(4) the Islamic Republic of Iran;

''(5) the Bolivarian Republic of Venezuela;

''(6) the Syrian Arab Republic;

''(7) the Republic of Cuba; and

''(8) any entity owned, controlled, or influenced by—

''(A) a country referred to in any of paragraphs (1) through (7); or

''(B) the Chinese Communist Party.

''(b) WAIVER.—The Secretary may issue a waiver of the prohibition described in subsection (a) if the Secretary certifies that any export or sale authorized pursuant to the waiver is in the national security interests of the United States.

''(c) RULE.—Not later than 60 days after the date of enactment of the Banning Oil Exports to Foreign Adversaries Act, the Secretary shall issue a rule to carry out this section.''.

(b) CONFORMING AMENDMENTS.—

(1) DRAWDOWN AND SALE OF PETROLEUM PRODUCTS.—Section 161(a) of the Energy Policy and Conservation Act (42 U.S.C. 6241(a)) is amended by inserting ''and section 164'' before the period at the end.

(2) CLERICAL AMENDMENT.—The table of contents for the Energy Policy and Conservation Act is amended by inserting after the item relating to section 163 the following:

''Sec. 164. Prohibition on certain exports.''.

SA 2625. Ms. STABENOW (for herself, Mr. BROWN, and Mr. PETERS) 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 B of title XXXI, add the following:

SEC. 3123. SENSE OF CONGRESS REGARDING DEVELOPMENT OF STORAGE FACILITIES FOR PERMANENT STORAGE OF NUCLEAR MATERIAL WITHIN THE GREAT LAKES BASIN.

It is the sense of Congress that the Government of the United States and the Government of Canada should not develop storage facilities for the permanent storage of spent nuclear fuel, low-level or high-level nuclear waste, or military-grade nuclear material within the Great Lakes Basin.

SA 2626. Mr. LEE 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. ___. REPORTING ON END STRENGTH RATIONALES.

Section 115a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''to the Committees on Armed Services of the Senate and the House of Representatives, and make available to any Member upon request,''; and

(2) in subsection (b)—

(A) by inserting ''(1)'' before ''The Secretary''; and

(B) by adding at the end the following new paragraph:

''(2) The justification and explanation required by paragraph (1) shall include the following:

''(A) An assessment of the most important threats facing the United States by regional command and how personnel end strength level requests address those specific threats.

''(B) The rationale for recommended increases or decreases in active, reserve, and

civilian personnel for each component of the Department of Defense.

''(C) The rationale for recommended increases or decreases in active, reserve, and civilian personnel for each of the regional combatant commands.

''(D) The primary functions or missions of military and civilian personnel in each regional combatant command.

''(E) An assessment of any areas in which decreases in active, reserve, or civilian personnel would not result in a decrease in readiness.

''(F) The actual end strength number for each armed force for the prior fiscal year, compared to authorized end strength levels.

''(G) The shortfall in recruiting by each armed force as a percentage, as appropriate.

''(H) The number of applicants who were found to be ineligible for service by the Department in the prior fiscal year as a result of current enlistment standards, disaggregated by armed force and reason for disqualification.''.

SA 2627. Mr. LEE 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. ___. SENSE OF CONGRESS ON GROUND-BASED LEG OF NUCLEAR TRIAD.

It is the sense of Congress that—

(1) the modernization of the ground-based leg of the nuclear triad of the United States is vital to the security of the homeland and a core component of the homeland defense mission;

(2) extending the lifecycle of the current Minuteman III platform is both costly and an unsustainable long-term option for maintaining a ready and capable ground-based leg of the nuclear triad;

(3) the breach of chapter 325 of title 10, United States Code (commonly known as the ''Nunn-McCurdy Act'') by the program to modernize the ground-based leg of the nuclear triad should be addressed in a way that balances the national security need with fiscally responsible modifications to the program that prevent future unanticipated cost overruns;

(4) that breach does not alter the fundamental national security need for the modernization program; and

(5) the modernization program should remain funded and active.

SA 2628. Mr. LEE 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. ___. PRIORITIZING EXCESS DEFENSE ARTICLE TRANSFERS FOR THE INDO-PACIFIC REGION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should—

(1) prioritize the review of excess defense article transfers to Indo-Pacific allies and partners;

(2) coordinate and align excess defense article transfers with capacity building efforts of Indo-Pacific allies and partners; and

(3) assist Taiwan to develop asymmetric capability through excess defense article transfers under section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)).

(b) PLAN REQUIRED.—Not later than February 15, 2025, and annually thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall submit a report to the congressional defense committees on planned future activities and the resources needed to accomplish the purposes described in subsection (a) that includes—

(1) a summary of the progress made towards achieving the purposes described in subsection (a); and

(2) an evaluation of potential excess defense articles scheduled for decommissioning that could be transferred under the Excess Defense Articles program administered by the Defense Security Cooperation Agency to allies and partners, including Taiwan regarding its asymmetric capability development.

SA 2629. Mr. LEE 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. ___. CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NORTH ATLANTIC TREATY ORGANIZATION COUNTRIES.

Section 8679 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NATO COUNTRIES.—The Secretary of the Navy may construct a naval vessel in a foreign shipyard if—

''(1) the shipyard is located within the boundaries of a member country of the North Atlantic Treaty Organization; and

''(2) the cost of construction of such vessel in such shipyard will be less than the cost of construction of such vessel in a domestic shipyard.''.

SA 2630. Mr. LEE 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. ___. REPEAL OF LIMITATION ON WITHDRAWAL FROM NATO.

Section 1250a of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31) is repealed.

SA 2631. Mr. LEE 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. ___. CURBING UNFUNDED REQUIREMENTS.

(a) SHORT TITLE.—This section may be cited as the ''Cull Unfunded Requirement Budget Act'' or the ''CURB Act''.

(b) BUDGET NEUTRAL WISH LISTS.—

(1) BUDGET NEUTRAL PROPOSALS.—Section 222a(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) PRIORITIZATION OF OFFSETS.—Each report shall specify offsets for the total amount of spending proposed under paragraph (1) that would be available for the same time period as the funding requested. Any proposed offsets shall include the following:

''(A) A summary description of the offset.

''(B) The amount of funds recommended to be offset in connection with subparagraph (A).

''(C) Account information with respect to each offset, including the following (as applicable):

''(i) Line Item Number (LIN) for applicable procurement accounts.

''(ii) Program Element (PE) number for applicable research, development, test, and evaluation accounts.

''(iii) Sub-activity group (SAG) for applicable operation and maintenance accounts.''.

(2) BUDGET NEUTRAL PROPOSALS.—Section 222b(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) PRIORITIZATION OF OFFSETS.—Each report shall specify offsets for the total amount of spending proposed in paragraph (1) that would be available for the same time period as the funding requested. Any proposed offsets shall include the following:

''(A) A summary description of such offset.

''(B) The amount of funds recommended to be offset in connection with subparagraph (A).

''(C) Account information with respect to each offset, including the following (as applicable):

''(i) Line Item Number (LIN) for applicable procurement accounts.

''(ii) Program Element (PE) number for applicable research, development, test, and evaluation accounts.

''(iii) Sub-activity group (SAG) for applicable operation and maintenance accounts.''.

(c) TRANSPARENCY.—

(1) PUBLIC REPORTING.—Section 222a of title 10, United States Code, is amended—

(A) by redesignating subsection (e) as subsection (f); and

(B) by inserting after subsection (d) the following new subsection:

''(e) PUBLIC REPORTING.—Not later than 5 days after submitting the report required under subsection (a), each officer specified in subsection (b) shall post the report on a publicly available website in machine-readable form.''.

(2) PUBLIC REPORTING.—Section 222b of title 10, United States Code, is amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection:

''(c) PUBLIC REPORTING.—Not later than 5 days after submitting the report required under subsection (a), the Director shall post the report on a publicly available website in machine-readable form.''.

SA 2632. Mr. LEE 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. ___. SPECTRUM VALUATION AND AUDIT.

(a) ESTIMATE OF VALUE OF ELECTROMAGNETIC SPECTRUM.—

(1) IN GENERAL.—Part A of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended—

(A) by redesignating section 105 (47 U.S.C. 904) as section 106; and

(B) by inserting after section 104 (47 U.S.C. 903) the following:

''SEC. 105. ESTIMATE OF VALUE OF ELECTROMAGNETIC SPECTRUM.

''(a) DEFINITIONS.—In this section—

''(1) the term 'covered band' means the band of frequencies between 3 kilohertz and 95 gigahertz;

''(2) the term 'Federal entity' has the meaning given the term in section 113(1); and

''(3) the term 'OMB' means the Office of Management and Budget.

''(b) ESTIMATES REQUIRED.—The Assistant Secretary, in consultation with the Commission and OMB, shall estimate the value of electromagnetic spectrum in the covered band that is assigned or otherwise allocated to each Federal entity as of the date of the estimate, in accordance with the schedule under subsection (c).

''(c) SCHEDULE.—The Assistant Secretary shall conduct the estimates under subsection (b) for the frequencies between—

''(1) 3 kilohertz and 33 gigahertz not later than 1 year after the date of enactment of this section, and every 3 years thereafter;

''(2) 33 gigahertz and 66 gigahertz not later than 2 years after the date of enactment of this section, and every 3 years thereafter; and

''(3) 66 gigahertz and 95 gigahertz not later than 3 years after the date of enactment of this section, and every 3 years thereafter.

''(d) BASIS FOR ESTIMATE.—

''(1) IN GENERAL.—The Assistant Secretary shall base each value estimate under subsection (b) on the value that the electromagnetic spectrum would have if the spectrum were reallocated for the use with the highest potential value of licensed or unlicensed commercial wireless services that do not have access to that spectrum as of the date of the estimate.

''(2) CONSIDERATION OF GOVERNMENT CAPABILITIES.—In estimating the value of spectrum under subsection (b), the Assistant Secretary may consider the spectrum needs of commercial interests while preserving the spectrum access necessary to satisfy mission requirements and operations of Federal entities.

''(3) DYNAMIC SCORING.—To the greatest extent practicable, the Assistant Secretary shall incorporate dynamic scoring methodology into the value estimate under subsection (b).

''(4) DISCLOSURE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Assistant Secretary shall publicly disclose how the Assistant Secretary arrived at each value estimate under subsection (b), including any findings made under paragraph (2) of this subsection.

''(B) CLASSIFIED, LAW ENFORCEMENT-SENSITIVE, AND PROPRIETARY INFORMATION.—If any information involved in a value estimate under subsection (b), including any finding made under paragraph (2) of this subsection, is classified, law enforcement-sensitive, or proprietary, the Assistant Secretary—

''(i) may not publicly disclose the classified, law enforcement-sensitive, or proprietary information; and

''(ii) shall make the classified, law enforcement-sensitive, or proprietary information available to any Member of Congress, upon request, in a classified annex.

''(e) AGENCY REPORT ON VALUE OF ELECTROMAGNETIC SPECTRUM.—A Federal entity that has been assigned or otherwise allocated use of electromagnetic spectrum within the covered band shall report the value of the spectrum as most recently estimated under subsection (b)—

''(1) in the budget of the Federal entity to be included in the budget of the United States Government submitted by the President under section 1105 of title 31, United States Code; and

''(2) in the annual financial statement of the Federal entity required to be filed under section 3515 of title 31, United States Code.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 103(b) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 902(b)) is amended—

(A) in paragraph (1), by striking ''section 105(d)'' and inserting ''section 106(d)''; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''section 105(d)'' and inserting ''section 106(d)''.

(b) DEPARTMENT OF DEFENSE SPECTRUM AUDIT.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information;

(B) the term ''Department'' means the Department of Defense; and

(C) the term ''Federal entity'' has the meaning given the term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l)).

(2) AUDIT AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Assistant Secretary, in consultation with the Secretary of Defense, shall—

(A) conduct an audit of the electromagnetic spectrum that is assigned or otherwise allocated to the Department as of the date of the audit; and

(B) submit to Congress, and make available to each Member of Congress upon request, a report containing the results of the audit conducted under subparagraph (A).

(3) CONTENTS OF REPORT.—The Assistant Secretary shall include in the report submitted under paragraph (2)(B), with respect to the electromagnetic spectrum that is assigned or otherwise allocated to the Department as of the date of the audit—

(A) each particular band of spectrum being used by the Department;

(B) a description of each purpose for which a particular band described in subparagraph (A) is being used, and how much of the band is being used for that purpose;

(C) the State or other geographic area in which a particular band described in subparagraph (A) is assigned or allocated for use;

(D) whether a particular band described in subparagraph (A) is used exclusively by the Department or shared with another Federal entity or a non-Federal entity; and

(E) any portion of the spectrum that is not being used by the Department.

(4) FORM OF REPORT.—The report required under paragraph (2)(B) shall be submitted in unclassified form but may include a classified annex.

SA 2633. Mr. LEE 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 XII, add the following:

SEC. 1216. LIMITATIONS ON STATUS OF FORCES AGREEMENTS AND MILITARY CONSTRUCTION PROJECTS IN CERTAIN FOREIGN COUNTRIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, until the date described in subsection (b)—

(1) the Secretary of Defense may not carry out a military construction project in a foreign country with which the United States maintains a status of forces agreement (other than a project related to housing or the provision of medical services for members of the Armed Forces); and

(2) the Secretary of State and the Secretary of Defense may not enter into, renew, or amend a status of forces agreement.

(b) DATE DESCRIBED.—The date described in this subsection is the date on which the Secretary of State, in coordination with the Secretary of Defense, completes the review of protection and legal preparedness for members of the Armed Forces abroad required by section 1229 of National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 456; 10 U.S.C. note prec. 2001).

SA 2634. Mr. LEE 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. _____. TRANSPARENCY FOR 2001 AUTHORIZATION FOR USE OF MILITARY FORCE.

Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall publish a declassified list of nations, organizations, or persons the United States is using force against or authorized to use force against pursuant to section 2(a) of the Authorization for Use of Military Force (Public Law 107–40; 115 Stat. 224; 50 U.S.C. 1541 note) (commonly known as the ''2001 AUMF'').

SA 2635. Mr. LEE 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. ___. MODIFICATION OF PRESIDENTIAL DRAWDOWN AUTHORITY.

Section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)) is amended—

(1) in paragraph (1), in the undesignated matter following subparagraph (B)—

(A) by striking ''he may direct,'' and inserting ''the President may direct, subject to paragraph (4),''; and

(B) by inserting '', except as provided in paragraph (5)'' after ''fiscal year''; and

(2) by adding at the end the following new paragraphs:

''(4)(A) The President may direct the drawdown of defense articles, defense services, and military education and training under paragraph (1) only during the 20-day period beginning on the date on which the President reports to Congress that an unforeseen emergency exists under such paragraph.

''(B) The authority to deliver defense articles, defense services, and military education and training pursuant to a drawdown directed under paragraph (1) shall expire at the end of the fiscal year in which the drawdown was directed.

''(5)(A) The President may direct the drawdown of defense articles, defense services, and military education and training under paragraph (1) of an aggregate value that would exceed $100,000,000 in a fiscal year if—

''(i) the President submits to Congress—

''(I) a request for authorization to direct such a drawdown of an aggregate value that exceeds $100,000,000 for that fiscal year; and

''(II) a report that an unforeseen emergency exists, in accordance with paragraph (1);

''(ii) after the submission of such request and report, there is enacted a joint resolution or other provision of law approving the authorization requested; and

''(iii) Congress has authorized appropriations in a specific amount sufficient to replenish the aggregate value of the proposed drawdown.

''(B)(i) Each request submitted under subparagraph (A)(i) may request authorization to direct a drawdown under paragraph (1) for only one intended recipient country.

''(ii) A resolution or other provision of law described in subparagraph (A)(ii) may approve a request for authorization to direct a drawdown under paragraph (1) for only one intended recipient country.

''(6)(A) Any resolution described in paragraph (5)(A)(ii) may be considered by Congress using the expedited procedures set forth in this paragraph.

''(B) For purposes of this paragraph, the term 'resolution' means only a joint resolution of the two Houses of Congress—

''(i) the title of which is as follows: 'A joint resolution approving the use of the special authority provided by section 506(a)(1) of the Foreign Assistance Act of 1961 in excess of the fiscal year limitation.';

''(ii) which does not have a preamble; and

''(iii) the sole matter after the resolving clause of which is as follows: 'The proposed use of the special authority provided by section 506(a)(1) of the Foreign Assistance Act of 1961 in excess of the fiscal year limitation, to respond to the unforeseen emergency in _____, which was received by Congress on _____ (Transmittal number), is authorized', with the name of the intended recipient country and transmittal number inserted.

''(C) A resolution described in subparagraph (B) that is introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate. A resolution described in subparagraph (B) that is introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs of the House of Representatives.

''(D) If the committee to which a resolution described subparagraph (B) is referred has not reported such resolution (or an identical resolution) by the end of 10 calendar days beginning on the date of introduction, such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

''(E)(i) On or after the third calendar day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subparagraph (D)) from further consideration of, such a resolution, it is in order for any Member of the respective House to move to proceed to the consideration of the resolution. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. 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 resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

''(ii) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

''(iii) Immediately following the conclusion of the debate on the resolution and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

''(iv) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate.

''(F)(i) If, before passage by one House of a resolution of that House described in subparagraph (B), that House receives from the other House a resolution described in subparagraph (B), then the following procedures shall apply:

''(I) The resolution of the other House shall not be referred to a committee.

''(II) The consideration as described in subparagraph (E) in that House shall be the same as if no resolution had been received from the other House, but the vote on final passage shall be on the resolution of the other House.

''(ii) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

''(G) This paragraph is enacted by Congress—

''(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subparagraph (B), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

''(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

''(7) In this subsection, the term 'unforeseen emergency' means a direct kinetic attack—

''(A) on a bilateral or multilateral treaty ally of the United States, undetected or reasonably unforeseen by United States intelligence assessments, by an adversary of the United States; and

''(B) that poses a direct or imminent threat to United States security interests, as outlined in the most recent national defense strategy of the United States.''.

SA 2636. Mr. LEE 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 DESIGNATION OF RUSSIAN INVASION OF UKRAINE AS AN UNFORESEEN EMERGENCY UNDER SECTION 506(A)(1) OF THE FOREIGN ASSISTANCE ACT OF 1961.

Beginning on the date of the enactment of this Act, the President may not designate the Russian invasion of Ukraine, which began in February 2022, as an unforeseen emergency for purposes of section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)).

SA 2637. Mr. LEE 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. ____. REPORT DEFINING THE MISSION IN UKRAINE.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President, in coordination with the Secretary of Defense and the Secretary of State, shall develop and submit to Congress a comprehensive report that contains a strategy for United States involvement in Ukraine.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) define the United States national interests at stake with respect to the conflict between the Russian Federation and Ukraine;

(2) identify specific objectives the President believes must be achieved in Ukraine in order to protect the United States national interests defined in paragraph (1), and for each objective—

(A) an estimate of the amount of time required to achieve the objective, with an explanation;

(B) benchmarks to be used by the President to determine whether an objective has been met, is in the progress of being met, or cannot be met in the time estimated to be required in subparagraph (A); and

(C) estimates of the amount of resources, including United States personnel, materiel, and funding, required to achieve the objective;

(3) list the expected contribution for security assistance made by European member countries of the North Atlantic Treaty Organization within the next fiscal year; and

(4) provide an assessment of the impact of the Russian Federation's dominance of the natural gas market in Europe on the ability to resolve the ongoing conflict with Ukraine.

(c) REQUIREMENTS FOR STRATEGY.—The strategy included in the report required under subsection (a)—

(1) shall be designed to achieve a cease-fire in which the Russian Federation and Ukraine agree to abide by the terms and conditions of such cease-fire; and

(2) may not be contingent on United States involvement of funding of Ukrainian reconstruction.

(d) FORM.—The report required by subsection (a)—

(1) shall be submitted in an unclassified form; and

(2) shall include a classified annex if necessary to provide the most holistic picture of information to Congress as required under this section.

(e) CONGRESS DEFINED.—In this section, the term ''Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(3) any Member of Congress upon request.

SA 2638. Mr. LEE 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. _____. TWO-YEAR TIME LIMIT FOR AUTHORIZATIONS FOR USE OF MILITARY FORCE.

(a) IN GENERAL.—Any law authorizing the use of military force that is enacted on or after the date of the enactment of this Act shall terminate two years after the date of the enactment of such law unless a joint resolution of extension is enacted pursuant to subsection (b) extending such authority prior to such termination date.

(b) CONSIDERATION OF JOINT RESOLUTION OF EXTENSION.—

(1) JOINT RESOLUTION OF EXTENSION DEFINED.—In this subsection, the term ''joint resolution of extension'' means only a joint resolution of either House of Congress—

(A) the title of which is as follows: ''A joint resolution extending the [_____] for a two-year period beginning on the date of the enactment of this joint resolution.'', with the blank being filled with the title of the law authorizing the use of military force that is being extended pursuant to subsection (a); and

(B) the sole matter after the resolving clause of which is the following: ''Congress extends the authority for the use of military force provided under [_____] for a two-year period beginning on the date of the enactment of this joint resolution.'', with the blank being filled with the title of the law authorizing the use of military force that is being extended pursuant to subsection (a).

(2) INTRODUCTION.—A joint resolution of extension may be introduced by any member of Congress.

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a joint resolution of extension has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A joint resolution of extension introduced in the Senate shall be referred to the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If the Committee on Foreign Relations has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee of Foreign Relations reports a joint resolution of extension to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order, excluding budgetary points of order, against the joint resolution (and against consideration of the joint resolution) 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.

(D) 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 a joint resolution of extension shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a joint resolution of extension, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE JOINT RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a joint resolution of extension received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(i) The joint resolution shall be referred to the appropriate committees.

(ii) If a committee to which a joint resolution has been referred has not reported the joint resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(iii) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The joint resolution shall be considered as read. All points of order, excluding budgetary points of order, against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(B) TREATMENT OF HOUSE JOINT RESOLUTION IN SENATE.—

(i) If, before the passage by the Senate of a joint resolution of extension, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(I) That joint resolution shall not be referred to a committee.

(II) With respect to that joint resolution—

(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) If, following passage of a joint resolution of extension in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(iii) If a joint resolution of extension is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 2639. Mr. LEE 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. _____. TAIWAN WAR POWERS.

Nothing in this Act may be construed as an authorization for the use of military force against the People's Republic of China. Such

action in support of Taiwan may only occur with the express authorization of Congress consistent with requirements set forth in the War Powers Act.

SA 2640. Mr. LEE 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. _____. PROHIBITION ON USE OF FORCE AGAINST THE RUSSIAN FEDERATION.

(a) NO AUTHORITY FOR USE OF FORCE.—No provision of law enacted before the date of the enactment of this Act may be construed to provide authorization for the use of military force against the Russian Federation.

(b) PROHIBITION ON FUNDING FOR USE OF MILITARY FORCE AGAINST THE RUSSIAN FEDERATION.—

(1) IN GENERAL.— No Federal funds may be made available for the use of military force in or against the Russian Federation unless—

(A) Congress has declared war; or

(B) there is enacted specific statutory authorization for such use of military force that meets the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(2) COMMANDER-IN-CHIEF EXCEPTION.—The prohibition under paragraph (1) does not apply to a use of military force that is consistent with section 2(c) of the War Powers Resolution (50 U.S.C. 1541(c)).

(c) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to prevent the President from using necessary and appropriate force to defend United States allies and partners if Congress enacts specific statutory authorization for such use of force consistent with the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.);

(2) to relieve the executive branch of restrictions on the use of force, reporting, or consultation requirements set forth in the War Powers Resolution (50 U.S.C. 1541 et seq.); or

(3) to authorize the use of military force.

(d) SCOPE OF MILITARY FORCE.—In this section, the term ''military force''—

(1) includes—

(A) sharing intelligence with Ukraine for the purpose of enabling offensive strikes against the Russian Federation;

(B) providing logistical support to Ukraine for offensive strikes against the Russian Federation; and

(C) any situation involving any use of lethal or potentially lethal force by United States forces against Russian forces, irrespective of the domain, whether such force is deployed remotely, or the intermittency thereof; and

(2) does not include activities undertaken pursuant to section 503 of the National Security Act of 1947 (50 U.S.C. 3093).

SA 2641. Mr. LEE 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 title V, strike subtitle J.

SA 2642. Mr. LEE 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. _____. EX OFFICIO MEMBERS OF SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE.

(a) MEMBERSHIP.—Section 2(a)(3) of Senate Resolution 400 (94th Congress), agreed to May 19, 1976, is amended to read as follows:

''(3) Each Member of the Senate (if not already a member of the select committee) shall be an ex officio member of the select committee but shall have no vote in the select committee and shall not be counted for purposes of determining a quorum.''.

(b) CONFORMING AMENDMENT.—Rule XXV of the Standing Rules of the Senate is amended—

(1) in paragraph 3(b), in the item relating to the Select Committee on Intelligence, by striking ''19'' and inserting ''100''; and

(2) in paragraph 4(a)(2), by striking ''each Senator'' and all that follows, and inserting ''a Senator may not serve on both the Special Committee on Aging and the Joint Economic Committee.''.

(c) RULEMAKING.—This section is enacted—

(1) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the rules of the Senate and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

SA 2643. Mr. LEE 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 title V, strike subtitle J and insert the following:

Subtitle J—Limitations on Selective Service System

SEC. 598. SEPARATE VOTE REQUIREMENT FOR INDUCTION OF MEN AND WOMEN.

(a) FINDINGS.—Congress makes the following findings:

(1) Clause 12 of section 8 of article I of the Constitution of the United States empowers Congress with the responsibility to ''raise and support Armies''.

(2) The United States first required military conscription in the American Civil War under the Civil War Military Draft Act of 1863.

(3) The Selective Services Act of 1917 authorized the President to draft additional forces beyond the volunteer force to support exceedingly high demand for additional forces when the U.S. entered the first World War.

(4) The Selective Training and Service Act of 1940 was the first authorization by Congress for conscription in peacetime but limited the President's induction authority to ''no greater number of men than the Congress shall hereafter make specific appropriation for from time to time''.

(5) Congress allowed induction authority to lapse in 1947.

(6) Congress reinstated the President's induction authority under the Selective Service Act of 1948 to raise troops for United States participation in the Korean War.

(7) Congress maintained the President's induction authority under the Selective Service Act of 1948 through the beginning of the Vietnam War.

(8) Congress passed additional reforms to the draft under the Military Selective Service Act of 1967 in response to issues arising from United States engagement in the Vietnam War.

(9) Congress prohibited any further use of the draft after July 1, 1973.

(10) If a president seeks to reactivate the use of the draft, Congress would have to enact a law providing authorization for this purpose

(b) AMENDMENT.—Section 17 of the Military Selective Service Act (50 U.S.C. 3815) is amended by adding at the end the following new subsection:

''(d) No person shall be inducted for training and service in the Armed Forces unless Congress first passes and there is enacted—

''(1) a law expressly authorizing such induction into service; and

''(2) a law authorizing separately—

''(A) the number of male persons subject to such induction into service; and

''(B) the number of female persons subject to such induction into service.''.

SEC. 599. LIMITATION ON INDUCTION INTO SERVICE OF BOTH PARENTS OF A DEPENDENT CHILD.

Section 6 of the Military Selective Service Act (50 U.S.C. 3806) is amended by adding at the end the following new subsection:

''(p) No person may be inducted for training and service under this title if such person—

''(1) has a dependent child and the other parent of the dependent child has been inducted for training or service under this title unless the person volunteers for such induction; or

''(2) has a dependent child who has no other living parent.''.

SA 2644. Mr. LEE 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. EXCEPTION TO RESTRICTION ON CONSTRUCTION OF COAST GUARD VESSELS IN FOREIGN SHIPYARDS FOR CERTAIN CONSTRUCTION IN SHIPYARDS IN NORTH ATLANTIC TREATY ORGANIZATION MEMBER COUNTRIES.

(a) IN GENERAL.—Section 1151 of title 14, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)''; and

(2) by adding at the end the following new subsection:

''(c)(1) Subsection (a) shall not apply with respect to construction otherwise covered by that subsection if—

''(A) the foreign shipyard concerned is located in—

''(i) a North Atlantic Treaty Organization member country; or

''(ii) a country in the Indo-Pacific region that is party to a mutual defense treaty with United States; and

''(B) the cost of the construction concerned is less than the cost would be if such construction occurred in a domestic shipyard.

''(2) Before the construction of a Coast Guard vessel, or a major component of the hull or superstructure of a Coast Guard vessel, may commence at a foreign shipyard under this subsection, the Commandant shall submit to Congress a certification that the foreign shipyard is not owned or operated by a Chinese company or a multinational company domiciled in the People's Republic of China.''.

(b) CONFORMING AMENDMENT.—Section 8679(a) of title 10, United States Code, is amended by inserting ''and section 1151(c) of title 14'' after ''in subsection (b)''.

SA 2645. Mr. LEE 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 I of title V, insert the following:

SEC. ___. MILITARY PERSONNEL: RECRUITING; MERIT-BASED DETERMINATIONS.

(a) RECRUITING.—Not later than September 30, 2025, the Secretary of Defense shall prescribe regulations that any effort to recruit an individual to serve in a covered Armed Force, or contracted entity, may not take into account the race or gender of such individual.

(b) MERIT-BASED DETERMINATIONS.—Not later than September 30, 2025, the Secretary of Defense shall prescribe regulations that, with regards to a military accession, assignment, selection, or promotion—

(1) a determination shall be made on the basis of merit in order to advance those individuals who exhibit the talent and abilities necessary to promote the national security of the United States;

(2) a candidate shall be evaluated on the bases of qualifications, performance, integrity, fitness, training, and conduct;

(3) no determination may be based on favoritism or nepotism;

(4) no quota, goal, metric, objective, or other similar means of measurement may be used; and

(5) no covered element may track race and sex for any personnel or programs within those entities.

(c) DEFINITIONS.—In this section:

(1) COVERED ARMED FORCE.—The term ''covered Armed Force'' means the following:

(A) The Army.

(B) The Navy.

(C) The Marine Corps.

(D) The Air Force.

(E) The Space Force.

(F) Special Operations Command.

(G) Entities within the Department of Homeland Security, to include the United States Coast Guard.

(H) The Department of Defense, or any other organization within the command structure.

(2) CONTRACTED ENTITY.—The term ''contracted entity'' includes any organization on any contract or sub-contract with the Department of Defense, a covered Armed Force, or associated entity.

SA 2646. Mr. LEE 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—Safeguard American Voter Eligibility

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Safeguard American Voter Eligibility Act'' or the ''SAVE Act''.

SEC. 1097. ENSURING ONLY CITIZENS ARE REGISTERED TO VOTE IN ELECTIONS FOR FEDERAL OFFICE.

(a) DEFINITION OF DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP.—Section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502) is amended—

(1) by striking ''As used'' and inserting ''(a) IN GENERAL.—As used''; and

(2) by adding at the end the following:

''(b) DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP.—As used in this Act, the term 'documentary proof of United States citizenship' means, with respect to an applicant for voter registration, any of the following:

''(1) A form of identification issued consistent with the requirements of the REAL ID Act of 2005 that indicates the applicant is a citizen of the United States.

''(2) A valid United States passport.

''(3) The applicant's official United States military identification card, together with a United States military record of service showing that the applicant's place of birth was in the United States.

''(4) A valid government-issued photo identification card issued by a Federal, State or Tribal government showing that the applicant's place of birth was in the United States.

''(5) A valid government-issued photo identification card issued by a Federal, State or Tribal government other than an identification described in paragraphs (1) through (4), but only if presented together with one or more of the following:

''(A) A certified birth certificate issued by a State, a unit of local government in a State, or a Tribal government which—

''(i) was issued by the State, unit of local government, or Tribal government in which the applicant was born;

''(ii) was filed with the office responsible for keeping vital records in the State;

''(iii) includes the full name, date of birth, and place of birth of the applicant;

''(iv) lists the full names of one or both of the parents of the applicant;

''(v) has the signature of an individual who is authorized to sign birth certificates on behalf of the State, unit of local government, or Tribal government in which the applicant was born;

''(vi) includes the date that the certificate was filed with the office responsible for keeping vital records in the State; and

''(vii) has the seal of the State, unit of local government, or Tribal government that issued the birth certificate.

''(B) An extract from a United States hospital Record of Birth created at the time of the applicant's birth which indicates that the applicant's place of birth was in the United States.

''(C) A final adoption decree showing the applicant's name and that the applicant's place of birth was in the United States.

''(D) A Consular Report of Birth Abroad of a citizen of the United States or a certification of the applicant's Report of Birth of a United States citizen issued by the Secretary of State.

''(E) A Naturalization Certificate or Certificate of Citizenship issued by the Secretary of Homeland Security or any other document or method of proof of United States citizenship issued by the Federal Government pursuant to the Immigration and Nationality Act.

''(F) An American Indian Card issued by the Department of Homeland Security with the classification 'KIC'.''.

(b) IN GENERAL.—Section 4 of the National Voter Registration Act of 1993 (52 U.S.C. 20503) is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following new subsection:

''(b) REQUIRING APPLICANTS TO PRESENT DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP.—Under any method of voter registration in a State, the State shall not accept and process an application to register to vote in an election for Federal office unless the applicant presents documentary proof of United States citizenship with the application.''.

(c) REGISTRATION WITH APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE.—Section 5 of the National Voter Registration Act of 1993 (52 U.S.C. 20504) is amended—

(1) in subsection (a)(1), by striking ''Each State motor vehicle driver's license application'' and inserting ''Subject to the requirements under section 8(j), each State motor vehicle driver's license application'';

(2) in subsection (c)(1), by striking ''Each State shall include'' and inserting ''Subject to the requirements under section 8(j), each State shall include'';

(3) in subsection (c)(2)(B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by adding ''and'' at the end; and

(C) by adding at the end the following new clause:

''(iii) verify that the applicant is a citizen of the United States;'';

(4) in subsection (c)(2)(C)(i), by striking ''(including citizenship)'' and inserting '', including the requirement that the applicant provides documentary proof of United States citizenship''; and

(5) in subsection (c)(2)(D)(iii), by striking ''; and'' and inserting the following: '', other than as evidence in a criminal proceeding or immigration proceeding brought against an applicant who knowingly attempts to register to vote and knowingly makes a false declaration under penalty of perjury that the applicant meets the eligibility requirements to register to vote in an election for Federal office; and''.

(d) REQUIRING DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP WITH NATIONAL MAIL VOTER REGISTRATION FORM.—Section 6 of the National Voter Registration Act of 1993 (52 U.S.C. 20505) is amended—

(1) in subsection (a)(1)—

(A) by striking ''Each State shall accept and use'' and inserting ''Subject to the requirements under section 8(j), each State shall accept and use''; and

(B) by striking ''Federal Election Commission'' and inserting ''Election Assistance Commission'';

(2) in subsection (b), by adding at the end the following: ''The chief State election official of a State shall take such steps as may be necessary to ensure that residents of the State are aware of the requirement to provide documentary proof of United States citizenship to register to vote in elections for Federal office in the State.'';

(3) in subsection (c)(1)—

(A) in subparagraph (A), by striking ''and'' at the end;

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

(C) by adding at the end the following new subparagraph:

''(C) the person did not provide documentary proof of United States citizenship when registering to vote.''; and

(4) by adding at the end the following new subsection:

''(e) ENSURING PROOF OF UNITED STATES CITIZENSHIP.—

''(1) PRESENTING PROOF OF UNITED STATES CITIZENSHIP TO ELECTION OFFICIAL.—An applicant who submits the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2) or a form described in paragraph (1) or (2) of subsection (a) shall not be registered to vote in an election for Federal office unless—

''(A) the applicant presents documentary proof of United States citizenship in person to the office of the appropriate election official not later than the deadline provided by State law for the receipt of a completed voter registration application for the election; or

''(B) in the case of a State which permits an individual to register to vote in an election for Federal office at a polling place on the day of the election and on any day when voting, including early voting, is permitted for the election, the applicant presents documentary proof of United States citizenship to the appropriate election official at the polling place not later than the date of the election.

''(2) NOTIFICATION OF REQUIREMENT.—Upon receiving an otherwise completed mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2) or a form described in paragraph (1) or (2) of subsection (a), the appropriate election official shall transmit a notice to the applicant of the requirement to present documentary proof of United States citizenship under this subsection, and shall include in the notice instructions to enable the applicant to meet the requirement.

''(3) ACCESSIBILITY.—Each State shall, in consultation with the Election Assistance Commission, ensure that reasonable accommodations are made to allow an individual with a disability who submits the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2) or a form described in paragraph (1) or (2) of subsection (a) to present documentary proof of United States citizenship to the appropriate election official.''.

(e) REQUIREMENTS FOR VOTER REGISTRATION AGENCIES.—Section 7 of the National Voter Registration Act of 1993 (52 U.S.C. 20506) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(A), by adding at the end the following new clause:

''(iv) Receipt of documentary proof of United States citizenship of each applicant to register to vote in elections for Federal office in the State.''; and

(B) in paragraph (6)—

(i) in subparagraph (A)(i)(I), by striking ''(including citizenship)'' and inserting '', including the requirement that the applicant provides documentary proof of United States citizenship''; and

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

''(B) ask the applicant the question, 'Are you a citizen of the United States?' and if the applicant answers in the affirmative require documentary proof of United States citizenship prior to providing the form under subparagraph (C);''; and

(2) in subsection (c)(1), by inserting ''who are citizens of the United States'' after ''for persons''.

(f) REQUIREMENTS WITH RESPECT TO ADMINISTRATION OF VOTER REGISTRATION.—Section 8 of the National Voter Registration Act of 1993 (52 U.S.C. 20507) is amended—

(1) in subsection (a)—

(A) by striking ''In the administration of voter registration'' and inserting ''Subject to the requirements of subsection (j), in the administration of voter registration''; and

(B) in paragraph (3)—

(i) in subparagraph (B), by striking ''or'' at the end; and

(ii) by adding at the end the following new subparagraphs:

''(D) based on documentary proof or verified information that the registrant is not a United States citizen; or

''(E) the registration otherwise fails to comply with applicable State law;'';

(2) by redesignating subsection (j) as subsection (l); and

(3) by inserting after subsection (i) the following new subsections:

''(j) ENSURING ONLY CITIZENS ARE REGISTERED TO VOTE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, a State may not register an individual to vote in elections for Federal office held in the State unless, at the time the individual applies to register to vote, the individual provides documentary proof United States citizenship.

''(2) ADDITIONAL PROCESSES IN CERTAIN CASES.—

''(A) PROCESS FOR THOSE WITHOUT DOCUMENTARY PROOF.—

''(i) IN GENERAL.—Subject to any relevant guidance adopted by the Election Assistance Commission, each State shall establish a process under which an applicant who cannot provide documentary proof of United States citizenship under paragraph (1) may, if the applicant signs an attestation under penalty of perjury that the applicant is a citizen of the United States and eligible to vote in elections for Federal office, submit such other evidence to the appropriate State official demonstrating that the applicant is a citizen of the United States and such official shall make a determination as to whether the applicant has sufficiently established United States citizenship for purposes of registering to vote in elections for Federal office in the State.

''(ii) AFFIDAVIT REQUIREMENT.—If a State official makes a determination under clause (i) that an applicant has sufficiently established United States citizenship for purposes of registering to vote in elections for Federal office in the State, such determination shall be accompanied by an affidavit developed under clause (iii) signed by the official swearing or affirming the applicant sufficiently established United States citizenship for purposes of registering to vote.

''(iii) DEVELOPMENT OF AFFIDAVIT BY THE ELECTION ASSISTANCE COMMISSION.—The Election Assistance Commission shall develop a uniform affidavit for use by State officials under clause (ii), which shall—

''(I) include an explanation of the minimum standards required for a State official to register an applicant who cannot provide documentary proof of United States citizenship to vote in elections for Federal office in the State; and

''(II) require the official to explain the basis for registering such applicant to vote in such elections.

''(B) PROCESS IN CASE OF CERTAIN DISCREPANCIES IN DOCUMENTATION.—Subject to any relevant guidance adopted by the Election Assistance Commission, each State shall establish a process under which an applicant can provide such additional documentation to the appropriate election official of the State as may be necessary to establish that the applicant is a citizen of the United States in the event of a discrepancy with respect to the applicant's documentary proof of United States citizenship.

''(3) STATE REQUIREMENTS.—Each State shall take affirmative steps on an ongoing basis to ensure that only United States citizens are registered to vote under the provisions of this Act, which shall include the establishment of a program described in paragraph (4) not later than 30 days after the date of the enactment of this subsection.

''(4) PROGRAM DESCRIBED.—A State may meet the requirements of paragraph (3) by establishing a program under which the State identifies individuals who are not United States citizens using information supplied by one or more of the following sources:

''(A) The Department of Homeland Security through the Systematic Alien Verification for Entitlements ('SAVE') or otherwise.

''(B) The Social Security Administration through the Social Security Number Verification Service, or otherwise.

''(C) State agencies that supply State identification cards or drivers licenses where the agency confirms the United States citizenship status of applicants.

''(D) Other sources, including databases, which provide confirmation of United States citizenship status.

''(5) AVAILABILITY OF INFORMATION.—

''(A) IN GENERAL.—At the request of a State election official (including a request related to a process established by a State under paragraph (2)(A) or (2)(B)), the Secretary of Homeland Security and the Commissioner of the Social Security Administration shall, not later than 30 days after receipt of such request, provide the official with such information as may be necessary to enable the official to verify that an applicant for voter registration in elections for Federal office held in the State or a registrant on the official list of eligible voters in elections for Federal office held in the State is a citizen of the United States, which shall include providing the official with such batched information as may be requested by the official.

''(B) USE OF SAVE SYSTEM.—The Secretary of Homeland Security may respond to a request received under paragraph (1) by using the system for the verification of immigration status under the applicable provisions of section 1137 of the Social Security Act (42 U.S.C. 1320b-7), as established pursuant to section 121(c) of the Immigration Reform and Control Act of 1986 (Public Law 99–603).

''(C) SHARING OF INFORMATION.—The Secretary and the Commissioner shall share information with each other with respect to an individual who is the subject of a request received under paragraph (A) in order to enable the Secretary and the Commissioner to respond to the request.

''(D) INVESTIGATION FOR PURPOSES OF REMOVAL.—The Secretary of Homeland Security shall conduct an investigation to determine whether to initiate removal proceedings under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229) if it is determined pursuant to subparagraph (A) or (B) that an alien (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) is unlawfully registered to vote in elections for Federal office.

''(E) PROHIBITING FEES.—The Secretary may not charge a fee for responding to a State's request under paragraph (A).

''(k) REMOVAL OF NONCITIZENS FROM REGISTRATION ROLLS.—A State shall remove an individual who is not a citizen of the United States from the official list of eligible voters for elections for Federal office held in the State at any time upon receipt of documentation or verified information that a registrant is not a United States citizen.''.

(g) CLARIFICATION OF AUTHORITY OF STATE TO REMOVE NONCITIZENS FROM OFFICIAL LIST OF ELIGIBLE VOTERS.—

(1) IN GENERAL.—Section 8(a)(4) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(4)) is amended—

(A) by striking ''or'' at the end of subparagraph (A);

(B) by adding ''or'' at the end of subparagraph (B); and

(C) by adding at the end the following new subparagraph:

''(C) documentary proof or verified information that the registrant is not a United States citizen;''.

(2) CONFORMING AMENDMENT.—Section 8(c)(2)(B)(i) of such Act (52 U.S.C. 20507(c)(2)(B)(i)) is amended by striking ''(4)(A)'' and inserting ''(4)(A) or (C)''.

(h) REQUIREMENTS WITH RESPECT TO FEDERAL MAIL VOTER REGISTRATION FORM.—

(1) CONTENTS OF MAIL VOTER REGISTRATION FORM.—Section 9(b) of such Act (52 U.S.C. 20508(b)) is amended—

(A) in paragraph (2)(A), by striking ''(including citizenship)'' and inserting ''(including an explanation of what is required to present documentary proof of United States citizenship)'';

(B) in paragraph (3), by striking ''and'' at the end;

(C) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following new paragraph:

''(5) shall include a section, for use only by a State or local election official, to record the type of document the applicant presented as documentary proof of United States citizenship, including the date of issuance, the date of expiration (if any), the office which issued the document, and any unique identification number associated with the document.''.

(2) INFORMATION ON MAIL VOTER REGISTRATION FORM.—Section 9(b)(4) of such Act (52 U.S.C. 20508(b)(4)) is amended—

(A) by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively; and

(B) in subparagraph (C) (as so redesignated), by striking the period at the end and inserting the following: '', other than as evidence in a criminal proceeding or immigration proceeding brought against an applicant who attempts to register to vote and makes a false declaration under penalty of perjury that the applicant meets the eligibility requirements to register to vote in an election for Federal office.''.

(i) PRIVATE RIGHT OF ACTION.—Section 11(b)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20510(b)(1)) is amended by striking ''a violation of this Act'' and inserting ''a violation of this Act, including the act of an election official who registers an applicant to vote in an election for Federal office who fails to present documentary proof of United States citizenship,''.

(j) CRIMINAL PENALTIES.—Section 12(2) of such Act (52 U.S.C. 20511(2)) is amended—

(1) by striking ''or'' at the end of subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

''(B) registering an applicant to vote in an election for Federal office who fails to present documentary proof of United States citizenship; or''.

(k) APPLICABILITY OF REQUIREMENTS TO CERTAIN STATES.—Subsection (c) of section 4 of the National Voter Registration Act of 1993 (52 U.S.C. 20503), as redesignated by subsection (b), is amended by striking ''This Act does not apply to a State'' and inserting ''Except with respect to the requirements under section 8(j), this Act does not apply to a State''.

(l) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act, and shall apply with respect to applications for voter registration which are submitted on or after such date.

SEC. 1098. ELECTION ASSISTANCE COMMISSION GUIDANCE.

Not later than 10 days after the date of the enactment of this Act, the Election Assistance Commission shall adopt and transmit to the chief State election official of each State guidance with respect to the implementation of the requirements under section 1097.

SEC. 1099. INAPPLICABILITY OF PAPERWORK REDUCTION ACT.

Subchapter I of chapter 35 of title 44 (commonly referred to as the ''Paperwork Reduction Act'') shall not apply with respect to the development or modification of voter registration materials under section 1097, including the development or modification of any voter registration application forms.

SA 2647. Mr. LEE 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:

Subtitle ____—Military Humanitarian Operations

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Military Humanitarian Operations Act of 2024''.

SEC. ___2. MILITARY HUMANITARIAN OPERATION DEFINED.

(a) IN GENERAL.—In this subtitle, the term ''military humanitarian operation'' means a military operation involving the deployment of members, weapons systems, or assets of the United States Armed Forces to territory, airspace, or waters where hostile activities are reasonably anticipated and with the aim of preventing or responding to a humanitarian catastrophe, including its regional consequences, or addressing a threat posed to international peace and security. The term includes—

(1) the use of funds, personnel, or military assets available to the Department of Defense for permanent or temporary construction of structures to facilitate the delivery of humanitarian aid;

(2) the use of funds, personnel, or military assets of the United States to facilitate the delivery of humanitarian aid through a commercial partner;

(3) humanitarian assistance provided under section 2557 or 2561 of title 10, United States Code; and

(4) unilateral deployments and deployments made in coordination with international organizations, treaty-based organizations, or coalitions formed to address specific humanitarian catastrophes.

(b) OPERATIONS NOT INCLUDED.—The term ''military humanitarian operation'' does not mean a military operation undertaken for the following purposes:

(1) Responding to or repelling attacks, or preventing imminent attacks, on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(2) Direct acts of reprisal for attacks on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(3) Military missions to rescue United States citizens or military or diplomatic personnel abroad.

(4) Humanitarian missions in response to natural disasters where no civil unrest or combat with hostile forces is reasonably anticipated, and where such operation is for not more than 30 days.

(5) Actions to maintain maritime freedom of navigation, including actions aimed at combating piracy.

(6) Training exercises conducted by the United States Armed Forces abroad where no combat with hostile forces is reasonably anticipated.

SEC. ___3. REQUIREMENT FOR CONGRESSIONAL AUTHORIZATION.

The President may not deploy members of the United States Armed Forces into the territory, airspace, or waters of a foreign country for a military humanitarian operation not previously authorized by statute unless—

(1) the President submits to Congress a formal request for authorization to use members of the Armed Forces for the military humanitarian operation; and

(2) Congress enacts a specific authorization for such use of forces.

SEC. ___4. SEVERABILITY.

If any provision of this subtitle is held to be unconstitutional, the remainder of the subtitle shall not be affected.

SA 2648. 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 end of subtitle H of title X, add the following:

SEC. 1095. EXTENSION OF AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking ''grant a license or permit under this subsection shall expire March 9, 2023'' and inserting ''complete a system of competitive bidding under this subsection shall expire on the date that is 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2025''.

SA 2649. 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 subtitle H of title X, insert the following:

SEC. ___. INFORMING CONSUMERS ABOUT SMART DEVICES ACT.

(a) REQUIRED DISCLOSURE OF A CAMERA OR RECORDING CAPABILITY IN CERTAIN INTERNET-CONNECTED DEVICES.—Each manufacturer of a covered device shall disclose, clearly and conspicuously and prior to purchase, whether the covered device manufactured by the manufacturer contains a camera or microphone as a component of the covered device.

(b) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) ACTIONS BY THE COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission (in this section referred to as the ''Commission'') shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PENALTIES AND PRIVILEGES.—Any person who violates this section or a regulation promulgated under this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(3) COMMISSION GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Commission, through outreach to relevant private entities, shall issue guidance to assist manufacturers in complying with the requirements of this section, including guidance about best practices for making the disclosure required by subsection (a) as clear and conspicuous and age appropriate as practicable and about best practices for the use of a pictorial (as defined in section 2(a) of the Consumer Review Fairness Act of 2016 (15 U.S.C. 45b(a))) visual representation of the information to be disclosed.

(4) TAILORED GUIDANCE.—A manufacturer of a covered device may petition the Commission for tailored guidance as to how to meet the requirements of subsection (a) consistent with existing rules of practice or any successor rules.

(5) LIMITATION ON COMMISSION GUIDANCE.—No guidance issued by the Commission with respect to this section shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance. In any enforcement action brought pursuant to this section, the Commission shall allege a specific violation of a provision of this section. The Commission may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidelines, unless the practices allegedly violate subsection (a).

(c) DEFINITION OF COVERED DEVICE.—In this section, the term ''covered device''—

(1) means a consumer product, as defined by section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)) that is capable of connecting to the internet, a component of which is a camera or microphone; and

(2) does not include—

(A) a telephone (including a mobile phone), a laptop, tablet, or any device that a consumer would reasonably expect to have a microphone or camera;

(B) any device that is specifically marketed as a camera, telecommunications device, or microphone; or

(C) any device or apparatus described in sections 255, 716, and 718, and subsections (aa) and (bb) of section 303 of the Communications Act of 1934 (47 U.S.C. 255; 617; 619; and 303(aa) and (bb)), and any regulations promulgated thereunder.

(d) EFFECTIVE DATE.—This section shall apply to all covered devices manufactured after the date that is 180 days after the date on which guidance is issued by the Commission under subsection (b)(3), and shall not apply to covered devices manufactured or sold before such date, or otherwise introduced into interstate commerce before such date.

SA 2650. Ms. HASSAN (for herself and Mr. THUNE) 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. ___. IMPROVEMENTS TO NATIONAL QUANTUM INITIATIVE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the execution of the National Defense Strategy is critical to the functions of the Federal participants of the National Quantum Initiative Program; and

(2) the success of the National Quantum Initiative Program is necessary for the Department of Defense to carry out the National Defense Strategy.

(b) DEPARTMENT OF DEFENSE PARTICIPATION IN NATIONAL QUANTUM INITIATIVE PROGRAM.—

(1) IN GENERAL.—The National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8801 et seq.) is amended by adding at the end the following new title:

''TITLE V—DEPARTMENT OF DEFENSE QUANTUM ACTIVITIES

''SEC. 501. DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

''The quantum information science and technology research and development program carried out under section 234 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2358 note) shall be treated as part of the National Quantum Initiative Program implemented under section 101(a) of this Act.

''SEC. 502. COORDINATION.

''The Secretary of Energy, the Director of the National Institute of Standards and Technology, and the Director of the National Science Foundation shall each coordinate with the Secretary of Defense in the efforts of the Secretary of Defense to conduct basic research to accelerate scientific breakthroughs in quantum information science and technology.''.

(2) CLERICAL AMENDMENT.—The table of contents is section 1(b) of such Act is amended by adding at the end the following:

''TITLE V—DEPARTMENT OF DEFENSE QUANTUM ACTIVITIES

''Sec. 501. Defense quantum information science and technology research and development program.

''Sec. 502. Coordination.''.

(c) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES OF NATIONAL QUANTUM INITIATIVE PROGRAM.—

(1) IN GENERAL.—The Comptroller General of the United States shall—

(A) assess the National Quantum Initiative Program; and

(B) submit to Congress a report on the findings of the Comptroller General with respect to such assessment.

(2) ELEMENTS.—The assessment required by paragraph (1)(A) shall cover the following:

(A) The effectiveness of the National Quantum Initiative Program.

(B) Whether all of the programs, committees, and centers required by the National Quantum Initiative Act (15 U.S.C. 8801 et seq.) have been established.

(C) Whether the agencies, programs, committees, and centers described in subparagraph (B) are effectively collaborating together and conducting joint activities where appropriate.

(D) Identification of inefficiencies or duplications across the various programs of the National Quantum Initiative Program.

(d) ADDITIONAL IMPROVEMENTS IN COORDINATION.—

(1) IN GENERAL.—The Secretary of Energy, the Secretary of Commerce acting through the Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, and the heads of other Federal agencies participating in the National Quantum Initiative Program shall coordinate with each other and the heads of other relevant Federal agencies, including the Secretary of Defense, to carry out the goals of the National Quantum Initiative Program.

(2) SUBCOMMITTEE ON THE ECONOMIC AND SECURITY IMPLICATIONS OF QUANTUM SCIENCE.—

(A) ESTABLISHMENT.—The President shall establish, through the National Science and Technology Council, the Subcommittee on the Economic and Security Implications of Quantum Science (in this paragraph referred to as the ''Subcommittee'').

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Subcommittee shall be composed of members as follows:

(I) One member appointed by the Director of the National Institute of Standards and Technology.

(II) One member appointed by the Director of the National Science Foundation.

(III) One member appointed by the Secretary of Energy.

(IV) One member appointed by the Administrator of the National Aeronautics and Space Administration.

(V) Three members appointed by the Secretary of Defense, of whom—

(aa) one shall be a representative of the Army;

(bb) one shall be a representative of the Navy; and

(cc) one shall be a representative of the Air Force.

(VI) One member appointed by the Director of the National Security Agency.

(VII) One member appointed by the Director of National Intelligence.

(VIII) One member appointed by the Director of the Office of Science and Technology Policy.

(IX) Such other members as the President considers appropriate.

(ii) REQUIREMENT.—Each member of the Subcommittee shall be an employee of the Federal Government.

(C) CHAIRPERSONS.—The Director of the Office of Science and Technology Policy, the Secretary of Defense, the Secretary of Energy, and the Director of the National Security Agency shall jointly be chairpersons of the Subcommittee.

(D) DUTIES.—The Subcommittee shall—

(i) coordinate with the National Science and Technology Council and its subcommittees to ensure that the economic and national security implications of basic research and development in quantum information science, along with other related technologies, are reviewed and planned for;

(ii) analyze economic and national security risks arising from research and development in such areas and make recommendations on how to mitigate those risks; and

(iii) review new programs for national security implications, when feasible, prior to public announcement.

(E) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the chairpersons of the Subcommittee shall submit to Congress a report on the findings and assessments of the Subcommittee regarding economic and national security risks resulting from quantum information science and technology research.

(F) TERMINATION.—The Subcommittee shall terminate on the later of the following:

(i) The date that is five years after the date of the enactment of this Act.

(ii) Such date as the Subcommittee determines appropriate.

(3) INVOLVEMENT OF DEFENSE IN NATIONAL QUANTUM INITIATIVE ADVISORY COMMITTEE.—

(A) QUALIFICATIONS.—Subsection (b) of section 104 of the National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8814) is amended by striking ''and Federal laboratories'' and inserting ''Federal laboratories, and defense researchers''.

(B) INTEGRATION.—Such section is amended—

(i) by redesignating subsections (e) through (g) as subsection (f) through (h), respectively; and

(ii) by inserting after subsection (d) the following new subsection (e):

''(e) INTEGRATION OF DEPARTMENT OF DEFENSE.—The Committee shall take such actions as may be necessary, including by modifying policies and procedures of the Committee, to ensure the full integration of the Department of Defense in activities and programs of the Committee.''.

(4) CLARIFICATION OF PURPOSE OF MULTIDISCIPLINARY CENTERS FOR QUANTUM RESEARCH AND EDUCATION.—Section 302(c) of the National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8842(c)) is amended—

(A) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) encouraging workforce collaboration, both with private industry and among Federal entities, including national defense agencies.''.

(5) CLARIFICATIONS REGARDING NATIONAL QUANTUM INFORMATION SCIENCE RESEARCH CENTERS.—

(A) REQUIREMENTS.—Subsection (c) of section 402 of the National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8852) is amended by inserting ''the national defense agencies,'' after ''industry,''.

(B) COORDINATION.—Subsection (d) of such section is amended—

(i) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(ii) by inserting after paragraph (1) the following new paragraph (2):

''(2) other research entities of the Federal Government, including research entities in the Department of Defense;''.

(6) NATIONAL QUANTUM COORDINATION OFFICE.—

(A) COLLABORATION WHEN REPORTING TO CONGRESS.—Section 102 of the National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8812) is amended—

(i) by redesignating subsection (c) as subsection (d); and

(ii) by inserting after subsection (b) the following new subsection (c):

''(c) COLLABORATION WHEN REPORTING TO CONGRESS.—The Coordination Office shall ensure that when participants in the National Quantum Initiative Program prepare and submit reports to Congress that they do so in collaboration with each other and all appropriate Federal civilian, defense, and intelligence research entities.''.

(B) ADJUSTMENTS.—The National Quantum Coordination Office may make such additional adjustments as it deems necessary to ensure full integration of the Department of Defense into the National Quantum Initiative Program.

(7) REPORTING TO ADDITIONAL COMMITTEES OF CONGRESS.—Paragraph (2) of section 2 of such Act (15 U.S.C. 8801) is amended to read as follows:

''(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

''(B) the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.''.

SA 2651. Ms. KLOBUCHAR (for herself and 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 end of subtitle H of title X, insert the following:

SEC. 1096. SMITHSONIAN MUSEUM SITES.

(a) COMMEMORATIVE WORKS ACT.—Notwithstanding any other provision of law or regulation (including section 8908(c) of title 40, United States Code, and division T of the Consolidated Appropriations Act, 2021 (Public law 116-260))—

(1) the Smithsonian American Women's History Museum may be located at the parcel of land bounded by Independence Avenue, Jefferson Drive, Raoul Wallenberg Place, and 14th Street, Southwest, within the Reserve (as defined in section 8902(a) of title 40, United States Code); and

(2) the National Museum of the American Latino may be located at the parcel of land bounded by Independence Avenue, Maine Avenue, and Raoul Wallenberg Place, Southwest, within the Reserve (as defined in section 8902(a) of title 40, United States Code).

(b) WRITTEN NOTIFICATION OF TRANSFER.—

(1) NOTIFICATION TO FEDERAL AGENCY OR ENTITY .—The Board of Regents shall not designate a site for the Smithsonian American Women's History Museum and the National Museum of the American Latino that is under the administrative jurisdiction of another Federal agency or entity without first notifying the head of the Federal agency or entity.

(2) NOTIFICATION TO CONGRESS.—Once notified under paragraph (1), the head of the Federal agency or entity shall promptly submit written notification to the Chair and ranking minority members of the Committee on Rules and Administration, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate, and the Committee on House Administration, the Committee on Natural Resources, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives, stating that the Federal agency or entity was notified by the Board of Regents that a site under its jurisdiction was designated and that a transfer will be initiated as soon as practicable.

(c) TRANSFER.—Notwithstanding any other provision of law, as soon as practicable after the date on which Congress receives the written notification described in subsection (b)(2), the head of the Federal agency or entity shall transfer to the Smithsonian Institution its administrative jurisdiction over the land or structure that has been designated as the site for the Museum.

SA 2652. Mr. COONS (for himself and Mr. YOUNG) 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. ____. FOUNDATION FOR STANDARDS AND METROLOGY.

(a) IN GENERAL.—Subtitle B of title II of the Research and Development, Competition, and Innovation Act (42 U.S.C. 18931 et seq.; relating to measurement research of the National Institute of Standards and Technology for the future; enacted as part of division B of Public Law 117–167) is amended by adding at the end the following new section:

''SEC. 10236. FOUNDATION FOR STANDARDS AND METROLOGY.

''(a) ESTABLISHMENT.—The Secretary, acting through the Director, shall establish a nonprofit corporation to be known as the 'Foundation for Standards and Metrology'.

''(b) MISSION.—The mission of the Foundation shall be to—

''(1) support the Institute in carrying out its activities and mission to advance measurement science, technical standards, and technology in ways that enhance the economic security and prosperity of the United States; and

''(2) advance collaboration with researchers, institutions of higher education, industry, and nonprofit and philanthropic organizations to accelerate the development of technical standards, measurement science, and the commercialization of emerging technologies in the United States.

''(c) ACTIVITIES.—In carrying out its mission under subsection (b), the Foundation may carry out the following:

''(1) Support international metrology and technical standards engagement activities.

''(2) Support studies, projects, and research on metrology and the development of benchmarks and technical standards infrastructure across the Institute's mission areas.

''(3) Advance collaboration between the Institute and researchers, industry, nonprofit and philanthropic organizations, institutions of higher education, federally funded research and development centers, and State, Tribal, and local governments.

''(4) Support the expansion and improvement of research facilities and infrastructure at the Institute to advance the development of emerging technologies.

''(5) Support the commercialization of federally funded research.

''(6) Conduct education and outreach activities.

''(7) Offer direct support to NIST associates, including through the provision of fellowships, grants, stipends, travel, health insurance, professional development training, housing, technical and administrative assistance, recognition awards for outstanding performance, and occupational safety and awareness training and support, and other appropriate expenditures.

''(8) Conduct such other activities as determined necessary by the Foundation to carry out its mission.

''(d) AUTHORITY OF THE FOUNDATION.—The Foundation shall be the sole entity responsible for carrying out the activities described in subsection (c).

''(e) STAKEHOLDER ENGAGEMENT.—The Foundation shall convene, and may consult with, representatives from the Institute, institutions of higher education, the private sector, non-profit organizations, and commercialization organizations to develop activities for the mission of the Foundation under subsection (b) and to advance the activities of the Foundation under subsection (c).

''(f) LIMITATION.—The Foundation shall not be an agency or instrumentality of the Federal Government.

''(g) SUPPORT.—The Foundation may receive, administer, solicit, accept, and use funds, gifts, devises, or bequests, either absolutely or in trust of real or personal property or any income therefrom or other interest therein to support activities under subsection (c), except that this subsection shall not apply if any of such is from a foreign country of concern or a foreign entity of concern.

''(h) TAX EXEMPT STATUS.—The Board shall take all necessary and appropriate steps to ensure the Foundation is an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

''(i) BOARD OF DIRECTORS.—

''(1) ESTABLISHMENT.—The Foundation shall be governed by a Board of Directors.

''(2) COMPOSITION.—

''(A) IN GENERAL.—The Board shall be composed of the following:

''(i) Eleven appointed voting members described in subparagraph (B).

''(ii) Ex officio nonvoting members described in subparagraph (C).

''(B) APPOINTED MEMBERS.—

''(i) INITIAL MEMBERS.—The Secretary, acting through the Director, shall—

''(I) seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to develop a list of individuals to serve as members of the Board who are well qualified and will meet the requirements of clauses (ii) and (iii); and

''(II) appoint the initial members of the Board from such list, if applicable, in consultation with the National Academies of Sciences, Engineering, and Medicine.

''(ii) REPRESENTATION.—The appointed members of the Board shall reflect a broad cross-section of stakeholders across diverse sectors, regions and communities, including from academia, private sector entities, technical standards bodies, the investment community, the philanthropic community, and other nonprofit organizations.

''(iii) EXPERIENCE.—The Secretary, acting through the Director, shall ensure the appointed members of the Board have the experience and are qualified to provide advice and information to advance the Foundation's mission, including in science and technology research and development, technical standards, education, technology transfer, commercialization, or other aspects of the Foundation's mission.

''(C) NONVOTING MEMBERS.—

''(i) EX OFFICIO MEMBERS.—The Director (or Director's designee) shall be an ex officio member of the Board.

''(ii) NO VOTING POWER.—The ex officio members described in clause (i) shall not have voting power on the Board.

''(3) CHAIR AND VICE CHAIR.—

''(A) IN GENERAL.—The Board shall designate, from among its members—

''(i) an individual to serve as the chair of the Board; and

''(ii) an individual to serve as the vice chair of the Board.

''(B) TERMS.—The term of service of the Chair and Vice Chair of the Board shall end on the earlier of—

''(i) the date that is 3 years after the date on which the Chair or Vice Chair of the Board, as applicable, is designated for the respective position; and

''(ii) the last day of the term of service of the member, as determined under paragraph (4)(A), who is designated to be Chair or Vice Chair of the Board, as applicable.

''(C) REPRESENTATION.—The Chair and Vice Chair of the Board—

''(i) may not be representatives of the same area of subject matter expertise, or entity, as applicable; and

''(ii) may not be representatives of any area of subject matter expertise, or entity, as applicable, represented by the immediately preceding Chair and Vice Chair of the Board.

''(4) TERMS AND VACANCIES.—

''(A) TERM LIMITS.—Subject to subparagraph (B), the term of office of each member of the Board shall be not more than five years, except that a member of the Board may continue to serve after the expiration of the term of such member until the expiration of the 180-day period beginning on the date on which the term of such member expires, if no new member is appointed to replace the departing board member.

''(B) INITIAL APPOINTED MEMBERS.—Of the initial members of the Board appointed under paragraph (4)(A), half of such members shall serve for four years and half of such members shall serve for five years, as determined by the Chair of the Board.

''(C) VACANCIES.—Any vacancy in the membership of the appointed members of the Board—

''(i) shall be filled in accordance with the bylaws of the Foundation by an individual capable of representing the same area or entity, as applicable, as represented by the vacating board member under paragraph (2)(B)(ii);

''(ii) shall not affect the power of the remaining appointed members to carry out the duties of the Board; and

''(iii) shall be filled by an individual selected by the Board.

''(5) QUORUM.—A majority of the members of the Board shall constitute a quorum for the purposes of conducting the business of the Board.

''(6) DUTIES.—The Board shall carry out the following:

''(A) Establish bylaws for the Foundation in accordance with paragraph (7).

''(B) Provide overall direction for the activities of the Foundation and establish priority activities.

''(C) Coordinate with the Institute the activities of the Foundation to ensure consistency with the programs and policies of the Institute.

''(D) Evaluate the performance of the Executive Director of the Foundation.

''(E) Actively solicit and accept funds, gifts, grants, devises, or bequests of real or personal property to the Foundation, including from private entities.

''(F) Carry out any other necessary activities of the Foundation.

''(7) BYLAWS.—The Board shall establish bylaws for the Foundation. In establishing such bylaws, the Board shall ensure the following:

''(A) The bylaws of the Foundation include the following:

''(i) Policies for the selection of the Board members, officers, employees, agents, and contractors of the Foundation.

''(ii) Policies, including ethical and disclosure standards, for the following:

''(I) The acceptance, solicitation, and disposition of donations and grants to the Foundation, including appropriate limits on the ability of donors to designate, by stipulation or restriction, the use or recipient of donated funds.

''(II) The disposition of assets of the Foundation.

''(iii) Policies that subject all employees, fellows, trainees, and other agents of the Foundation (including appointed voting members and ex officio members of the Board) to conflict of interest standards.

''(iv) The specific duties of the Executive Director of the Foundation.

''(B) The bylaws of the Foundation and activities carried out under such bylaws do not—

''(i) reflect unfavorably upon the ability of the Foundation to carry out its responsibilities or official duties 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.

''(8) RESTRICTIONS ON MEMBERSHIP.—

''(A) EMPLOYEES.—No employee of the Department of Commerce may be appointed as a voting member of the Board.

''(B) STATUS.—Each voting member of the Board shall be—

''(i) a citizen of the United States;

''(ii) a national of the United States (as such term is defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a));

''(iii) an alien admitted as a refugee under section 207 of such Act (8 U.S.C. 1157); or

''(iv) an alien lawfully admitted to the United States for permanent residence.

''(9) COMPENSATION.—

''(A) IN GENERAL.—Members of the Board may not receive compensation for serving on the Board.

''(B) CERTAIN EXPENSES.—In accordance with the bylaws of the Foundation, members of the Board may be reimbursed for travel expenses, including per diem in lieu of subsistence, and other necessary expenses incurred in carrying out the duties of the Board.

''(10) LIAISON REPRESENTATIVES.—The Secretary, acting through the Director, shall designate representatives from across the Institute to serve as the liaisons to the Board and the Foundation.

''(11) PERSONAL LIABILITY OF BOARD MEMBERS.—The members of the Board shall not be personally liable, except for malfeasance.

''(j) ADMINISTRATION.—

''(1) EXECUTIVE DIRECTOR.—

''(A) IN GENERAL.—The Foundation shall have an Executive Director who shall be appointed by the Board, and who shall serve at the pleasure of the Board, and for whom the Board shall establish the rate of compensation. Subject to the bylaws established under subsection (i)(7), the Executive Director shall be responsible for the daily operations of the Foundation in carrying out the activities of the Foundation under subsection (c).

''(B) RESPONSIBILITIES.—In carrying out the daily operations of the Foundation, the Executive Director of the Foundation shall carry out the following:

''(i) Hire, promote, compensate, and discharge officers and employees of the Foundation, and define the duties of such officers and employees.

''(ii) Accept and administer donations to the Foundation, and administer the assets of the Foundation.

''(iii) Enter into such contracts and execute legal instruments as are appropriate in carrying out the activities of the Foundation.

''(iv) Perform such other functions as necessary to operate the Foundation.

''(C) RESTRICTIONS.—

''(i) EXECUTIVE DIRECTOR.—The Executive Director shall be—

''(I) a citizen of the United States;

''(II) a national of the United States (as such term is defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a));

''(III) an alien admitted as a refugee under section 207 of such Act (8 U.S.C. 1157); or

''(IV) an alien lawfully admitted to the United States for permanent residence.

''(ii) OFFICERS AND EMPLOYEES.—Each officer or employee of the Foundation shall be—

''(I) a citizen of the United States;

''(II) a national of the United States (as such term is defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a));

''(III) an alien admitted as a refugee under section 207 of such Act (8 U.S.C. 1157); or

''(IV) an alien lawfully admitted to the United States for permanent residence.

''(2) ADMINISTRATIVE CONTROL.—No member of the Board, officer or employee of the Foundation or of any program established by the Foundation, or participant in a program established by the Foundation, may exercise administrative control over any Federal employee.

''(3) TRANSFER OF FUNDS TO INSTITUTE.—The Foundation may transfer funds and property to the Institute, which the Institute may accept and use and which shall be subject to all applicable Federal limitations relating to federally funded research.

''(4) STRATEGIC PLAN.—Not later than one year after the establishment of the Foundation, the Foundation shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a strategic plan that contains the following:

''(A) A plan for the Foundation to become financially self-sustaining in the next five years.

''(B) Short- and long-term objectives of the Foundation, as identified by the Board.

''(C) A description of the efforts the Foundation will take to be transparent in the processes of the Foundation, including processes relating to the following:

''(i) Grant awards, including selection, review, and notification.

''(ii) Communication of past, current, and future research priorities.

''(iii) Solicitation of and response to public input on the priorities identified by the Foundation.

''(D) A description of the financial goals and benchmarks of the Foundation for the following ten years.

''(E) A description of the efforts undertaken by the Foundation to ensure maximum complementarity and minimum redundancy with investments made by the Institute.

''(5) REPORT.—

''(A) IN GENERAL.—Not later than 18 months after the establishment of the Foundation and not later than February 1 of each year thereafter, the Foundation shall publish a report describing the activities of the Foundation during the immediately preceding fiscal year. Each such report shall include with respect to such fiscal year a comprehensive statement of the operations, activities, financial condition, progress, and accomplishments of the Foundation.

''(B) FINANCIAL CONDITION.—With respect to the financial condition of the Foundation, each report under subparagraph (A) shall include the source, and a description of, all support under subsection (g) provided to the Foundation. Each such report shall identify the persons or entities from which such support is received, and include a specification of any restrictions on the purposes for which such support may be used.

''(C) PUBLICATION.—The Foundation shall make copies of each report submitted under subparagraph (A) available—

''(i) for public inspection, and shall upon request provide a copy of the report to any individual for a charge not to exceed the cost of providing such copy; and

''(ii) to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(6) AUDITS AND DISCLOSURE.—The Foundation shall—

''(A) provide for annual audits of the financial condition of the Foundation, including a full list of the Foundation's donors and any restrictions on the purposes for which gifts to the Foundation may be used; and

''(B) make such audits, and all other records, documents, and other papers of the Foundation, available to the Secretary and the Comptroller General of the United States for examination or audit.

''(7) EVALUATION BY COMPTROLLER GENERAL.—Not later than five years after the date on which the Foundation is established, the Comptroller General of the United States shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the following:

''(A) An evaluation of the following:

''(i) The extent to which the Foundation is achieving the mission of the Foundation.

''(ii) The operation of the Foundation.

''(B) Any recommendations on how the Foundation may be improved.

''(k) INTEGRITY.—

''(1) IN GENERAL.—To ensure integrity in the operations of the Foundation, the Board shall develop and enforce procedures relating to standards of conduct, financial disclosure statements, conflicts of interest (including recusal and waiver rules), audits, and any other matters determined appropriate by the Board.

''(2) FINANCIAL CONFLICTS OF INTEREST.—To mitigate conflicts of interest and risks from malign foreign influence, any individual who is an officer, employee, or member of the Board is prohibited from any participation in deliberations by the Foundation of a matter that would directly or predictably affect any financial interest of any of the following:

''(A) Such individual.

''(B) A relative of such individual.

''(C) A business organization or other entity in which such individual or relative of such individual has an interest, including an organization or other entity with which such individual is negotiating employment.

''(3) SECURITY.—This section shall be carried out in accordance with the provision of subtitle D of title VI of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19231 et seq.; enacted as part of division B of Public Law 117–167) and section 223 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (42 U.S.C. 6605).

''(l) INTELLECTUAL PROPERTY.—The Board shall adopt written standards to govern the ownership and licensing of any intellectual property rights developed by the Foundation or derived from the collaborative efforts of the Foundation

''(m) FULL FAITH AND CREDIT.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation. The full faith and credit of the United States shall not extend to any obligations of the Foundation.

''(n) SUPPORT SERVICES.—The Secretary, acting through the Director, may provide facilities, utilities, and support services to the Foundation if it is determined by the Director to be advantageous to the research programs of the Institute.

''(o) NONAPPLICABILITY.—Chapter 10 of title 5, United States Code, shall not apply to the Foundation.

''(p) SEPARATE FUND ACCOUNTS.—The Board shall ensure that amounts received pursuant to the authorization of appropriations under subsection (q) are held in a separate account from any other funds received by the Foundation.

''(q) FUNDING; AUTHORIZATION OF APPROPRIATIONS.—Notwithstanding any other provision of law, from amounts authorized to be appropriated for a fiscal year beginning with fiscal year 2025 to the Secretary of Commerce pursuant to section 10211, the Director may transfer not less than $500,000 and not more than $1,250,000 to the Foundation each such fiscal year.

''(r) DEFINITIONS.—In this section:

''(1) BOARD.—The term 'Board' means the Board of Directors of the Foundation, established pursuant to subsection (i).

''(2) DIRECTOR.—The term 'Director' means the Director of the National Institute of Standards and Technology.

''(3) FOREIGN COUNTRY OF CONCERN.—The term 'foreign country of concern' has the meaning given such term in section 10638 of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19237; enacted as part of division B of Public Law 117–167).

''(4) FOREIGN ENTITY OF CONCERN.—The term 'foreign entity of concern' has the meaning given such term in section 10638 of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19237; enacted as part of division B of Public Law 117–167).

''(5) FOUNDATION.—The term 'Foundation' means the Foundation for Standards and Metrology established pursuant to subsection (a).

''(6) INSTITUTE.—The term 'Institute' means the National Institute of Standards and Technology.

''(7) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(8) NIST ASSOCIATE.—The term 'NIST associate' means any guest researcher, facility user, volunteer, or other nonemployee of the National Institute of Standards and Technology who conducts research or otherwise engages in an authorized activity with National Institute of Standards and Technology

personnel or at a National Institute of Standards and Technology facility.

''(9) RELATIVE.—The term 'relative' has the meaning given such term in section 13101 of title 5, United States Code.

''(10) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

''(11) TECHNICAL STANDARD.—The term 'technical standard' has the meaning given such term in section 12(d)(5) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of Public Law 117–167 is amended by inserting after the item relating to section 10235 the following new item:

''Sec. 10236. Foundation for Standards and Metrology.''.

SA 2653. 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 end of subtitle A of title XII, add the following:

SEC. 1216. RECOGNIZING GENOCIDE IN DARFUR.

(a) SHORT TITLE.—This section may be cited as the ''Genocide in Darfur Act of 2024''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the atrocities occurring in Sudan, including those that amount to crimes against humanity and genocide being committed by the Rapid Support Forces (RSF) and allied militias against the Masalit people and other non-Arab ethnic groups in Darfur, and the roles of the RSF and Sudanese Armed Forces (SAF) in perpetrating atrocities, humanitarian catastrophe, and the destruction of Sudan are reprehensible; and

(2) the war and all violence and atrocities in Sudan must end immediately.

(c) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to take urgent steps to work with the international community, including through multilateral fora, to establish means to protect civilians, including by—

(A) establishing safe zones and humanitarian corridors;

(B) enforcing the United Nations Security Council arms embargo on Darfur; and

(C) brokering a comprehensive cease-fire and disarming the warring parties in Sudan;

(2) to support the consistent and transparent documentation of atrocities and genocidal acts in Sudan by instituting a mechanism that will, to the greatest extent possible, publicly release such documentation on a consistent and regular basis;

(3) to immediately identify mechanisms through which to fund local, community-based organizations that are currently providing humanitarian assistance to the Sudanese people in conflict-affected areas that traditional implementing partners cannot reach, including for the delivery of food, medical aid, and shelter to individuals impacted by the war in Sudan;

(4) to regularly review and update the atrocities determination for Sudan;

(5) to support tribunals and international criminal investigations to hold persons responsible for war crimes, crimes against humanity, and genocide; and

(6) to conduct a comprehensive review of efforts by the Atrocity Prevention Task Force to prevent, analyze, and respond to atrocities in Sudan, in alignment with the 2022 United States Strategy to Anticipate, Prevent, and Respond to Atrocities.

(d) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on United States efforts regarding the tracking, reporting, and raising awareness of genocide and other atrocity crimes committed in Sudan.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) United States Government efforts to collect, analyze, and preserve evidence and information related to genocide and other atrocity crimes committed by the warring parties in Sudan, including a description of—

(i) the respective roles of various agencies, departments, and offices, and the interagency mechanism established for the coordination of such efforts;

(ii) the types of information and evidence that are being collected, analyzed, and preserved to help identify those responsible for the commission of genocide or other atrocities;

(iii) the types and amounts of assistance from the United States Agency for International Development and the Department of State dedicated to the collection, analysis, and preservation of evidence related to acts of genocide or other atrocities; and

(iv) the steps taken to coordinate with and support the work of partners, international institutions and organizations, and nongovernmental organizations in such efforts.

(B) The legal thresholds met or still unmet regarding the issuance of an updated atrocities determination that recognizes members of the RSF have committed genocide in Sudan.

(C) Any media, public diplomacy, and information operations bringing global awareness to—

(i) efforts to identify and prosecute the persons responsible for the commission of genocide or other atrocities during the conflict in Sudan; and

(ii) the types of acts that may be prosecutable.

(D) The process for a domestic, foreign, or international court or tribunal to request and obtain from the United States Government information related to genocide or other atrocities committed during the conflict in Sudan.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

SA 2654. Mr. RISCH (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 title XII, add the following:

Subtitle G—Multilateral Sanctions Coordination With Respect to the Russian Federation

SEC. 1291. STATEMENT OF POLICY REGARDING COORDINATION OF MULTILATERAL SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION.

(a) IN GENERAL.—In response to the Russian Federation's unprovoked and illegal invasion of Ukraine, it is the policy of the United States that—

(1) the United States, along with the European Union, the G7, Australia, and other willing allies and partners of the United States, should lead a coordinated international sanctions regime to freeze sovereign assets of the Russian Federation;

(2) the head of the Office of Sanctions Coordination of the Department of State should engage in interagency and multilateral coordination with agencies of the European Union, the G7, Australia, and other allies and partners of the United States to ensure the ongoing implementation and enforcement of sanctions with respect to the Russian Federation in response to its invasion of Ukraine;

(3) the Secretary of State, in consultation with the Secretary of the Treasury, should, to the extent practicable and consistent with relevant United States law, lead and coordinate with the European Union, the G7, Australia, and other allies and partners of the United States with respect to enforcement of sanctions imposed with respect to the Russian Federation;

(4) the United States should provide relevant technical assistance, implementation guidance, and support relating to enforcement and implementation of sanctions imposed with respect to the Russian Federation;

(5) where appropriate, the head of the Office of Sanctions Coordination, in coordination with the Bureau of Economic and Business Affairs and the Bureau of European and Eurasian Affairs of the Department of State and the Department of the Treasury, should seek private sector input regarding sanctions policy with respect to the Russian Federation and the implementation of and compliance with such sanctions imposed with respect to the Russian Federation; and

(6) the Secretary of State, in coordination with the Secretary of the Treasury, should continue robust diplomatic engagement with allies and partners of the United States, including the European Union, the G7, and Australia, to encourage such allies and partners to impose such sanctions.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Office of Sanctions Coordination of the Department of State $15,000,000 for each of fiscal years 2025, 2026, and 2027 to carry out this section.

(2) SUPPLEMENT NOT SUPPLANT.—The amounts authorized to be appropriated by paragraph (1) shall supplement and not supplant other amounts authorized to be appropriated for the Office of Sanctions Coordination.

SEC. 1292. ASSESSMENT OF IMPACT OF UKRAINE-RELATED SANCTIONS ON THE ECONOMY OF THE RUSSIAN FEDERATION.

(a) REPORT AND BRIEFINGS.—At the times specified in subsection (b), the President shall submit a report and provide a briefing to the appropriate congressional committees on the impact on the economy of the Russian Federation of sanctions imposed by the United States and other countries with respect to the Russian Federation in response to the unlawful invasion of Ukraine by the Russian Federation.

(b) TIMING.—The President shall—

(1) submit a report and provide a briefing described in subsection (a) to the appropriate

congressional committees not later than 90 days after the date of the enactment of this Act; and

(2) submit to the appropriate congressional committees a report described in subsection (a) every 180 days thereafter until the date that is 5 years after such date of enactment.

(c) ELEMENTS.—Each report required by this section shall include—

(1) an assessment of—

(A) the impacts of the sanctions described in subsection (a), disaggregated by major economic sector, including the energy, aerospace and defense, shipping, banking, and financial sectors;

(B) the macroeconomic impact of those sanctions on Russian, European, and global economy market trends, including shifts in global markets as a result of those sanctions; and

(C) efforts by other countries or actors and offshore financial providers to facilitate sanctions evasion by the Russian Federation or take advantage of gaps in international markets resulting from the international sanctions regime in place with respect to the Russian Federation; and

(2) recommendations for further sanctions enforcement measures based on trends described in paragraph (1)(B).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

SEC. 1293. INFORMATION ON VOTING PRACTICES IN THE UNITED NATIONS WITH RESPECT TO THE INVASION OF UKRAINE BY THE RUSSIAN FEDERATION.

Section 406(b) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 2414a(b)), is amended—

(1) in paragraph (4), by striking ''Assembly on'' and all that follows through ''opposed by the United States'' and inserting the following: ''Assembly on—''

''(A) resolutions specifically related to Israel that are opposed by the United States; and

''(B) resolutions specifically related to the invasion of Ukraine by the Russian Federation.'';

(2) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

''(6) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which member countries supported United States policy objectives in the Security Council and the General Assembly with respect to the invasion of Ukraine by the Russian Federation; and''.

SA 2655. 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 end of subtitle A of title XII, add the following:

SEC. 1216. EMERGENCY AUTHORITIES TO EXPAND THE TIMELINESS AND REACH OF UNITED STATES INTERNATIONAL FOOD ASSISTANCE.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the United States Agency for International Development is authorized to procure lifesaving food aid commodities, including commodities available locally and regionally, for the provision of emergency food assistance to the most vulnerable populations in countries and areas experiencing acute food insecurity that has been exacerbated by rising food prices, particularly in countries and areas historically dependent upon imports of wheat and other staple commodities from Ukraine and Russia.

(b) PRIORITIZATION.—

(1) IN GENERAL.—In responding to crises in which emergency food aid commodities are unavailable locally or regionally, or in which the provision of locally or regionally procured agricultural commodities would be unsafe, impractical, or inappropriate, the Administrator should prioritize procurements of United States agricultural commodities, including when exercising authorities under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292).

(2) LOCAL OR REGIONAL PROCUREMENTS.—In making local or regional procurements of food aid commodities pursuant to subsection (a), the Administrator, to the extent practicable and appropriate, should prioritize procurements from areas supported through the international agricultural development programs authorized under the Global Food Security Act of 2016 (22 U.S.C. 9301 et seq.) and from Ukraine, for the purpose of promoting economic stability, resilience to price shocks, and early recovery from such shocks in such areas.

(c) DO NO HARM.—In making local or regional procurements of food aid commodities pursuant to subsection (a), the Administrator shall first conduct market assessments to ensure that such procurements—

(1) will not displace United States agricultural trade and investment; and

(2) will not cause or exacerbate shortages, or otherwise harm local markets, for such commodities within the countries of origin.

(d) EMERGENCY EXCEPTIONS.—

(1) IN GENERAL.—Commodities procured pursuant to subsection (b) shall be excluded from calculations of gross tonnage for purposes of determining compliance with section 55305(b) of title 46, United States Code.

(2) CONFORMING AMENDMENT.—Section 55305(b) of title 46, United States Code, is amended by striking ''shall'' and inserting ''should''.

(e) EXCLUSIONS.—The authority under subsection (a) shall not apply to procurements from—

(1) the Russian Federation;

(2) the People's Republic of China; or

(3) any country subject to sanctions under—

(A) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(B) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(C) section 1754(c) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)).

SA 2656. 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 end of subtitle A of title XII, add the following:

SECTION 1216. MILLENNIUM CHALLENGE CORPORATION CANDIDATE COUNTRY REFORM.

(a) SHORT TITLE.—This section may be cited as the ''Millennium Challenge Corporation Candidate Country Reform Act''.

(b) MODIFICATIONS OF REQUIREMENTS TO BECOME A CANDIDATE COUNTRY.—Section 606 of the Millennium Challenge Act of 2003 (22 U.S.C. 7705) is amended to read as follows:

''SEC. 606. CANDIDATE COUNTRIES.

''(a) IN GENERAL.—A country shall be a candidate country for purposes of eligibility to receive assistance under section 605 if—

''(1) the per capita income of the country in a fiscal year is equal to or less than the World Bank threshold for initiating the International Bank for Reconstruction and Development graduation process for the fiscal year; and

''(2) subject to subsection (b), the country is not ineligible to receive United States economic assistance under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) by reason of the application of any provision of the Foreign Assistance Act of 1961 or any other provision of law.

''(b) RULE OF CONSTRUCTION.—For the purposes of determining whether a country is eligible, pursuant to subsection (a)(2), to receive assistance under section 605, the exercise by the President, the Secretary of State, or any other officer or employee of the United States Government of any waiver or suspension of any provision of law referred to in subsection (a)(2), and notification to the appropriate congressional committees in accordance with such provision of law, shall be construed as satisfying the requirements under subsection (a).

''(c) DETERMINATION BY THE BOARD.—The Board shall determine whether a country is a candidate country for purposes of this section.''.

(c) CONFORMING AMENDMENTS.—

(1) AMENDMENT TO REPORT IDENTIFYING CANDIDATE COUNTRIES.—Section 608(a)(1) of the Millennium Challenge Act of 2003 (22 U.S.C. 7707(a)(1)) is amended by striking ''section 606(a)(1)(B)'' and inserting ''section 606(a)(2)''.

(2) AMENDMENT TO MILLENNIUM CHALLENGE COMPACT AUTHORITY.—Section 609(b)(2) of such Act (22 U.S.C. 7708(b)(2)) is amended—

(A) by amending the paragraph heading to read as follows: ''COUNTRY CONTRIBUTIONS''; and

(B) by striking ''with respect to a lower middle income country described in section 606(b),''.

(3) AMENDMENT TO AUTHORIZATION TO PROVIDE ASSISTANCE FOR CANDIDATE COUNTRIES.—Section 616(b)(1) of such Act (22 U.S.C. 7715(b)(1)) is amended by striking ''subsection (a) or (b) of section 606'' and inserting ''section 606(a)''.

(d) MODIFICATION TO FACTORS IN DETERMINING ELIGIBILITY.—Section 607(c)(2) of the Millennium Challenge Act of 2003 (22 U.S.C. 7706(c)(2)) is amended in the matter preceding subparagraph (A) by striking ''consider'' and inserting ''prioritize need and impact by considering''.

(e) REPORTING ALIGNMENT.—Section 613(a) of the Millennium Challenge Act of 2003 (22 U.S.C. 7712(a)) is amended to read as follows:

''(a) REPORT.—Not later than the third Friday of December of each year, the Chief Executive Officer shall submit a report to Congress describing the assistance provided pursuant to section 605 during the most recently concluded fiscal year.''.

(f) REPORT ON EFFORTS TO UNDERMINE PROGRAMS OF THE MILLENNIUM CHALLENGE CORPORATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the Millennium Challenge Corporation shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that details any efforts targeted towards undermining Millennium Challenge Corporation programs, particularly efforts conducted by the People's Republic of China.

(2) FORM.—The report required under paragraph (1) shall be submitted in an unclassified form, but may include a classified annex.

SA 2657. 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 end of subtitle A of title XII, add the following:

SEC. 1216. PERMANENT ENACTMENT OF CERTAIN GENERAL APPROPRIATIONS PROVISIONS.

(a) SHORT TITLE.—This section may be cited as the ''American Values Act''.

(b) FOREIGN ASSISTANCE ACT OF 1961.—Section 104(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(f)) is amended to read as follows:

''(f) PROHIBITION ON USE OF FUNDS FOR ABORTIONS AND INVOLUNTARY STERILIZATIONS.—None of the funds authorized to be appropriated or otherwise made available to carry out this Act may be made available—

''(1) to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions;

''(2) to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations;

''(3) to pay for biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning;

''(4) to lobby for or against abortion; or

''(5) to any organization or program which, as determined by the President, supports or participates in the management of a program of coercive abortion or involuntary sterilization.''.

(c) PEACE CORPS ACT.—Section 301(b) of the Peace Corps Act (22 U.S.C. 2501a(b)) is amended by adding at the end the following:

''(3) Subject to section 614 of the Financial Services and General Government Appropriations Act, 2014 (division E of Public Law 113–76; 128 Stat. 227), none of the funds authorized to be appropriated or otherwise made available to carry out this Act may be used to pay for abortions.''.

SA 2658. 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 end of subtitle F of title XII, add the following:

SEC. 1291. OPPOSITION OF UNITED STATES TO AN INCREASE IN WEIGHT OF CHINESE RENMINBI IN SPECIAL DRAWING RIGHTS BASKET OF INTERNATIONAL MONETARY FUND.

(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Governor of, and the United States Executive Director at, the International Monetary Fund to use the voice and vote of the United States to oppose any increase in the weight of the Chinese renminbi in the basket of currencies used to determine the value of Special Drawing Rights, unless the Secretary of the Treasury has submitted a written report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that includes a certification that—

(1) the People's Republic of China is in compliance with all its obligations under Article VIII of the Articles of Agreement of the Fund;

(2) during the preceding 12 months, there has not been a report submitted under section 3005 of the Omnibus Trade and Competitiveness Act of 1988 (22 U.S.C. 5305) or section 701 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4421) in which the People's Republic of China has been found to have manipulated its currency;

(3) the People's Republic of China has instituted and is implementing the policies and practices necessary to ensure that the renminbi is freely usable (within the meaning of Article XXX(f) of the Articles of Agreement of the Fund); and

(4) the People's Republic of China adheres to the rules and principles of the Paris Club and the Arrangement on Officially Supported Export Credits of the Organisation for Economic Co-operation and Development.

(b) SUNSET.—Subsection (a) shall have no force or effect on or after the date that is 10 years after the date of the enactment of this Act.

SA 2659. 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 end of subtitle A of title XII, add the following:

SEC. ___. REPORT ON WITHDRAWAL OF THE UNITED STATES ARMED FORCES FROM NIGER AND ON FUTURE SECURITY COOPERATION IN NIGER, THE SAHEL, AND WEST AFRICA.

(a) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report on the circumstances and factors that led up to the departure of the United States Armed Forces from Niger, and policy recommendations for future security cooperation in Niger, the Sahel, and West Africa.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An examination of the circumstances and actions by the United States and Niger that led to the withdrawal of the United States Armed Forces, including—

(i) the impact of Niger's July 26, 2023, coup d'état;

(ii) actions by partners, allies, and other external actors;

(iii) United States management of Nigerien concerns regarding the Status of Forces Agreement (SOFA), the presence of the United States Armed Forces in Niger, and the sharing of intelligence; and

(iv) the handling of diplomatic tensions and issues by United States and Nigerien officials, including bilateral meetings that occurred in March 2024 resulting in the announcement by the National Council for the Safeguard of the Homeland (CNSP) demanding the withdrawal of the United States Armed Forces from Niger.

(B) An assessment of the impact of the withdrawal of the United States Armed Forces from Niger on United States national security interests and United States partners and allies in the Sahel and West Africa, including the limits placed on the United States and United States partners and allies to conduct effective counterterrorism operations.

(C) A risk assessment of United States assets and infrastructure remaining in Niger and the potential use of such assets and infrastructure by the Russian Federation, other malign actors, or violent extremist organizations present in the region.

(D) An evaluation of the cooperation between the United States Armed Forces and the military forces of Niger through the Joint Disengagement Commission during the withdrawal of the United States Armed Forces from Niger, including the impact of relationships and training from prior United States-Niger military cooperation on the conduct of the Joint Disengagement Commission's work.

(E) An assessment of the efforts by the National Council for the Safeguard of the Homeland and Nigerien civilian government and military officials to ensure a secure, unhindered, and timely withdrawal of the United States Armed Forces.

(F) Options for future security cooperation with Niger and a nonpermanent presence of the United States Armed Forces, including conditions and benchmarks for each option.

(G) A review of the interagency strategy for the Sahel after the withdrawal of the United States Armed Forces from Niger, including recommended options for adapting the approach to the rapidly evolving regional security, development, and political context in the Sahel and West Africa.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SA 2660. 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 end of subtitle F of title XII, add the following:

SEC. 1291. DEVELOPMENT OF ECONOMIC TOOLS AND STRATEGY TO DETER AGGRESSION BY PEOPLE'S REPUBLIC OF CHINA AGAINST TAIWAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States must be prepared to take immediate action to impose sanctions with respect to any military or nonmilitary entities owned, controlled, or acting at the direction of the Government of the PRC or the Chinese Communist Party that are supporting actions by the Government of the PRC or the Chinese Communist Party to—

(1) overthrow or dismantle the governing institutions in Taiwan;

(2) occupy any territory controlled or administered by Taiwan;

(3) violate the territorial integrity of Taiwan; or

(4) take significant action against Taiwan, including—

(A) conducting a naval blockade of Taiwan;

(B) seizing any outlying island of Taiwan; or

(C) perpetrating a significant cyber attack on Taiwan.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Finance of the Senate;

(E) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(F) the Committee on Commerce, Science, and Transportation of the Senate;

(G) the Committee on Foreign Affairs of the House of Representatives;

(H) the Committee on Armed Services of the House of Representatives;

(I) the Committee on Financial Services of the House of Representatives;

(J) the Committee on Energy and Commerce of the House of Representatives; and

(K) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Commerce, Science, and Transportation of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Financial Services of the House of Representatives; and

(F) the Committee on Energy and Commerce of the House of Representatives.

(3) PRC.—The term ''PRC'' means the People's Republic of China.

(c) TASK FORCE.—Not later than 180 days after the date of the enactment of this Act, the Office of Sanctions Coordination of the Department of State and the Office of Foreign Asset Control of the Department of the Treasury, in coordination with the Office of the Director of National Intelligence, shall establish an interagency task force (referred to in this section as the ''Task Force'') to identify military or nonmilitary entities that could be subject to sanctions imposed by the United States immediately following any action or actions taken by the PRC that demonstrate an attempt to achieve, or has the significant effect of achieving, the physical or political control of Taiwan, including by taking any of the actions described in paragraphs (1) through (4) of subsection (a).

(d) STRATEGY.—Not later than 180 days after the establishment of the Task Force, the Task Force shall submit a strategy to the appropriate congressional committees for identifying targets under this section, which shall include—

(1) an assessment of how existing sanctions regimes could be used to impose sanctions with respect to entities identified pursuant to subsection (c);

(2) a strategy for developing or proposing, as appropriate, new sanctions authorities that might be required to impose sanctions with respect to such entities;

(3) an analysis of the potential economic consequences to the United States, and to allies and partners of the United States, of imposing various types of sanctions with respect to those entities and assess measures that could be taken to mitigate those consequences, including through the use of licenses, exemptions, carve-outs, and other forms of relief;

(4) a strategy for working with allies and partners of the United States—

(A) to leverage sanctions and other economic tools to deter or respond to aggression against Taiwan;

(B) to identify and resolve potential impediments to coordinating sanctions-related efforts with respect to responding to or deterring aggression against Taiwan; and

(C) to identify industries, sectors, or goods and services with respect to which the United States and allies and partners of the United States can take coordinated action through sanctions or other economic tools that will have a significant negative impact on the economy of the PRC;

(5) an assessment of the resource gaps and needs at the Department of State, the Department of the Treasury, and other Federal agencies, as appropriate, to most effectively use sanctions and other economic tools to respond to the threat posed by the PRC;

(6) recommendations on how best to target sanctions and other economic tools against individuals, entities, and economic sectors in the PRC, taking into account the role of those targets in supporting policies and activities of the Government of the PRC or the Chinese Communist Party that pose a threat to the national security or foreign policy interests of the United States, the negative economic implications of those sanctions and tools for that government, including its ability to achieve its objectives with respect to Taiwan, and the potential impact of those sanctions and tools on the stability of the global financial system, including with respect to—

(A) state-owned enterprises;

(B) officials of the Government of the PRC;

(C) financial institutions associated with the Government of the PRC;

(D) companies in the PRC that are not formally designated by the Government of the PRC as state-owned enterprises; and

(7) the identification of any foreign military or non-military entities that would likely be used to achieve the outcomes specified in subsection (a)(1), including entities in the shipping, logistics, energy (including oil and gas), aviation, ground transportation, and technology sectors.

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the submission of the strategy required under subsection (d), and semiannually thereafter, the Task Force shall submit a report to the appropriate congressional committees that includes information regarding—

(A) any entities identified pursuant to subsection (c) or (d)(7);

(B) any new authorities needed to impose sanctions with respect to such entities;

(C) potential economic impacts on the PRC, the United States, and allies and partners of the United States of imposing sanctions with respect to those entities, as well as mitigation measures that could be employed to limit deleterious impacts on the United States and allies and partners of the United States;

(D) the status of coordination with allies and partners of the United States on sanctions and other economic tools identified under this section;

(E) resource gaps and recommendations to enable the Department of State and the Department of the Treasury to use sanctions to more effectively respond to the malign activities of the Government of the PRC; and

(F) any additional resources that may be necessary to carry out the strategy.

(2) FORM.—Each report required under paragraph (1) shall be submitted in classified form.

(f) IDENTIFICATION OF VULNERABILITIES AND LEVERAGE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense, in consultation with the Secretary of Commerce, the Secretary of the Treasury, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, shall jointly submit a report to the appropriate committees of Congress that identifies—

(1) goods and services from the United States that are relied on by the PRC such that reliance presents a strategic opportunity and source of leverage against the PRC, including during a conflict; and

(2) procurement practices of the United States Government that are reliant on trade with the PRC and other inputs from the PRC, such that reliance presents a strategic vulnerability and source of leverage that the Chinese Communist Party could exploit, including during a conflict.

(g) STRATEGY TO RESPOND TO COERCIVE ACTION.—

(1) IN GENERAL.—Not later than 180 days after the submission of the report required under subsection (f), the Secretary of the Treasury, in coordination with the Secretary of State and in consultation with the Secretary of the Defense, the Secretary of Commerce, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, shall submit to the appropriate committees of Congress a report, utilizing the findings of the report required under subsection (f), that describes a comprehensive sanctions strategy to advise policymakers on policies the United States and allies and partners of the United States could adopt with respect to the PRC in response to any coercive action, including an invasion, by the PRC that infringes upon the territorial sovereignty of Taiwan by preventing access to international waterways, airspace, or telecommunications networks.

(2) ELEMENTS.—The strategy required under paragraph (1) shall include policies that—

(A) restrict the access of the People's Liberation Army to oil, natural gas, munitions, and other supplies needed to conduct military operations against Taiwan, United States facilities in the Pacific and Indian Oceans, and allies and partners of the United States in the region;

(B) diminish the capacity of the industrial base of the PRC to manufacture and deliver defense articles to replace those lost in operations of the People's Liberation Army against Taiwan, the United States, and allies and partners of the United States;

(C) inhibit the ability of the PRC to evade United States and multilateral sanctions

through third parties, including through secondary sanctions;

(D) identify specific sanctions-related tools that may be effective in responding to coercive action described in paragraph (1) and assess the feasibility of the use and impact of the use of such tools;

(E) identify and resolve potential impediments to coordinating sanctions-related efforts with respect to responding to or deterring aggression against Taiwan with allies and partners of the United States;

(F) identify industries, sectors, or goods and services with respect to which the United States, working with allies and partners of the United States, can take coordinated action through sanctions or other economic tools that will have a significant negative impact on the economy of the PRC; and

(G) identify tactics used by the Government of the PRC to influence the public in the United States and Taiwan through propaganda and disinformation campaigns, including such campaigns focused on delegitimizing Taiwan or legitimizing a forceful action by the PRC against Taiwan.

(h) RECOMMENDATIONS FOR REDUCTION OF VULNERABILITIES AND LEVERAGE.—Not later than 180 days after the submission of the report required under subsection (g), the Secretary of State and the Secretary of Defense, in consultation with the Secretary of Commerce, the Secretary of the Treasury, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, shall jointly submit to the appropriate committees of Congress a report that—

(1) identifies critical sectors within the United States economy that rely on trade with the PRC and other inputs from the PRC (including active pharmaceutical ingredients, rare earth minerals, and metallurgical inputs) that present a strategic vulnerability and source of leverage that the Chinese Communist Party or the People's Republic of China could exploit; and

(2) includes recommendations to Congress regarding the steps that could be taken to reduce the sources of leverage described in paragraph (1) and subsection (f)(1), including through—

(A) providing economic incentives and making other trade and contracting reforms to support United States industry and job growth in critical sectors and to indigenize production of critical resources; and

(B) policies for facilitating ''near-shoring or friend-shoring'' or otherwise developing strategies to facilitate that process with allies and partners of the United States, in other sectors for which domestic reshoring would prove infeasible for any reason.

(i) FORM.—The reports required under subsections (f), (g), and (h) shall be submitted in unclassified form, but may include a classified annex.

(j) RULES OF CONSTRUCTION.—Nothing in this section may be construed as—

(1) a change to the One China Policy of the United States, which is guided by the Taiwan Relations Act (22 U.S.C. 3301 et seq.), the three United States-People's Republic of China Joint Communiqués, and the Six Assurances; or

(2) authorizing the use of military force.

SA 2661. 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 end of subtitle F of title XII, add the following:

SEC. 1291. PROHIBITION ON CERTAIN GIFTS AND CONTRACTS FROM THE PEOPLE'S REPUBLIC OF CHINA TO CERTAIN UNITED STATES INSTITUTIONS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Energy and Commerce of the House of Representatives.

(2) CONTRACT.—The term ''contract'' means any agreement to acquire, by purchase, lease, or barter, property or services for the direct benefit or use of either of party to the agreement.

(3) COVERED PRC PERSON.—The term ''covered PRC person'' means a person that, according to unclassified or publicly available information—

(A) is a current or former member of the People's Liberation Army of the People's Republic of China;

(B) is currently, or was formerly, employed in any security or intelligence service of the People's Republic of China;

(C) is, or is affiliated with, an entity identified by the Secretary of Defense under section 1260H(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note) as a Chinese military company operating directly or indirectly in the United States;

(D) is, or is affiliated with, any entity that is included in the Non-SDN Chinese Military-Industrial Complex Companies List maintained by the Office of Foreign Assets Control of by the Department of the Treasury;

(E) is, or is affiliated with, the United Front Work Department of the Government of the People's Republic of China or any subsidiary or affiliate organization, or is otherwise involved in activities that support the goals of the United Front Work Department;

(F) is an employee of any entity owned or controlled by the Government of the People's Republic of China;

(G) is or was an employee of any entity on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations;

(H) is or was an employee of an entity organized under the laws of the People's Republic of China that—

(i) is in noncompliance with the auditing rules and standards of the Public Company Accounting Oversight Board; or

(ii) has been sanctioned by the Public Company Accounting Oversight Board;

(I) is a think tank directed or funded by the Chinese Communist Party or any entity of the Government of the People's Republic of China;

(J) is any state key laboratory, including any defense science and technology state key laboratory identified in the 2022 report of the China Aerospace Studies Institute of the Department of the Air Force entitled ''The PRC State & Defense Laboratory System Part Two: Defense S&T Key Lab Directory'' that is—

(i) working on critical emerging technologies, including advanced computing, advanced engineering materials, advanced gas turbine engine technologies, advanced manufacturing, advanced and networked sensing and signature management, advanced nuclear energy technologies, artificial intelligence, autonomous systems and robotics, biotechnologies, communication and networking technologies, directed energy, financial technologies, human-machine interfaces, hypersonics, networked sensors and sensing, quantum information technologies, renewable energy generation and storage, semiconductors and microelectronics, or space technologies and systems; and

(ii) affiliated with, controlled, or administratively managed by an agency of the Government of the People's Republic of China, the Chinese Academy of Sciences, or the Polar Research Institute of China; or

(K) is, or was affiliated with, any entity owned or controlled by an agency or instrumentality of any person described in any of subparagraphs (A) through (J).

(4) COVERED UNITED STATES INSTITUTION.—The term ''covered United States institution'' means any public or private institution or, if a multicampus institution, any single campus of such institution, in any State—

(A) that is legally authorized within such State to provide a program of education beyond secondary school;

(B) that provides a program for which the institution awards a bachelor's degree (or provides not less than a 2-year program which is acceptable for full credit toward such a degree) or a more advanced degree;

(C) that is accredited by a nationally recognized accrediting agency or association; and

(D) to which the Federal Government extends Federal financial assistance (directly or indirectly through another entity or person), or that receives support from the extension of Federal financial assistance to any of the institution's subunits.

(5) CRITICAL TECHNOLOGIES.—The term ''critical technologies'' has the meaning given such term in section 721(a)(6) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(6))).

(6) FOREIGN SOURCE.—The term ''foreign source'' means—

(A) a foreign government, including an agency of a foreign government;

(B) a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states;

(C) an individual who is not a citizen or a national of the United States or a trust territory or protectorate thereof; and

(D) an agent, including a subsidiary or affiliate of a foreign legal entity, acting on behalf of a foreign source.

(7) FREELY ASSOCIATED STATES.—The term ''Freely Associated States'' means the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(8) GIFT.—The term ''gift'' means any gift of money or property.

(9) RESTRICTED OR CONDITIONAL GIFT OR CONTRACT.—The term ''restricted or conditional gift or contract'' means any endowment, gift, grant, contract, award, present, or property of any kind that includes provisions regarding—

(A) the employment, assignment, or termination of faculty;

(B) the establishment of departments, centers, research or lecture programs, or new faculty positions;

(C) the selection or admission of students; or

(D) the award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion.

(10) STATE.—The term ''State'' includes, in addition to the several States of the United States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Freely Associated States.

(11) STATE KEY LABORATORY.—The term ''state key laboratory'' means an institution in the People's Republic of China that has been categorized as a national laboratory or state key laboratory by, and receives funding, policy, developmental guidance, or administrative support from, the Government of the People's Republic of China.

(b) PROHIBITION.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall prescribe regulations to prohibit a covered United States institution from accepting a gift from, or entering into a contract with, a covered PRC person if—

(A)(i) the value of the gift or contract equals or exceeds $1,000,000; or

(ii) including the gift or contract, the institution would receive, directly or indirectly, more than 1 gift from or enter into more than 1 contract, directly or indirectly, with the same covered PRC person, the aggregate of which, during a period of 2 consecutive calendar years, would equal or exceed $1,000,000; and

(B) the gift or contract—

(i) relates to research, development, or production of critical technologies and provides the covered PRC person making the gift or providing the contract—

(I) access to regulated or unregulated United States-developed information, technology, or data in the possession of the institution; or

(II) rights, including early access, to intellectual property created by or in the possession of the institution; or

(ii) except as provided under paragraph (2), is a restricted or conditional gift or contract.

(2) EXCEPTION FOR OPERATING AGREEMENTS FOR BRANCHES OF COVERED UNITED STATES INSTITUTIONS.—The Secretary of State shall include, in the regulations prescribed pursuant to paragraph (1), an exception to the prohibition under such paragraph for a contract between a covered United States institution and a branch of such institution located in the People's Republic of China that provides funding for the operation of such branch.

(c) PENALTIES.—

(1) FINE.—

(A) IN GENERAL.—A covered United States institution that accepts a gift or enters into a contract in violation of subsection (b) shall be fined—

(i) for the first such violation, not more than $250,000;

(ii) for the second such violation, not more than $500,000; and

(iii) for the third such violation or a subsequent such violation, not more than the greater of—

(I) $1,000,000; or

(II) the total value of the gift or contract, as the case may be.

(B) AVAILABILITY OF FINES TO ADMINISTER THIS SECTION.—

(i) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund, consisting of such amounts as may be transferred to the fund pursuant to clause (ii).

(ii) TRANSFER OF AMOUNTS.—The Secretary of the Treasury shall transfer to the fund established under clause (i), from the general fund of the Treasury, an amount determined by the Secretary of State to be equivalent to the amount received in the general fund and attributable to fines collected under subparagraph (A) during fiscal year 2024 and during each fiscal year thereafter.

(iii) AVAILABILITY AND USE OF AMOUNTS.—Amounts in the fund established under clause (i) shall be available, as provided in advance in appropriations Acts, to the Secretary of State for fiscal year 2025 and for each fiscal year thereafter to carry out this section.

(2) REQUIREMENT TO RETURN GIFT OR TERMINATE CONTRACT.—A covered United States institution that accepts a gift or enters into a contract in violation of subsection (b) shall return the gift or terminate the contract, as the case may be.

(3) RESTRICTION ON FUNDING FROM THE DEPARTMENT OF STATE.—

(A) IN GENERAL.—A covered United States institution that accepts a gift or enters into a contract in violation of subsection (b) is ineligible to receive any grant or other funding from the Department of State during the 5-year period beginning on the date on which the institution accepts such gift or enters into such contract, as the case may be.

(B) RESTRICTION ON GRANTEES DOING BUSINESS WITH VIOLATORS.—A person that receives a grant or other funding from the Department of State may not, as a condition of the grant or funding, conduct any business with a covered United States institution that accepts a gift or enters into a contract in violation of subsection (b) during the 5-year period beginning on the date on which the institution accepts such gift or enters into such contract, as the case may be.

(4) WAIVER.—

(A) AUTHORIZATION.—The Secretary of State may waive the application of not more than 2 of the penalties under paragraphs (1) through (3), with respect to a covered United States institution that accepts a gift or enters into a contract in violation of subsection (b), if the President—

(i) determines that—

(I) such waiver is in the national security interest of the United States; and

(II) such gift or contract does not result in any restrictions on academic freedom or freedom of expression within the United States; and

(ii) not later than 15 days after making such determination, submits to the chairperson and ranking member of the appropriate committees of Congress a written report regarding such determination that includes a detailed justification for the determination.

(B) ELEMENTS.—Each report submitted pursuant to subparagraph (A)(ii) shall—

(i) be accompanied by materials submitted by the covered United States institution that accepted a gift or entered into a contract in violation of subsection (b) disclosing—

(I) the covered PRC person that provided the gift or with which the contract was entered into;

(II) the nature of the gift or contract; and

(III) the purpose of the gift or contract; and

(ii) include a detailed justification for why the gift or contract does not result in—

(I) harm to the national security of the United States; or

(II) any restrictions on academic freedom or freedom of expression within the United States.

(d) GUIDANCE.—The regulations prescribed pursuant to subsection (b)(1) shall—

(1) provide guidance to covered United States institutions with respect to complying with this section; and

(2) provide a specific point of contact through which covered United States institutions can communicate with the Department of State on matters relating to compliance with this section.

(e) DISCLOSURE REPORTS.—

(1) IN GENERAL.—A covered United States institution shall submit to the Secretary of State a disclosure report relating to any gift or contract received from or entered into with a foreign source described in paragraph (5) that includes—

(A) the aggregate dollar amount or value of the gift or contract;

(B) a detailed description of the nature and purpose of the gift or contract, including—

(i) whether such gift or contract relates to the research, development, or production of critical technologies and, if so, a description of the nature of such relationship; and

(ii) whether it is a restricted or conditional gift or contract and, if so, a description of the restrictions or conditions on the gift or contract;

(C) in the case of a gift or contract that relates to the research, development, or production of critical technologies or that is a restricted or conditional gift or contract, a justification for why the gift or contract does not result in—

(i) harm to the national security of the United States; or

(ii) any restrictions on academic freedom or freedom of expression within the United States;

(D) the name and verified address of the foreign source;

(E) a description of any due diligence conducted by such institution before accepting the gift or entering into the contract; and

(F) an assurance that such institution will—

(i) maintain a true copy of the gift or contract agreement until the later of—

(I) the date that is 4 years after the date on which such institution entered into such agreement; or

(II) the date on which such agreement terminates;

(ii) produce a true copy of the gift or contract agreement upon the request of the Secretary of State during an audit of the compliance of the institution with this section or another institutional investigation; and

(iii) ensure that all gifts and contracts from the foreign source are translated into English by a third party that is unaffiliated with the foreign source or institution.

(2) PROVISION OF INFORMATION TO CONGRESS UPON REQUEST.—

(A) IN GENERAL.—The Secretary of State shall provide the information described in subparagraph (B) to the chairperson or ranking member of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives not later than 15 days after receiving a request from the chairperson or ranking member for such information.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph, with respect to any disclosure report submitted under paragraph (1) is—

(i) any information required to be included in the report; and

(ii) a justification for any decision by the Secretary of State with respect to the gift or contract that is the subject of the report.

(3) PUBLIC INFORMATION.—The Secretary of State shall make public, in a searchable database, with respect to each gift or contract that is the subject of a disclosure report submitted under paragraph (1)—

(A) the aggregate dollar amount or value of the gift or contract;

(B) a summary of the purpose of the gift or contract, including—

(i) whether the gift or contract relates to the research, development, or production of critical technologies and, if so, a description of the nature of such relationship; and

(ii) whether it is a restricted or conditional gift or contract and, if so, a description of

the restrictions or conditions on the gift or contract; and

(C) with respect to the foreign source from which the gift was received or with which the contract was entered into—

(i) in the case of a foreign source that is an individual, the primary professional affiliation of the individual; and

(ii) in the case of a foreign source that is an entity, the name and verified address of the entity.

(4) CONDITION.—A gift received from, or a contract entered into with, a foreign source described in paragraph (5) may not be disclosed to the Department of State or to the chairperson or ranking member of the Committee on Foreign Relations of the Senate or of the Committee on Foreign Affairs of the House of Representatives, or publicly reported, as anonymous.

(5) FOREIGN SOURCES DESCRIBED.—A foreign source described in this paragraph is a foreign source that is—

(A) the Chinese Communist Party or the Government of the People's Republic of China, including an agency of such government;

(B) a legal entity (governmental or otherwise) created solely under the laws of the People's Republic of China;

(C) an individual who is a citizen or a national of the People's Republic of China; or

(D) an agent, including a subsidiary or affiliate of a foreign legal entity, acting on behalf of—

(i) the Chinese Communist Party or the Government of the People's Republic of China; or

(ii) an entity or individual described in subparagraph (B) or (C).

(f) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and annually thereafter for a period of 7 years, the Secretary of State shall submit to the appropriate committees of Congress a report that—

(A) describes steps taken during the period described in paragraph (2) to implement this section;

(B) includes information or recommendations to improve the implementation of this section; and

(C) includes any other information the Secretary of State considers relevant.

(2) PERIOD DESCRIBED.—The period described in this paragraph is—

(A) in the case of the first report required by paragraph (1), the 2-year period beginning on the date of the enactment of this Act; and

(B) in the case of any subsequent such report, the 1-year period preceding submission of the report.

(3) FORM OF REPORT.—

(A) IN GENERAL.—The report required under paragraph (1) shall be submitted in unclassified form, but (subject to subparagraph (B)) may include a classified annex.

(B) MATERIAL REQUIRED TO BE UNCLASSIFIED.—The Secretary of State shall include all information on foreign donations received by covered United States institutions in the unclassified portion of the report required by paragraph (1).

SA 2662. 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 end of subtitle F of title XII, add the following:

SEC. 1291. ADVANCING OVERSIGHT OF INTERNATIONAL LIFE SCIENCES RESEARCH.

(a) SHORT TITLE.—This section may be cited as the ''Biological Weapons Act of 2024''.

(b) 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 Armed Services of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Health, Education, Labor, and Pensions of the Senate

(E) the Committee on Foreign Affairs of the House of Representatives;

(F) the Committee on Armed Services of the House of Representatives;

(G) the Permanent Select Committee on Intelligence of the House of Representatives; and

(H) the Committee on Energy and Commerce of the House of Representatives;

(2) BIOLOGICAL WEAPONS CONVENTION.—The term ''Biological Weapons Convention'' means the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow, April 10, 1972.

(3) DUAL USE RESEARCH OF CONCERN.—The term ''dual use research of concern'' is life sciences research that—

(A) involves an international partner; and

(B) based on current understanding can be reasonably anticipated to provide knowledge, information, products, or technologies that could be directly misapplied to pose a significant threat with broad potential consequences to public health and safety, agricultural crops and other plants, animals, the environment, materiel, or national security.

(4) OTHER INTERNATIONAL LIFE SCIENCES RESEARCH OF CONCERN.—The term ''other international life sciences research of concern'' means —

(A) research conducted by or with an international partner;

(B) involves or is anticipated to involve enhancing a potential pandemic pathogen, the characterization of pathogens with pandemic potential, or modifying a pathogen in such a way that it could acquire pandemic potential; or

(C) involves enhancing the pathogenicity, contagiousness, or transmissibility of viruses or bacteria in ways or for purposes that can be reasonably anticipated to pose a threat to public health and safety or national security.

(c) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to conduct rigorous scrutiny of and regularly review international biological, bacteriological, virological, and other relevant research collaboration that could be weaponized or reasonably considered dual-use research of concern, and incorporate national security and nonproliferation considerations and country-specific conditions into decisions regarding such collaborations;

(2) to ensure that, in the search for solutions to pressing global health challenges, United States Government support for public health research and other actions does not advance the capabilities of foreign adversaries in the area of dual use research of concern or inadvertently contribute to the proliferation of biological weapons technologies; and

(3) to declassify, to the maximum extent possible, all intelligence relevant to the People's Republic of China's compliance or lack of compliance with its obligations under the Biological Weapons Convention, and other national security concerns regarding biological, bacteriological, virological, and other relevant research by the People's Republic of China that could be weaponized or reasonably considered dual use research of concern that may be outside the scope of the Biological Weapons Convention.

(d) AMENDMENTS TO SECRETARY OF STATE AUTHORITIES IN THE ARMS CONTROL AND DISARMAMENT ACT.—

(1) RESEARCH, DEVELOPMENT, AND OTHER STUDIES.—Section 301(a) of the Arms Control and Disarmament Act (22 U.S.C. 2571(a)) is amended by inserting ''biological, virological,'' after ''bacteriological''.

(2) OVERSIGHT OF DUAL-USE RESEARCH.—

(A) IN GENERAL.—Title III of the Arms Control and Disarmament Act (22 U.S.C. 2571 et seq.) is amended by adding at the end the following:

''SEC. 309. AUTHORITIES WITH RESPECT TO DUAL USE RESEARCH OF CONCERN AND OTHER INTERNATIONAL LIFE SCIENCES RESEARCH OF CONCERN.

''(a) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term 'appropriate committees of Congress' means—

''(A) the Committee on Foreign Relations of the Senate;

''(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

''(C) the Committee on Foreign Affairs of the House of Representatives; and

''(D) the Committee on Energy and Commerce of the House of Representatives.

''(2) DUAL USE RESEARCH OF CONCERN.—The term ' dual use research of concern' has the meaning given such term in section 1299(b)(3) of the Biological Weapons Act of 2024.

''(3) OTHER INTERNATIONAL LIFE SCIENCES RESEARCH OF CONCERN.—The term 'other international life sciences research of concern' has the meaning given such term in section 1299(b)(4) of the Biological Weapons Act of 2024.

''(b) OVERSIGHT OF DUAL USE RESEARCH OF CONCERN AND OTHER INTERNATIONAL LIFE SCIENCES RESEARCH OF CONCERN.—The Secretary of State, with respect to oversight of dual-use research of concern and other international life sciences research of concern, shall—

''(1) ensure robust and consistent Department of State participation in interagency processes and review mechanisms;

''(2) require the Administrator of the United States Agency for International Development to report to and consult with the Department of State on any proposed programs, projects, initiatives, or funding for dual use research of concern or other international life sciences research of concern;

''(3) evaluate whether proposed international scientific and technological cooperation activities in which the United States Government participates that involves dual use research of concern or other international life sciences research of concern, including research related to biological agents, toxins, and pathogens, aligns with the United States National Security Strategy and related strategic documents;

''(4) create, in consultation with other Federal departments and agencies, policies and processes for post-award oversight of grants and funding for dual use research of concern and other international life sciences research of concern, including as aligned with current laws and regulations and for grants or funding from other Federal departments and agencies, such that the Department of State is kept apprised of any national security or foreign policy concerns that may

arise with respect to a project funded by another Federal department or agency;

''(5) conduct periodic reviews of the adequacy of consultative mechanisms with other Federal Departments and agencies with respect to oversight of dual use research of concern and other international life sciences research of concern, especially consultative mechanisms required under United States law, and identify recommendations for improving such consultative mechanisms;

''(6) direct Chiefs of Mission to ensure Country Team Assessments are submitted to the Department of State and the head of the Federal department or agency proposing to sponsor programs and collaborations to scrutinize whether such programs or collaborations involve dual use research of concern or other life international life sciences research of concern, and that such assessments are integrated into relevant interagency processes; and

''(7) direct Chiefs of Mission to increase embassy reporting in other countries on dual use research of concern, other international life sciences research of concern, biosecurity hazards trends in the development of synthetic biology and biotechnology, and other related matters.

''(c) REPORTS TO CONGRESS.—

''(1) IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of the Biological Weapons Act of 2024, and semiannually thereafter for the following 5 years, the Secretary of State shall submit a report to the appropriate committees of Congress regarding the implementation of subsection (a).

''(2) REPORT ON APPROVALS OF COLLABORATION.—Not later than 1 year after the date of the enactment of the Biological Weapons Act of 2024, and annually thereafter for the following 4 years, the Secretary of State should shall submit a report to the appropriate committees of Congress that describes any research or other collaboration, including transfer agreements, memoranda of understanding, joint research projects, training, and conferences involving significant knowledge transfer that was approved or not objected to by the Secretary of State and the justification for such approval or lack of an objection.''.

(e) REPORT ON THREATS RELATED TO SPECIFIC DUAL USE RESEARCH OF CONCERN AND OTHER INTERNATIONAL LIFE SCIENCES RESEARCH OF CONCERN.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary of State shall submit to the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House of Representatives an assessment of the key national security risks of dual use research of concern or other international life sciences research of concern, including—

(1) major issues the Department of State is prioritizing with respect to the misuse or weaponization of, or that be reasonably anticipated to be misused or weaponized, biological, bacteriological, and virological research, or the misuse or weaponization of, or that be reasonably anticipated to be misused or weaponized, any other category of dual use research of concern or other international life sciences research of concern by state and non-state actors;

(2) the Department of State's efforts to develop and promote measures to prevent such misuse, weaponization, or proliferation of dual use research of concern or other international life sciences research of concern;

(3) an assessment of targeted national level and government directed policies, research initiatives, or other relevant efforts focused on dual use research of concern or other international life sciences research of concern, including—

(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;

(E) any other nation identified in the report required under section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a); and

(F) any terrorist group or malign non-state actor;

(4) an assessment of the national security concerns posed by any of the activities described in paragraphs (1) or (3);

(5) a description of collaboration between ostensibly civilian entities, including research laboratories, and military entities on the activities identified in paragraph (3);

(6) a description of the confidence-building measures or other attempts by the countries in paragraph (3) to justify, clarify, or explain the activities described in such paragraph;

(7) the extent to which the Secretary of State assesses the Biological Weapons Convention and any other relevant international agreements account for or keep pace with the security threats of the activities identified in paragraph (3);

(8) a description of the process the United States Government uses, including the role of the Department of State, to approve and review funding or other support, including subgrants in other countries for dual use research of concern or other life sciences research of concern, including research related to biological agents, toxins, and pathogens that does or can reasonably be anticipated to pose a risk of misuse, weaponization, or other threat to United States national security;

(9) a list and description of United States Government interagency mechanisms and international groups or coordinating bodies on biosecurity and dual use research of concern in which the Department of State is a member or has a formal role; and

(10) a description of any obstacles or challenges to the ability of United States Government to address the requirements specified in this section, including a description of gaps in authorities, intelligence collection and analysis, organizational responsibilities, and resources.

(f) REPORT ON UNITED STATES FUNDING RESEARCH WITH THE PEOPLE'S REPUBLIC OF CHINA.—

(1) IN GENERAL.—Not later than 400 days after the date of the enactment of this Act, the President shall conduct a formal review, and produce a written report, all United States Government-funded research collaboration initiatives conducted with international partners in the past 20 years with the People's Republic of China related to research areas that pose potential biological weapons proliferation risks or meet the criteria of dual use research of concern or other international life sciences research of concern.

(2) ELEMENTS.—The review required under subsection (a) shall—

(A) provide a detailed description and example projects of the initiatives identified pursuant to subsection (a), the current status of such programs, including dates of initiation and termination, and the criteria for granting approval of funding;

(B) outline the procedures used to approve or deny such grants or other funding, including coordination, if any, between agencies responsible for public health preparedness and biomedical research agencies, including the Department of Health and Human Services, and national security agencies, including the Department of State, the Department of Defense, and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003));

(C) identify gaps in United States Government safeguards regarding sufficient measures to prevent any such research intended for civilian purposes from being diverted for military research in the People's Republic of China;

(D) an assessment of how to best address any such gaps in procedures, especially regarding greater interagency input;

(E) how the research conducted with the grants and funding requests listed pursuant to subparagraph (A) may have contributed to the development of biological weapons, or the development of technology and advancements that meet the criteria of dual use research of concern or other international life sciences research of concern in the People's Republic of China;

(F) how the United States Government's understanding of the People's Republic of China's ''military-civil fusion'' national strategy informed and affected such funding decisions, and how it will inform future funding decisions in research related to gain-of-function, synthetic biology, biotechnology, or other research areas that pose biological weapons proliferation or dual-use concerns;

(G) whether any United States Government funding was used to support gain-of-function research in the People's Republic of China during the United States moratorium on such research between 2014 and 2017;

(H) steps taken the by United States Government, if any to apply additional scrutiny to United States Government funding, including subgrants, to support gain-of-function research in the People's Republic of China after the United States Government lifted the moratorium on gain-of-function research in 2017; and

(I) any other relevant matter discovered during the course of the review.

(3) REPORT SUBMISSION.—Not later than 15 days after completing the report required under paragraph (1), the President shall submit such report to the appropriate congressional committees.

(4) FORM OF REPORT.—The report required under paragraph (1) shall be unclassified, but may include a classified annex.

(g) BIOLOGICAL AND TOXIN WEAPONS REVIEW CONFERENCE.—

(1) STATEMENT OF POLICY.—In order to promote international peace and security, it is the policy of the United States to promote compliance with the Biological Weapons Convention in accordance with paragraphs (2) through (4).

(2) ACTIVITIES TO ADVANCE UNITED STATES INTERESTS AT MEETINGS OF THE BIOLOGICAL WEAPONS CONVENTION.—Before each Review Conference of the Biological Weapons Convention, the Secretary of State shall—

(A) demand greater transparency from the Government of the People's Republic of China's activities on dual use research of concern and the applications of such research that raise concerns regarding its compliance with Article I of the Biological Weapons Convention;

(B) engage with other governments, the private sector (including in relevant science and technology fields), and other stakeholders, as appropriate, regarding—

(i) United States concerns about the People's Republic of China's compliance with the Biological Weapons Convention; and

(ii) the national security, public health, and non-proliferation implications of such concerns; and

(C) emphasize that the People's Republic of China's national strategy of military-civil fusion undermines the underlying utility and effectiveness of the Biological Weapons Convention, which may not adequately capture the full range of technologies with dual-use

implications being pursued by the People's Republic of China.

(3) DECLASSIFICATION OF INTELLIGENCE.—The President should, as appropriate, declassify intelligence relevant to the People's Republic of China's obligations under the Biological Weapons Convention and concerns about its compliance.

(4) SECURITY COUNCIL COMPLAINT.—If the questions and concerns raised pursuant to paragraph (2) are not adequately addressed and another state party is believed to be in breach of an obligation under the Biological Weapons Convention, the President should consider lodging a complaint to the Security Council pursuant to Article VI of the Biological Weapons Convention.

(h) ANNUAL REPORT BY THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Administrator of the United States Agency for International Development shall submit an annual report to the appropriate congressional committees that describes all funding, including subgrants, for research involving or related to the study of pathogens, viruses, and toxins provided to entities subject to the jurisdiction of countries listed in paragraph (2), which shall include a national security justification by the Secretary of State for such funding.

(2) LIST OF COUNTRIES SPECIFIED.—The countries covered by the report required under paragraph (1) are—

(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; and

(E) any other country specified in the report assessing compliance with the Biological Weapons Convention, as required under section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) in the relevant calendar year.

(3) FORM.—The report required under paragraph (1)) shall be submitted in unclassified form, but may include a classified annex.

(i) UNITED NATIONS AGENCIES, PROGRAMS, AND FUNDS.—

(1) REQUIREMENT.—The Permanent Representative of the United States to the United Nations shall use the voice, vote, and influence of the United States at the United Nations to block representatives from any country specified in the report required under section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) from serving in leadership positions within any United Nations organ, fund, program, or related specialized agency with responsibility for global health security (including animal health), biosecurity, atomic, biological or chemical weapons, or food security and agricultural development.

(2) LIST OF COUNTRIES SPECIFIED.—The countries covered by the report required under paragraph (1) are—

(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;

(E) the Assad Regime of Syria; and

(F) any other country specified in the report required under section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) in the relevant calendar year.

(3) SUNSET.—This subsection shall cease to have any force or effect beginning on the date that is 5 years after the date of the enactment of this Act.

SA 2663. 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 end of subtitle F of title XII, add the following:

SEC. 1291. RESTRICTION ON TRACK 1.5 DIALOGUES WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the PRC has undertaken a breathtaking expansion of its nuclear weapons and missile arsenal and is now engaged in a sprint to strategic parity with the United States;

(2) the PRC has failed to respond to United States efforts to participate in confidence-building measures related to strategic issues or to establish official dialogues with the United States on crisis stability and arms race stability;

(3) the PRC is not implementing previously agreed to military-to-military confidence-building measures that require notification of major military exercises, nor is it adhering to the Memorandum of Understanding on the Rules of Behavior for Safety of Air and Maritime Encounters between the Department of Defense of the United States of America and the Ministry of National Defense of the People's Republic of China, done at Washington and Beijing November 9, 2014, or its supplemental agreements;

(4) the PRC is failing to adhere to its commitment under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968 (commonly referred to as the ''Nuclear Nonproliferation Treaty'' or the ''NPT''), ''to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control'';

(5) the PRC's nuclear weapons expansion is designed to undermine extended deterrence commitments made by the United States to allies in the Indo-Pacific region;

(6) Sino-Russian nuclear energy cooperation is designed in part to generate additional fissile material to help fuel the PRC's nuclear weapons expansion;

(7) the Chinese Communist Party (CCP) does not share the United States interest in preventing proliferation and has been a central contributor to fostering the nuclear weapons and ballistic missile programs of Pakistan, North Korea, and Iran;

(8) the United States should not continue to solicit Chinese participation in arms control talks;

(9) multilateral fora like P–5 meetings of the nuclear-weapon states (as defined in the Nuclear Nonproliferation Treaty) are ineffective and are used by the Chinese Communist Party to create the appearance of cooperation; and

(10) the United States should cease funding and participating in Track 1.5 dialogues with the PRC on nuclear weapons, strategic space, and missile defense, which have not led to beneficial outcomes in government-to-government discussions on those topics and provide the PRC with insight and know how into nuclear strategy and other topics without providing reciprocal insight for the United States.

(b) DEFINED TERM.—In this section, the term ''Track 1.5 dialogue'' means a dialogue or other meeting on a policy issue or issues that includes nongovernment representatives and government representatives.

(c) LIMITATION ON USE OF FUNDS.—No amounts appropriated or otherwise made available to the Department of State or the Department of Defense may be obligated or expended for any diplomatic or military-to-military Track 1.5 dialogues on nuclear, missile defense, or space policy with any entity under the direct control of the Chinese Communist Party or the Government of the People's Republic of China, including the Ministry of Foreign Affairs, the Ministry of Defense, or the People's Liberation Army of the People's Republic of China.

SA 2664. 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 end of subtitle F of title XII, add the following:

SEC. 1291. AMENDMENT TO THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961.

(a) EXCLUSION OF GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA FROM CERTAIN CULTURAL EXCHANGES; REQUIRED REVIEWS.—Section 108A of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2458a) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) For purposes of this section, the term 'foreign government' does not include the Government of the People's Republic of China.''; and

(2) by striking subsection (c) and inserting the following:

''(c) REVIEWS.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, and every 3 years thereafter, subject to the exception in paragraph (3), the Secretary shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that contains a review of each educational or cultural exchange program approved in accordance with this section to ensure such programs continue to adhere to the purposes set forth in section 101.

''(2) CONTENTS.—The report required under paragraph (1) shall include—

''(A) information, including agendas or itineraries, of activities carried out pursuant to programs authorized under this section during the covered reporting period; and

''(B) with respect to each cultural exchange program, a written assessment and determination by the Assistant Secretary of State for Educational and Cultural Affairs and the Assistant Secretary of State of the regional bureau responsible for the country or countries in which the educational or cultural exchange takes place regarding whether the program continues to adhere to the purposes set forth in section 101, based on the information collected pursuant to subparagraph (A) and other relevant information jointly submitted by such officials.

''(3) WHITE LIST EXCEPTION.—

''(A) IN GENERAL.—For any program that takes place within a country that is a United States ally or close strategic partner and has been approved in accordance with this section, the Department of State, following the

submission of the second report required under paragraph (1), may place such program on a list of programs authorized under this Act that the Secretary determines, in 2 consecutive reports submitted pursuant to this subsection, have demonstrated a track record of full compliance with the purposes set forth in section 101. The list identifying such programs shall be referred to in this paragraph as the 'MECEA White List'.

''(B) MECEA WHITE LIST REQUIREMENTS.—The MECEA White List shall be—

''(i) submitted as an addendum to the review required under this section; and

''(ii) reviewed not less frequently than every 6 years.

''(C) EXCEPTION TO REVIEW.—The review requirement described in paragraph (1) shall not apply with respect to any program that is included on the MECEA White List.

''(D) COUNTRIES INELIGIBLE FOR WHITE LIST.—The MECEA White List shall not include trips or exchanges to the Bolivarian Republic of Venezuela, the People's Republic of China, the Republic of Cuba, or the Russian Federation.

''(4) RULE OF CONSTRUCTION.—The Secretary is not required to provide advanced approval of a specific or individual trip or activity if such trip or activity is undertaken as part of a program reviewed and approved in accordance with this section.

''(d) REMEDIATION AND TERMINATION.—If the Secretary determines that a program is no longer in compliance with the purposes set forth in section 101, the Secretary—

''(1) shall make all efforts to work with the foreign government with whom the agreement for such program has been made on remediation to ensure the program is in full compliance with the purposes set forth in section 101; and

''(2) if the efforts described in paragraph (1) fail to ensure such compliance, is authorized to suspend or terminate such program.''.

(b) REPORTING REQUIREMENTS WITH RESPECT TO PARTICIPATION BY UNITED STATES ENTITIES IN CULTURAL EXCHANGE PROGRAMS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.—The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is amended by inserting after section 108A the following:

''SEC. 108B. REPORTING REQUIREMENTS WITH RESPECT TO PARTICIPATION BY UNITED STATES ENTITIES IN CULTURAL EXCHANGE PROGRAMS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

''(a) SENSE OF CONGRESS.—It is the sense of Congress that State and local entities in the United States and other organizations and individuals in the United States who sponsor, carry out, or otherwise participate in cultural, educational, or economic exchange programs with the People's Republic of China should adopt measures to facilitate rigorous oversight of such programs and corresponding activities conducted pursuant to such programs, including compliance with the oversight requirements described in this section, as applicable.

''(b) INITIAL CERTIFICATION TO CONGRESS.—Not later than 30 days before entering into an agreement to establish or reestablish any exchange program that involves the Government of the People's Republic of China, the Secretary shall certify to the appropriate congressional committees that—

''(1) establishing or reestablishing such program is in the national interests of the United States;

''(2) such program will adhere to the purposes set forth in section 101; and

''(3) the Department of State has established mechanisms requiring each United States entity supporting or carrying out such program to submit to the Department of State, not later than October 30 of each year, a report that includes, with respect to all programs in which executive branch employees or nongovernmental employees participated in the most recently concluded fiscal year—

''(A) the total number of cultural exchange activities conducted by such entity pursuant to section 108A;

''(B) a description and purpose of each such activity;

''(C) a detailed agenda or itinerary for each such activity;

''(D) the total number and agency affiliations of the participants of each such activity;

''(E) any indication of whether any of the participants during the reporting period participated in another activity authorized under section 108A that involves the People's Republic of China during the preceding 2-year period; and

''(F) a summary of any feedback that was collected on a voluntary basis from participants in an activity authorized under section 108A, including any actions or behavior by the People's Republic of China that potentially undermine the purposes of set forth in section 101; and

''(4) the Department of State has established mechanisms requiring each United States entity supporting or carrying out such program to submit to the Department of State, not less frequently than annually, a report that includes, with respect to all programs in which legislative branch employees participate—

''(A) the total number of cultural exchange activities conducted by the entity pursuant to section 108A;

''(B) a description and purpose of each such activity;

''(C) a detailed agenda or itinerary for each such activity;

''(D) the total number and congressional affiliations of the participants of each such activity;

''(E) any indication of whether any of the participants during the reporting period participated in another activity authorized under section 108A that involves the People's Republic of China during the preceding 2-year period; and

''(F) a summary of any feedback that was collected on a voluntary basis from participants in, or observers of, an activity authorized under section 108A, including any actions or behavior by the People's Republic of China that potentially undermines the purposes set forth in section 101.

''(c) ANNUAL CERTIFICATION TO CONGRESS.—

''(1) IN GENERAL.—Not later than 1 year after establishing or reestablishing a cultural exchange program described in subsection (b), and annually thereafter through September 30, 2029, the Secretary shall submit a certification to the congressional entities listed in subsection (f)(2) that indicates whether—

''(A) the continuation of such exchange program is in the national interests of the United States, including a justification for such assessment;

''(B) the program is adhering to the purposes set forth in section 101, including a justification for such assessment; and

''(C) the mechanisms described in paragraphs (3) and (4) of subsection (b) provide the Department of State sufficient transparency and oversight of such program and its activities, and an explanation of such mechanisms.

''(2) FAILURE TO CERTIFY.—If the Secretary fails to certify that all of the requirements described under paragraph (1) have been met with respect to a cultural exchange program described in subsection (b), the Secretary shall—

''(A) suspend such program until the Secretary is able make such a certification; or

''(B) terminate the corresponding agreement described in subsection (b).

''(d) TRANSPARENCY REPORT.—

''(1) IN GENERAL.—The Secretary shall include, with the annual certification required under subsection (c), a detailed summary of the reports received pursuant to paragraphs (3) and (4) of subsection (b) from United States entities that are carrying out or otherwise participating in a cultural exchange program that involves the Government of the People's Republic of China.

''(2) MATTERS TO BE INCLUDED.—The summary required under paragraph (1) shall include, with respect to the reporting period—

''(A) the total number of cultural exchange programs conducted;

''(B) the total number of participants in such cultural exchange programs;

''(C) a list of the agency that employs each such participant;

''(D) an overview of such cultural exchange programs, including the inclusion of not fewer than 3 sample itineraries or agendas and illustrative examples of activities in which participants engaged;

''(E) an assessment of whether such cultural programs comply with purposes set forth in section 101, including a description of any noticeable deviations from such purposes;

''(F) a description of all actions taken by the Department of State to remediate deviations from such purposes; and

''(G) a detailed rationale for continuing each such program despite any deviations described in such summary.

''(3) FORM OF REPORT.—The summary required under paragraph (1) shall be submitted in unclassified form.

''(e) FAILURE OF UNITED STATES ENTITY TO REPORT.—The Secretary shall promulgate regulations to disqualify any United States entity from carrying out any activities associated with a cultural exchange program described in subsection (b) if such entity fails to comply with the reporting requirements described in subsection (b)(4) until the sooner of—

''(1) 1 year after the first day of such disqualification; or

''(2) the date on which such entity is in full compliance with the reporting requirements described in subsection (b)(4).

''(f) ADDITIONAL MATTERS.—

''(1) NOTIFICATION REQUIREMENT.—Any legislative branch employee who participates in an activity covered by an agreement described in subsection (b) with the People's Republic of China shall notify the congressional entities listed in paragraph (2)—

''(A) not later than 10 days before the beginning of such activity, of the dates of travel, the agenda or itinerary of such activity as of the date of submission, and an indication of whether the employee has participated in an activity covered by such an agreement during either of the preceding 2 calendar years; and

''(B) not later than 10 days after the end of such activity, of the final agenda or itinerary relating to such activity.

''(2) CONGRESSIONAL ENTITIES.—The congressional entities listed in this paragraph are—

''(A) the Majority Leader of the Senate;

''(B) the Minority Leader of the Senate;

''(C) the Select Committee on Ethics of the Senate;

''(D) the Committee on Foreign Relations of the Senate;

''(E) the Speaker of the House of Representatives;

''(F) the Minority Leader of the House of Representatives;

''(G) the Committee on Ethics of the House of Representatives; and

''(H) the Committee on Foreign Affairs of the House of Representatives.

''(3) MONITORING.—In order to monitor and evaluate activities covered by an agreement described in subsection (b) to ensure compliance with the purposes set forth in section 101, United States diplomats shall be permitted to observe activities in which—

''(A) executive branch employees participate; or

''(B) legislative branch employees participate, with the concurrence of such legislative branch employees.

''(g) RULEMAKING.—The Secretary shall promulgate regulations to carry out this section.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State $45,000,000, for fiscal year 2025, for the purposes of exchange support within the Bureau of Educational and Cultural Affairs, including creating 1 new position to support the implementation and oversight of programs authorized under the Mutual Educational and Cultural Exchange Act of 1961, as amended by this section.

SA 2665. 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 end of subtitle F of title XII, add the following:

SEC. 1291. PREDATORY PRICING BY ENTITIES OWNED, CONTROLLED, OR DIRECTED BY A FOREIGN STATE.

(a) PROHIBITED ACTS.—

(1) IN GENERAL.—Any entity owned, controlled, or directed by a foreign state or an agent or instrumentality of a foreign state (as defined in section 1603 of title 28, United States Code) that participates in international commerce may not establish or set prices below the average variable cost in a manner that may foreseeably harm competition.

(2) ECONOMIC SUPPORT.—In determining the average variable cost under paragraph (1), the court may take into account the effects of economic support provided by the owning or controlling foreign state to the entity on a discriminatory basis that may allow the entity to unfairly price at or below marginal cost.

(3) GOVERNMENT SUBSIDIES.—In determining the foreseeability of the elimination of market competitors under paragraph (1), the court may take into account the aggravating factor of the actions of the foreign state owning or controlling the entity referred to in such paragraph to use government resources to subsidize or underwrite the losses of the entity in a manner that allows the entity to sustain the predatory period and recoup its losses.

(4) MARKET POWER NOT REQUIRED.—For the purpose of establishing the elements described in paragraph (1), the plaintiff shall not be required to demonstrate that the defendant has monopoly or market power.

(b) RECOVERY OF DAMAGES.—Any person (as defined in section 1(a) of the Clayton Act (15 U.S.C. 12(a)) whose business or property is injured as a result of the actions of an entity described in subsection (a) shall be entitled to recovery from the defendant for damages and other related costs under section 4 of such Act (15 U.S.C. 15).

(c) ELEMENTS OF PRIMA FACIE CASE.—A plaintiff may initiate a claim against a defendant in an appropriate Federal court for a violation of subsection (a) in order to recover damages under subsection (b) by—

(1) establishing, by a preponderance of the evidence, that the defendant—

(A) is a foreign state or an agency or instrumentality of a foreign state (as defined in section 1603 of title 28, United States Code); and

(B) is not immune from the jurisdiction of the Federal court pursuant to section 1605(a)(2) of title 28, United States Code; and

(2) setting forth sufficient evidence to establish a reasonable inference that the defendant has violated subsection (a).

(d) COURT DETERMINATION LEADING TO EVIDENTIARY BURDEN SHIFTING TO DEFENDANT.—If a Federal court finds that a plaintiff has met its burden of proof under subsection (c), the court may determine that—

(1) the plaintiff has established a prima facie case that the conduct of the defendant is in violation of subsection (a); and

(2) the defendant has the burden of rebutting such case by establishing that the defendant is not in violation of subsection (a).

(e) FILING OF AMICUS BRIEFS BY THE DEPARTMENT OF STATE AND DEPARTMENT OF JUSTICE REGARDING INTERNATIONAL COMITY AND HARM TO COMPETITION.—

(1) IN GENERAL.—For the purposes of considering questions of international comity with respect to making decisions regarding commercial activity and the scope of applicable sovereign immunity, the Federal court may receive and consider relevant amicus briefs filed by the Secretary of State.

(2) ATTORNEY GENERAL.—For the purposes of considering questions regarding assessing potential harm to competition, the Federal court may receive and consider relevant amicus briefs filed by the Attorney General.

(3) SAVINGS PROVISION.—Nothing in paragraph (1) may be construed to limit the ability of the Federal court to receive and consider any other amicus briefs.

SA 2666. 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 end of subtitle F of title XII, add the following:

SEC. 1291. REQUIREMENT FOR THINK TANKS TO DISCLOSE FOREIGN FUNDING.

(a) DEFINITIONS.—In this section:

(1) COVERED ORGANIZATION.—The term ''covered organization'' means any United States think tank that—

(A) receives at least $2,500 in funding from the Department in a single fiscal year;

(B) has significant participation in more than 3 Department-hosted events in a fiscal year that relate to a subject or purpose for which the covered source of funding was provided to the covered organization; or

(C) hosts an event, panel, presentation, or meeting with any Department official at the Office Director level or above more than 3 times in a fiscal year on a subject or purpose for which the covered source of funding was provided to the covered organization.

(2) FOREIGN GOVERNMENTAL ENTITY.—The term ''foreign governmental entity'' means—

(A) any department, agency, or other entity of a foreign government at the national, regional, or local level;

(B) any governing party or coalition of a foreign government at the national, regional, or local level;

(C) any entity majority-owned or majority-controlled by a foreign government at the national, regional, or local level; or

(D) any company, economic project, cultural organization, exchange program, or nongovernmental organization that is more than 33 percent owned or controlled by the government of such country, or their advisors, consultants, or representatives.

(3) THINK TANK.—The term ''think tank'' means a stand-alone institution, organization, corporation, or group that studies public policy issues with the primary objective of providing information, ideas, and recommendations to United States Government entities regarding the development and implementation of policy.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall develop and promulgate regulations requiring covered organizations to submit an annual disclosure to the Under Secretary of State for Management that describes—

(A) any funding, cooperative research or staffing agreements, or joint projects received from or executed with the covered sources of funding specified in paragraph (2) the purpose or subject of which relates to a topic such covered organizations engage on with the Department; and

(B) any practices or processes undertaken by a covered organization to ensure that its research agenda or products are not influenced by foreign donors.

(2) COVERED SOURCES OF FUNDING.—The sources of funding referred to in paragraph (1) are foreign governmental entities and political parties from the People's Republic of China or from the Russian Federation.

(c) REPORT.—Not later than 120 days after the effective date of the regulations promulgated pursuant to subsection (b), the Secretary of State shall submit a report to the appropriate congressional committees that describes—

(1) the status of implementing such regulations and any challenges or obstacles to implementation;

(2) the offices within the Department responsible for implementing the regulations; and

(3) any recommendations to improve upon such regulations.

SA 2667. 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 end of subtitle A of title XII, add the following:

SEC. 1216. A PLAN TO ENGAGE COUP COUNTRIES IN THE SAHEL AND CENTRAL AND WEST AFRICA TO RETURN TO CIVILIAN DEMOCRATIC RULE.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a plan to engage with coup countries in the Sahel, Central Africa, and West Africa to promote the return to civilian democratic rule.

(b) MATTERS TO BE INCLUDED.—The plan required by subsection (a) shall include the following:

(1) An assessment of the country-specific and overarching themes and contributing factors to the coup d'etats in countries in the Sahel and Central and West Africa, including—

(A) the policies and practices of the United States and United States partners and allies that may have contributed to the erosion of democratic institutions and public trust in civilian governments of coup countries; and

(B) the actions taken by the militaries of the coup countries.

(2) An identification of United States national security priorities in each coup country in the Sahel, Central Africa, and West Africa.

(3) An assessment of efforts by Russia, Iran, the People's Republic of China, and other global and regional malign actors to undermine the return to civilian democratic rule in coup countries in the Sahel, Central Africa, and West Africa, along with a plan to counter such efforts through United States public and private diplomacy and assistance programs.

(4) A description of planned public and private diplomatic engagements to support efforts by civilians, civil society, and the governments of coup countries in the Sahel, Central Africa, and West Africa to return to civilian democratic rule.

(5) A description of interagency coordination mechanisms and efforts to develop and execute a unified strategy and response by the United States Government to support the return to civilian democratic rule in coup countries in the Sahel, Central Africa, and West Africa.

(6) An identification of United States assistance and programs aimed at supporting the return to civilian democratic rule in coup countries in the Sahel, Central Africa, and West Africa.

(7) A description of how United States assistance programs have been used to address the needs of civilians, civil society, and political groups, as well as the commitments by the governments of coup countries in the Sahel, Central Africa, and West Africa to return to civilian democratic rule, including an assessment of the challenges and opportunities for engagement and support by the United States and United States partners and allies.

(8) A description of the application of coup-related restrictions (including the authority to resume assistance under section 7008 of the Consolidated Appropriations Act, 2022 (Public Law 117–103; 136 Stat. 593)) to coup countries in the Sahel, Central Africa, and West Africa, including an assessment of the effectiveness and challenges in using such restrictions and authorities, as well as a strategy for applying the authority under such section 7008 to each such country to encourage or hold accountable the efforts by the governments of such countries to return to civilian democratic rule.

(9) A description of plans to coordinate United States efforts with France, the European Union, the United Nations, the African Union, the Economic Community of West African States (ECOWAS), and partner nations in the region to support the return to civilian democratic rule in coup countries in the Sahel, Central Africa, and West Africa.

(10) A description of efforts undertaken by coup countries in the Sahel, Central Africa, and West Africa to return to civilian democratic rule, including unmet commitments and opportunities for engagement by the United States and United States partners and allies.

(11) Any other matters that the Secretary considers to be relevant.

(c) FORM.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) COUP COUNTRY.—The term ''coup countr y''—

(A) means any country within the Sahel, West Africa, or Central Africa regions in which the duly elected head of government has been removed from office by a military coup d'etat, decree, or any similar action in which the military played a decisive role (within the meaning of the terms under section 7008 of the Consolidated Appropriations Act, 2022 (Public Law 117–103; 136 Stat. 593); and

(B) includes—

(i) Burkina Faso;

(ii) Gabon;

(iii) Guinea;

(iv) Mali; and

(v) Niger.

SA 2668. Mr. RISCH (for himself and Mr. BENNET) 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—VENEZUELAN DEMOCRACY ACT

SECTION 1701. SHORT TITLE.

This title may be cited as the ''Venezuelan Democracy Act''.

SEC. 1702. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to seek a peaceful transition to democracy in Venezuela through support for the people of Venezuela and the careful application of sanctions directed at the regime of Nicolás Maduro and any nondemocratic successor;

(2) to seek the cooperation of other democratic countries in supporting a transition described in paragraph (1);

(3) to stop the evasion of United States sanctions on the Maduro regime and to seek the speedy termination of any remaining military, security, or technical assistance, subsidies, or other forms of assistance to the Maduro regime and any nondemocratic successor from the government of any other country, including the governments of the Republic of Cuba, the Islamic Republic of Iran, the Russian Federation, and the People's Republic of China;

(4) to maintain sanctions on the Maduro regime so long as it continues to refuse to move toward democratization and greater respect for internationally recognized human rights; and

(5) to be prepared to reduce the sanctions imposed with respect to Venezuela in carefully calibrated ways in response to demonstrable progress toward democratization in Venezuela as described in paragraph (1).

SEC. 1703. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Subtitle A—Determinations of a Transition Government or Democratically Elected Government in Venezuela

SEC. 1711. DETERMINATIONS OF A TRANSITION GOVERNMENT OR DEMOCRATICALLY ELECTED GOVERNMENT IN VENEZUELA.

(a) IN GENERAL.—Upon making a determination that a transition government or a democratically elected government is in power in Venezuela, the President shall submit that determination to the appropriate congressional committees.

(b) REQUIREMENTS FOR DETERMINING A TRANSITION GOVERNMENT IS IN POWER IN VENEZUELA.—

(1) IN GENERAL.—For the purposes of making a determination under subsection (a), a transition government in Venezuela is a government that—

(A) shows respect for the basic civil liberties and internationally recognized human rights of the citizens of Venezuela;

(B) has fully reinstated all members of the National Assembly convened on January 6, 2016, following democratic elections that were held on December 6, 2015;

(C) has lifted the order of contempt issued by the Venezuelan Supreme Tribunal of Justice (TSJ) on January 11, 2016, against the National Assembly convened on January 6, 2016, including by restoring all powers of said National Assembly and the immunities for deputies;

(D) has ceased to interfere with the functioning of all political parties and candidates, including by lifting all judicial interventions of political parties and restrictions on all presidential candidates;

(E) has released all political prisoners and allowed for investigations of Venezuelan prisons by appropriate international human rights organizations;

(F) has dissolved the Colectivos and any state security and intelligence service credibly accused of committing gross violations of human rights;

(G) has made public commitments to organizing free and fair elections for a new government—

(i) to be held in a timely manner within a period not to exceed 24 months after the transition government assumes power;

(ii) with the participation of all candidates and political parties with full access to the media on an equal basis, including in the case of radio, television, or other telecommunications media, in terms of allotments of time for such access and the times of day such allotments are given; and

(iii) to be conducted under the supervision of observers from the Organization of American States, the United Nations, and other internationally recognized election observers;

(H) makes public commitments to and is making demonstrable progress in—

(i) establishing an independent judiciary;

(ii) respecting internationally recognized human rights and fundamental freedoms as set forth in the Universal Declaration of Human Rights, to which Venezuela is a signatory; and

(iii) allowing the establishment of independent social, economic, and political associations; and

(I) does not include Nicolàs Maduro or any persons—

(i) with respect to which sanctions have been imposed by the Office of Foreign Assets Control; or

(ii) sought by the United States Department of Justice.

(2) ADDITIONAL FACTORS.—In addition to the requirements set forth in paragraph (1), in determining under subsection (a) whether

a transition government is in power in Venezuela, the President shall take into account the extent to which that government—

(A) has made public commitments to, and is making demonstrable progress in—

(i) effectively guaranteeing the rights of free speech and freedom of the press, including granting permits to privately owned media and telecommunications companies to operate in Venezuela;

(ii) implementing the recommendations included in the Final Report of the European Union Election Observation Mission to observe the regional and municipal elections on November 21, 2021, in Venezuela; and

(iii) assuring the right to private property;

(B) is taking genuine efforts to extradite or otherwise render to the United States all persons sought by the United States Department of Justice for crimes committed in the United States;

(C) is not providing any support to any group, in any other country, that seeks the violent overthrow of the government of that country; and

(D) has permitted the deployment throughout Venezuela of independent and unfettered international human rights monitors.

(c) REQUIREMENTS FOR DETERMINING A DEMOCRATICALLY ELECTED GOVERNMENT IS IN POWER IN VENEZUELA.—For the purposes of making a determination under subsection (a), a democratically elected government in Venezuela is a government that, in addition to meeting the requirements of subsection (b)—

(1) results from free and fair elections—

(A) conducted under the supervision of internationally recognized election observers; and

(B) in which—

(i) all candidates were allowed to participate;

(ii) opposition parties were permitted ample time to organize and campaign for such elections; and

(iii) all candidates were permitted full access to the media;

(2) is showing respect for the basic civil liberties and internationally recognized human rights of the citizens of Venezuela;

(3) is committed to making constitutional changes that would ensure regular free and fair elections and the full enjoyment of basic civil liberties and internationally recognized human rights by the citizens of Venezuela;

(4) has made demonstrable progress in establishing an independent judiciary; and

(5) has freed all wrongfully detained United States nationals.

Subtitle B—Promoting Democratic Change in Venezuela

SEC. 1721. UNITED STATES POLICY REGARDING MEMBERSHIP OF VENEZUELA IN INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—Except as provided in subsection (b)(1), the Secretary of the Treasury shall instruct the United States executive director of each covered international financial institution to use the voice and vote of the United States to oppose the admission of Venezuela as a member of that institution until the President submits to the appropriate congressional committees a determination under section 1711(a) that a democratically elected government is in power in Venezuela.

(b) STEPS AFTER TRANSITION GOVERNMENT IN POWER.—On and after the date on which the President submits to the appropriate congressional committees a determination under section 1711(a) that a transition government is in power in Venezuela—

(1) the President is encouraged to take steps to support the processing of the application of Venezuela for membership in any covered international financial institution, subject to the membership taking effect after a democratically elected government is in power in Venezuela; and

(2) the Secretary of the Treasury is authorized to instruct the United States executive director of each covered international financial institution to support loans or other assistance to Venezuela only to the extent that such loans or assistance contribute to a stable foundation for a democratically elected government in Venezuela.

(c) REDUCTION IN UNITED STATES PAYMENTS TO INTERNATIONAL FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—If a covered international financial institution approves a loan or other assistance to the regime of Nicolàs Maduro or any nondemocratic successor government over the opposition of the United States, the Secretary of the Treasury shall withhold from payment to that institution an amount equal to the amount of the loan or other assistance, from either of the following types of payment:

(A) The paid-in portion of the increase in capital stock of the institution.

(B) The callable portion of the increase in capital stock of the institution.

(2) WAIVER.—The President may waive the requirement under paragraph (1) if the President, not later than 10 days before the waiver is to take effect, determines and certifies to the appropriate congressional committees that such a waiver is in the national interest of the United States. The President shall submit with the certification a detailed justification explaining the reasons for the waiver.

(d) COVERED INTERNATIONAL FINANCIAL INSTITUTION DEFINED.—In this section, the term ''covered international financial institution'' means each of the following:

(1) The International Monetary Fund.

(2) The International Bank for Reconstruction and Development.

(3) The International Development Association.

(4) The International Finance Corporation.

(5) The Multilateral Investment Guarantee Agency.

(6) The Inter-American Development Bank.

SEC. 1722. UNITED STATES POLICY REGARDING MEMBERSHIP OF VENEZUELA IN THE ORGANIZATION OF AMERICAN STATES.

The President shall instruct the United States Permanent Representative to the Organization of American States to use the voice and vote of the United States to oppose any measure that would allow a nondemocratic Government of Venezuela to participate in the Organization of American States until the President submits to the appropriate congressional committees a determination under section 1711(a) that a democratically elected government is in power in Venezuela.

SEC. 1723. AUTHORIZATION OF SUPPORT FOR DEMOCRATIC AND HUMAN RIGHTS GROUPS AND INTERNATIONAL OBSERVERS.

(a) IN GENERAL.—Notwithstanding any other provision of law (other than section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1) or any comparable notification requirement contained in any Act making appropriations for the Department of State, foreign operations, and related programs), the President may provide assistance and other support for individuals and independent nongovernmental organizations to support democracy-building efforts in Venezuela, including as described in subsections (b) and (c).

(b) ORGANIZATION OF AMERICAN STATES EMERGENCY FUND.—

(1) FOR SUPPORT OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS AND FREE AND FAIR ELECTIONS.—The President shall take the necessary steps to encourage the Organization of American States to create a special emergency fund for the explicit purpose of deploying human rights observers and individuals and organizations engaged in election support and election observation in Venezuela.

(2) VOLUNTARY CONTRIBUTIONS FOR FUND.—The President should provide not less than $5,000,000 of the voluntary contributions of the United States to the Organization of American States solely for the purposes of the special fund referred to in paragraph (1).

(c) ACTION OF OTHER MEMBER STATES.—The President should instruct the United States Permanent Representative to the Organization of American States to encourage other member states of the Organization to join in calling for the Government of Venezuela to allow the immediate deployment of independent human rights monitors of the Organization of American States throughout Venezuela and on-site visits to Venezuela by the Inter-American Commission on Human Rights.

(d) DENIAL OF FUNDS TO GOVERNMENT OF VENEZUELA.—In implementing this section, the President shall take all necessary steps to ensure that no funds or other assistance is provided to a nondemocratic Government of Venezuela.

SEC. 1724. SUPPORT FOR THE PEOPLE OF VENEZUELA.

The President—

(1) may, pursuant to General License 29 of the Office of Foreign Assets Control of the Department of the Treasury, provide assistance through independent nongovernmental organizations to support humanitarian projects in Venezuela—

(A) to meet basic human needs;

(B) to build democracy;

(C) to provide education;

(D) for non-commercial development projects; and

(E) for environmental protection; and

(2) shall establish safeguards to ensure that any assistance provided pursuant to paragraph (1) is—

(A) not providing material benefit to the Maduro regime; and

(B) used for the purposes for which it was intended and only for the use and benefit of the people of Venezuela

Subtitle C—Sanctions

SEC. 1731. DEFINITIONS.

In this subtitle:

(1) ENTITY.—The term ''entity'' means a partnership, association, trust, joint venture, corporation, group, subgroup, or organization.

(2) GOVERNMENT OF VENEZUELA.—The term ''Government of Venezuela'' includes—

(A) the state and Government of Venezuela;

(B) any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela and Petróleos de Venezuela, S.A.;

(C) any person owned or controlled, directly or indirectly, by an entity described in subparagraph (A) or (B); and

(D) any person that has acted or purported to act directly or indirectly for or on behalf of, an entity described in subparagraph (A), (B), or (C), including as a member of the regime of Nicolàs Maduro or any nondemocratic successor government in Venezuela.

(3) PERSON.—The term ''person'' means an individual or entity.

(4) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or alien lawfully admitted for permanent residence to the United States;

(B) any entity organized under the laws of the United States or any jurisdiction within

the United States (including a foreign branch of any such entity); and

(C) any person physically located in the United States.

SEC. 1732. BLOCKING INTERNATIONAL SUPPORT FOR A NONDEMOCRATIC GOVERNMENT IN VENEZUELA.

(a) VENEZUELAN TRADING PARTNERS.—The President should encourage the governments of countries that conduct trade with Venezuela to restrict their trade and credit relations with Venezuela in a manner consistent with the purposes of this title.

(b) SANCTIONS AGAINST COUNTRIES ASSISTING A NONDEMOCRATIC GOVERNMENT IN VENEZUELA.—

(1) IN GENERAL.—The President may impose the following sanctions with respect to any country that provides assistance to the regime of Nicolàs Maduro or any nondemocratic successor government in Venezuela:

(A) The President may determine that the government of such country is not eligible for nonhumanitarian assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or assistance or sales under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(B) The President may determine that the country is not eligible, under any program, for forgiveness or reduction of debt owed to the United States Government.

(2) TERMINATION.—This section, and any sanctions imposed pursuant to this section, shall cease to apply at such time as the President submits to the appropriate congressional committees a determination under section 1711(a) that a democratically elected government is in power in Venezuela.

(c) DEFINITIONS.—In this section:

(1) ASSISTANCE TO VENEZUELA.—The term ''assistance to Venezuela''—

(A) means assistance to or for the benefit of the Government of Venezuela that is provided by grant, concessional sale, guaranty, or insurance, or by any other means on terms more favorable than that generally available in the applicable market, whether in the form of a loan, lease, credit, or otherwise;

(B) includes—

(i) subsidies for exports to Venezuela;

(ii) favorable tariff treatment of articles that are the growth, product, or manufacture of Venezuela; and

(iii) an exchange, reduction, or forgiveness of debt owed by the Government of Venezuela to a foreign country in return for a grant of an equity interest in a property, investment, or operation of the Government of Venezuela (including any agency or instrumentality of the Government of Venezuela) or a national of Venezuela; and

(C) does not include—

(i) humanitarian assistance, including donations of food, made available to nongovernmental organizations or individuals in Venezuela; or

(ii) exports of medicines or medical supplies, instruments, or equipment permitted under section 1724(c).

(2) AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF VENEZUELA.—The term ''agency or instrumentality of the Government of Venezuela'' has the meaning given the term ''agency or instrumentality of a foreign state'' in section 1603(b) of title 28, United States Code, except that each reference in such section to ''a foreign state'' shall be deemed to be a reference to ''the Government of Venezuela''.

SEC. 1733. FINANCIAL SANCTIONS WITH RESPECT TO DEBT INSTRUMENTS OF MADURO REGIME.

(a) PROHIBITION OF CERTAIN TRANSACTIONS.—

(1) IN GENERAL.—Beginning on the date of the enactment of this Act, all transactions by a United States person or within the United States that relate to, provide financing for, or otherwise deal in debt instruments issued by, for, or on behalf of Petroleos de Venezuela, S.A., or the regime of Nicolàs Maduro or any nondemocratic successor government in Venezuela, are prohibited.

(2) INCLUSIONS.—The prohibition under paragraph (1) includes a prohibition on—

(A) entering into any transaction in—

(i) debt instruments with a maturity of more than 90 days issued by Petróleos de Venezuela, S.A., on or after the date of the enactment of this Act;

(ii) debt instruments with a maturity of more than 30 days or equity issued by the Maduro regime on or after such date of enactment, other than debt instruments issued by Petróleos de Venezuela, S.A., covered by subparagraph (A);

(iii) bonds issued by the Maduro regime before such date of enactment; or

(iv) dividend payments or other distributions of profits to the Maduro regime from any entity owned or controlled, directly or indirectly, by the Maduro regime;

(B) the direct or indirect purchase of securities from the Maduro regime, other than—

(i) securities qualifying as debt instruments issued by Petróleos de Venezuela, S.A., covered by paragraph (1)(A); and

(ii) securities qualifying as debt instruments issued by the Maduro regime covered by paragraph (1)(B);

(C) purchasing any debt owed to the Maduro regime, including accounts receivable;

(D) entering into any transaction related to any debt owed to the Maduro regime that is pledged as collateral after May 21, 2018, including accounts receivable;

(E) entering into any transaction involving the selling, transferring, assigning, or pledging as collateral by the Maduro regime of any equity interest in any entity in which the Maduro regime has a 50 percent or greater ownership interest; and

(F) entering into any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this subsection.

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of State, may take such actions, including prescribing rules and regulations, as are necessary to implement this section.

(2) DELEGATION.—The Secretary of the Treasury may redelegate the authority described in paragraph (1) to other officers and agencies of the United States Government.

(c) RESPONSIBILITY OF OTHER AGENCIES.—All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this section.

SEC. 1734. SANCTIONS WITH RESPECT TO CRYPTOCURRENCY AND RELATED TECHNOLOGIES IN VENEZUELA.

(a) PROHIBITION OF CERTAIN TRANSACTIONS.—

(1) IN GENERAL.—Beginning on the date of the enactment of this Act, the following transactions are prohibited:

(A) Any transaction by a United States person or within the United States that relates to, provides financing for, or otherwise deals in any digital currency, digital coin, or digital token, that was issued by, for, or on behalf of the regime of Nicolàs Maduro or any nondemocratic successor government.

(B) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate the prohibition under subparagraph (A).

(2) APPLICABILITY.—The prohibitions under paragraph (1) shall apply—

(A) to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this section; and

(B) notwithstanding any contract entered into or any license or permit granted before the date of the enactment of this Act.

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of State, may take such actions, including prescribing rules and regulations, as are necessary to implement this section.

(2) DELEGATION.—The Secretary of the Treasury may redelegate the authority described in paragraph (1) to other officers and agencies of the United States Government.

(c) RESPONSIBILITY OF OTHER AGENCIES.—All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this section.

SEC. 1735. BLOCKING PROPERTY OF THE GOVERNMENT OF VENEZUELA.

(a) BLOCKING OF PROPERTY.—The President shall exercise all powers granted to the President 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 the Government of Venezuela and any person described in subsection (b) 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) PERSONS DESCRIBED.—A person described in this subsection is any person determined by the Secretary of the Treasury, in consultation with the Secretary of State—

(1) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person—

(A) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control; and

(B) the property and interests in property of which are blocked pursuant to subsection (a); or

(2) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person the property and interests in property of which are blocked pursuant to subsection (a).

(c) PROHIBITIONS ON EVASION.—Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate, the prohibition under subsection (a) is prohibited.

(d) APPLICABILITY.—Subsection (a) and the prohibition under subsection (c) shall apply—

(1) to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this section; and

(2) notwithstanding any contract entered into or any license or permit granted before the date of the enactment of this Act.

(e) RULEMAKING.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of State, may take such actions, including prescribing rules and regulations, as are necessary to implement this section.

(2) DELEGATION.—The Secretary of the Treasury may redelegate the authority described in paragraph (1) to other officers and agencies of the United States Government.

(f) RESPONSIBILITY OF OTHER AGENCIES.—All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this section.

SEC. 1736. SUSPENSION AND TERMINATION OF SANCTIONS.

(a) AUTHORITY TO SUSPEND SANCTIONS IF TRANSITION GOVERNMENT IN POWER.—Upon submitting to the appropriate congressional committees a determination under section 1711(a) that a transition government is in power in Venezuela, the President, after consultation with Congress, may take steps to suspend the sanctions imposed under this subtitle, to the extent that such steps contribute to a stable foundation for a democratically elected government in Venezuela.

(b) TERMINATION OF SANCTIONS IF DEMOCRATICALLY ELECTED GOVERNMENT IN POWER.—Upon submitting to the appropriate congressional committees a determination under section 1711(a) that a democratically elected government is in power in Venezuela, the President shall take steps to terminate the sanctions imposed under this subtitle.

(c) REVIEW OF SUSPENSION OF SANCTIONS.—

(1) REPORTING REQUIREMENTS.—If the President takes action under subsection (a) to suspend the sanctions imposed under this subtitle, the President shall—

(A) immediately notify Congress of that action; and

(B) submit to Congress, not less frequently than every 180 days thereafter until the President submits to the appropriate congressional committees a determination under section 1711(a) that a democratically elected government is in power in Venezuela, a report on the progress being made by Venezuela toward the establishment of a democratically elected government.

(2) CONGRESSIONAL REVIEW.—

(A) JOINT RESOLUTION OF DISAPPROVAL DEFINED.—In this paragraph, the term ''joint resolution of disapproval'' means a joint resolution, the sole matter after the resolving clause of which is as follows: ''That Congress disapproves the action of the President under section 1736(a) of the Venezuelan Democracy Act to suspend the sanctions imposed under subtitle B of that Act, notice of which was submitted to the Congress on _____.'', with the blank space being filled with the date on which the President notified Congress with respect to the action under paragraph (1)(A).

(B) EFFECT OF ENACTMENT.—An action taken by the President under subsection (a) shall cease to be effective upon the enactment of a joint resolution of disapproval with respect to that action.

(C) REFERRAL TO COMMITTEES.—

(i) SENATE.—A joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Foreign Relations.

(ii) HOUSE OF REPRESENTATIVES.—A joint resolution of disapproval introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs.

(D) PROCEDURES.—

(i) SENATE.—A joint resolution of disapproval shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765).

(ii) HOUSE OF REPRESENTATIVES.—For the purpose of expediting the consideration and enactment of a joint resolution of disapproval, a motion to proceed to the consideration of such a resolution after it has been reported by the appropriate committee under subparagraph (C) shall be treated as highly privileged in the House of Representatives.

(iii) LIMITATION.—Not more than one joint resolution of disapproval may be considered in the Senate and the House of Representatives in—

(I) the 180-day period beginning on the date on which the President notifies Congress under paragraph (1)(A) with respect to action taken under subsection (a); and

(II) each 180-day period thereafter.

(E) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1737. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this subtitle.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this subtitle or any regulation, license, or order issued to carry out this subtitle 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.

(3) WAIVER.—The President may waive the application of sanctions under this subtitle with respect to a foreign person if the President, not later than 10 days before the waiver is to take effect, determines and certifies to the appropriate congressional committees that such a waiver is in the vital national security interest of the United States. The President shall submit with the certification a detailed justification explaining the reasons for the waiver.

SEC. 1738. REPORT ON SPECIFIC LICENSES THAT AUTHORIZE TRANSACTIONS WITH SANCTIONED PERSONS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Treasury, in coordination with the Secretary of State, shall submit to the committees specified in subsection (c) a report that includes a list of specific licenses issued by the Secretary of the Treasury during the period specified in paragraph (2) that authorize any transaction with a person with respect to which sanctions have been imposed under section 1733, 1734, or 1735.

(2) PERIOD SPECIFIED.—The period specified in this paragraph is—

(A) in the case of the first report required by paragraph (1), the 180-day period preceding submission of the report; and

(B) in the case of any subsequent report required by that paragraph, the 90-day period preceding submission of the report.

(b) SUBMISSION OF COPIES OF LICENSES ON REQUEST.—The Secretary of the Treasury shall expeditiously provide to the committees specified in subsection (c) a copy of any license identified in a report submitted under subsection (a) if an appropriate Member of Congress requests a copy of that license not later than 60 days after the report is submitted.

(c) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1739. REPORT ON FOREIGN PERSONS DOING BUSINESS WITH THE MADURO REGIME.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a report that identifies any foreign person that—

(1) engages in or has engaged in a significant transaction or transactions, or any other dealings with, or has provided material support to or for—

(A) the Government of Venezuela;

(B) any person the President determines to be knowingly responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have participated in, directly or indirectly—

(i) actions or policies that significantly undermine democratic processes or institutions;

(ii) significant acts of violence or conduct that constitute serious human rights abuse, including against persons involved in antigovernment protests in Venezuela on or after February 1, 2014;

(iii) actions that prohibit, limit, or penalize the exercise of freedom of expression or peaceful assembly; or

(iv) significant public corruption by senior officials within the Government of Venezuela; or

(C) any entity that has, or whose members have, engaged in any activity described in subparagraph (B);

(2) operates in the mining, financial, energy, shipping, or shipbuilding sector of the economy of Venezuela;

(3) operates in the ports, free trade zones, or special economic zones of Venezuela;

(4) is owned or controlled by a foreign person described in paragraph (1), (2), or (3); or

(5) has knowingly materially assisted, sponsored, or provided significant financial, material, or technological support for, or goods or services in support of, a foreign person described in paragraph (1), (2), or (3).

Subtitle D—Assistance to a Free and Independent Venezuela

SEC. 1751. ASSISTANCE FOR THE PEOPLE OF VENEZUELA.

(a) PLANS FOR PROVIDING ASSISTANCE.—

(1) DEVELOPMENT OF PLANS.—

(A) IN GENERAL.—The President shall develop—

(i) a plan for providing assistance to Venezuela under a transition government; and

(ii) a plan for providing assistance to Venezuela under a democratically elected government.

(B) STRATEGY FOR DISTRIBUTION.—Each plan developed under subparagraph (A) shall include a strategy for distributing assistance under the plan.

(2) TYPES OF ASSISTANCE.—

(A) TRANSITION GOVERNMENT.—

(i) IN GENERAL.—Except as provided in clause (ii), assistance to Venezuela under a transition government under the plan developed under paragraph (1)(A)(i) shall be limited to—

(I) such food, medicine, medical supplies and equipment, and assistance to meet emergency energy needs, as is necessary to meet the basic human needs of the people of Venezuela; and

(II) assistance described in subparagraph (C).

(ii) ADDITIONAL ASSISTANCE.—Assistance in addition to assistance under clause (i) may be provided to Venezuela under a transition government if the President certifies to the

appropriate congressional committees, in accordance with procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1), that such assistance is essential to the successful and timely completion of the transition to democracy.

(B) DEMOCRATICALLY ELECTED GOVERNMENT.—Assistance to Venezuela under a democratically elected government provided pursuant to the plan developed under paragraph (1)(A)(ii) may include, in addition to assistance available under subparagraphs (A) and (C)—

(i) assistance under—

(I) chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) (relating to development assistance); and

(II) chapter 4 of part II of that Act (22 U.S.C. 2346 et seq.) (relating to the economic support fund);

(ii) assistance under the Food for Peace Act (7 U.S.C. 1691 et seq.);

(iii) financing, guarantees, and other forms of assistance provided by the Export-Import Bank of the United States;

(iv) assistance provided by the Trade and Development Agency; and

(v) Peace Corps programs.

(C) MILITARY ADJUSTMENT ASSISTANCE.—Assistance to a transition government in Venezuela and to a democratically elected government in Venezuela may also include assistance in preparing the Venezuelan military forces to adjust to an appropriate role in a democracy.

(3) DISTRIBUTION.—Assistance under a plan developed under paragraph (1) shall be provided through relevant United States Federal departments and agencies and nongovernmental organizations and private and voluntary organizations, whether within or outside the United States, including humanitarian, educational, labor, and private sector organizations.

(4) COMMUNICATION WITH PEOPLE OF VENEZUELA.—The President shall take the necessary steps to communicate to the people of Venezuela the plans for assistance developed under paragraph (1).

(5) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report describing in detail the plans developed under paragraph (1).

(b) IMPLEMENTATION OF PLANS; REPORTS TO CONGRESS.—

(1) IMPLEMENTATION WITH RESPECT TO TRANSITION GOVERNMENT.—Upon submitting to the appropriate congressional committees a determination under section 1711(a) that a transition government is in power in Venezuela, the President shall commence the delivery and distribution of assistance to the transition government under the plan developed under subsection (a)(1)(A)(i).

(2) REPORTS TO CONGRESS.—

(A) PLAN FOR ASSISTANCE UNDER TRANSITION GOVERNMENT.—The President shall submit to the appropriate congressional committees a report—

(i) setting forth the plan developed under subsection (a)(1)(A)(i) for providing assistance to Venezuela under a transition government; and

(ii) describing the types of assistance, and the extent to which such assistance has been distributed, in accordance with the plan.

(B) DEADLINES FOR SUBMISSION.—The President shall submit to the appropriate congressional committees—

(i) a preliminary report described in subparagraph (A) not later than 15 days after making the determination described in paragraph (1); and

(ii) the final report described in subparagraph (A) not later than 90 days after making that determination.

(3) IMPLEMENTATION WITH RESPECT TO DEMOCRATICALLY ELECTED GOVERNMENT.—Upon submitting to the appropriate congressional committees a determination under section 1711(a) that a democratically elected government is in power in Venezuela, the President shall commence the delivery and distribution of assistance to the democratically elected government under the plan developed under subsection (a)(1)(A)(ii).

(4) ANNUAL REPORTS TO CONGRESS.—Not later than 60 days after the end of each fiscal year, the President shall submit to the appropriate congressional committees a report on the assistance provided under the plans developed under subsection (a), including—

(A) a description of each type of assistance and the amounts expended for such assistance during the preceding fiscal year; and

(B) a description of the assistance to be provided under the plans in the fiscal year in which the report is submitted.

(c) COORDINATING OFFICIAL.—The Secretary of State shall designate a coordinating official of the Department of State who shall be responsible for—

(1) implementing the strategies for distributing assistance described in subsection (a)(1)(B);

(2) ensuring the speedy and efficient distribution of such assistance; and

(3) ensuring coordination among, and appropriate oversight by, the agencies of the United States that provide assistance described in section 1751(a), including resolving any disputes among such agencies.

(d) REPROGRAMMING.—Any changes in the assistance to be provided under a plan developed under subsection (a) may not be made unless the Secretary of State notifies the appropriate congressional committees at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

(e) FUNDING LIMITATION.—Assistance may be provided under this section only if amounts are authorized to be appropriated, and are appropriated, to provide such assistance.

(f) INTERNATIONAL EFFORTS.—The President shall take the necessary steps—

(1) to seek to obtain the agreement of other countries and of international financial institutions and multilateral organizations to provide to a transition government in Venezuela, and to a democratically elected government in Venezuela, assistance comparable to that provided by the United States under this section; and

(2) to work with such countries, institutions, and organizations to coordinate all such assistance programs.

SEC. 1752. REPORT ON TRADE AND INVESTMENT RELATIONS BETWEEN THE UNITED STATES AND VENEZUELA.

(a) REPORT TO CONGRESS.—Upon submitting to the appropriate congressional committees a determination under section 1711(a) that a democratically elected government is in power in Venezuela, the President shall submit to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and the appropriate congressional committees a report that describes—

(1) acts, policies, and practices that constitute significant barriers to, or distortions of, United States trade in goods or services or foreign direct investment with respect to Venezuela; and

(2) policy objectives of the United States regarding trade relations with a democratically elected government in Venezuela, and the reasons for such objectives, including possible reciprocal extension of nondiscriminatory trade treatment (most-favored-nation treatment).

(b) CONSULTATION.—With respect to the policy objectives described in subsection (a), the President shall—

(1) consult with the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and the appropriate congressional committees; and

(2) seek advice from the appropriate advisory committees established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155).

Subtitle E—General Provisions

SEC. 1761. EFFECT ON LAWFUL UNITED STATES GOVERNMENT ACTIVITIES.

Nothing in this title prohibits any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency, or of an intelligence agency, of the United States.

SEC. 1762. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the authorities and requirements to impose sanctions under this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

SA 2669. Mr. RISCH (for himself and 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. PROHIBITION OF WAR CRIMES PROSECUTION.

(a) SHORT TITLE.—This section may be cited as the ''Prohibiting International Criminal Court Prosecutions Against Americans and Allies Act''.

(b) IN GENERAL.—Chapter 118 of title 18, United States Code, is amended by adding at the end the following:

''§ 2443. International Criminal Court

''(a) OFFENSE.—It shall be unlawful for any person, acting under the authority of the International Criminal Court or another international organization to knowingly indict, apprehend, detain, prosecute, convict, or participate in the imposition or carrying out of any sentence or other penalty on, any protected person in connection with any proceeding by or before the International Criminal Court or another international organization in which such protected person is accused of a covered crime.

''(b) CRIMINAL PENALTY.—

''(1) IN GENERAL.—Any person who violates subsection (a) shall be fined not more than $5,000,000, imprisoned as provided in paragraph (2), or both.

''(2) PRISON SENTENCE.—The maximum term of imprisonment for an offense under this section is the greater of—

''(A) 5 years; or

''(B) the maximum term that could be imposed on the person in a criminal proceeding described in subsection (a) with respect to which such violation took place.

''(c) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial jurisdiction over any offense under this section.

''(d) CIVIL REMEDY.—Any protected person who is aggrieved by a violation of subsection (a) may, in a civil action, obtain appropriate relief in a court of the United States, including—

''(1) punitive damages; and

''(2) a reasonable attorney's fee as part of the costs.

''(e) DEFINITIONS.—In this section:

''(1) COVERED CRIME.—The term 'covered crime' means—

''(A) any offense that is cognizable before the International Criminal Court or a judicial body of another international organization as of the date of the enactment of the Prohibiting International Criminal Court Prosecutions Against Americans and Allies Act; and

''(B) any offense that becomes cognizable before the International Criminal Court or a judicial body of another international organization after such date of enactment, effective on the date such offense becomes cognizable before any such court.

''(2) INDICT.—The term 'indict' includes—

''(A) the formal submission of an order or request for the prosecution or arrest of a protected person; and

''(B) the issuance of a warrant or other order for the arrest of a protected person.

''(3) INTERNATIONAL CRIMINAL COURT.—The term 'International Criminal Court' means the court established by the Rome Statute of the International Criminal Court adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of and International Criminal Court on July 17, 1998.

''(4) INTERNATIONAL ORGANIZATION.—The term 'international organization' has the meaning given such term in section 1116(b)(5).

''(5) PROTECTED PERSON.—The term 'protected person' means—

''(A) any citizen or national of the United States, or any other person employed by or working under the direction of the United States Government; or

''(B) any citizen or national of Israel, or any other person employed by or working under the direction of the Government of Israel.''.

(c) CLERICAL AMENDMENT.—The chapter analysis in chapter 118 of title 18, United States Code, is amended by adding at the end the following:

''2443. International Criminal Court.''.

SA 2670. 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 end of subtitle A of title XII, add the following:

SEC. 1216. A PLAN TO ENGAGE COUP COUNTRIES IN THE SAHEL AND CENTRAL AND WEST AFRICA TO RETURN TO CIVILIAN DEMOCRATIC RULE.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a plan to engage with coup countries in the Sahel, Central Africa, and West Africa to promote the return to civilian democratic rule.

(b) MATTERS TO BE INCLUDED.—The plan required by subsection (a) shall include the following:

(1) An assessment of the country-specific and overarching themes and contributing factors to the coup d'etats in countries in the Sahel and Central and West Africa, including—

(A) the policies and practices of the United States and United States partners and allies that may have contributed to the erosion of democratic institutions and public trust in civilian governments of coup countries; and

(B) the actions taken by the militaries of the coup countries.

(2) An identification of United States national security priorities in each coup country in the Sahel, Central Africa, and West Africa.

(3) An assessment of efforts by Russia, Iran, the People's Republic of China, and other global and regional malign actors to undermine the return to civilian democratic rule in coup countries in the Sahel, Central Africa, and West Africa, along with a plan to counter such efforts through United States public and private diplomacy and assistance programs.

(4) A description of planned public and private diplomatic engagements to support efforts by civilians, civil society, and the governments of coup countries in the Sahel, Central Africa, and West Africa to return to civilian democratic rule.

(5) A description of interagency coordination mechanisms and efforts to develop and execute a unified strategy and response by the United States Government to support the return to civilian democratic rule in coup countries in the Sahel, Central Africa, and West Africa.

(6) An identification of United States assistance and programs aimed at supporting the return to civilian democratic rule in coup countries in the Sahel, Central Africa, and West Africa.

(7) A description of how United States assistance programs have been used to address the needs of civilians, civil society, and political groups, as well as the commitments by the governments of coup countries in the Sahel, Central Africa, and West Africa to return to civilian democratic rule, including an assessment of the challenges and opportunities for engagement and support by the United States and United States partners and allies.

(8) A description of the application of coup-related restrictions (including the authority to resume assistance under section 7008 of the Consolidated Appropriations Act, 2022 (Public Law 117–103; 136 Stat. 593)) to coup countries in the Sahel, Central Africa, and West Africa, including an assessment of the effectiveness and challenges in using such restrictions and authorities, as well as a strategy for applying the authority under such section 7008 to each such country to encourage or hold accountable the efforts by the governments of such countries to return to civilian democratic rule.

(9) A description of plans to coordinate United States efforts with France, the European Union, the United Nations, the African Union, the Economic Community of West African States (ECOWAS), and partner nations in the region to support the return to civilian democratic rule in coup countries in the Sahel, Central Africa, and West Africa.

(10) A description of efforts undertaken by coup countries in the Sahel, Central Africa, and West Africa to return to civilian democratic rule, including unmet commitments and opportunities for engagement by the United States and United States partners and allies.

(11) Any other matters that the Secretary considers to be relevant.

(c) FORM.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) COUP COUNTRY.—The term ''coup countr *y*''—

(A) means any country within the Sahel, West Africa, or Central Africa regions in which the duly elected head of government has been removed from office by a military coup d'etat, decree, or any similar action in which the military played a decisive role (within the meaning of the terms under section 7008 of the Further Consolidated Appropriations Act, 2024 (Public Law 118–47)); and

(B) includes—

(i) Burkina Faso;

(ii) Chad;

(iii) Gabon;

(iv) Guinea;

(v) Mali;

(vi) Niger; and

(vii) Sudan.

SA 2671. 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 end of subtitle F of title XII, add the following:

SEC. 1291. REPEAL OF JACKSON-VANIK AMENDMENT.

(a) IN GENERAL.—Chapter 1 of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) is repealed.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the items relating to chapter 1 of title IV.

SA 2672. Mr. LEE 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. _____. LIMITATION ON ENTRY OF THE UNITED STATES INTO BILATERAL OR MULTILATERAL AGREEMENTS FOR PROVISION OF SECURITY GUARANTEES OR LONG-TERM SECURITY ASSISTANCE TO UKRAINE.

Notwithstanding any other provision of this Act, the President may not use the voice, vote, or official signature of the United States to enter into any bilateral or multilateral agreement to provide security guarantees or long-term security assistance to Ukraine until such agreement has been subject to the requirements of the Treaty Clause of section 2 of article II of the Constitution of the United States, which requires the advice and consent of the Senate, with two-thirds of Senators concurring.

SA 2673. Mr. LEE 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. _____. INCLUSION OF MEXICO IN THE AREA OF RESPONSIBILITY OF THE UNITED STATES SOUTHERN COMMAND.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) remove Mexico from the area of responsibility of the United States Northern Command; and

(2) include Mexico in the area of responsibility of the United States Southern Command.

SA 2674. Mr. LEE (for himself and Mr. MANCHIN) 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 X, add the following:

SEC. 1006. TREATMENT OF FUNDS RECEIVED BY NATIONAL GUARD BUREAU AS REIMBURSEMENT FROM STATES.

Section 710 of title 32, United States Code, is amended by adding at the end the following new subsection:

''(g) TREATMENT OF REIMBURSED FUNDS.—Any funds received by the National Guard Bureau from a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands as reimbursement under this section for the use of military property—

''(1) shall be credited to—

''(A) the appropriation, fund, or account used in incurring the obligation; or

''(B) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made; and

''(2) may only be used by the Department of Defense for the repair, maintenance, or other similar functions related directly to assets used by National Guard units while operating under State active duty status.''.

SA 2675. Mr. LEE 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. _____. FACILITATING REVIEW BY THE SENATE OF CLASSIFIED DOCUMENTATION.

(a) FACILITATION REQUIRED.—

(1) IN GENERAL.—The Director of National Intelligence shall facilitate the review of classified documentation when requested to do so by any Senator.

(2) PERIOD OF FACILITATION.—The Director shall facilitate for a Senator a review under paragraph (1) not later than 15 days after the date on which the review is requested by the Senator.

(b) FAIR TREATMENT.—Notwithstanding any other provision of law, whenever the Director facilitates the review of classified documentation for one Senator, the Director shall facilitate the review of that documentation for any other Senator who requests such documentation.

SA 2676. Mr. LEE 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. _____. CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO STATE OF UTAH.

(a) DEFINITIONS.—In this section:

(1) COVERED LAND.—The term ''covered land'' means the approximately 200.18 acres of land depicted as ''Land Proposed for Conveyance'' on the map entitled ''Mountain View Corridor Completion Act'' and dated October 6, 2023.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(3) STATE.—The term ''State'' means the State of Utah.

(b) CONVEYANCE REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Secretary shall convey to the State all rights, title, and interest of the United States in and to the covered land.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The conveyance of the covered land under this section shall be subject to valid existing rights.

(2) PAYMENT OF FAIR MARKET VALUE.—As consideration for the conveyance of the covered land under this section, the State shall pay to the Secretary an amount equal to the fair market value of the covered land, as determined—

(A) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) based on an appraisal that is conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(d) APPLICATION OF EXECUTIVE ORDER.—Executive Order 1922 of April 24, 1914, as modified by section 907 of the Camp W.G. Williams Land Exchange Act of 1989 (Public Law 101–628; 104 Stat. 4500), shall not apply to the covered land.

(e) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize a map and a legal description of the covered land to be conveyed under this section.

(2) CONTROLLING DOCUMENT.—In the case of a discrepancy between the map and legal description finalized under paragraph (1), the map shall control.

(3) CORRECTIONS.—The Secretary and the State, by mutual agreement, may correct minor errors in the map or the legal description finalized under paragraph (1).

(4) MAP ON FILE.—The map and legal description finalized under paragraph (1) shall be kept on file and available for public inspection in each appropriate office of the Bureau of Land Management.

(f) REVERSIONARY INTEREST.—If the Secretary, after consultation with the State, determines that the covered land conveyed under this section was sold, attempted to be sold, or used for non-transportation or non-defenses purposes by the State, all right, title, and interest in and to the covered land shall revert to the Secretary, at the discretion of the Secretary, after providing—

(1) to the State notice and a hearing or an opportunity to correct any identified deficiencies; and

(2) to the public notice and an opportunity to comment.

SA 2677. Mr. LEE 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. PERFORMANCE OF ABORTIONS: RESTRICTIONS.

(a) IN GENERAL.—Subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

''§ 2517. Performance of abortions: restrictions

''(a) RESTRICTIONS ON USE OF FUNDS.—Funds available to the Department of Homeland Security for the Coast Guard may not be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term or in a case in which the pregnancy is the result of an act of rape or incest.

''(b) RESTRICTIONS ON USE OF FACILITIES.—No medical treatment facility or other facility of the Coast Guard may be used to perform an abortion except where the life of the mother would be endangered if the fetus were carried to term or in a case in which the pregnancy is the result of an act of rape or incest.

''(c) PROHIBITION ON PROVISION OF TRAVEL AND TRANSPORTATION ALLOWANCE TO OBTAIN ABORTIONS.—The Secretary may not provide transportation, lodging, meals-in-kind, or any actual or necessary expenses of travel or transportation, for, or in connection with, official travel for a member of the Coast Guard or a dependent of such a member seeking an abortion or any abortion-related service, except in a case in which the life of the mother would be endangered if the fetus were carried to term or the pregnancy is the result of an act of rape or incest.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 25 of title 14, United States Code, is amended by inserting after the item relating to section 2516 the following:

''2517. Performance of abortions: restrictions.''.

SA 2678. Mr. LEE 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. REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) FINDING.—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and the countries described in subsection (c)(2) for threats; and

(2) requires the Secretary of Defense to submit to Congress an annual report on the contributions of allies to the common defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the threats facing the United States—

(A) include near-peer threats; and

(B) require the United States to prioritize military assets and resources in accordance with the most recent National Defense Strategy;

(2) the United States should not continue to shoulder a disproportionate share of the burden for European security while current and prospective members of the North Atlantic Treaty Organization neglect to meet defense spending guidelines; and

(3) the President should seek from each member country of the North Atlantic Treaty Organization acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with the collective defense treaty to which such country is a party.

(c) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary of Defense, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and defense spending as a percentage of the gross domestic products of each such country for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions;

(D) any actions undertaken by the United States or by other countries to minimize such limitations; and

(E) with respect to each such country—

(i) the contributions made by the country to Ukraine, including an indication of whether such contributions relate to hard or soft power;

(ii) an assessment of the health of the defense industrial base of the country;

(iii) the comparative advantages of the defense industrial base of the country;

(iv) the size and structure of the military forces of the country, including an estimate of the amount of time required for such forces to achieve full military mobilization;

(v) any area in which the country would be fully dependent on allied military assets;

(vi) any delivery received or contract entered into by the country through the Foreign Military Sales or the Foreign Military Financing program during the preceding year;

(vii) any change in defense spending during the preceding year; and

(viii) the amount defense spending anticipated in the subsequent year.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:

(A) Each member country of the North Atlantic Treaty Organization.

(B) Each country participating in a North Atlantic Treaty Organization Membership Action Plan.

(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(4) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 2679. Mr. LEE 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. GROUNDS FOR IMMEDIATE WITHDRAWAL OF THE UNITED STATES FROM NORTH ATLANTIC TREATY IF ALL NATO COUNTRIES CONSENT TO UKRAINE BEGINNING THE NATO ACCESSION PROCESS.

Section 408 of the Mutual Security Act of 1954 (22 U.S.C. 1928) is amended by adding at the end the following:

''(d) GROUNDS FOR IMMEDIATE WITHDRAWAL.—If the North Atlantic Treaty Organization provides unanimous consent for Ukraine to begin the accession process, such action shall be grounds for the immediate withdrawal by the United States from the North Atlantic Treaty in accordance with Article 13 of the North Atlantic Treaty.''.

SA 2680. Mr. LEE 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. REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) FINDING.—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and the countries described in subsection (c)(2) for threats; and

(2) requires the Secretary of Defense to submit to Congress an annual report on the contributions of allies to the common defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the threats facing the United States—

(A) include near-peer threats; and

(B) require the United States to prioritize military assets and resources in accordance with the most recent National Defense Strategy;

(2) the United States should not continue to shoulder a disproportionate share of the burden for European security while current and prospective members of the North Atlantic Treaty Organization neglect to meet defense spending guidelines; and

(3) the President should seek from each member country of the North Atlantic Treaty Organization acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with the collective defense treaty to which such country is a party.

(c) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary of Defense, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and defense spending as a percentage of the gross domestic products of each such country for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions;

(D) any actions undertaken by the United States or by other countries to minimize such limitations; and

(E) with respect to each such country—

(i) the contributions made by the country to Ukraine, including an indication of whether such contributions relate to hard or soft power;

(ii) an assessment of the health of the defense industrial base of the country;

(iii) the comparative advantages of the defense industrial base of the country;

(iv) the size and structure of the military forces of the country, including an estimate of the amount of time required for such forces to achieve full military mobilization;

(v) any area in which the country would be fully dependent on allied military assets;

(vi) any delivery received or contract entered into by the country through the Foreign Military Sales or the Foreign Military Financing program during the preceding year;

(vii) any change in defense spending during the preceding year; and

(viii) the amount defense spending anticipated in the subsequent year.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:

(A) Each member country of the North Atlantic Treaty Organization.

(B) Each country participating in a North Atlantic Treaty Organization Membership Action Plan.

(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(4) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 2681. Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. BOOKER, Ms. BALDWIN, Ms. STABENOW, Mr. PADILLA, and Mr. KING) 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. BALTIC SECURITY INITIATIVE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish and carry out an initiative, to be known as the ''Baltic Security Initiative'' (in this section referred to as the ''Initiative'') for the purpose of deepening security cooperation with the Baltic countries.

(b) RELATIONSHIP TO EXISTING AUTHORITIES.—The Initiative required by subsection (a) shall be carried out pursuant to the authorities provided in title 10, United States Code.

(c) OBJECTIVES.—The objectives of the Initiative shall be—

(1) to achieve United States national security objectives by—

(A) deterring aggression by the Russian Federation; and

(B) implementing the North Atlantic Treaty Organization's new Strategic Concept, which seeks to strengthen the alliance's deterrence and defense posture by denying potential adversaries any possible opportunities for aggression;

(2) consistent with the Baltic defense assessment and report submitted to Congress pursuant to section 1246 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1661) and the annual United States-Baltic Dialogue among Estonia, Latvia, and Lithuania, and the Department of Defense and the Department of State, to enhance regional planning and cooperation among the Baltic countries, particularly with respect to long-term regional capability projects, including—

(A) long-range precision fire systems and capabilities;

(B) integrated air and missile defense;

(C) maritime domain awareness;

(D) land forces development, including stockpiling large caliber ammunition;

(E) command, control, communications, computers, intelligence, surveillance, and reconnaissance;

(F) special operations forces development;

(G) coordination with and security enhancements for Poland, which is a neighboring North Atlantic Treaty Organization ally; and

(H) other military capabilities, as determined by the Secretary of Defense; and

(3) to improve the Baltic countries' cyber defenses and resilience to hybrid threats.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a strategy for the Department of Defense to achieve the objectives described in subsection (b).

(2) CONSIDERATIONS.—The strategy required by this subsection shall include a consideration of—

(A) security assistance programs for the Baltic countries authorized as of the date on which the strategy is submitted;

(B) the ongoing security threats to the North Atlantic Treaty Organization's eastern flank posed by Russian aggression, including as a result of the Russian Federation's 2022 invasion of Ukraine with support from Belarus; and

(C) the ongoing security threats to the Baltic countries posed by the presence, coercive economic policies, and other malign activities of the People's Republic of China.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Defense $350,000,000 for each of the fiscal years 2025, 2026, and 2027 to carry out the Initiative.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should seek to require matching funds from each of the Baltic countries that participate in the Initiative in amounts commensurate with amounts provided by the Department of Defense for the Initiative.

(f) BALTIC COUNTRIES DEFINED.—In this section, the term ''Baltic countries'' means—

(1) Estonia;

(2) Latvia; and

(3) Lithuania.

SA 2682. Ms. KLOBUCHAR (for herself, Mr. MORAN, Mr. COONS, Mr. ROUNDS, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. SHAHEEN, Ms. MURKOWSKI, and Mr. CASSIDY) 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 division A, add the following:

TITLE XVII—FULFILLING PROMISES TO AFGHAN ALLIES

SEC. 1701. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Armed Services of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Committee on Homeland Security and Governmental Affairs of the Senate;

(F) the Committee on the Judiciary of the House of Representatives;

(G) the Committee on Foreign Affairs of the House of Representatives;

(H) the Committee on Armed Services of the House of Representatives;

(I) the Committee on Appropriations of the House of Representatives; and

(J) the Committee on Homeland Security of the House of Representatives.

(2) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(4) SPECIAL IMMIGRANT STATUS.—The term ''special immigrant status'' means special immigrant status provided under—

(A) the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8);

(B) section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109–163); or

(C) subparagraph (N) of section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)), as added by section 1706(a).

(5) SPECIFIED APPLICATION.—The term ''specified application'' means—

(A) a pending, documentarily complete application for special immigrant status; and

(B) a case in processing in the United States Refugee Admissions Program for an individual who has received a Priority 1 or Priority 2 referral to such program.

(6) UNITED STATES REFUGEE ADMISSIONS PROGRAM.—The term ''United States Refugee Admissions Program'' means the program to resettle refugees in the United States pursuant to the authorities provided in sections 101(a)(42), 207, and 412 of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42), 1157, and 1522).

SEC. 1702. SUPPORT FOR AFGHAN ALLIES OUTSIDE THE UNITED STATES.

(a) RESPONSE TO CONGRESSIONAL INQUIRIES.—The Secretary of State shall respond to inquiries by Members of Congress regarding the status of a specified application submitted by, or on behalf of, a national of Afghanistan, including any information that has been provided to the applicant, in accordance with section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)).

(b) OFFICE IN LIEU OF EMBASSY.—During the period in which there is no operational United States embassy in Afghanistan, the Secretary of State shall designate an appropriate office within the Department of State—

(1) to review specified applications submitted by nationals of Afghanistan residing in Afghanistan, including by conducting any required interviews;

(2) to issue visas or other travel documents to such nationals, in accordance with the immigration laws;

(3) to provide services to such nationals, to the greatest extent practicable, that would normally be provided by an embassy; and

(4) to carry out any other function the Secretary of State considers necessary.

SEC. 1703. CONDITIONAL PERMANENT RESIDENT STATUS FOR ELIGIBLE INDIVIDUALS.

(a) DEFINITIONS.—In this section:

(1) CONDITIONAL PERMANENT RESIDENT STATUS.—The term ''conditional permanent resident status'' means conditional permanent resident status under section 216 and 216A of the Immigration and Nationality Act (8 U.S.C. 1186a, 1186b), subject to the provisions of this section.

(2) ELIGIBLE INDIVIDUAL.—The term ''eligible individual'' means an alien who—

(A) is present in the United States;

(B) is a citizen or national of Afghanistan or, in the case of an alien having no nationality, is a person who last habitually resided in Afghanistan;

(C) has not been granted permanent resident status;

(D)(i) was inspected and admitted to the United States on or before the date of the enactment of this Act; or

(ii) was paroled into the United States during the period beginning on July 30, 2021, and ending on the date of the enactment of this Act, provided that—

(I) such parole has not been terminated by the Secretary upon written notice; and

(II) the alien did not enter the United States at a location between ports of entry along the southwest land border; and

(E) is admissible to the United States as an immigrant under the applicable immigration laws, including eligibility for waivers of grounds of inadmissibility to the extent provided by the immigration laws and the terms of this section.

(b) CONDITIONAL PERMANENT RESIDENT STATUS FOR ELIGIBLE INDIVIDUALS.—

(1) ADJUSTMENT OF STATUS TO CONDITIONAL PERMANENT RESIDENT STATUS.—Beginning on the date of the enactment of this Act, the Secretary—

(A) may adjust the status of each eligible individual to that of an alien lawfully admitted for permanent residence status, subject to the procedures established by the Secretary to determine eligibility for conditional permanent resident status; and

(B) shall create for each eligible individual who is granted adjustment of status under this section a record of admission to such status as of the date on which the eligible individual was initially inspected and admitted or paroled into the United States, or July 30, 2021, whichever is later,

unless the Secretary determines, on a case-by-case basis, that such individual is inadmissible under any ground of inadmissibility under section 212 (other than subsection (a)(4)) of the Immigration and Nationality Act (8 U.S.C. 1182) and is not eligible for a waiver of such grounds of inadmissibility as provided by this title or by the immigration laws.

(2) CONDITIONAL BASIS.—An individual who obtains lawful permanent resident status under this section shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence, to have obtained such status on a conditional basis subject to the provisions of this section.

(c) CONDITIONAL PERMANENT RESIDENT STATUS DESCRIBED.—

(1) ASSESSMENT.—

(A) IN GENERAL.—Before granting conditional permanent resident status to an eligible individual under subsection (b)(1), the Secretary shall conduct an assessment with respect to the eligible individual, which shall be equivalent in rigor to the assessment conducted with respect to refugees admitted to the United States through the United States Refugee Admissions Program, for the purpose of determining whether the eligible individual is inadmissible under any ground of inadmissibility under section 212 (other than subsection (a)(4)) of the Immigration and Nationality Act (8 U.S.C. 1182) and is not eligible for a waiver of such grounds of inadmissibility under paragraph (2)(C) or the immigration laws.

(B) CONSULTATION.—In conducting an assessment under subparagraph (A), the Secretary may consult with the head of any other relevant agency and review the holdings of any such agency.

(2) REMOVAL OF CONDITIONS.—

(A) IN GENERAL.—Not earlier than the date described in subparagraph (B), the Secretary may remove the conditional basis of the status of an individual granted conditional permanent resident status under this section unless the Secretary determines, on a case-by-case basis, that such individual is inadmissible under any ground of inadmissibility under paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), and is not eligible for a waiver of such grounds of inadmissibility under subparagraph (C) or the immigration laws.

(B) DATE DESCRIBED.—The date described in this subparagraph is the earlier of—

(i) the date that is 4 years after the date on which the individual was admitted or paroled into the United States; or

(ii) July 1, 2027.

(C) WAIVER.—

(i) IN GENERAL.—Except as provided in clause (ii), to determine eligibility for conditional permanent resident status under subsection (b) or removal of conditions under this paragraph, the Secretary may waive the application of the grounds of inadmissibility under 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes or to ensure family unity.

(ii) EXCEPTIONS.—The Secretary may not waive under clause (i) the application of subparagraphs (C) through (E) and (G) through (H) of paragraph (2), or paragraph (3), of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)).

(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph may be construed to expand or limit any other waiver authority applicable under the immigration laws to an individual who is otherwise eligible for adjustment of status.

(D) TIMELINE.—Not later than 180 days after the date described in subparagraph (B), the Secretary shall, to the greatest extent practicable, remove conditions as to all individuals granted conditional permanent resident status under this section who are eligible for removal of conditions.

(3) TREATMENT OF CONDITIONAL BASIS OF STATUS PERIOD FOR PURPOSES OF NATURALIZATION.—An individual in conditional permanent resident status under this section shall be considered—

(A) to have been admitted to the United States as an alien lawfully admitted for permanent residence; and

(B) to be present in the United States as an alien lawfully admitted to the United States for permanent residence, provided that, no alien granted conditional permanent resident status shall be naturalized unless the alien's conditions have been removed under this section.

(d) TERMINATION OF CONDITIONAL PERMANENT RESIDENT STATUS.—Conditional permanent resident status shall terminate on, as applicable—

(1) the date on which the Secretary removes the conditions pursuant to subsection (c)(2), on which date the alien shall be lawfully admitted for permanent residence without conditions;

(2) the date on which the Secretary determines that the alien was not an eligible individual under subsection (a)(2) as of the date that such conditional permanent resident status was granted, on which date of the Secretary's determination the alien shall no longer be an alien lawfully admitted for permanent residence; or

(3) the date on which the Secretary determines pursuant to subsection (c)(2) that the alien is not eligible for removal of conditions, on which date the alien shall no longer be an alien lawfully admitted for permanent residence.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Secretary at any time to place in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) any alien who has conditional permanent resident status under this section, if the alien is deportable under section 237 of such Act (8 U.S.C. 1227) under a ground of deportability applicable to an alien who has been lawfully admitted for permanent residence.

(f) PAROLE EXPIRATION TOLLED.—The expiration date of a period of parole shall not apply to an individual under consideration for conditional permanent resident status under this section, until such time as the Secretary has determined whether to issue conditional permanent resident status.

(g) PERIODIC NONADVERSARIAL MEETINGS.—

(1) IN GENERAL.—Not later than 180 days after the date on which an individual is conferred conditional permanent resident status under this section, and periodically thereafter, the Office of Refugee Resettlement shall make available opportunities for the individual to participate in a nonadversarial meeting, during which an official of the Office of Refugee Resettlement (or an agency funded by the Office) shall—

(A) on request by the individual, assist the individual in a referral or application for applicable benefits administered by the Department of Health and Human Services and completing any applicable paperwork; and

(B) answer any questions regarding eligibility for other benefits administered by the United States Government.

(2) NOTIFICATION OF REQUIREMENTS.—Not later than 7 days before the date on which a meeting under paragraph (1) is scheduled to occur, the Secretary of Health and Human Services shall provide notice to the individual that includes the date of the scheduled meeting and a description of the process for rescheduling the meeting.

(3) CONDUCT OF MEETING.—The Secretary of Health and Human Services shall implement practices to ensure that—

(A) meetings under paragraph (1) are conducted in a nonadversarial manner; and

(B) interpretation and translation services are provided to individuals granted conditional permanent resident status under this section who have limited English proficiency.

(4) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to prevent an individual from electing to have counsel present during a meeting under paragraph (1); or

(B) in the event that an individual declines to participate in such a meeting, to affect the individual's conditional permanent resident status under this section or eligibility to have conditions removed in accordance with this section.

(h) CONSIDERATION.—Except with respect to an application for naturalization and the benefits described in subsection (p), an individual in conditional permanent resident status under this section shall be considered to be an alien lawfully admitted for permanent residence for purposes of the adjudication of an application or petition for a benefit or the receipt of a benefit.

(i) NOTIFICATION OF REQUIREMENTS.—Not later than 90 days after the date on which the status of an individual is adjusted to that of conditional permanent resident status under this section, the Secretary shall provide notice to such individual with respect to the provisions of this section, including subsection (c)(1) (relating to the conduct of assessments) and subsection (g) (relating to periodic nonadversarial meetings).

(j) APPLICATION FOR NATURALIZATION.—The Secretary shall establish procedures whereby an individual who would otherwise be eligible to apply for naturalization but for having conditional permanent resident status, may be considered for naturalization coincident

with removal of conditions under subsection (c)(2).

(k) ADJUSTMENT OF STATUS DATE.—

(1) IN GENERAL.—An alien described in paragraph (2) shall be regarded as lawfully admitted for permanent residence as of the date the alien was initially inspected and admitted or paroled into the United States, or July 30, 2021, whichever is later.

(2) ALIEN DESCRIBED.—An alien described in this paragraph is an alien who—

(A) is described in subparagraphs (A), (B), and (D) of subsection (a)(2), and whose status was adjusted to that of an alien lawfully admitted for permanent residence on or after July 30, 2021, but on or before the date of the enactment of this Act; or

(B) is an eligible individual whose status is then adjusted to that of an alien lawfully admitted for permanent residence after the date of the enactment of this Act under any provision of the immigration laws other than this section.

(l) PARENTS AND LEGAL GUARDIANS OF UNACCOMPANIED CHILDREN.—A parent or legal guardian of an eligible individual shall be eligible to obtain status as an alien lawfully admitted for permanent residence on a conditional basis if—

(1) the eligible individual—

(A) was under 18 years of age on the date on which the eligible individual was granted conditional permanent resident status under this section; and

(B) was not accompanied by at least one parent or guardian on the date the eligible individual was admitted or paroled into the United States; and

(2) such parent or legal guardian was admitted or paroled into the United States after the date referred to in paragraph (1)(B).

(m) GUIDANCE.—

(1) INTERIM GUIDANCE.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall issue guidance implementing this section.

(B) PUBLICATION.—Notwithstanding section 553 of title 5, United States Code, guidance issued pursuant to subparagraph (A)—

(i) may be published on the internet website of the Department of Homeland Security; and

(ii) shall be effective on an interim basis immediately upon such publication but may be subject to change and revision after notice and an opportunity for public comment.

(2) FINAL GUIDANCE.—

(A) IN GENERAL.—Not later than 180 days after the date of issuance of guidance under paragraph (1), the Secretary shall finalize the guidance implementing this section.

(B) EXEMPTION FROM THE ADMINISTRATIVE PROCEDURES ACT.—Chapter 5 of title 5, United States Code (commonly known as the ''Administrative Procedures Act''), or any other law relating to rulemaking or information collection, shall not apply to the guidance issued under this paragraph.

(n) ASYLUM CLAIMS.—

(1) IN GENERAL.—With respect to the adjudication of an application for asylum submitted by an eligible individual, section 2502(c) of the Extending Government Funding and Delivering Emergency Assistance Act (8 U.S.C. 1101 note; Public Law 117–43) shall not apply.

(2) RULE OF CONSTRUCTION.—Nothing in this section may be construed to prohibit an eligible individual from seeking or receiving asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158).

(o) PROHIBITION ON FEES.—The Secretary may not charge a fee to any eligible individual in connection with the initial issuance under this section of—

(1) a document evidencing status as an alien lawfully admitted for permanent residence or conditional permanent resident status; or

(2) an employment authorization document.

(p) ELIGIBILITY FOR BENEFITS.—

(1) IN GENERAL.—Notwithstanding any other provision of law—

(A) an individual described in subsection (a) of section 2502 of the Afghanistan Supplemental Appropriations Act, 2022 (8 U.S.C. 1101 note; Public Law 117–43) shall retain his or her eligibility for the benefits and services described in subsection (b) of such section if the individual is under consideration for, or is granted, adjustment of status under this section; and

(B) such benefits and services shall remain available to the individual to the same extent and for the same periods of time as such benefits and services are otherwise available to refugees who acquire such status.

(2) EXCEPTION FROM 5-YEAR LIMITED ELIGIBILITY FOR MEANS-TESTED PUBLIC BENEFITS.—Section 403(b)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)(1)) is amended by adding at the end the following:

''(F) An alien whose status is adjusted under section 1703 of the National Defense Authorization Act for Fiscal Year 2025 to that of an alien lawfully admitted for permanent residence or to that of an alien lawfully admitted for permanent residence on a conditional basis.''.

(q) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preclude an eligible individual from applying for or receiving any immigration benefit to which the individual is otherwise entitled.

(r) EXEMPTION FROM NUMERICAL LIMITATIONS.—

(1) IN GENERAL.—Aliens granted conditional permanent resident status or lawful permanent resident status under this section shall not be subject to the numerical limitations under sections 201, 202, and 203 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, and 1153).

(2) SPOUSE AND CHILDREN BENEFICIARIES.—A spouse or child who is the beneficiary of an immigrant petition under section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) filed by an alien who has been granted conditional permanent resident status or lawful permanent resident status under this section, seeking classification of the spouse or child under section 203(a)(2)(A) of that Act (8 U.S.C. 1153(a)(2)(A)) shall not be subject to the numerical limitations under sections 201, 202, and 203 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, and 1153).

(s) EFFECT ON OTHER APPLICATIONS.—Notwithstanding any other provision of law, in the interest of efficiency, the Secretary may pause consideration of any application or request for an immigration benefit pending adjudication so as to prioritize consideration of adjustment of status to an alien lawfully admitted for permanent residence on a conditional basis under this section.

(t) AUTHORIZATION FOR APPROPRIATIONS.—There is authorized to be appropriated to the Attorney General, the Secretary of Health and Human Services, the Secretary, and the Secretary of State such sums as are necessary to carry out this section.

SEC. 1704. REFUGEE PROCESSES FOR CERTAIN AT-RISK AFGHAN ALLIES.

(a) DEFINITION OF AFGHAN ALLY.—

(1) IN GENERAL.—In this section, the term ''Afghan ally'' means an alien who is a citizen or national of Afghanistan, or in the case of an alien having no nationality, an alien who last habitually resided in Afghanistan, who—

(A) was—

(i) a member of—

(I) the special operations forces of the Afghanistan National Defense and Security Forces;

(II) the Afghanistan National Army Special Operations Command;

(III) the Afghan Air Force; or

(IV) the Special Mission Wing of Afghanistan;

(ii) a female member of any other entity of the Afghanistan National Defense and Security Forces, including—

(I) a cadet or instructor at the Afghanistan National Defense University; and

(II) a civilian employee of the Ministry of Defense or the Ministry of Interior Affairs;

(iii) an individual associated with former Afghan military and police human intelligence activities, including operators and Department of Defense sources;

(iv) an individual associated with former Afghan military counterintelligence, counterterrorism, or counternarcotics;

(v) an individual associated with the former Afghan Ministry of Defense, Ministry of Interior Affairs, or court system, and who was involved in the investigation, prosecution or detention of combatants or members of the Taliban or criminal networks affiliated with the Taliban;

(vi) an individual employed in the former justice sector in Afghanistan as a judge, prosecutor, or investigator who was engaged in rule of law activities for which the United States provided funding or training; or

(vii) a senior military officer, senior enlisted personnel, or civilian official who served on the staff of the former Ministry of Defense or the former Ministry of Interior Affairs of Afghanistan; or

(B) provided service to an entity or organization described in subparagraph (A) for not less than 1 year during the period beginning on December 22, 2001, and ending on September 1, 2021, and did so in support of the United States mission in Afghanistan.

(2) INCLUSIONS.—For purposes of this section, the Afghanistan National Defense and Security Forces includes members of the security forces under the Ministry of Defense and the Ministry of Interior Affairs of the Islamic Republic of Afghanistan, including the Afghanistan National Army, the Afghan Air Force, the Afghanistan National Police, and any other entity designated by the Secretary of Defense as part of the Afghanistan National Defense and Security Forces during the relevant period of service of the applicant concerned.

(b) REFUGEE STATUS FOR AFGHAN ALLIES.—

(1) DESIGNATION AS REFUGEES OF SPECIAL HUMANITARIAN CONCERN.—Afghan allies shall be considered refugees of special humanitarian concern under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), until the later of 10 years after the date of enactment of this Act or upon determination by the Secretary of State, in consultation with the Secretary of Defense and the Secretary, that such designation is no longer in the interest of the United States.

(2) THIRD COUNTRY PRESENCE NOT REQUIRED.—Notwithstanding section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)), the Secretary of State and the Secretary shall, to the greatest extent possible, conduct remote refugee processing for an Afghan ally located in Afghanistan.

(c) AFGHAN ALLIES REFERRAL PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act—

(A) the Secretary of Defense, in consultation with the Secretary of State, shall establish a process by which an individual may apply to the Secretary of Defense for classification as an Afghan ally and request a referral to the United States Refugee Admissions Program; and

(B) the head of any appropriate department or agency that conducted operations in Afghanistan during the period beginning on December 22, 2001, and ending on September 1, 2021, in consultation with the Secretary of State, may establish a process by which an individual may apply to the head of the appropriate department or agency for classification as an Afghan ally and request a referral to the United States Refugee Admissions Program.

(2) APPLICATION SYSTEM.—

(A) IN GENERAL.—The process established under paragraph (1) shall—

(i) include the development and maintenance of a secure online portal through which applicants may provide information verifying their status as Afghan allies and upload supporting documentation; and

(ii) allow—

(I) an applicant to submit his or her own application;

(II) a designee of an applicant to submit an application on behalf of the applicant; and

(III) in the case of an applicant who is outside the United States, the submission of an application regardless of where the applicant is located.

(B) USE BY OTHER AGENCIES.—The Secretary of Defense—

(i) may enter into arrangements with the head of any other appropriate department or agency so as to allow the application system established under subparagraph (A) to be used by such department or agency; and

(ii) shall notify the Secretary of State of any such arrangement.

(3) REVIEW PROCESS.—As soon as practicable after receiving a request for classification and referral described in paragraph (1), the head of the appropriate department or agency shall—

(A) review—

(i) the service record of the applicant, if available;

(ii) if the applicant provides a service record or other supporting documentation, any information that helps verify the service record concerned, including information or an attestation provided by any current or former official of the department or agency who has personal knowledge of the eligibility of the applicant for such classification and referral; and

(iii) the data holdings of the department or agency and other cooperating interagency partners, including as applicable biographic and biometric records, iris scans, fingerprints, voice biometric information, hand geometry biometrics, other identifiable information, and any other information related to the applicant, including relevant derogatory information; and

(B)(i) in a case in which the head of the department or agency determines that the applicant is an Afghan ally without significant derogatory information, refer the Afghan ally to the United States Refugee Admissions Program as a refugee; and

(ii) include with such referral—

(I) any service record concerned, if available;

(II) if the applicant provides a service record, any information that helps verify the service record concerned; and

(III) any biometrics for the applicant.

(4) REVIEW PROCESS FOR DENIAL OF REQUEST FOR REFERRAL.—

(A) IN GENERAL.—In the case of an applicant with respect to whom the head of the appropriate department or agency denies a request for classification and referral based on a determination that the applicant is not an Afghan ally or based on derogatory information—

(i) the head of the department or agency shall provide the applicant with a written notice of the denial that provides, to the maximum extent practicable, a description of the basis for the denial, including the facts and inferences, or evidentiary gaps, underlying the individual determination; and

(ii) the applicant shall be provided an opportunity to submit not more than 1 written appeal to the head of the department or agency for each such denial.

(B) DEADLINE FOR APPEAL.—An appeal under clause (ii) of subparagraph (A) shall be submitted—

(i) not more than 120 days after the date on which the applicant concerned receives notice under clause (i) of that subparagraph; or

(ii) on any date thereafter, at the discretion of the head of the appropriate department or agency.

(C) REQUEST TO REOPEN.—

(i) IN GENERAL.—An applicant who receives a denial under subparagraph (A) may submit a request to reopen a request for classification and referral under the process established under paragraph (1) so that the applicant may provide additional information, clarify existing information, or explain any unfavorable information.

(ii) LIMITATION.—After considering 1 such request to reopen from an applicant, the head of the appropriate department or agency may deny subsequent requests to reopen submitted by the same applicant.

(5) FORM AND CONTENT OF REFERRAL.—To the extent practicable, the head of the appropriate department or agency shall ensure that referrals made under this subsection—

(A) conform to requirements established by the Secretary of State for form and content; and

(B) are complete and include sufficient contact information, supporting documentation, and any other material the Secretary of State or the Secretary consider necessary or helpful in determining whether an applicant is entitled to refugee status.

(6) TERMINATION.—The application process and referral system under this subsection shall terminate upon the later of 1 year before the termination of the designation under subsection (b)(1) or on the date of a joint determination by the Secretary of State and the Secretary of Defense, in consultation with the Secretary, that such termination is in the national interest of the United States.

(d) GENERAL PROVISIONS.—

(1) PROHIBITION ON FEES.—The Secretary, the Secretary of Defense, the Secretary of State, or the head of any appropriate department or agency referring Afghan allies under this section may not charge any fee in connection with a request for a classification and referral as a refugee under this section.

(2) DEFENSE PERSONNEL.—Any limitation in law with respect to the number of personnel within the Office of the Secretary of Defense, the military departments, or a Defense Agency (as defined in section 101(a) of title 10, United States Code) shall not apply to personnel employed for the primary purpose of carrying out this section.

(3) REPRESENTATION.—An alien applying for admission to the United States under this section may be represented during the application process, including at relevant interviews and examinations, by an attorney or other accredited representative. Such representation shall not be at the expense of the United States Government.

(4) PROTECTION OF ALIENS.—The Secretary of State, in consultation with the head of any other appropriate Federal agency, shall make a reasonable effort to provide an alien who has been classified as an Afghan ally and has been referred as a refugee under this section protection or to immediately remove such alien from Afghanistan, if possible.

(5) OTHER ELIGIBILITY FOR IMMIGRANT STATUS.—No alien shall be denied the opportunity to apply for admission under this section solely because the alien qualifies as an immediate relative or is eligible for any other immigrant classification.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as necessary for each of fiscal years 2024 through 2034 to carry out this section.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to inhibit the Secretary of State from accepting refugee referrals from any entity.

SEC. 1705. IMPROVING EFFICIENCY AND OVERSIGHT OF REFUGEE AND SPECIAL IMMIGRANT PROCESSING.

(a) ACCEPTANCE OF FINGERPRINT CARDS AND SUBMISSIONS OF BIOMETRICS.—In addition to the methods authorized under the heading relating to the Immigration and Naturalization Service under title I of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1998 (Public Law 105–119, 111 Stat. 2448; 8 U.S.C. 1103 note), and other applicable law, and subject to such safeguards as the Secretary, in consultation with the Secretary of State or the Secretary of Defense, as appropriate, shall prescribe to ensure the integrity of the biometric collection (which shall include verification of identity by comparison of such fingerprints with fingerprints taken by or under the direct supervision of the Secretary prior to or at the time of the individual's application for admission to the United States), the Secretary may, in the case of any application for any benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), accept fingerprint cards or any other submission of biometrics—

(1) prepared by international or nongovernmental organizations under an appropriate agreement with the Secretary or the Secretary of State;

(2) prepared by employees or contractors of the Department of Homeland Security or the Department of State; or

(3) provided by an agency (as defined under section 3502 of title 44, United States Code).

(b) STAFFING.—

(1) VETTING.—The Secretary of State, the Secretary, the Secretary of Defense, and any other agency authorized to carry out the vetting process under this title, shall each ensure sufficient staffing, and request the resources necessary, to efficiently and adequately carry out the vetting of applicants for—

(A) referral to the United States Refugee Admissions Program, consistent with the determinations established under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157); and

(B) special immigrant status.

(2) REFUGEE RESETTLEMENT.—The Secretary of Health and Human Services shall ensure sufficient staffing to efficiently provide assistance under chapter 2 of title IV of the Immigration and Nationality Act (8 U.S.C. 1521 et seq.) to refugees resettled in the United States.

(c) REMOTE PROCESSING.—Notwithstanding any other provision of law, the Secretary of State and the Secretary shall employ remote processing capabilities for refugee processing under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), including secure digital file transfers, videoconferencing and teleconferencing capabilities, remote review of applications, remote interviews, remote collection of signatures, waiver of the applicant's appearance or signature (other than a final appearance and verification by the oath of the applicant prior to or at the time of the individual's application for admission to the

United States), waiver of signature for individuals under 5 years old, and any other capability the Secretary of State and the Secretary consider appropriate, secure, and likely to reduce processing wait times at particular facilities.

(d) MONTHLY ARRIVAL REPORTS.—With respect to monthly reports issued by the Secretary of State relating to United States Refugee Admissions Program arrivals, the Secretary of State shall report—

(1) the number of monthly admissions of refugees, disaggregated by priorities; and

(2) the number of Afghan allies admitted as refugees.

(e) INTERAGENCY TASK FORCE ON AFGHAN ALLY STRATEGY.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall establish an Interagency Task Force on Afghan Ally Strategy (referred to in this section as the ''Task Force'')—

(A) to develop and oversee the implementation of the strategy and contingency plan described in subparagraph (A)(i) of paragraph (4); and

(B) to submit the report, and provide a briefing on the report, as described in subparagraphs (A) and (B) of paragraph (4).

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Task Force shall include—

(i) 1 or more representatives from each relevant Federal agency, as designated by the head of the applicable relevant Federal agency; and

(ii) any other Federal Government official designated by the President.

(B) RELEVANT FEDERAL AGENCY DEFINED.—In this paragraph, the term ''relevant Federal agency'' means—

(i) the Department of State;

(ii) the Department Homeland Security;

(iii) the Department of Defense;

(iv) the Department of Health and Human Services;

(v) the Department of Justice; and

(vi) the Office of the Director of National Intelligence.

(3) CHAIR.—The Task Force shall be chaired by the Secretary of State.

(4) DUTIES.—

(A) REPORT.—

(i) IN GENERAL.—Not later than 180 days after the date on which the Task Force is established, the Task Force, acting through the chair of the Task Force, shall submit a report to the appropriate committees of Congress that includes—

(I) a strategy for facilitating the resettlement of nationals of Afghanistan outside the United States who, during the period beginning on October 1, 2001, and ending on September 1, 2021, directly and personally supported the United States mission in Afghanistan, as determined by the Secretary of State in consultation with the Secretary of Defense; and

(II) a contingency plan for future emergency operations in foreign countries involving foreign nationals who have worked directly with the United States Government, including the Armed Forces of the United States and United States intelligence agencies.

(ii) ELEMENTS.—The report required under clause (i) shall include—

(I) the total number of nationals of Afghanistan who have pending specified applications, disaggregated by—

(aa) such nationals in Afghanistan and such nationals in a third country;

(bb) type of specified application; and

(cc) applications that are documentarily complete and applications that are not documentarily complete;

(II) an estimate of the number of nationals of Afghanistan who may be eligible for special immigrant status or classification as an Afghan ally;

(III) with respect to the strategy required under subparagraph (A)(i)(I)—

(aa) the estimated number of nationals of Afghanistan described in such subparagraph;

(bb) a description of the process for safely resettling such nationals of Afghanistan;

(cc) a plan for processing such nationals of Afghanistan for admission to the United States that—

(AA) discusses the feasibility of remote processing for such nationals of Afghanistan residing in Afghanistan;

(BB) includes any strategy for facilitating refugee and consular processing for such nationals of Afghanistan in third countries, and the timelines for such processing;

(CC) includes a plan for conducting rigorous and efficient vetting of all such nationals of Afghanistan for processing;

(DD) discusses the availability and capacity of sites in third countries to process applications and conduct any required vetting for such nationals of Afghanistan, including the potential to establish additional sites; and

(EE) includes a plan for providing updates and necessary information to affected individuals and relevant nongovernmental organizations;

(dd) a description of considerations, including resource constraints, security concerns, missing or inaccurate information, and diplomatic considerations, that limit the ability of the Secretary of State or the Secretary to increase the number of such nationals of Afghanistan who can be safely processed or resettled;

(ee) an identification of any resource or additional authority necessary to increase the number of such nationals of Afghanistan who can be processed or resettled;

(ff) an estimate of the cost to fully implement the strategy; and

(gg) any other matter the Task Force considers relevant to the implementation of the strategy;

(IV) with respect to the contingency plan required by clause (i)(II)—

(aa) a description of the standard practices for screening and vetting foreign nationals considered to be eligible for resettlement in the United States, including a strategy for vetting, and maintaining the records of, such foreign nationals who are unable to provide identification documents or biographic details due to emergency circumstances;

(bb) a strategy for facilitating refugee or consular processing for such foreign nationals in third countries;

(cc) clear guidance with respect to which Federal agency has the authority and responsibility to coordinate Federal resettlement efforts;

(dd) a description of any resource or additional authority necessary to coordinate Federal resettlement efforts, including the need for a contingency fund;

(ee) any other matter the Task Force considers relevant to the implementation of the contingency plan; and

(V) a strategy for the efficient processing of all Afghan special immigrant visa applications and appeals, including—

(aa) a review of current staffing levels and needs across all interagency offices and officials engaged in the special immigrant visa process;

(bb) an analysis of the expected Chief of Mission approvals and denials of applications in the pipeline in order to project the expected number of visas necessary to provide special immigrant status to all approved applicants under this title during the several years after the date of the enactment of this Act;

(cc) an assessment as to whether adequate guidelines exist for reconsidering or reopening applications for special immigrant visas in appropriate circumstances and consistent with applicable laws; and

(dd) an assessment of the procedures throughout the special immigrant visa application process, including at the Portsmouth Consular Center, and the effectiveness of communication between the Portsmouth Consular Center and applicants, including an identification of any area in which improvements to the efficiency of such procedures and communication may be made.

(iii) FORM.—The report required under clause (i) shall be submitted in unclassified form but may include a classified annex.

(B) BRIEFING.—Not later than 60 days after submitting the report required by clause (i), the Task Force shall brief the appropriate committees of Congress on the contents of the report.

(5) TERMINATION.—The Task Force shall remain in effect until the later of—

(A) the date on which the strategy required under paragraph (4)(A)(i)(I) has been fully implemented;

(B) the date of a determination by the Secretary of State, in consultation with the Secretary of Defense and the Secretary, that a task force is no longer necessary for the implementation of subparagraphs (A) and (B) of paragraph (1); or

(C) the date that is 10 years after the date of the enactment of this Act.

(f) IMPROVING CONSULTATION WITH CONGRESS.—Section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) is amended—

(1) in subsection (a), by amending paragraph (4) to read as follows:

''(4)(A) In the determination made under this subsection for each fiscal year (beginning with fiscal year 1992), the President shall enumerate, with the respective number of refugees so determined, the number of aliens who were granted asylum in the previous year.

''(B) In making a determination under paragraph (1), the President shall consider the information in the most recently published projected global resettlement needs report published by the United Nations High Commissioner for Refugees.'';

(2) in subsection (e), by amending paragraph (2) to read as follows:

''(2) A description of the number and allocation of the refugees to be admitted, including the expected allocation by region, and an analysis of the conditions within the countries from which they came.''; and

(3) by adding at the end the following—

''(g) QUARTERLY REPORTS ON ADMISSIONS.—Not later than 30 days after the last day of each quarter beginning the fourth quarter of fiscal year 2024, the President shall submit to the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Foreign Relations of the Senate and the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Foreign Affairs of the House of Representatives a report that includes the following:

''(1) REFUGEES ADMITTED.—

''(A) The number of refugees admitted to the United States during the preceding quarter.

''(B) The cumulative number of refugees admitted to the United States during the applicable fiscal year, as of the last day of the preceding quarter.

''(C) The number of refugees expected to be admitted to the United States during the remainder of the applicable fiscal year.

''(D) The number of refugees from each region admitted to the United States during the preceding quarter.

''(2) REFUGEE APPLICANTS WITH PENDING SECURITY CHECKS.—

''(A) The number of aliens, by nationality, security check, and responsible vetting agency, for whom a National Vetting Center or other security check has been requested during the preceding quarter, and the number of aliens, by nationality, for whom the check was pending beyond 30 days.

''(B) The number of aliens, by nationality, security check, and responsible vetting agency, for whom a National Vetting Center or other security check has been pending for more than 180 days.

''(3) CIRCUIT RIDES.—

''(A) For the preceding quarter—

''(i) the number of Refugee Corps officers deployed on circuit rides and the overall number of Refugee Corps officers;

''(ii) the number of individuals interviewed—

''(I) on each circuit ride; and

''(II) at each circuit ride location;

''(iii) the number of circuit rides; and

''(iv) for each circuit ride, the duration of the circuit ride.

''(B) For the subsequent 2 quarters—

''(i) the number of circuit rides planned; and

''(ii) the number of individuals planned to be interviewed.

''(4) PROCESSING.—

''(A) For refugees admitted to the United States during the preceding quarter, the average number of days between—

''(i) the date on which an individual referred to the United States Government as a refugee applicant is interviewed by the Secretary of Homeland Security; and

''(ii) the date on which such individual is admitted to the United States.

''(B) For refugee applicants interviewed by the Secretary of Homeland Security in the preceding quarter, the approval, denial, recommended approval, recommended denial, and hold rates for the applications for admission of such individuals, disaggregated by nationality.''.

SEC. 1706. SUPPORT FOR CERTAIN VULNERABLE AFGHANS RELATING TO EMPLOYMENT BY OR ON BEHALF OF THE UNITED STATES.

(a) SPECIAL IMMIGRANT VISAS FOR CERTAIN RELATIVES OF CERTAIN MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—Section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) is amended—

(A) in subparagraph (L)(iii), by adding a semicolon at the end;

(B) in subparagraph (M), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(N) a citizen or national of Afghanistan who is the parent or brother or sister of—

''(i) a member of the armed forces (as defined in section 101(a) of title 10, United States Code); or

''(ii) a veteran (as defined in section 101 of title 38, United States Code).''.

(2) NUMERICAL LIMITATIONS.—

(A) IN GENERAL.—Subject to subparagraph (C), the total number of principal aliens who may be provided special immigrant visas under subparagraph (N) of section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)), as added by paragraph (1), may not exceed 2,500 each fiscal year.

(B) CARRYOVER.—If the numerical limitation specified in subparagraph (A) is not reached during a given fiscal year, the numerical limitation specified in such subparagraph for the following fiscal year shall be increased by a number equal to the difference between—

(i) the numerical limitation specified in subparagraph (A) for the given fiscal year; and

(ii) the number of principal aliens provided special immigrant visas under subparagraph (N) of section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) during the given fiscal year.

(C) MAXIMUM NUMBER OF VISAS.—The total number of aliens who may be provided special immigrant visas under subparagraph (N) of section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) shall not exceed 10,000.

(D) DURATION OF AUTHORITY.—The authority to issue visas under subparagraph (N) of section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) shall—

(i) commence on the date of the enactment of this Act; and

(ii) terminate on the date on which all such visas are exhausted.

(b) CERTAIN AFGHANS INJURED OR KILLED IN THE COURSE OF EMPLOYMENT.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8) is amended—

(1) in paragraph (2)(A)—

(A) by amending clause (ii) to read as follows:

''(ii)(I) was or is employed in Afghanistan on or after October 7, 2001, for not less than 1 year—

''(aa) by, or on behalf of, the United States Government; or

''(bb) by the International Security Assistance Force (or any successor name for such Force) in a capacity that required the alien—

''(AA) while traveling off-base with United States military personnel stationed at the International Security Assistance Force (or any successor name for such Force), to serve as an interpreter or translator for such United States military personnel; or

''(BB) to perform activities for the United States military personnel stationed at International Security Assistance Force (or any successor name for such Force); or

''(II) in the case of an alien who was wounded or seriously injured in connection with employment described in subclause (I), was employed for any period until the date on which such wound or injury occurred, if the wound or injury prevented the alien from continuing such employment;''; and

(B) in clause (iii), by striking ''clause (ii)'' and inserting ''clause (ii)(I)'';

(2) in paragraph (13)(A)(i), by striking ''subclause (I) or (II)(bb) of paragraph (2)(A)(ii)'' and inserting ''item (aa) or (bb)(BB) of paragraph (2)(A)(ii)(I)'';

(3) in paragraph (14)(C), by striking ''paragraph (2)(A)(ii)'' and inserting ''paragraph (2)(A)(ii)(I)''; and

(4) in paragraph (15), by striking ''paragraph (2)(A)(ii)'' and inserting ''paragraph (2)(A)(ii)(I)''.

(c) EXTENSION OF SPECIAL IMMIGRANT VISA PROGRAM UNDER AFGHAN ALLIES PROTECTION ACT OF 2009.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8) is amended—

(1) in paragraph (3)(F)—

(A) in the subparagraph heading, by striking ''FISCAL YEARS 2015 THROUGH 2022'' and inserting ''FISCAL YEARS 2015 THROUGH 2029''; and

(B) in clause (i), by striking ''December 31, 2024'' and inserting ''December 31, 2029''; and

(C) in clause (ii), by striking ''December 31, 2024'' and inserting ''December 31, 2029''; and

(2) in paragraph (13), in the matter preceding subparagraph (A), by striking ''January 31, 2024'' and inserting ''January 31, 2030''.

(d) AUTHORIZATION OF VIRTUAL INTERVIEWS.—Section 602(b)(4) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8;) is amended by adding at the end the following:

''(D) VIRTUAL INTERVIEWS.—Notwithstanding section 222(e) of the Immigration and Nationality Act (8 U.S.C. 1202(e)), an application for an immigrant visa under this section may be signed by the applicant through a virtual video meeting before a consular officer and verified by the oath of the applicant administered by the consular officer during a virtual video meeting.''.

(e) QUARTERLY REPORTS.—Paragraph (12) of section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8) is amended is amended to read as follows:

''(12) QUARTERLY REPORTS.—

''(A) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of the FAA Reauthorization Act of 2024 and every 90 days thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report that includes the following:

''(i) For the preceding quarter—

''(I) a description of improvements made to the processing of special immigrant visas and refugee processing for citizens and nationals of Afghanistan;

''(II) the number of new Afghan referrals to the United States Refugee Admissions Program, disaggregated by referring entity;

''(III) the number of interviews of Afghans conducted by U.S. Citizenship and Immigration Services, disaggregated by the country in which such interviews took place;

''(IV) the number of approvals and the number of denials of refugee status requests for Afghans;

''(V) the number of total admissions to the United States of Afghan refugees;

''(VI) number of such admissions, disaggregated by whether the refugees come from within, or outside of, Afghanistan;

''(VII) the average processing time for citizens and nationals of Afghanistan who are applicants;

''(VIII) the number of such cases processed within such average processing time; and

''(IX) the number of denials issued with respect to applications by citizens and nationals of Afghanistan.

''(ii) The number of applications by citizens and nationals of Afghanistan for refugee referrals pending as of the date of submission of the report.

''(iii) A description of the efficiency improvements made in the process by which applications for special immigrant visas under this subsection are processed, including information described in clauses (iii) through (viii) of paragraph (11)(B).

''(B) FORM OF REPORT.—Each report required by subparagraph (A) shall be submitted in unclassified form but may contain a classified annex.

''(C) PUBLIC POSTING.—The Secretary of State shall publish on the website of the Department of State the unclassified portion of each report submitted under subparagraph (A).''.

(f) GENERAL PROVISIONS.—

(1) PROHIBITION ON FEES.—The Secretary, the Secretary of Defense, or the Secretary of State may not charge any fee in connection with an application for, or issuance of, a special immigrant visa or special immigrant status under—

(A) section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8);

(B) section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109–163); or

(C) subparagraph (N) of section 101(a)(27) of the Immigration and Nationality Act (8

U.S.C. 1101(a)(27)), as added by subsection (a)(1).

(2) DEFENSE PERSONNEL.—Any limitation in law with respect to the number of personnel within the Office of the Secretary of Defense, the military departments, or a Defense Agency (as defined in section 101(a) of title 10, United States Code) shall not apply to personnel employed for the primary purpose of carrying out this section.

(3) PROTECTION OF ALIENS.—The Secretary of State, in consultation with the head of any other appropriate Federal agency, shall make a reasonable effort to provide an alien who is seeking status as a special immigrant under subparagraph (N) of section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)), as added by subsection (a)(1), protection or to immediately remove such alien from Afghanistan, if possible.

(4) RESETTLEMENT SUPPORT.—A citizen or national of Afghanistan who is admitted to the United States under this section or an amendment made by this section shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees admitted under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) to the same extent, and for the same periods of time, as such refugees.

SEC. 1707. SUPPORT FOR ALLIES SEEKING RESETTLEMENT IN THE UNITED STATES.

Notwithstanding any other provision of law, during the period beginning on the date of the enactment of this Act and ending on the date that is 10 years thereafter, the Secretary and the Secretary of State may waive any fee or surcharge or exempt individuals from the payment of any fee or surcharge collected by the Department of Homeland Security and the Department of State, respectively, in connection with a petition or application for, or issuance of, an immigrant visa to a national of Afghanistan under section 201(b)(2)(A)(i) or 203(a) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i) and 1153(a)), respectively.

SEC. 1708. REPORTING.

(a) QUARTERLY REPORTS.—Beginning on January 1, 2028, not less frequently than quarterly, the Secretary 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, for the preceding quarter—

(1) the number of individuals granted conditional permanent resident status under section 1703, disaggregated by the number of such individuals for whom conditions have been removed;

(2) the number of individuals granted conditional permanent resident status under section 1703 who have been determined to be ineligible for removal of conditions (and the reasons for such determination); and

(3) the number of individuals granted conditional permanent resident status under section 1703 for whom no such determination has been made (and the reasons for the lack of such determination).

(b) ANNUAL REPORTS.—Not less frequently than annually, the Secretary, in consultation with the Attorney General, shall submit to the appropriate committees of Congress a report that includes for the preceding year, with respect to individuals granted conditional permanent resident status under section 1703—

(1) the number of such individuals who are placed in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) charged with a ground of deportability under subsection (a)(2) of section 237 of that Act (8 U.S.C. 1227), disaggregated by each applicable ground under that subsection;

(2) the number of such individuals who are placed in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) charged with a ground of deportability under subsection (a)(3) of section 237 of that Act (8 U.S.C. 1227), disaggregated by each applicable ground under that subsection;

(3) the number of final orders of removal issued pursuant to proceedings described in paragraphs (1) and (2), disaggregated by each applicable ground of deportability;

(4) the number of such individuals for whom such proceedings are pending, disaggregated by each applicable ground of deportability; and

(5) a review of the available options for removal from the United States, including any changes in the feasibility of such options during the preceding year.

SEC. 1709. RULE OF CONSTRUCTION.

Except as expressly described in this title or an amendment made by this title, nothing in this title or an amendment made by this title may be construed to modify, expand, or limit any law or authority to process or admit refugees under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or applicants for an immigrant visa under the immigration laws.

SA 2683. 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 end of subtitle H of title X, add the following:

SEC. 1095. NORTHERN BORDER COORDINATION CENTER.

(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish the Northern Border Coordination Center.

(b) PURPOSE.—The purpose of the Center shall be to serve as the Department's forward deployed centralized coordination center for operations, domain awareness, information sharing, intelligence, training, and stakeholder engagement with Federal, State, tribal, local, and international government partners along the northern border of the United States. The Center shall be placed along the northern border at a location that is collocated with an existing U.S. Border Patrol sector headquarters, an Air and Marine Operations branch, and a United States Coast Guard air station, and other existing Department activities.

(c) COMPONENTS.—

(1) IN GENERAL.—The Center shall collocate personnel and activities of—

(A) U.S. Customs and Border Protection, including U.S. Border Patrol and Air and Marine Operations;

(B) the United States Coast Guard;

(C) U.S. Immigration and Customs Enforcement's Homeland Security Investigations;

(D) other components and offices of the Department that the Secretary determines to be necessary, including to support the training, technology testing, and development described in subsection (d); and

(E) additional Federal, State, tribal, local, and international government partners, as the Secretary determines to be necessary and appropriate to support the coordination of operations described in this section.

(d) FUNCTIONS.—The Center shall perform the functions described in this subsection in addition to any other functions assigned by the Secretary.

(1) NORTHERN BORDER STRATEGY.—The Center, in collaboration with relevant offices and components of the Department, shall—

(A) serve as a coordination mechanism for operational components for the implementation, evaluation, and updating of the Northern Border Strategy and any successor strategy; and

(B) support the development of best practices and policies for personnel at the northern border to support such implementation.

(2) TRAINING.—The Center shall serve as a training location to support the delivery of training or exercises for Department personnel and Federal, State, tribal, local, and international government partners.

(3) METRICS.—The Center, in collaboration with relevant offices and components of the Department, shall coordinate the development and tracking of border security metrics for the northern border.

(4) RESOURCE AND TECHNOLOGICAL NEEDS AND CHALLENGES.—The Center, in collaboration with relevant offices and components of the Department, shall—

(A) identify resource and technological needs or challenges affecting security along the northern border; and

(B) serve as a testing ground and demonstration location for the testing of border security technology, including determining such technology's suitability and performance in the northern border and maritime environments.

(5) AIR AND MARINE OPERATIONS.—

(A) QUICK REACTION CAPABILITIES.—In support of the Center, U.S. Customs and Border Protection's Air and Marine Operations—

(i) shall establish and maintain capability that is collocated with the Center and available for quick deployment in support of the northern border missions, U.S. Customs and Border Protection, and the Department, including missions in the Great Lakes region; and

(ii) in coordination with the Center and relevant offices and components of the Department, shall evaluate requirements and make recommendations to support the operations of large unmanned aircraft systems based at the Center.

(B) NORTHERN BORDER DOMAIN AWARENESS.—In order to coordinate with the Center and support its operations, the Air and Marine Operations Center shall collocate personnel and resources with the Center to enhance the Department's capabilities to—

(i) support air and maritime domain awareness and information sharing efforts along the northern border;

(ii) provide dedicated monitoring of northern border systems; and

(iii) lead, in coordination with other U.S. Customs and Border Protection components, Federal, State, tribal, local, and international governments, and private sector partners, the Center's efforts to track and monitor legitimate cross-border traffic involving unmanned aircraft and unmanned aircraft systems.

(6) COUNTER-UNMANNED AIRCRAFT SYSTEMS.—

(A) IN GENERAL.—Pursuant to policies established by the Secretary, consistent with section 210G of the Homeland Security Act of 2002 (6 U.S.C. 124n), the Center shall support counter-unmanned aircraft systems operations along the northern border to respond to the increased use of unmanned aircraft systems. Such support may involve development, testing, and evaluation of technologies.

(B) RULE OF CONSTRUCTION.—Nothing in this section may be construed to provide additional authority related to detection, mitigation, research, development, or testing of

unmanned aircraft systems or counter-unmanned aircraft systems.

(7) PRIVACY AND CIVIL RIGHTS.—The Center, in collaboration with the Chief Privacy Officer and the Office for Civil Rights and Civil Liberties of the Department, shall ensure that operations and practices of the Center comply with the privacy and civil rights policies of the Department and its components.

(8) NONCONTIGUOUS NORTHERN BORDER.—The Center, in collaboration with relevant offices and components of the Department, shall—

(A) identify the specific challenges that exist along the noncontiguous international land border with Canada and the maritime border with Russia, including resource, technological challenges, and domain awareness;

(B) ensure that dedicated personnel, including reachback support, are working to evaluate and address the challenges identified pursuant to subparagraph (A); and

(C) determine the feasibility of establishing a satellite facility of the Center to address the specific challenges identified pursuant to subparagraph (A).

(e) ANNUAL REPORTING.—Not later than 180 days after the establishment of the Center, and annually thereafter, the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that describes the activities of the Center during the most recently concluded fiscal year, including—

(1) personnel levels;

(2) additional resources that are needed to support the operations of the Center and northern border operations of the Department; and

(3) any additional assets or authorities that are needed to increase security and domain awareness along the northern border.

(f) TEMPORARY DUTY ASSIGNMENTS.—The Secretary shall submit a quarterly report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives regarding temporary duty assignments of U.S. Border Patrol agents during the reporting period, including—

(1) the number of agents on temporary duty assignment;

(2) the duration of the temporary duty assignment; and

(3) the sectors from which the agents were assigned.

(g) RULE OF CONSTRUCTION.—The Center established pursuant to subsection (a) shall be established separate and distinct from the Secretary's authorities under section 708 of the Homeland Security Act of 2002 (6 U.S.C. 348).

(h) SUNSET.—This section shall cease to be effective on the date that is 7 years after the date of the enactment of this Act.

(i) DEFINITIONS.—In this section:

(1) CENTER.—The term ''Center'' means the Northern Border Coordination Center established pursuant to subsection (a).

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) NORTHERN BORDER.—The term ''northern border'' means—

(A) the international border between the United States and Canada; and

(B) the maritime border between Alaska and the Russian Federation.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

SA 2684. 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 V, insert the following:

SEC. ___. REPORT ON PURPLE HEART APPLICATIONS FOR TRAUMATIC BRAIN INJURY DURING THE GLOBAL WAR ON TERRORISM.

(a) IN GENERAL.—Not later than February 15, 2025, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on Purple Heart applications for traumatic brain injury (TBI) during the Global War on Terrorism.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) The total amount of Purple Hearts awarded for TBI on or after September 11, 2001, and the details thereof.

(2) A review all of the Purple Heart applications for TBI, with a date of incident on or after September 11, 2001, that have been denied for post-deployment documentation, diagnosis, or treatment.

(3) A review all of the Purple Heart applications for TBI, with a date of incident on or after September 11, 2001, that have been denied for not meeting treatment requirements.

(4) A review all of the Purple Heart applications for TBI, with a date of incident on or after September 11, 2001, that have been denied for not being documented, diagnosed, or treated by proper medical authorities.

(5) The specific details pertaining to the justification and circumstances for denial of such Purple Heart applications.

(6) An assessment of the feasibility of establishing a uniform standard across all military services for the award of the Purple Heart, including TBIs.

(7) A proposed plan to reevaluate all Purple Heart applications denied on the basis described in the report, and the expected results of such reevaluation.

(8) Any other information the Secretary determines appropriate.

SA 2685. 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 V, insert the following:

SEC. ___. REPORTING ON COMMAND CLIMATE IN MILITARY ORGANIZATIONS WITH REPORTED SUICIDAL BEHAVIOR.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on command climate survey outcomes for organizations with reported suicide and suicide attempts.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A statistical sample from the last five years of suicide and identified suicide attempts by active and reserve members as reported on the Department of Defense Suicide Event Report (DoDSER), and an analysis of Defense Organizational Climate Surveys (DEOCSs) and Defense Organizational Climate Pulses (DOCPs), to identify the prevalence of organizations with reported suicidal events that also had unfavorable command climate factor ratings.

(B) An examination of the DEOCSs/DOCPs immediately preceding and following reported suicidal events for each such member's assigned organization, including, for organizations with one or more DEOCS/DOCP unfavorable factor ratings, an identification of the unfavorable DEOCS/DOCP factors and the contextual factors surrounding the suicidal event identified in the DoDSER.

(C) A comparison of the prevalence of unfavorable command climate factor ratings in organizations described in subparagraph (A) to the military services at large.

(b) AVAILABILITY OF DEFENSE ORGANIZATIONAL CLIMATE SURVEYS AND DEFENSE ORGANIZATIONAL CLIMATE PULSES.—The Secretary of Defense shall provide upon request copies of DEOCSs/DOCPs results to the families of members of the Armed Forces that have died by suicide.

SA 2686. 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 X, insert the following:

SEC. 10___. REPORT ON INSTANCES OF HATE ACTIVITY IN THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the nature and disposition of the most recent six years of substantiated administrative investigations or instances of hate activity documented by the Equal Opportunity Program of each military department, disaggregated by bias category.

SA 2687. Mr. BOOKER (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. PREVENTING CHILD LABOR EXPLOITATION IN FEDERAL CONTRACTING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Preventing Child Labor Exploitation in Federal Contracting Act''.

(b) DEFINITIONS.—In this section:

(1) 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 Oversight and Accountability of the House of Representatives.

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given such term in section 133 of title 41, United States Code.

(c) PROMOTION OF WORKPLACE ACCOUNTABILITY.—

(1) REQUIRED REPRESENTATIONS AND CERTIFICATIONS.—Not later than 18 months after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to—

(A) require any entity that enters into a contract with an executive agency to represent, on an annual basis and to the best of the knowledge of the entity, whether, within the preceding 3-year period, any final administrative merits determination, arbitral award or decision, or civil judgment, as defined in coordination with the Secretary of Labor, has been issued against the entity for any violation of section 12 of the Fair Labor Standards Act of 1938 (29 U.S.C. 212), relating to child labor;

(B) provide (through a revision of the Certification Regarding Knowledge of Child Labor for Listed End Products as described in section 52.222–18 of the Federal Acquisition Regulation or through, if necessary, another certification) a requirement that an offeror—

(i) certify, to the best of the knowledge of the entity, whether, within the preceding 3-year period, any final administrative merits determination, arbitral award or decision, or civil judgment, as defined in coordination with the Secretary of Labor, for a violation described in subparagraph (A) has been issued against the entity; and

(ii) require such a certification from each of the subcontractors or service providers to be used in performing, or that were considered for the performance of, the contract for which the offeror is submitting an offer and provide such certifications with the certification by the offeror under clause (i);

(C) prohibit executive agencies from awarding a contract to—

(i) an entity that provides an affirmative response to a representation under subparagraph (A) and has failed to implement any corrective measure negotiated under paragraph (2); or

(ii) an offeror that—

(I) provides an affirmative response to a certification under subparagraph (B) and has failed to implement any corrective measure negotiated under paragraph (2); or

(II) intends to use a subcontractor or service provider in the performance of the contract that was identified as having violations in such an affirmative response and has failed to implement any corrective measure negotiated under such paragraph;

(D) require the name and address of each entity that provides an affirmative response to a representation under subparagraph (A), and the name and address of each offeror, subcontractor, or service provider identified as having violations in an affirmative response to a certification under subparagraph (B), to be referred to the Secretary of Labor for purposes of negotiating with that entity, offeror, subcontractor, or service provider on corrective measures under paragraph (2) and preparing the list and conducting suspension and debarment proceedings under paragraph (3);

(E) provide procedures for consultation with the Secretary of Labor by an offeror described in subparagraph (B) to assist the offeror in evaluating the information on compliance with section 12 of the Fair Labor Standards Act of 1938, relating to child labor, submitted to the offeror by a subcontractor or service provider pursuant to such subparagraph; and

(F) make any other changes necessary to implement the requirements of this section.

(2) CORRECTIVE MEASURES.—An entity that makes an affirmative response to a representation under paragraph (1)(A) or offeror, subcontractor, or service provider that makes an affirmative response in a certification under paragraph (1)(B)—

(A) shall update the representation or certification, respectively, based on any steps taken by the entity, offeror, subcontractor, or service provider to correct violations of or improve compliance with section 12 of the Fair Labor Standards Act of 1938, relating to child labor, including any agreements entered into with the Secretary of Labor; and

(B) may negotiate with the Secretary of Labor regarding corrective measures that the entity, offeror, subcontractor, or service provider may take in order to avoid being placed on the list under paragraph (3) and referred for suspension and debarment proceedings under such paragraph, in the case the entity, offeror, subcontractor, or service provider meets the criteria for such list and proceedings under such paragraph.

(3) LIST OF INELIGIBLE ENTITIES.—

(A) IN GENERAL.—For each calendar year beginning with the first calendar year that begins after the date that is 2 years after the date of enactment of this Act, the Secretary of Labor, in coordination with other executive agencies as necessary, shall prepare a list and conduct suspension and debarment proceedings for—

(i) each entity that provided an affirmative response to a representation under paragraph (1)(A) and has failed to implement any corrective measure negotiated under paragraph (2) for the year of the list; and

(ii) each offeror, subcontractor, or service provider that was identified as having violations in an affirmative response to a certification under paragraph (1)(B) and has failed to implement any corrective measure negotiated under paragraph (2) for the year of the list.

(B) INELIGIBILITY.—

(i) IN GENERAL.—The head of an executive agency shall not, during the period of time described in clause (ii), solicit offers from, award contracts to, or consent to subcontracts with any entity, offeror, subcontractor, or service provider that is listed—

(I) under subparagraph (A); and

(II) as an active exclusion in the System for Award Management.

(ii) PERIOD OF TIME.—The period of time described in this clause is a period of time determined by the suspension and debarment official that is not less than 4 years from the date on which the entity, offeror, subcontractor, or service provider is listed as an exclusion in the System for Award Management.

(C) ADDITIONAL CONSIDERATIONS.—In determining the entities to consider for suspension and debarment proceedings under subparagraph (A), the Secretary of Labor shall ensure procedures for such determination are consistent with the procedures set forth in subpart 9.4 of the Federal Acquisition Regulation for the suspension and debarment of Federal contractors.

(4) PENALTIES FOR FAILURE TO REPORT.—

(A) OFFENSE.—It shall be unlawful for a person to knowingly fail to make a representation or certification required under subparagraph (A) or (B), respectively, of paragraph (1).

(B) PENALTY.—

(i) IN GENERAL.—A violation of subparagraph (A) shall be referred by any executive agency with knowledge of such violation for suspension and debarment proceedings, to be conducted by the suspension and debarment official of the Department of Labor.

(ii) LOSS TO GOVERNMENT.—A violation of subparagraph (A) shall be subject to the penalties under sections 3729 through 3733 of title 31, United States Code (commonly known as the ''False Claims Act'').

(5) ANNUAL REPORTS TO CONGRESS.—For each calendar year beginning with the first calendar year that begins after the date that is 2 years after the date of enactment of this Act, the Secretary of Labor shall submit to the appropriate committees of Congress, and make publicly available on a public website, a report that includes—

(A) the number of entities, offerors, subcontractors, or service providers on the list under paragraph (3) for the year of the report;

(B) the number of entities, offerors, subcontractors, or service providers that agreed to take corrective measures under paragraph (2) for such year;

(C) the amount of the applicable contracts for the entities, offerors, subcontractors, or service providers described in subparagraph (A) or (B); and

(D) an assessment of the effectiveness of the implementation of this section for such year.

(d) GAO STUDY.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the prevalence of violations of section 12 of the Fair Labor Standards Act of 1938 (29 U.S.C. 212), relating to child labor, among Federal contractors and submit to the appropriate committees of Congress a report with the findings of the study.

(e) USE OF CIVIL PENALTIES COLLECTED FOR CHILD LABOR LAW VIOLATIONS.—Section 16(e)(5) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(e)(5)) is amended—

(1) by striking ''Except'' and all that follows through ''sums'' and inserting ''Sums''; and

(2) by striking the second sentence.

(f) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

SA 2688. Mr. BOOKER (for himself, Mr. MORAN, 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 A of title XII, add the following:

SEC. 1216. NONAPPLICABILITY OF A POLICY OF DENIAL FOR EXPORTS, RE-EXPORTS, OR TRANSFERS OF DEFENSE ARTICLES AND DEFENSE SERVICES DESTINED FOR OR ORIGINATING IN THE REPUBLIC OF CYPRUS.

(a) IN GENERAL.—Subject to subsection (d) and except as provided in subsection (b), beginning on the date of the enactment of this Act, the Secretary of State shall not apply a policy of denial for exports, re-exports, or transfers of defense articles and defense services destined for or originating in the Republic of Cyprus if—

(1) the request is made by or on behalf of the Government of the Republic of Cyprus; and

(2) the end-user of such defense articles or defense services is the Government of the Republic of Cyprus.

(b) EXCEPTION.—The exclusion provided for in subsection (a) shall not apply with respect to the application of a policy of denial based upon credible human rights concerns.

(c) WAIVER.—The President may waive the exclusion provided for in subsection (a) for a period of one fiscal year if the President determines that it is essential to the national security interests of the United States to do so.

(d) TERMINATION.—

(1) IN GENERAL.—The President may terminate the exclusion provided for in subsection (a) for the 5-year period beginning on the date that is 5 years after the date of the enactment of this Act, and may renew such termination for subsequent 5-year periods, if, prior to each such 5-year period, the President submits to the appropriate committees of Congress a certification that the Government of the Republic of Cyprus is no longer—

(A) cooperating with the United States Government in efforts to implement reforms on anti-money laundering regulations and financial regulatory oversight; and

(B) denying Russian military vessels access to ports for refueling and servicing.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SA 2689. 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 E of title XII, add the following:

SEC. 1271. FEASIBILITY REPORT ON ESTABLISHING A HUMAN RIGHTS OFFICE WITHIN UNITED STATES AFRICA COMMAND.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility of establishing a Human Rights Office within the United States Africa Command.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of—

(A) the purpose and responsibilities of a potential human rights office within the United States Africa Command; and

(B) the manner in which such responsibilities would compare to the responsibilities of the human rights office within the United States Southern Command.

(2) An assessment of the manner in which a human rights office within the United States Africa Command could contribute to the mission of the United States Africa Command.

(3) An identification of the authorities, staffing, and resources necessary to establish such an office.

SA 2690. Mr. MORAN (for himself and 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 H of title X, add the following:

SEC. 1095. INCREASE OF EXPENDITURE CAP FOR NONINSTITUTIONAL CARE ALTERNATIVES TO NURSING HOME CARE.

(a) INCREASE OF EXPENDITURE CAP.—Section 1720C(d) of title 38, United States Code, is amended—

(1) by striking ''The total cost'' and inserting ''(1) Except as provided in paragraph (2), the total cost'';

(2) by striking ''65 percent of''; and

(3) by adding at the end the following new paragraph:

''(2)(A) The total cost of providing services or in-kind assistance in the case of any veteran described in subparagraph (B) for any fiscal year under the program may exceed the cost that would otherwise have been incurred as specified in paragraph (1) if the Secretary determines, based on a consideration of clinical need, geographic market factors, and such other matters as the Secretary may prescribe through regulation, that such higher total cost is in the best interest of the veteran.

''(B) A veteran described in this subparagraph is a veteran with amyotrophic lateral sclerosis, a spinal cord injury, or a condition the Secretary determines to be similar to such conditions.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to fiscal years beginning on or after the date of the enactment of this Act.

SA 2691. Mr. THUNE 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. SUBMISSION TO CONGRESS OF DISSENT CABLES RELATING TO WITHDRAWAL OF THE UNITED STATES ARMED FORCES FROM AFGHANISTAN.

(a) SUBMISSION OF CLASSIFIED DISSENT CABLES TO CONGRESS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress any classified Department of State cable or memo that expresses a dissenting recommendation or opinion with respect to the withdrawal of the United States Armed Forces from Afghanistan.

(b) PUBLIC AVAILABILITY OF UNCLASSIFIED DISSENT CABLES.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall make available to the public an unclassified version of any such cable or memo.

(c) PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.—The name and any other personally identifiable information of an author of a cable or memo referred to in subsection (a) shall be redacted before submission under that subsection or publication under subsection (b).

SA 2692. Mr. THUNE 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 IV, add the following:

SEC. 403. EXCLUSION FROM ACTIVE-DUTY PERSONNEL END STRENGTH LIMITATIONS OF CERTAIN MILITARY PERSONNEL.

(a) EXCLUSION.—Except as provided in subsection (d), members of the Armed Forces on active duty who are assigned to an entity specified in subsection (b) for any of the duties specified in subsection (c) shall not count toward any end strength limitation for active-duty personnel otherwise applicable to members of the Armed Forces on active duty.

(b) SPECIFIED ENTITIES.—The entities specified in this subsection are the following:

(1) The military departments.

(2) The Defense Security Cooperation Agency.

(3) The combatant commands.

(c) SPECIFIED DUTIES.—The duties specified in this subsection are the following:

(1) Duty in connection with the Foreign Military Sales (FMS) program.

(2) Duty at an embassy of the United States in support of bilateral security cooperation.

(3) Duty at an embassy of the United States in support of intelligence requirements.

(d) INAPPLICABILITY TO GENERAL AND FLAG OFFICERS.—Subsection (a) shall not apply with respect to any general or flag officer assigned as described in that subsection.

SA 2693. Mr. THUNE 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 SURVEILLANCE AND COLLECTIONS APPARATUS OF THE PEOPLE'S REPUBLIC OF CHINA LOCATED IN CUBA.

(a) IN GENERAL.—Not later than March 31, 2025, the Director of National Intelligence and the Secretary of Defense shall submit to the appropriate committees of Congress a classified report on the threats posed by and a strategy to counter surveillance and collections apparatus of the People's Republic of China located in Cuba.

(b) ELEMENTS.—The report submitted pursuant to subsection (a) shall address the following in relation to surveillance and collections apparatus of the People's Republic of China located in Cuba:

(1) An analysis of the capabilities and potential expansion of such apparatus.

(2) An assessment of possible targets and the success of such engagement against them.

(3) An assessment of vulnerabilities and threats to United States national security and economic interests posed by such apparatus.

(4) An assessment of the security risk to United States operations at United States Naval Station, Guantanamo Bay, Cuba, posed by such apparatus.

(5) An assessment of the role such apparatus plays in the space-based capabilities of the People's Republic of China.

(6) A plan and policy recommendations to mitigate vulnerabilities and threats posed by such apparatus.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2694. Mr. THUNE 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 I, add the following:

SEC. 144. EXEMPTION FROM FEDERAL REGULATIONS.

Title VII of the Defense Production Act of 1950 (50 U.S.C. 4551 et seq.) is amended by adding at the end the following new section:

''SEC. 724. EXEMPTION FROM FEDERAL REGULATION.

''(a) IN GENERAL.—Any regulation for any good, material, service, contract, or other national priority subject to an active invocation by the President of authorities under this Act shall be waived if the Director of the Office of Management and Budget or the Comptroller General of the United States determines, or any regulatory impact statement for the regulation states, that compliance with such regulation would, with respect to such good, material, service, contract, or other national priority—

''(1) increase the cost;

''(2) delay the delivery;

''(3) hamper the supply chain; or

''(4) otherwise undermine the national defense interest for which the President invoked such authorities.

''(b) EXPIRATION OF WAIVER.—Any waiver issued under subsection (a) with respect to a good, material, service, contract, or other national priority shall terminate one year after the date of the termination of—

''(1) the invocation by the President of authorities under this Act with respect to such good, material, service, contract, or other national priority; or

''(2) any waiver issued by the President under section 301(d)(1)(B), 302(d)(2), or 303(a)(7) with respect to such good, material, service, contract, or other national priority.

''(c) LIMITATIONS.—A waiver issued under subsection (a) shall apply only to regulations proposed after the date on which the President issues a waiver under section 301(d)(1)(B), 302(d)(2), or 303(a)(7) with respect to the relevant good, material, service, contract, or other national priority.''.

SA 2695. Mr. THUNE 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 PORTABLE, DRONE-AGNOSTIC MUNITIONS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the congressional defense committees a report on the feasibility and cost of acquiring and fielding portable, drone-agnostic droppable munitions.

(b) ELEMENTS.—The report submitted pursuant to subsection (a) shall address the following:

(1) The potential use of portable, drone-agnostic droppable munitions to augment small unit tactics and lethality in the ground combat forces, including—

(A) trench warfare;

(B) countermine operations;

(C) anti-armor uses; and

(D) anti-personnel uses.

(2) The capability for portable, drone-agnostic droppable munitions to have a dual tactical capacity to explode in the air or on impact.

(3) The cost-effectiveness, affordability, and domestic production capacity of portable, drone-agnostic droppable munitions in comparison to one-way small uncrewed aerial systems.

(4) The use of portable, drone-agnostic droppable munitions in the Ukraine conflict and best practices learned.

(5) The potential use of portable, drone-agnostic droppable munitions in the defense of Taiwan.

(6) Procurement challenges, legal restrictions, training shortfalls, operational limitations, or other impediments to fielding portable, drone-agnostic droppable munitions at the platoon level.

(7) A plan to equip platoon-sized ground combat formations in the close combat force with portable, drone-agnostic droppable munitions at a basis of issue, as determined appropriate by the Secretary of the military department concerned, including a proposed timeline and fielding strategy.

(8) A plan to equip such other ground combat units with portable, drone-agnostic droppable munitions, as determined appropriate by the Secretary of the military department concerned.

(9) The capacity of the domestic defense industrial base to produce portable, drone-agnostic droppable munitions.

(10) The capacity of the industrial bases of foreign partners to produce portable, drone-agnostic droppable munitions.

(11) The feasibility of fielding portable, drone-agnostic droppable munitions in support of the findings of the report required by section 1071 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 407).S0634

SA 2696. Mr. THUNE 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 XV, insert the following:

SEC. 1526. SENSE OF CONGRESS REGARDING THE USE OF NUCLEAR WEAPONS IN SPACE.

It is the sense of Congress that the United States should treat the act of detonating a nuclear weapon in space as no less dangerous or destabilizing than the detonation of such a weapon on land, in the atmosphere, underground, or under the sea, and that the response of the United States should be commensurate with such an act.

SA 2697. Mr. THUNE 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 X, add the following:

SEC. 1067. REPORTING ON APPLICATION OF LETHAL FORCE BY AUTONOMOUS WEAPON SYSTEMS UNDER WAR POWERS RESOLUTION.

(a) WAR POWERS RESOLUTION.—Section 4(a) of the War Powers Resolution (50 U.S.C. 1543(a)) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) a description of any application of lethal force by an autonomous weapon system (as defined in Department of Defense Directive 3000.09 (relating to Autonomy in Weapons Systems), effective January 25, 2023) that occurred during or since such introduction; and''.

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024.—Section 1230(b) of the National Defense Authorization Act for Fiscal Year 2024 (50 U.S.C. 1543a(b)) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following new paragraph (5):

''(5) a description of any application of lethal force by an autonomous weapon system (as defined in Department of Defense Directive 3000.09 (relating to Autonomy in Weapons Systems), effective January 25, 2023) that occurred during or since the incident; and''.

SA 2698. Mr. THUNE 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 V, add the following:

SEC. 594. RECOGNITION OF MILITARY OLYMPIC COMPETITION.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall report on the feasibility and cost of establishing a service ribbon to be awarded to any member of the Armed Forces

who has competed as an Olympic or Paralympic athlete on Team USA to designate that competition. The ribbon considered by such report shall—

(1) be called the ''Olympic Competition Ribbon'';

(2) incorporate the colors of the Olympic rings;

(3) not have an accompanying medal;

(4) have authorized appurtenances to be affixed to the ribbon to signify any Olympic or Paralympic medal won while competing for Team USA;

(5) be assigned a position in the order of award precedence as determined by each military department; and

(6) be awarded retroactively to any eligible member of the Armed Forces.

SA 2699. Mr. THUNE 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 III, add the following:

SEC. 318. ADVANCEMENT OF LIVE, VIRTUAL, AND CONSTRUCTIVE TRAINING CAPABILITIES.

(a) IN GENERAL.—Section 183a of title 10, United States Code, is amended—

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

(2) by inserting after subsection (f) the following new subsection:

''(g) ADVANCEMENT OF LIVE, VIRTUAL, AND CONSTRUCTIVE CAPABILITIES.—In negotiating voluntary agreements pursuant to subsection (f), the Secretary may enter into agreements through which applicants for energy projects or antenna structure projects agree to fund, electrify, or physically host infrastructure to bolster the development of live, virtual, and constructive capabilities in the Military Operations Areas or Warning Areas affected by or adjacent to an energy project or antenna structure project, including—

''(1) by enhancing training opportunities; and

''(2) by augmenting the attributes of an airspace to offset the loss of airspace volume using—

''(A) virtual or constructive capabilities that are powered by, co-located with, or are otherwise facilitated or funded by the energy project or antenna structure project; or

''(B) characteristics of the energy project as a component of replicating real-world combat conditions.''.

(b) CONFORMING AMENDMENTS.—Section 44718(h) of title 49, United States Code is amended—

(1) in paragraph (1), by striking ''183a(h)(1)'' and inserting ''183a(i)(1)''; and

(2) in paragraph (2), by striking ''183a(h)(7)'' and inserting ''183a(i)(7)''.

SA 2700. 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 end of subtitle F of title XII, add the following:

SEC. 1291. PROHIBITION ON MEMBERSHIP OF PALESTINE LIBERATION ORGANIZATION IN CERTAIN INTERNATIONAL ORGANIZATIONS.

(a) MODIFICATION WITH RESPECT TO MEMBERSHIP OF PALESTINE LIBERATION ORGANIZATION IN UNITED NATIONS AGENCIES.—Section 414(a) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 287e note; Public Law 101–246) is amended by striking ''the same standing as member states'' and inserting ''any status, rights, or privileges beyond observer status''.

(b) AMENDMENTS TO LIMITATIONS ON CONTRIBUTIONS TO THE UNITED NATIONS AND AFFILIATED ORGANIZATIONS.—Section 410 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note; Public Law 103–236) is amended by striking ''full membership'' each place it appears and inserting ''any status, rights, or privileges beyond observer status''.

(c) RULE OF CONSTRUCTION.—Nothing is section Act shall be construed to apply to Taiwan.

SA 2701. Mr. MORAN (for himself and 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 title X, add the following:

Subtitle I—Love Lives On

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Love Lives On Act of 2023''.

SEC. 1097. REMOVAL OF EXPIRATION ON ENTITLEMENT TO MARINE GUNNERY SERGEANT JOHN DAVID FRY SCHOLARSHIP FOR SURVIVING SPOUSES.

Section 3311(f) of title 38, United States Code, is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(3) in paragraph (2), as redesignated by paragraph (2) of this section, by striking ''in paragraph (4)'' and inserting ''in paragraph (3)''; and

(4) in paragraph (3)(A), as redesignated by paragraph (2) of this section, by striking ''under paragraph (3)'' and inserting ''under paragraph (2)''.

SEC. 1098. MODIFICATION OF ENTITLEMENT TO VETERANS DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES WHO REMARRY.

(a) IN GENERAL.—Section 103(d) of title 38, United States Code, is amended—

(1) in paragraph (2)(B)—

(A) by inserting ''(i)'' before ''The remarriage'';

(B) in clause (i), as designated by subparagraph (A), by striking ''Notwithstanding the previous sentence'' and inserting the following:

''(ii) Notwithstanding clause (i)''; and

(C) by adding at the end the following new clause:

''(iii) Notwithstanding clause (ii), the remarriage of a surviving spouse shall not bar the furnishing of benefits under section 1311 of this title to the surviving spouse of a veteran.''; and

(2) in paragraph (5)—

(A) by striking subparagraph (A); and

(B) by renumbering subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively.

(b) RESUMPTION OF PAYMENTS TO CERTAIN INDIVIDUALS PREVIOUSLY DENIED DEPENDENCY AND INDEMNITY COMPENSATION.—Beginning on the first day of the first month after the date of the enactment of this Act, the Secretary shall resume payment of dependency and indemnity compensation under section 1311 of such title to each living individual who—

(1) is the surviving spouse of a veteran; and

(2) remarried before—

(A) reaching age 55; and

(B) the date of the enactment of this Act.

SEC. 1099. CONTINUED ELIGIBILITY FOR SURVIVOR BENEFIT PLAN FOR CERTAIN SURVIVING SPOUSES WHO REMARRY.

Section 1450(b)(2) of title 10, United States Code, is amended—

(1) by striking ''An annuity'' and inserting the following:

''(A) IN GENERAL.—(A) Subject to subparagraph (B), an annuity''; and

(2) by adding at the end the following new subparagraph:

''(B) TREATMENT OF SURVIVORS OF MEMBERS WHO DIE ON ACTIVE DUTY.—The Secretary may not terminate payment of an annuity for a surviving spouse described in subparagraph (A) or (B) of section 1448(d)(1) solely because that surviving spouse remarries. In the case of a surviving spouse who remarried before reaching age 55 and before the date of the enactment of Love Lives On Act of 2023, the Secretary shall resume payment of the annuity to that surviving spouse—

''(i) except as provided by clause (ii), for each month that begins on or after the date that is one year after such date of enactment; or

''(ii) on January 1, 2023, in the case of a surviving spouse who elected to transfer payment of that annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on December 31, 2019.''.

SEC. 1099A. EXPANSION OF DEFINITION OF DEPENDENT UNDER TRICARE PROGRAM TO INCLUDE A REMARRIED WIDOW OR WIDOWER WHOSE SUBSEQUENT MARRIAGE HAS ENDED.

Section 1072(2) of title 10, United States Code, is amended—

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

(2) in subparagraph (I)(v), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(J) a remarried widow or widower whose subsequent marriage has ended due to death, divorce, or annulment.''.

SEC. 1099B. DEFINITION OF SURVIVING SPOUSE FOR PURPOSES OF VETERANS BENEFITS.

Paragraph (3) of section 101 of title 38, United States Code, is amended to read as follows:

''(3) The term 'surviving spouse' means (except for purposes of chapter 19 of this title) a person who was the spouse of a veteran at the time of the veteran's death, and who lived with the veteran continuously from the date of marriage to the date of the veteran's death (except where there was a separation which was due to the misconduct of, or procured by, the veteran without the fault of the spouse) and who has not remarried.''.

SA 2702. 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. CODIFICATION OF REQUIREMENTS FOR ELIGIBILITY STANDARDS FOR ACCESS TO COMMUNITY CARE FROM DEPARTMENT OF VETERANS AFFAIRS.

(a) ELIGIBILITY ACCESS STANDARDS.—Section 1703B of title 38, United States Code, is amended—

(1) by striking subsections (a) through (e) and inserting the following:

''(a) ELIGIBILITY STANDARDS FOR ACCESS TO COMMUNITY CARE.—(1) A covered veteran shall be eligible to elect to receive non-Department hospital care, medical services, or extended care services, excluding nursing home care, through the Veterans Community Care Program under section 1703 of this title pursuant to subsection (d)(1)(D) of such section using the following eligibility access standards:

''(A) With respect to primary care, mental health care, or extended care services, excluding nursing home care, if the Department cannot schedule an appointment for the covered veteran with a health care provider of the Department who can provide the needed service—

''(i) within 30 minutes average driving time (or such shorter average driving time as the Secretary may prescribe) from the residence of the veteran unless a longer average driving time has been agreed to by the veteran in consultation with a health care provider of the veteran; and

''(ii) within 20 days (or such shorter period as the Secretary may prescribe) of the date of request for such an appointment unless a later date has been agreed to by the veteran in consultation with a health care provider of the veteran.

''(B) With respect to specialty care, if the Department cannot schedule an appointment for the covered veteran with a health care provider of the Department who can provide the needed service—

''(i) within 60 minutes average driving time (or such shorter average driving time as the Secretary may prescribe) from the residence of the veteran unless a longer average driving time has been agreed to by the veteran in consultation with a health care provider of the veteran; and

''(ii) within 28 days (or such shorter period as the Secretary may prescribe) of the date of request for such an appointment unless a later date has been agreed to by the veteran in consultation with a health care provider of the veteran.

''(2) For the purposes of determining the eligibility of a covered veteran for care or services under paragraph (1), the Secretary shall not take into consideration the availability of telehealth appointments from the Department when determining whether the Department is able to furnish such care or services in a manner that complies with the eligibility access standards under such paragraph.

''(3) In the case of a covered veteran who has had an appointment with a health care provider of the Department canceled by the Department for a reason other than the request of the veteran, in calculating a wait time for a subsequent appointment under paragraph (1), the Secretary shall calculate such wait time from the date of the request for the original, canceled appointment.

''(4) If a veteran agrees to a longer average drive time or a later date under subparagraph (A) or (B) of paragraph (1), the Secretary shall document the agreement to such longer average drive time or later date in the electronic health record of the veteran and provide the veteran a copy of such documentation. Such copy may be provided electronically.

''(b) APPLICATION.—The Secretary shall ensure that the eligibility access standards established under subsection (a) apply—

''(1) to all care and services within the medical benefits package of the Department to which a covered veteran is eligible under section 1703 of this title, excluding nursing home care; and

''(2) to all covered veterans, regardless of whether a veteran is a new or established patient.

''(c) PERIODIC REVIEW OF ACCESS STANDARDS.—Not later than three years after the date of the enactment of the Veterans' Health Empowerment, Access, Leadership, and Transparency for our Heroes (HEALTH) Act of 2023, and not less frequently than once every three years thereafter, the Secretary shall—

''(1) conduct a review of the eligibility access standards under subsection (a) in consultation with—

''(A) such Federal entities as the Secretary considers appropriate, including the Department of Defense, the Department of Health and Human Services, and the Centers for Medicare & Medicaid Services;

''(B) entities and individuals in the private sector, including—

''(i) veteran patients;

''(ii) veterans service organizations; and

''(iii) health care providers participating in the Veterans Community Care Program under section 1703 of this title; and

''(C) other entities that are not part of the Federal Government; and

''(2) submit to the appropriate committees of Congress a report on—

''(A) the findings of the Secretary with respect to the review conducted under paragraph (1); and

''(B) such recommendations as the Secretary may have with respect to the eligibility access standards under subsection (a).'';

(2) by striking subsection (g);

(3) by redesignating subsections (f), (h), and (i) as subsections (d), (e), and (f), respectively;

(4) in subsection (d), as redesignated by paragraph (3)—

(A) by striking ''established'' each place it appears; and

(B) in paragraph (1), by striking ''(1) Subject to'' and inserting ''COMPLIANCE BY COMMUNITY CARE PROVIDERS WITH ACCESS STANDARDS.—(1) Subject to'';

(5) in subsection (e), as so redesignated—

(A) in paragraph (1)—

(i) by striking ''(1) Consistent with'' and inserting ''DETERMINATION REGARDING ELIGIBILITY.—(1) Consistent with''; and

(ii) by striking ''designated access standards established under this section'' and inserting ''eligibility access standards under subsection (a)''; and

(B) in paragraph (2)(B), by striking ''designated access standards established under this section'' and inserting ''eligibility access standards under subsection (a)''; and

(6) in subsection (f), as redesignated by paragraph (2)—

(A) in the matter preceding paragraph (1), by striking ''In this section'' and inserting ''DEFINITIONS.—In this section''; and

(B) in paragraph (2)—

(i) by striking ''covered veterans'' and inserting ''covered veteran''; and

(ii) by striking ''veterans described'' and inserting ''a veteran described''.

(b) CONFORMING AMENDMENTS.—Section 1703(d) of such title is amended—

(1) in paragraph (1)(D), by striking ''designated access standards developed by the Secretary under section 1703B of this title'' and inserting ''eligibility access standards under section 1703B(a) of this title''; and

(2) in paragraph (3), by striking ''designated access standards developed by the Secretary under section 1703B of this title'' and inserting ''eligibility access standards under section 1703B(a) of this title''.

SA 2703. 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 end of title XII, add the following:

Subtitle G—Sanctions Relating to Cuba

SEC. 1291. IMPOSITION OF SANCTIONS WITH RESPECT TO MILITARY AND INTELLIGENCE FACILITIES OF THE PEOPLE'S REPUBLIC OF CHINA IN CUBA.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any foreign person that the President determines engages in or has engaged in a significant transaction or transactions, or any dealings with, or has provided material support to or for a military or intelligence facility of the People's Republic of China in Cuba.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign person are the following:

(1) LICENSING PROHIBITION.—Notwithstanding any other provision of law, no license may be issued to the foreign person for any transaction described in section 515.559 of title 31, Code of Federal Regulations, or part 740 or 746 of title 15, Code of Federal Regulations, as that section and those parts were in effect on July 13, 2023.

(2) ASSET BLOCKING.—The exercise of all powers granted to the President 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 the foreign person 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.

(3) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an alien, denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President shall 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.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(2) or any regulation, license, or order issued to carry out that subsection 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.

(d) EXCEPTIONS.—

(1) IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under subsection (b)(3) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(e) TERMINATION OF SANCTIONS.—Notwithstanding any other provision of law, this section shall terminate on the date that is 30 days after the date on which the President determines and certifies to the appropriate congressional committees (and Congress has not enacted legislation disapproving the determination within that 30-day period) that Cuba has closed and dismantled all military or intelligence facilities of the People's Republic of China in Cuba.

(f) DEFINITIONS.—In this section:

(1) ALIEN.—The term ''alien'' has the meaning given that term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' includes—

(A) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(4) PERSON.—The term ''person'' means an individual or entity.

(5) 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.

SEC. 1292. CODIFICATION OF CUBA RESTRICTED LIST.

The President may not remove any entity or subentity from the List of Restricted Entities and Subentities Associated with Cuba of the Department of State (commonly known as the ''Cuba Restricted List'') if that entity or subentity was on that list as of July 13, 2023.

SEC. 1293. REPORT ON ASSISTANCE BY THE PEOPLE'S REPUBLIC OF CHINA FOR THE CUBAN GOVERNMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report describing—

(1) the military and intelligence activities of the Government of the People's Republic of China in Cuba, including any military or intelligence facilities used by that government in Cuba;

(2) the purposes for which the Government of the People's Republic of China conducts those activities and uses those facilities in Cuba;

(3) the extent to which the Government of the People's Republic of China provides payment or government credits to the Cuban Government for the continued use of those facilities in Cuba; and

(4) any progress toward the verifiable termination of access by the Government of the People's Republic of China to those facilities and withdrawal of personnel, including advisers, technicians, and military personnel, from those facilities.

(b) DEFINITIONS.—In this section:

(1) AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF CUBA.—The term ''agency or instrumentality of the Government of Cuba'' means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 28, United States Code, with each reference in that section to ''a foreign state'' deemed to be a reference to ''Cuba''.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' includes—

(A) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) CUBAN GOVERNMENT.—The term ''Cuban Government'' includes the government of any political subdivision of Cuba and any agency or instrumentality of the Government of Cuba.

SA 2704. Mr. ROUNDS (for himself, Ms. KLOBUCHAR, Mr. MORAN, Mr. COONS, 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, insert the following:

SEC. 1095. RECORDS PRESERVATION PROCESSES FOR CERTAIN AT-RISK AFGHAN ALLIES.

(a) DEFINITION OF AFGHAN ALLY.—In this section and only for the purpose of the Department of Defense records preservation processes established by this section, the term ''Afghan ally'' means an alien who is a citizen or national of Afghanistan, or in the case of an alien having no nationality, an alien who last habitually resided in Afghanistan, who—

(1) was—

(A) a member of—

(i) the special operations forces of the Afghanistan National Defense and Security Forces;

(ii) the Afghanistan National Army Special Operations Command;

(iii) the Afghan Air Force; or

(iv) the Special Mission Wing of Afghanistan;

(B) a female member of any other entity of the Afghanistan National Defense and Security Forces, including—

(i) a cadet or instructor at the Afghanistan National Defense University; and

(ii) a civilian employee of the Ministry of Defense or the Ministry of Interior Affairs;

(C) an individual associated with former Afghan military and police human intelligence activities, including operators and Department of Defense sources;

(D) an individual associated with former Afghan military counterintelligence, counterterrorism, or counternarcotics;

(E) an individual associated with the former Afghan Ministry of Defense, Ministry of Interior Affairs, or court system, and who was involved in the investigation, prosecution or detention of combatants or members of the Taliban or criminal networks affiliated with the Taliban;

(F) an individual employed in the former justice sector in Afghanistan as a judge, prosecutor, or investigator who was engaged in rule of law activities for which the United States provided funding or training; or

(G) a senior military officer, senior enlisted personnel, or civilian official who served on the staff of the former Ministry of Defense or the former Ministry of Interior Affairs of Afghanistan; and

(2) provided service to an entity or organization described in paragraph (1) for not less than 1 year during the period beginning on December 22, 2001, and ending on September 1, 2021, and did so in support of the United States mission in Afghanistan.

(b) INCLUSIONS.—For purposes of this section, the Afghanistan National Defense and Security Forces includes members of the security forces under the Ministry of Defense and the Ministry of Interior Affairs of the Islamic Republic of Afghanistan, including the Afghanistan National Army, the Afghan Air Force, the Afghanistan National Police, and any other entity designated by the Secretary of Defense as part of the Afghanistan National Defense and Security Forces during the relevant period of service of the applicant concerned.

(c) AFGHAN ALLIES RECORDS PRESERVATION PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a process by which an individual may apply to the Secretary of Defense for classification as an Afghan ally.

(2) APPLICATION SYSTEM.—The process established under paragraph (1) shall—

(A) include the development and maintenance of a secure online portal through which applicants may provide information verifying their status as Afghan allies and upload supporting documentation; and

(B) allow—

(i) an applicant to submit his or her own application;

(ii) a designee of an applicant to submit an application on behalf of the applicant; and

(iii) the submission of an application regardless of where the applicant is located, provided that the applicant is outside the United States.

(3) REVIEW PROCESS.—As soon as practicable after receiving a request for classification described in paragraph (1), the Secretary of Defense shall—

(A) review—

(i) the service record of the applicant, if available;

(ii) if the applicant provides a service record or other supporting documentation, any information within the internal or contractor-held records of the Department of Defense that helps verify the service record concerned, including information or an attestation provided by any current or former official of the Department of Defense who has personal knowledge of the eligibility of the applicant for such classification; and

(iii) available data holdings in the possession of the Department of Defense or any contractor of the Department of Defense, including as applicable biographic and biometric records, iris scans, fingerprints, voice biometric information, hand geometry biometrics, other identifiable information, and any other information related to the applicant, including relevant derogatory information; and

(B)(i) in a case in which the Secretary of Defense determines that the applicant is an Afghan ally without significant derogatory information, the Secretary shall preserve a complete record of such application for potential future use by the applicant or a designee of the applicant; and

(ii) include with such preserved record—

(I) any service record concerned, if available;

(II) if the applicant provides a service record, any information that helps verify the service record concerned; and

(III) any biometrics for the applicant.

(4) REVIEW PROCESS FOR DENIAL OF REQUEST FOR RECORDS PRESERVATION.—

(A) IN GENERAL.—In the case of an applicant with respect to whom the Secretary of Defense denies a request for classification and records preservation based on a determination that the applicant is not an Afghan ally or based on derogatory information—

(i) the Secretary shall provide the applicant with a written notice of the denial that provides, to the maximum extent practicable, a description of the basis for the denial, including the facts and inferences, or evidentiary gaps, underlying the individual determination; and

(ii) the applicant shall be provided an opportunity to submit not more than 1 written appeal to the Secretary for each such denial.

(B) DEADLINE FOR APPEAL.—An appeal under clause (ii) of subparagraph (A) shall be submitted—

(i) not more than 120 days after the date on which the applicant concerned receives notice under clause (i) of that subparagraph; or

(ii) on any date thereafter, at the discretion of the Secretary of Defense.

(C) REQUEST TO REOPEN.—

(i) IN GENERAL.—An applicant who receives a denial under subparagraph (A) may submit a request to reopen a request for classification and records preservation under the process established under paragraph (1) so that the applicant may provide additional information, clarify existing information, or explain any unfavorable information.

(ii) LIMITATION.—After considering 1 such request to reopen from an applicant, the Secretary of Defense may deny subsequent requests to reopen submitted by the same applicant.

(5) TERMINATION.—The application process under this subsection shall terminate on the date that—

(A) is not earlier than ten years after the date of the enactment of this Act; and

(B) on which the Secretary of Defense makes a determination that such termination is in the national interest of the United States.

(6) GENERAL PROVISIONS.—

(A) PROHIBITION ON FEES.—The Secretary of Defense may not charge any fee in connection with a request for a classification or records preservation under this section.

(B) DEFENSE PERSONNEL.—Any limitation in law with respect to the number of personnel within the Office of the Secretary of Defense, the military departments, or a Defense Agency (as defined in section 101(a) of title 10, United States Code) shall not apply to personnel employed for the primary purpose of carrying out this section.

(C) REPRESENTATION.—An alien applying for records preservation under this section may be represented during the application process, including at relevant interviews and examinations, by an attorney or other accredited representative. Such representation shall not be at the expense of the United States Government.

SA 2705. 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 end of subtitle A of title XII, add the following:

SEC. 1216. UNRWA ACCOUNTABILITY AND TRANSPARENCY.

(a) SHORT TITLE.—This section may be cited as the ''UNRWA Accountability and Transparency Act''.

(b) STATEMENT OF POLICY.—

(1) PALESTINIAN REFUGEE DEFINED.—It shall be the policy of the United States, in matters concerning the United Nations Relief and Works Agency for Palestine Refugees in the Near East (referred to in this Act as ''UNRWA''), which operates in Syria, Lebanon, Jordan, the Gaza Strip, and the West Bank, to define a Palestinian refugee as a person who—

(A) resided, between June 1946 and May 1948, in the region controlled by Britain between 1922 and 1948 that was known as Mandatory Palestine;

(B) was personally displaced as a result of the 1948 Arab-Israeli conflict; and

(C) has not accepted an offer of legal residency status, citizenship, or other permanent adjustment in status in another country or territory.

(2) LIMITATIONS ON REFUGEE AND DERIVATIVE REFUGEE STATUS.—In applying the definition under subsection (a) with respect to refugees receiving assistance from UNRWA, it shall be the policy of the United States, consistent with the definition of refugee in section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)) and the requirements for eligibility for refugee status under section 207 of such Act (8 U.S.C. 1157), that—

(A) derivative refugee status may only be extended to the spouse or a minor child of a Palestinian refugee; and

(B) an alien who is firmly resettled in any country is not eligible to retain refugee status.

(c) UNITED STATES' CONTRIBUTIONS TO UNRWA.—Section 301(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221) is amended to read as follows:

''(c) WITHHOLDING.—

''(1) DEFINITIONS.—In this subsection:

''(A) ANTI-SEMITIC.—The term 'anti-Semitic'—

''(i) has the meaning adopted on May 26, 2016, by the International Holocaust Remembrance Alliance as the non-legally binding working definition of antisemitism; and

''(ii) includes the contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere identified on such date by the International Holocaust Remembrance Alliance.

''(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(i) the Committee on Foreign Relations of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Foreign Affairs of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives.

''(C) BOYCOTT OF, DIVESTMENT FROM, AND SANCTIONS AGAINST ISRAEL.—The term 'boycott of, divestment from, and sanctions against Israel' has the meaning given to such term in section 909(f)(1) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4452(f)(1)).

''(D) FOREIGN TERRORIST ORGANIZATION.—The term 'foreign terrorist organization' means an organization designated as a foreign terrorist organization by the Secretary of State in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

''(E) UNRWA.—The term 'UNRWA' means the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

''(2) CERTIFICATION.—Notwithstanding any other provision of law, the United States may not provide contributions to UNRWA, to any successor or related entity, or to the regular budget of the United Nations for the support of UNRWA or a successor entity (through staff positions provided by the United Nations Secretariat or otherwise) unless the Secretary of State submits a written certification to the appropriate congressional committees that—

''(A) no official, employee, consultant, contractor, subcontractor, representative, affiliate of UNRWA, an UNRWA partner organization, or an UNRWA contracting entity pursuant to completion of a thorough vetting and background check process—

''(i) is a member of, is affiliated with, or has any ties to a foreign terrorist organization, including Hamas and Hezbollah;

''(ii) has advocated, planned, sponsored, or engaged in any terrorist activity;

''(iii) has propagated or disseminated anti-American, anti-Israel, or anti-Semitic rhetoric, incitement, or propaganda, including—

''(I) calling for or encouraging the destruction of Israel;

''(II) failing to recognize Israel's right to exist;

''(III) showing maps without Israel;

''(IV) describing Israelis as 'occupiers' or 'settlers';

''(V) advocating, endorsing, or expressing support for violence, hatred, jihad, martyrdom, or terrorism, glorifying, honoring, or otherwise memorializing any person or group that has advocated, sponsored, or committed acts of terrorism, or providing material support to terrorists or their families;

''(VI) expressing support for boycott of, divestment from, and sanctions against Israel (commonly referred to as 'BDS');

''(VII) claiming or advocating for a 'right of return' of refugees into Israel;

''(VIII) ignoring, denying, or not recognizing the historic connection of the Jewish people to the land of Israel; and

''(IX) calling for violence against Americans; or

''(iv) has used any UNRWA resources, including publications, websites, or social media platforms, to propagate or disseminate anti-American, anti-Israel, or anti-Semitic rhetoric, incitement, or propaganda, including with respect to any of the matters described in subclauses (I) through (IX) of clause (iii);

''(B) no UNRWA school, hospital, clinic, facility, or other infrastructure or resource is being used by a foreign terrorist organization or any member thereof—

''(i) for terrorist activities, such as operations, planning, training, recruitment, fundraising, indoctrination, communications, sanctuary, storage of weapons or other materials; or

''(ii) as an access point to any underground tunnel network, or any other terrorist-related purposes;

''(C) UNRWA is subject to comprehensive financial audits by an internationally recognized third party independent auditing firm that—

''(i) is agreed upon by the Government of Israel and the Palestinian Authority; and

''(ii) has implemented an effective system of vetting and oversight to prevent the use,

receipt, or diversion of any UNRWA resources by any foreign terrorist organization or members thereof;

''(D) no UNRWA controlled or funded facility, such as a school, an educational institution, or a summer camp, uses textbooks or other educational materials that propagate or disseminate anti-American, anti-Israel, or anti-Semitic rhetoric, incitement, or propaganda, including with respect to any of the matters described in subclauses (I) through (IX) of subparagraph (A)(iii);

''(E) no recipient of UNRWA funds or loans is—

''(i) a member of, is affiliated with, or has any ties to a foreign terrorist organization; or

''(ii) otherwise engaged in terrorist activities; and

''(F) UNRWA holds no accounts or other affiliations with financial institutions that the United States considers or believes to be complicit in money laundering and terror financing.

''(3) PERIOD OF EFFECTIVENESS.—

''(A) IN GENERAL.—A certification described in paragraph (2) shall be effective until the earlier of—

''(i) the date on which the Secretary receives information rendering the certification described in paragraph (2) factually inaccurate; or

''(ii) the date that is 180 days after the date on which it is submitted to the appropriate congressional committees.

''(B) NOTIFICATION OF RENUNCIATION.—If a certification becomes ineffective pursuant to subparagraph (A), the Secretary shall promptly notify the appropriate congressional committees of the reasons for renouncing or failing to renew such certification.

''(4) LIMITATION.—During any year in which a certification described in paragraph (1) is in effect, the United States may not contribute to UNRWA, or to any successor entity, an amount that—

''(A) is greater than the highest contribution to UNRWA made by a member country of the League of Arab States for such year; and

''(B) is greater (as a proportion of the total UNRWA budget) than the proportion of the total budget for the United Nations High Commissioner for Refugees paid by the United States.''.

(d) ANNUAL REPORT.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, 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) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees describing the actions being taken to implement a comprehensive plan for—

(A) encouraging other countries to adopt the policy regarding Palestinian refugees described in subsection (b);

(B) urging other countries to withhold their contributions to UNRWA, to any successor or related entity, or to the regular budget of the United Nations for the support of UNRWA or a successor entity (through staff positions provided by the United Nations Secretariat or otherwise) until UNRWA has met the conditions listed in subparagraphs (A) through (F) of section 301(c)(2) of the Foreign Assistance Act of 1961, as added by subsection (c);

(C) working with other countries to phase out UNRWA and assist Palestinians receiving UNRWA services by—

(i) integrating such Palestinians into their local communities in the countries in which they are residing; or

(ii) resettling such Palestinians in countries other than Israel or territories controlled by Israel in the West Bank in accordance with international humanitarian principles; and

(D) ensuring that the actions described in subparagraph (C)—

(i) are being implemented in complete coordination with, and with the support of, Israel; and

(ii) do not endanger the security of Israel in any way.

SA 2706. 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 end of title XII, add the following:

Subtitle G—Western Hemisphere Partnership Act

SEC. 1294. SHORT TITLE.

This subtitle may be cited as the ''Western Hemisphere Partnership Act''.

SEC. 1295. UNITED STATES POLICY IN THE WESTERN HEMISPHERE.

It is the policy of the United States to promote economic competitiveness, democratic governance, and security in the Western Hemisphere by—

(1) encouraging stronger economic relations, respect for property rights, the rule of law, and enforceable investment rules and labor and environmental standards;

(2) advancing the principles and practices expressed in the Charter of the Organization of American States, the American Declaration on the Rights and Duties of Man, and the Inter-American Democratic Charter; and

(3) enhancing the capacity and technical capabilities of democratic partner nation government institutions, including civilian law enforcement, the judiciary, attorneys general, and security forces.

SEC. 1296. PROMOTING SECURITY AND THE RULE OF LAW IN THE WESTERN HEMISPHERE.

(a) IN GENERAL.—The Secretary of State, in coordination with the heads of other relevant Federal agencies, should support the improvement of security conditions and the rule of law in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) enhance the institutional capacity and technical capabilities of defense and security institutions in democratic partner nations to conduct national or regional security missions, including through regular bilateral and multilateral engagements, foreign military sales and financing, international military education and training programs, expanding the National Guard State Partnership Programs, and other means;

(2) provide technical assistance and material support (including, as appropriate, radars, vessels, and communications equipment) to relevant security forces to disrupt, degrade, and dismantle organizations involved in the illicit trafficking of narcotics and precursor chemicals, transnational criminal activities, illicit mining, and illegal, unreported, and unregulated fishing, and other illicit activities;

(3) enhance the institutional capacity, legitimacy, and technical capabilities of relevant civilian law enforcement, attorneys general, and judicial institutions to—

(A) strengthen the rule of law and transparent governance;

(B) combat corruption and kleptocracy in the region; and

(C) improve regional cooperation to disrupt, degrade, and dismantle transnational organized criminal networks and terrorist organizations, including through training, anticorruption initiatives, anti-money laundering programs, and strengthening cyber capabilities and resources;

(4) enhance port management and maritime security partnerships and airport management and aviation security partnerships to disrupt, degrade, and dismantle transnational criminal networks and facilitate the legitimate flow of people, goods, and services;

(5) strengthen cooperation to improve border security across the Western Hemisphere, dismantle human smuggling and trafficking networks, and increase cooperation to demonstrably strengthen migration management systems;

(6) counter the malign influence of state and non-state actors and disinformation campaigns;

(7) disrupt illicit domestic and transnational financial networks;

(8) foster mechanisms for cooperation on emergency preparedness and rapid recovery from natural disasters, including by—

(A) supporting regional preparedness, recovery, and emergency management centers to facilitate rapid response to survey and help maintain planning on regional disaster anticipated needs and possible resources;

(B) training disaster recovery officials on latest techniques and lessons learned from United States experiences;

(C) making available, preparing, and transferring on-hand nonlethal supplies, and providing training on the use of such supplies, for humanitarian or health purposes to respond to unforeseen emergencies; and

(D) conducting medical support operations and medical humanitarian missions, such as hospital ship deployments and base-operating services, to the extent required by the operation;

(9) foster regional mechanisms for early warning and response to pandemics in the Western Hemisphere, including through—

(A) improved cooperation with and research by the United States Centers for Disease Control and Prevention through regional pandemic response centers;

(B) personnel exchanges for technology transfer and skills development; and

(C) surveying and mapping of health networks to build local health capacity;

(10) promote the meaningful participation of women across all political processes, including conflict prevention and conflict resolution and post-conflict relief and recovery efforts; and

(11) hold accountable actors that violate political and civil rights.

(b) LIMITATIONS ON USE OF TECHNOLOGIES.—Operational technologies transferred pursuant to subsection (a) to partner governments for intelligence, defense, or law enforcement purposes shall be used solely for the purposes for which the technology was intended. The United States shall take steps to ensure that the use of such operational technologies is consistent with United States law, including protections of freedom of expression, freedom of movement, and freedom of association.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days 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 to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a 5-year strategy to promote security and the rule of law in the Western Hemisphere in accordance to this section.

(2) ELEMENTS.—The strategy required under paragraph (1) shall include the following elements:

(A) A detailed assessment of the resources required to carry out such collaborative efforts.

(B) Annual benchmarks to track progress and obstacles in undertaking such collaborative efforts.

(C) A public diplomacy component to engage the people of the Western Hemisphere with the purpose of demonstrating that the security of their countries is enhanced to a greater extent through alignment with the United States and democratic values rather than with authoritarian countries such as the People's Republic of China, the Russian Federation, and the Islamic Republic of Iran.

(3) BRIEFING.—Not later than 1 year after submission of the strategy required under paragraph (1), and annually thereafter, the Secretary of State shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a briefing on the implementation of the strategy.

SEC. 1297. PROMOTING DIGITALIZATION AND CYBERSECURITY IN THE WESTERN HEMISPHERE.

The Secretary of State, in coordination with the heads of other relevant Federal agencies, should promote digitalization and cybersecurity in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) promote digital connectivity and facilitate e-commerce by expanding access to information and communications technology (ICT) supply chains that adhere to high-quality security and reliability standards, including—

(A) to open market access on a national treatment, nondiscriminatory basis; and

(B) to strengthen the cybersecurity and cyber resilience of partner countries;

(2) advance the provision of digital government services (e-government) that, to the greatest extent possible, promote transparency, lower business costs, and expand citizens' access to public services and public information; and

(3) develop robust cybersecurity partnerships to—

(A) promote the inclusion of components and architectures in information and communications technology (ICT) supply chains from participants in initiatives that adhere to high-quality security and reliability standards;

(B) share best practices to mitigate cyber threats to critical infrastructure from ICT architectures from foreign countries of concern as defined in section 10612(a)(1) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19221(a)(1)), foreign entities of concern as defined in section 10612(a)(2) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19221(a)(2)), and by technology providers that supply equipment and services covered under section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601);

(C) effectively respond to cybersecurity threats, including state-sponsored threats; and

(D) to strengthen resilience against cyberattacks and cybercrime.

SEC. 1298. PROMOTING ECONOMIC AND COMMERCIAL PARTNERSHIPS IN THE WESTERN HEMISPHERE.

The Secretary of State, in coordination with the United States Trade Representative, the Chief Executive Officer of the Development Finance Corporation, and the heads of other relevant Federal agencies, should support the improvement of economic conditions in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) facilitate a more open, transparent, and competitive environment for United States businesses and promote robust and comprehensive trade capacity-building and trade facilitation by—

(A) reducing trade and nontariff barriers between the countries in the region, establishing a mechanism for pursuing Mutual Recognition Agreements and Formalized Regulatory Cooperation Agreements in priority sectors of the economy;

(B) building relationships and exchanges between relevant regulatory bodies in the United States and democratic partners in the Western Hemisphere to promote best practices and transparency in rulemaking, implementation, and enforcement, and provide training and assistance to help improve supply chain management in the Western Hemisphere;

(C) establishing regional fora for identifying, raising, and addressing supply chain management issues, including infrastructure needs and strengthening of investment rules and regulatory frameworks;

(D) establishing a dedicated program of trade missions and reverse trade missions to increase commercial contacts and ties between the United States and Western Hemisphere partner countries; and

(E) strengthening labor and environmental standards in the region;

(2) establish frameworks or mechanisms to review and address the long-term financial sustainability and national security implications of foreign investments in strategic sectors or services;

(3) establish competitive and transparent infrastructure project selection and procurement processes that promote transparency, open competition, financial sustainability, and robust adherence to global standards and norms;

(4) advance robust and comprehensive energy production and integration, including through a more open, transparent, and competitive environment for United States companies competing in the Western Hemisphere; and

(5) explore opportunities to partner with the private sector and multilateral institutions, such as the World Bank and the Inter-American Development Bank, to promote universal access to reliable and affordable electricity in the Western Hemisphere.

SEC. 1299. PROMOTING TRANSPARENCY AND DEMOCRATIC GOVERNANCE IN THE WESTERN HEMISPHERE.

The Secretary of State, in coordination with the Administrator of the United States Agency for International Development and heads of other relevant Federal agencies, should support transparent, accountable, and democratic governance in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) strengthen the capacity of national electoral institutions to ensure free, fair, and transparent electoral processes, including through pre-election assessment missions, technical assistance, and independent local and international election monitoring and observation missions;

(2) enhance the capabilities of democratically elected national legislatures, parliamentary bodies, and autonomous regulatory institutions to conduct oversight;

(3) strengthen the capacity of subnational government institutions to govern in a transparent, accountable, and democratic manner, including through training and technical assistance;

(4) combat corruption at local and national levels, including through trainings, cooperation agreements, initiatives aimed at dismantling corrupt networks, and political support for bilateral or multilateral anticorruption mechanisms that strengthen attorneys general and prosecutors' offices;

(5) strengthen the capacity of civil society to conduct oversight of government institutions, build the capacity of independent professional journalism, facilitate substantive dialogue with government and the private sector to generate issue-based policies, and mobilize local resources to carry out such activities;

(6) promote the meaningful and significant participation of women in democratic processes, including in national and subnational government and civil society; and

(7) support the creation of procedures for the Organization of American States (OAS) to create an annual forum for democratically elected national legislatures from OAS member States to discuss issues of hemispheric importance, as expressed in section 4 of the Organization of American States Legislative Engagement Act of 2020 (Public Law 116–343).

SEC. 1299A. INVESTMENT, TRADE, AND DEVELOPMENT IN 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 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 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 should consult with—

(A) Congress;

(B) each agency that is a member of the Trade Promotion Coordinating Committee;

(C) the Secretary of the Treasury, the Secretary of Commerce, and the United States Executive Director of the Inter-American Development Bank;

(D) each agency that participates in the Trade Policy Staff Committee established;

(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 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 Congress 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 Congress a report on the implementation of the strategy required by paragraph (1).

(b) 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.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Energy and Commerce 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, and the United States Department of Agriculture.

(3) 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.

(4) 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).

(5) 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).

SEC. 1299B. SENSE OF CONGRESS ON PRIORITIZING NOMINATION AND CONFIRMATION OF QUALIFIED AMBASSADORS.

It is the sense of Congress that it is critically important that both the President and the Senate play their respective roles to nominate and confirm qualified ambassadors as quickly as possible.

SEC. 1299C. WESTERN HEMISPHERE DEFINED.

In this subtitle, the term ''Western Hemisphere'' does not include Cuba, Nicaragua, or Venezuela.

SEC. 1299D. REPORT ON EFFORTS TO CAPTURE AND DETAIN UNITED STATES CITIZENS AS HOSTAGES.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on efforts by the Maduro regime of Venezuela to detain United States citizens and lawful permanent residents.

(b) ELEMENTS.—The report required by subsection (a) shall include, regarding the arrest, capture, detainment, and imprisonment of United States citizens and lawful permanent residents—

(1) the names, positions, and institutional affiliation of Venezuelan individuals, or those acting on their behalf, who have engaged in such activities;

(2) a description of any role played by transnational criminal organizations, and an identification of such organizations; and

(3) where relevant, an assessment of whether and how United States citizens and lawful permanent residents have been lured to Venezuela.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but shall include a classified annex, which shall include a list of the total number of United States citizens and lawful permanent residents detained or imprisoned in Venezuela as of the date on which the report is submitted.

SA 2707. 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 end of subtitle F of title XII, add the following:

SEC. 1291. SENSE OF CONGRESS IN SUPPORT OF NATO.

(a) FINDINGS.—Congress makes the following findings:

(1) The North Atlantic Treaty Organization (NATO) was founded on April 4, 1949, to ''safeguard the freedom, common heritage and civilisation of [its] peoples, founded on the principles of democracy, individual liberty and the rule of law''.

(2) The United States Senate approved the North Atlantic Treaty of 1949 on July 21, 1949, and the United States Government acceded to membership in NATO on August 24, 1949.

(3) NATO was originally founded to ensure the collective security of its members, and stand against the Soviet threat to peace and acts collectively to promote freedom, stability, and peace in the North Atlantic region.

(4) Since the formation of NATO, 10 rounds of enlargement have grown the alliance from 12 members to 32.

(5) NATO is the most successful political-military alliance in history and, guided by a set of common values, provides collective defense to more than 950,000,000 people living in its member nations.

(6) The sustained commitment of NATO to mutual defense has contributed to the democratic and economic transformation of Central and Eastern Europe.

(7) Enlargement has strengthened NATO, and the Alliance remains open to additional enlargement for European states that advance the principles of the North Atlantic Treaty and contribute to the security of the North Atlantic area, in line with Article 10 of the Treaty.

(8) The newest members of the alliance, Finland and Sweden, contribute already interoperable militaries, including robust navies, powerful air forces, strong cyber capabilities, and large numbers of active military personnel and ready reservists to the alliance.

(9) The allies invoked NATO's Article 5 collective defense clause for the first and only time to offer political and military assistance to the United States in responding to the attacks of September 11, 2001.

(10) NATO serves as a force multiplier, whose command structures, training institutions, and multilateral exercises have generated multinational contributions to United States national security priorities and enabled European and Canadian soldiers to serve with members of the United States Armed Forces in various missions.

(11) NATO is currently involved in several operations benefitting United States national security, including NATO's Kosovo Force (KFOR), Standing Naval Forces, Operation Sea Guardian, NATO Mission Iraq, and air policing missions in Eastern Europe.

(12) Through the Partnership for Peace and Enhanced Forward Presence, NATO has extended opportunities for cooperation with non-NATO nations.

(13) NATO members have stood against Russian aggression in Eastern Europe, reinforced existing battlegroups and established new ones, supported United States sanctions on the Russian Federation, and imposed their own sanctions measures in coordination with the United States and other allies.

(14) The NATO Wales Summit Declaration of 2014 pledged, ''Allies currently meeting the NATO guideline to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defence will aim to continue to do so . . . Allies whose current proportion of GDP spent on defence is below this level will: halt any decline in defence expenditure; aim to increase defence expenditure in real terms as GDP grows; aim to move towards the 2 percent guideline within a decade with a view to meeting their NATO Capability Targets and filling NATO's capability shortfalls.''

(15) 22 NATO nations have increased their military spending since the Wales Declaration of 2014.

(16) At the NATO Vilnius Summit in 2023, member countries affirmed their commitment to spend ''at least'' 2 percent of GDP on defense, and noted that ''in many cases, expenditure beyond 2 percent of GDP will be needed in order to remedy existing shortfalls and meet the requirements across all domains arising from a more contested security order''.

(17) 20 NATO members still fall short of meeting their 2 percent commitment.

(18) Collective security demands real and sustained burden sharing.

(19) NATO members that do not meet their 2 percent goal have a responsibility to the other member states and should rapidly address their budget shortfalls and prioritize defense spending.

(20) NATO updated its Strategic Concept planning document in 2022 to recognize emerging threats to the alliance, including from the People's Republic of China, and begin the process of adapting our collective approach to face them in the coming generation.

(21) At the NATO Vilnius Summit in 2023, NATO reaffirmed its commitment to its core values and take decisive action to defend them against threats across multiple domains.

(22) Nations must put defense spending in their base budgets to provide long-term certainty to NATO planners and their partners.

(23) The Russian Federation's invasion of Ukraine marks the largest military conflict in Europe since World War II, representing a dramatic shift for European security and requiring NATO to change its policies to increase, modernize, and enhance its force posture and to create more strategic depth to adequately confront new challenges.

(24) In adapting to growing aggression by the People's Republic of China, NATO has deepened its partnerships with Indo-Pacific allies, including South Korea, Japan, Australia, and New Zealand.

(25) Section 1250A of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31) requires the advice and consent of the Senate for any President of the United States to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty.

(b) SENSE OF CONGRESS.—Congress—

(1) lauds NATO for its 75-year maintenance of the alliance and recognizes its foundational contributions to maintaining the safety, security, and democratic systems of its members;

(2) welcomes all NATO members and observers as the United States hosts the 75th Annual Summit in July 2024, in Washington, D.C.;

(3) recognizes the key role NATO has played in enabling the most peaceful and prosperous period in history for the North Atlantic area and also that NATO does not only benefit the defense of its own member states, but enhances security and stability beyond its borders;

(4) appreciates the burden and sacrifice made by each member nation and each service member who has acted to maintain the collective security of NATO;

(5) reaffirms that NATO members join by free choice, not by compulsion or coercion, and that sovereign nations should be free to choose with whom they associate and enter into alliances without fear of violent reprisal;

(6) continues to affirm the importance of Article 5 of the North Atlantic Treaty;

(7) reaffirms the importance of nuclear deterrence in NATO planning and supports the modernization and development of new systems while continuing risk-reduction discussions with our adversaries;

(8) reaffirms that all NATO territory is equally under the protection of its collective defense;

(9) strongly calls on all NATO member states to immediately meet their pledges and raise their defense levels above the 2 percent GDP target, and to more fully share the security burden by focusing on meeting capabilities targets, enhancing interoperability, improving readiness, and modernization to respond to the threats that face the alliance on each of its flanks;

(10) urges all NATO member countries to meet their commitments to the principles of democracy, individual liberty, and the rule of law;

(11) stands in robust support of those NATO members who spend 2 percent or more of their GDPs on defense and acknowledges the 8 countries that have met that goal since 2014;

(12) welcomes the recent additions of Finland and Sweden to the alliance;

(13) recognizes that NATO, in its planning processes, must take into account security threats to the alliance from around the world, including the People's Republic of China;

(14) encourages NATO to build closer ties with the Indo-Pacific to confront the challenges posed by the deepening partnership and alignment between the Russian Federation and the People's Republic of China;

(15) urges all members to consider the value that Ukraine will add to NATO's defense and stability for Europe ahead of the Washington Summit in 2024; and

(16) reaffirms the commitment of the United States to NATO's mission, and its belief that NATO is the most successful security alliance in our Nation's history and one that should continue to be a cornerstone of United States national security.

SA 2708. 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 end of subtitle A of title XII, add the following:

SEC. 1216. MISSILE TECHNOLOGY CONTROLS REGIME PROVISIONS.

(a) MODIFICATION OF CERTAIN PROVISIONS RELATING TO BILATERAL AGREEMENTS AND AUKUS DEFENSE TRADE COOPERATION UNDER THE ARMS EXPORT CONTROL ACT.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended—

(1) in subsection (j)(1)(C)(ii)—

(A) by striking subclauses (I), (II), and (III); and

(B) by redesignating subclauses (IV), (V), (VI), and (VII) as subclauses (I), (II), (III), and (IV), respectively; and

(2) in subsection (l)(4)(B), by striking ''subsection (j)(1)(C)(ii)'' and inserting ''any of subclauses (I), (II), (III), or (IV) of subsection (j)(1)(C)(ii)''.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the following:

(A) The opportunities and challenges that United States participation in the Missile Technology Control Regime create in addressing missile proliferation threats, including a comprehensive description of diplomatic and technical engagements with allies and partners regarding MTCR participation, guidelines, and standards.

(B) The opportunities and challenges United States participation in the MTCR create regarding security cooperation with allies and partners, including a comprehensive description of diplomatic and technical engagements with allies and partners regarding MTCR participation, guidelines, and standards.

(C) An update on MTCR-related deliberations and engagements specific to North Atlantic Treaty Organization (NATO) allies, Australia, and other partners and allies in the Indo-Pacific, including—

(i) technical consultations, diplomatic engagements, and export control regime consultations and assistance; and

(ii) an enumeration of planned modifications to or recommended changes to address the need for expedited sales and transfer of MTCR-controlled systems to address threats to United States national security, including in the Indo-Pacific region.

(D) A detailed description and assessment of disinformation and misinformation campaigns or activities seeking to discredit or undermine global nonproliferation regimes, including such campaigns or activities conducted by the People's Republic of China, Iran, Russia, and North Korea and their assessed impact on such regimes.

(E) A detailed description of Russia's efforts to disrupt consensus based decisions at the MTCR.

(F) A detailed description and assessment of cooperation between the People's Republic of China, Iran, Russia, and North Korea relating to MTCR equipment or technologies.

(G) A comprehensive list, disaggregated by category of MTCR equipment or technology, of all countries that have sought to purchase MTCR equipment or technologies during the 10-year period ending on the date of the enactment of this Act, including—

(i) average time for an approval or disapproval decision;

(ii) reasoning and procedures that led to an approval or disapproval decision; and

(iii) details about countries that have repeatedly overcome the presumption of denial standard if and how the Department of State expedited considerations for further requests.

(H) A comprehensive list, disaggregated by category of MTCR equipment or technology, of United States persons that have sought to export MTCR equipment or technologies to other countries, including—

(i) average time for an approval or disapproval decision;

(ii) reasoning and procedures that led to an approval or disapproval decision;

(iii) information on those United States persons who have challenged any disapproval decision; and

(iv) a detailed explanation of the process United States persons can follow to appeal a disapproval decision, including a detailed licensing process that such persons should expect to follow to in order to receive consideration for an approval decision.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) DEFINITIONS.—In this section—

(1) the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Foreign Relations of the Senate; and

(2) the terms ''Missile Technology Control Regime'', ''MTCR'' and ''MTCR equipment or technology'' have the meanings given those terms in section 74(a) of the Arms Export Control Act (22 U.S.C. 2797c(a)).

SA 2709. 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 end of title XII, add the following:

Subtitle G—Maintaining Our Ironclad Commitment to Israel's Security Act

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Maintaining Our Ironclad Commitment to Israel's Security Act''.

SEC. 1292. FINDINGS.

Congress makes the following findings:

(1) In 2016, the Obama administration concluded negotiations with Israel for a 10-year memorandum of understanding to provide security assistance to Israel for the period of fiscal years 2019 through 2028 that affirmed ''the unshakeable commitment of the United States to Israel's security''.

(2) In May 2024, the Biden administration delayed shipment to Israel of 1,800 2,000-pound bombs and 1,700 500-pound bombs in an effort to apply political pressure to the Government of Israel. The decision to delay such shipment was made without consulting with or notifying Congress and despite repeated public assurances that the United States-Israel relationship was ''ironclad'' and that there was ''no change in policy''.

(3) On May 8, 2024, President Biden stated, with respect to Israel, ''We're not going to supply the weapons and artillery shells.''.

SEC. 1293. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Israel has a right to defend itself, which includes the need for offensive capabilities to

deter and defeat threats, including threats posed by Iran and its terrorist proxies Hamas, Hezbollah, and the Houthis;

(2) previously negotiated and approved United States arms sales to Israel should proceed, and all pauses should be lifted, to ensure that Israel is properly equipped to defend itself and defeat threats, including threats posed by Iran and its terrorist proxies Hamas, Hezbollah, and the Houthis; and

(3) limiting or otherwise delaying the sale or delivery of United States-made defense articles to Israel runs counter to the commitments the United States made to Israel as part of the 2016 memorandum of understanding and undermines regional security, including prospective advances in Israel-Saudi normalization.

SEC. 1294. CONGRESSIONAL OVERSIGHT OF PROPOSED CHANGES TO ARMS SALES TO ISRAEL.

(a) IN GENERAL.—The President may not take any action to pause, suspend, delay, or abrogate the delivery of covered defense articles and defense services to Israel, including as part of a policy review, unless, not less than 15 legislative days prior to such action, the President provides to the appropriate committees of Congress the notification described in subsection (b) relating to such pause, suspension, delay, or abrogation in unclassified form, with a classified annex as necessary.

(b) NOTIFICATION DESCRIBED.—The notification described in this subsection is a notification relating to a pause, suspension, delay, or abrogation of the delivery of covered defense articles and defense services, which shall include the following:

(1) An identification of the end user of the covered defense articles and defense services concerned.

(2) A detailed description of the type of covered defense articles and defense services concerned, including the date on which Congress was notified of the transfer of such covered defense articles and defense services.

(3) A policy justification for the pause, suspension, delay, or abrogation and a description of the potential impact such action may have on United States national security interests.

(4) An identification of conditions for lifting the pause, suspension, delay, or abrogation, a statement as to whether such conditions will be communicated to the Government of Israel, and the timeline for meeting such conditions.

(5) A description of the sources of funds used to provide the covered defense articles and defense services concerned, including an identification of appropriations accounts, as applicable.

(6) An identification of any bilateral agreement or memorandum of understanding related to the authority to provide the covered defense articles and defense services concerned.

(7) An assessment as to whether the pause, suspension, delay, or abrogation would adversely affect the qualitative military edge of Israel over military threats to Israel.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) QUALITATIVE MILITARY EDGE.—The term ''qualitative military edge'' has the meaning given such term in section 36(h)(3) of the Arms Export Control Act (22 U.S.C. 2776(h)(3)).

SEC. 1295. CONGRESSIONAL REVIEW.

(a) LIMITATION ON ACTIONS DURING INITIAL CONGRESSIONAL REVIEW PERIOD.—During the 15-legislative day period following the submission of a notification described in section 1294(b), the President may not take any action to pause, suspend, delay, or abrogate the delivery of covered defense articles and defense services to Israel described in such notification.

(b) LIMITATION ON ACTIONS AFTER INTRODUCTION OF A JOINT RESOLUTION OF DISAPPROVAL.—If a joint resolution of disapproval relating to a notification described in section 1294(b) is introduced, the President may not take any action relating to the pause, suspension, delay, or abrogation of the delivery of the covered defense articles and defense services described in such notification for a period of 10 legislative days, unless the joint resolution sooner passes both Houses of Congress.

(c) LIMITATION ON ACTIONS DURING PRESIDENTIAL CONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—If a joint resolution of disapproval relating to notification described in section 1294(b) passes both Houses of Congress, the President may not take any action relating to the pause, suspension, delay, or abrogation of the delivery of the covered defense articles and defense services described in such notification for a period of 12 legislative days after the date of passage of the joint resolution of disapproval, unless the President sooner vetoes the joint resolution of disapproval.

(d) LIMITATION ON ACTIONS DURING CONGRESSIONAL RECONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—If the President vetoes the joint resolution of disapproval, the President may not take the action described in such notification for a period of 10 legislative days after the date of the President's veto, unless the joint resolution sooner fails of passage on reconsideration in either House.

(e) EFFECT OF ENACTMENT OF A JOINT RESOLUTION OF DISAPPROVAL.—If a joint resolution of disapproval relating to notification described in section 1294(b) is enacted into law, the President may not take any action relating to the pause, suspension, delay, or abrogation of the delivery to Israel of the covered defense articles and defense services described in such notification for a period of 180 days, at which point, the President shall submit a new notification relating to any such action.

(f) JOINT RESOLUTIONS OF DISAPPROVAL.—

(1) DEFINITION.—In this section, the term ''joint resolution of disapproval'' means only a joint resolution of either House of Congress—

(A) the title of which is as follows: ''A joint resolution disapproving the President's proposal to pause, suspend, delay, or abrogate the delivery of covered defense articles and defense services to Israel.''; and

(B) the sole matter after the resolving clause of which is the following: ''Congress disapproves of the action relating to pause, suspend, delay, or abrogate the delivery of covered defense articles and defense services to Israel proposed by the President in the notification described in section 1294(b) of the Maintaining Our Ironclad Commitment to Israel's Security Act on _____ relating to _____., with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(2) INTRODUCTION.—During the period of 15 legislative days provided for under subsection (a), a joint resolution of disapproval may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(A) REPORTING AND DISCHARGE.—If a committee of the House of Representatives to which a joint resolution of disapproval has been referred has not reported the joint resolution within 5 legislative days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(B) PROCEEDING TO CONSIDERATION.—Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If the Committee on Foreign Relations has not reported the joint resolution within 5 legislative days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Foreign Relations reports a joint resolution of disapproval to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) 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.

(D) 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 a joint resolution of disapproval shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a joint resolution of disapproval, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House, that House receives a joint resolution from the other House, then the following procedures shall apply:

(i) The joint resolution of the other House shall not be referred to a committee.

(ii) With respect to a joint resolution of the House receiving the legislation—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on passage shall be on the joint resolution of the other House.

(B) TREATMENT OF A JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce a joint resolution under this section, the joint resolution of the other House shall be entitled to expedited floor procedures under this section.

(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives a companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of disapproval that is a revenue measure.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1296. DEFINITION OF COVERED DEFENSE ARTICLES AND DEFENSE SERVICES.

In this subtitle, the term ''covered defense articles and defense services'' means any defense article or defense service provided under the authority of any of the following:

(1) Section 3 of the Arms Export Control Act (22 U.S.C. 2753).

(2) Section 22 of the Arms Export Control Act (22 U.S.C. 2762).

(3) Section 36 of the Arms Export Control Act (22 U.S.C. 2776).

(4) Section 38 of the Arms Export Control Act (22 U.S.C. 2778).

(5) Section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318).

(6) Section 614 of the Foreign Assistance Act of 1961 (22 U.S.C. 2364).

SA 2710. 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 end of subtitle B of title X, add the following:

SEC. 1014. IMPROVING DRUG TRAFFICKING REPORTING REQUIREMENTS AND ENHANCING SANCTIONS ON FENTANYL TRAFFICKERS.

(a) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''March 1'' and inserting ''June 1''; and

(2) in paragraph (8)(A)(i), by striking ''pseudoephedrine'' and all that follows through ''chemicals)'' and inserting ''chemical precursors used in the production of methamphetamine that significantly affected the United States''.

(b) STUDY AND REPORT ON BILATERAL EFFORTS TO ADDRESS CHINESE FENTANYL TRAFFICKING.—

(1) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(i) the Committee on the Judiciary of the Senate;

(ii) the Committee on Foreign Relations of the Senate;

(iii) the Committee on the Judiciary of the House of Representatives; and

(iv) the Committee on Foreign Affairs of the House of Representatives.

(B) CHINA.—The term ''China'' means the People's Republic of China.

(C) DEA.—The term ''DEA'' means the Drug Enforcement Administration.

(2) CHINA'S CLASS SCHEDULING OF FENTANYL AND SYNTHETIC OPIOID PRECURSORS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Attorney General shall jointly submit to the appropriate committees of Congress an unclassified written report, with a classified annex, that includes—

(A) a description of United States Government efforts to gain a commitment from the Government of China to submit unregulated fentanyl precursors, such as 4–AP, to controls;

(B) a plan for future steps the United States Government will take to urge the Government of China to combat illicit fentanyl production and trafficking originating in China;

(C) a detailed description of cooperation by the Government of China to address the role of the Chinese financial system and Chinese money laundering organizations in the trafficking of fentanyl and synthetic opioid precursors;

(D) an assessment of expected impact that the designation of principal corporate officers of Chinese financial institutions for facilitating narcotics-related money laundering would have on Chinese money laundering organizations; and

(E) an assessment of whether the Trilateral Fentanyl Committee, which was established by the United States, Canada, and Mexico during the January 2023 North American Leaders' Summit, is improving cooperation with law enforcement and financial regulators in Canada and Mexico to combat the role of Chinese financial institutions and Chinese money laundering organizations in narcotics trafficking.

(3) ESTABLISHMENT OF DEA OFFICES IN CHINA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Attorney General shall jointly provide to the appropriate committees of Congress a classified briefing on—

(A) outreach and negotiations undertaken by the United States Government with the Government of China that was aimed at securing the approval of the Government of China to establish of United States Drug Enforcement Administration offices in Shanghai and Guangzhou, China; and

(B) additional efforts to establish new partnerships with provincial-level authorities in China to counter the illicit trafficking of fentanyl, fentanyl analogues, and their precursors.

(c) PRIORITIZATION OF IDENTIFICATION OF PERSONS FROM CHINA.—Section 7211 of the Fentanyl Sanctions Act (21 U.S.C. 2311) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (2) the following:

''(3) PRIORITIZATION.—

''(A) DEFINED TERM.—In this paragraph, the term 'person of the People's Republic of China' means—

''(i) an individual who is a citizen or national of the People's Republic of China; or

''(ii) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

''(B) IN GENERAL.—In preparing the report required under paragraph (1), the President shall prioritize, to the greatest extent practicable, the identification of persons of the People's Republic of China involved in the shipment of fentanyl, fentanyl analogues, fentanyl precursors, precursors for fentanyl analogues, pre-precursors for fentanyl and fentanyl analogues, and equipment for the manufacturing of fentanyl and fentanyl-laced counterfeit pills to Mexico or any other country that is involved in the production of fentanyl trafficked into the United States, including—

''(i) any entity involved in the production of pharmaceuticals; and

''(ii) any person that is acting on behalf of any such entity.

''(C) TERMINATION OF PRIORITIZATION.—The President shall continue the prioritization required under subparagraph (B) until the President certifies to the appropriate congressional committees that the People's Republic of China is no longer the primary source for the shipment of fentanyl, fentanyl analogues, fentanyl precursors, precursors for fentanyl analogues, pre-precursors for fentanyl and fentanyl analogues, and equipment for the manufacturing of fentanyl and fentanyl-laced counterfeit pills to Mexico or any other country that is involved in the production of fentanyl trafficked into the United States.''; and

(2) in subsection (c), by striking ''the date that is 5 years after such date of enactment'' and inserting ''December 31, 2030''.

(d) EXPANSION OF SANCTIONS UNDER THE FENTANYL SANCTIONS ACT.—Section 7212 of the Fentanyl Sanctions Act (21 U.S.C. 2312) is amended—

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

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

(3) by adding at the end the following:

''(3) the President determines has knowingly has engaged in, or attempted to engage in, an activity or transaction that has materially contributed to opioid trafficking; or

''(4) the President determines—

''(A) has received any property or interest in property that the foreign person knows—

''(i) constitutes or is derived from the proceeds of an activity or transaction described in paragraph (1); or

''(ii) was used or intended to be used to commit or to facilitate such an activity or transaction;

''(B) has knowingly provided, or attempted to provide, financial, material, or technological support for, including through the provision of goods or services in support of—

''(i) any activity or transaction described in paragraph (1); or

''(ii) any foreign person described in paragraph (1); or

''(C) is or has been owned, controlled, or directed by any foreign person described in paragraph (1) or subparagraph (A) or (B), or

has knowingly acted or purported to act for or on behalf of, directly or indirectly, such a foreign person.''.

(e) IMPOSITION OF SANCTIONS WITH RESPECT TO AGENCIES OR INSTRUMENTALITIES OF FOREIGN STATES.—The President shall—

(1) impose 1 or more of the sanctions described in section 7213 of the Fentanyl Sanctions Act (21 U.S.C. 2313) with respect to each agency or instrumentality of a foreign state (as defined in section 1603(b) of title 28, United States Code) that the President determines—

(A) has engaged in, or attempted to engage in, an activity or transaction that has materially contributed to opioid trafficking; or

(B) has provided, or attempted to provide, financial, material, or technological support for, (including through the provision of goods or services in support of) any activity or transaction described in subparagraph (A); or

(2) impose the sanction described in section 7213(a)(6) of the Fentanyl Sanctions Act (21 U.S.C. 2313(a)(6)) on each foreign person that the President determines—

(A) is a senior official of an agency or instrumentality of a foreign state described in paragraph (1);

(B) is or has been owned, controlled, or directed by an agency or instrumentality of a foreign state described in paragraph (1); or

(C) has knowingly acted or purported to act for or on behalf of, directly or indirectly, such a foreign state.

SA 2711. 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 end of subtitle B of title XII, add the following:

SEC. 1228. COOPERATIVE AGREEMENTS TO PROTECT AMERICANS FROM DRONE ATTACKS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States condemns the January 28, 2024, drone attack on Tower 22 in Jordan by Iranian-backed militias that tragically took the lives of 3 American servicemembers and wounded 47 others;

(2) one-way attack drones and similar low-cost armed unmanned aerial systems are the most dangerous asymmetric threat employed by Iranian-aligned militias against Americans and American interests;

(3) United States defense against drones relies on a patchwork of defensive systems, and the United States and like-minded partners need to develop defensive systems that leverage innovation and are responsive to rapidly changing technology and attack methodologies;

(4) the United States should improve cooperation with like-minded partners to systematically map out, expose, and disrupt missile and drone procurement networks used by the Iran-backed Houthi rebels in Yemen and other Iranian proxies targeting United States forces and assets and United States allies and partners in the region;

(5) the partner countries of the United States, including Iraq, Jordan, and countries on the Arabian Peninsula, face urgent and emerging threats from unmanned aerial systems and other unmanned aerial vehicles;

(6) joint research and development to counter unmanned aerial systems will serve the national security interests of the United States and its partners in Iraq, Jordan, and on the Arabian Peninsula;

(7) development of counter Unmanned Aircraft Systems technology will reduce the impacts of these attacks, build deterrence, and increase regional stability; and

(8) the United States and partners in Iraq, Jordan, and on the Arabian Peninsula should continue to work together to protect against the threat from unmanned aerial systems.

(b) AUTHORITY TO ENTER INTO A COOPERATIVE AGREEMENT TO PROTECT AMERICANS IN IRAQ, JORDAN, AND ON THE ARABIAN PENINSULA FROM WEAPONIZED UNMANNED AERIAL SYSTEMS.—

(1) IN GENERAL.—The President is authorized to enter into a cooperative project agreement with Iraq, Jordan, and countries on the Arabian Peninsula under the authority of section 27 of the Arms Export Control Act (22 U.S.C. 2767) to carry out research on and development, testing, evaluation, and joint production (including follow-on support) of defense articles and defense services to detect, track, and destroy armed unmanned aerial systems that threaten the United States and its partners in Iraq, Jordan, and on the Arabian Peninsula.

(2) APPLICABLE REQUIREMENTS.—

(A) IN GENERAL.—The cooperative project agreement described in paragraph (1)—

(i) shall provide that any activities carried out pursuant to such agreement are subject to—

(I) the applicable requirements described in subparagraphs (A), (B), and (C) of section 27(b)(2) of the Arms Export Control Act (22 U.S.C. 2767(b)(2)); and

(II) any other applicable requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.) with respect to the use, transfer, and security of such defense articles and defense services under such Act;

(ii) shall establish a framework to negotiate the rights to intellectual property developed under such agreement; and

(iii) shall be defensive in nature.

(B) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—Notwithstanding section 27(g) of the Arms Export Control Act (22 U.S.C. 2767(g)), any defense articles that result from a cooperative project agreement shall be subject to the requirements under subsections (b) and (c) of section 36 of such Act (22 U.S.C. 2776).

(c) RULE OF CONSTRUCTION WITH RESPECT TO USE OF MILITARY FORCE.—Nothing in this section may be construed as an authorization for the use of military force.

(d) ARABIAN PENINSULA DEFINED.—In this section, the term ''Arabian Peninsula'' means Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, and Yemen.

SA 2712. 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 end of subtitle A of title XII, add the following:

SEC. 1216. LIMITING UNITED STATES ASSISTANCE THAT DIRECTLY BENEFITS THE TALIBAN.

(a) SHORT TITLE.—This section may be cited as the ''Stop Supporting the Taliban Act''.

(b) FINDINGS.—Congress finds the following:

(1) After al-Qaeda attacked the United States on September 11, 2001, the United States sought to eliminate al-Qaeda's safe havens and training camps in Afghanistan.

(2) The Taliban government that was in control of Afghanistan, under the leadership of Mullah Omar, had granted al-Qaeda sanctuary in Afghanistan.

(3) The Taliban government fell in 2001 following the United States-led Operation Enduring Freedom, but returned to power during the United States' withdrawal from Afghanistan in August 2021.

(4) The United States Armed Forces and international partners fought with valor, honor, and effectiveness to eliminate terrorist threats, including threats against the United States.

(5) More than 800,000 Americans answered our Nation's call and served in Operation Enduring Freedom, which was the longest military operation in United States history.

(6) A total of 2,459 United States military personnel were killed in Afghanistan during Operation Enduring Freedom and more than 20,000 servicemembers were wounded during the operation.

(7) Since the American withdrawal from Afghanistan, the Taliban have engaged in widespread human rights abuses to Afghan women and girls and Afghanistan has again become a terrorism concern.

(8) The Taliban has erased rights for women and girls to include barring access to education, reinstating guardianship laws, ejecting women from the workplace, and the resumption of stoning women in public.

(9) On April 22, 2024, the annual Department of State Country Report on Human Rights Practices in Afghanistan cited a ''significant deterioration in women's rights'' due to Taliban actions, including credible reports of killings, torture, forced marriages, and extensive gender-based violence.

(10) On July 31, 2022, al-Qaeda emir Ayman al-Zawahiri, who was provided sanctuary by the Taliban, was killed in a United States drone strike in Afghanistan.

(11) On January 29, 2024, the United Nations Security Council published a report stating ''the relationship between the Taliban and al-Qaeda remain close'', and in the most recent 6-month period, al-Qaeda had established up to 8 new training camps in Afghanistan.

(12) The Taliban lack the capability and the will to effectively counter the Islamic State Khorasan (commonly known as ''ISIS-K'').

(13) On March 7, 2024, the Commander of the United States Central Command Commander testified that terrorist groups, such as ISIS–K, ''retain a safe haven in Afghanistan''.

(14) On March 22, 2024, ISIS–K killed 140 people in an attack on a concert venue in Russia, demonstrating the capability and will to conduct transnational terrorist attacks.

(15) On April 11, 2024, Federal Bureau of Investigation Director Christopher Wray testified ''the potential for a coordinated attack here in the homeland, akin to the ISIS–K attack'' in Russia is ''increasingly concerning''.

(16) In November 2023, the Special Inspector General for Afghanistan Reconstruction (SIGAR) testified, ''The Taliban is diverting or otherwise benefitting from a considerable amount of U.S. assistance.''.

(17) The May 2024 SIGAR report stated that—

(A) implementing partners of United States assistance collectively paid at least $10,900,000 to the Taliban; and

(B) several implementing partners were pressured by the Taliban to divert assistance to populations chosen by the Taliban rather

than to allocate assistance based on the needs of the Afghan people.

(c) 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 Armed Services of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Armed Services of the House of Representatives; and

(F) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) THE TALIBAN.—The term ''the Taliban''—

(A) refers to the organization that refers to itself as the ''Islamic Emirate of Afghanistan'', which was founded by Mohammed Omar, and is led, as of the date of the enactment of this Act, by Mawlawi Hibatullah Akhundzada; and

(B) includes subordinate organizations, such as the Haqqani Network, and any successor organization.

(d) LIMITATION ON UNITED STATES' CONTRIBUTIONS TO THE TALIBAN THAT SUPPORT TERRORISM OR HUMAN RIGHTS ABUSES.—Except as provided in subsection (e), amounts authorized to be appropriated or otherwise made available for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to Economic Support Fund) and available for assistance for Afghanistan that directly benefit the Taliban may only be made available for such purpose if, not later than 30 days after the date of the enactment of this Act and every 180 days thereafter, the Secretary of State submits written certification to the appropriate congressional committees that the Taliban and all successor or affiliated organizations—

(1) have publicly and privately broken all ties with other terrorist groups, including al-Qaeda;

(2) have taken verifiable measures to prevent the use of Afghanistan as a staging area for terrorist attacks against the United States or partners or allies of the United States, including by denying sanctuary space, transit of Afghan territory, and use of Afghanistan for terrorist training, planning, or equipping;

(3) have provided humanitarian actors with full, unimpeded access to vulnerable populations throughout Afghanistan without interference or diversion;

(4) have respected freedom of movement, including by facilitating the departure of foreign nationals, Afghan applicants for the special immigrant visa program, and other at-risk Afghan nationals by air or land routes, and the safe, voluntary, and dignified return of displaced persons;

(5) have supported the establishment of an inclusive Government of Afghanistan that respects the rule of law, press freedom, and internationally recognized human rights, including the rights of women and girls; and

(6) have ensured the release of all United States nationals designated as unlawfully or wrongfully detained in Afghanistan.

(e) INITIAL USE AND DISPOSITION OF WITHHELD FUNDS.—

(1) PERIOD OF AVAILABILITY.—Amounts withheld pursuant to subsection (d) are authorized to remain available for an additional 2 years after the date on which the availability of such funds would otherwise have expired.

(2) USE OF FUNDS.—Amounts withheld pursuant to subsection (d) may be made available for assistance for Afghanistan that directly benefits the Taliban if the Secretary of State provides written certification that the Taliban and any successor or affiliated organizations have met the conditions set forth in subsection (d).

(f) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit a strategy to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that seeks to minimize direct benefits to the Taliban through United States' humanitarian and development assistance in Afghanistan.

(2) ELEMENTS.—The strategy required under paragraph (1) shall—

(A) describe in detail the mechanisms used to monitor and prevent the diversion of United States' assistance to terrorism and drug trafficking, including through currency manipulation;

(B) describe in detail any mechanisms for ensuring that—

(i) the Taliban is not—

(I) the intended primary beneficiary or end user of United States' assistance; or

(II) the direct recipient of such assistance; and

(ii) such assistance is not used for payments to Taliban creditors;

(C) describe the extent of ownership or control exerted by the Taliban over entities and individuals that are the primary beneficiaries or end users of United States' assistance;

(D) indicate whether United States' assistance or direct services replace assistance or services previously provided by the Taliban; and

(E) define ''direct benefit'' for purposes of governing Department of State and United States Agency for International Development assistance operations in Afghanistan.

(3) FORM.—The strategy required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) REPORTS.—

(1) IN GENERAL.—If the Secretary of State is unable to provide written certification to the appropriate congressional committees that the Taliban and any successor or affiliated organizations have met the conditions described in subsection (d), the Secretary, not later than 15 days after the date on which the Secretary is unable to make such certification, shall submit to the appropriate congressional committees a report that contains—

(A) the reasons the Secretary was unable to certify in writing that such organizations have met such requirements; and

(B) the total amount of funds to be withheld from Afghanistan.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SA 2713. 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 end of subtitle B of title XII, add the following:

SECTION 1228. PROHIBITING THE NORMALIZATION OF DIPLOMATIC RELATIONS WITH SYRIA WHILE BASHAR AL-ASSAD REMAINS IN POWER.

(a) SHORT TITLE.—This section may be cited as the ''Assad Regime Anti-Normalization Act of 2024''.

(b) MODIFICATIONS TO THE CAESAR SYRIA CIVILIAN PROTECTION ACT.—

(1) CAESAR SYRIA CIVILIAN PROTECTION ACT.—Section 7412 of the Caesar Syria Civilian Protection Act of 2019 (title LXXIV of the National Defense Authorization Act for Fiscal Year 2020; 22 U.S.C. 8791 note) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''the President shall impose'' and all that follows through the end of the paragraph and inserting ''the President—''

''(A) shall impose the sanctions described in subsection (b) with respect to a foreign person that the President determines—

''(i) knowingly engages, on or after such date of enactment, in an activity described in paragraph (2);

''(ii) is an adult family member of a foreign person described in clause (i), unless the President determines there is clear and convincing evidence that such adult family member has disassociated themselves from the foreign person described in such clause and has no history of helping such foreign person conceal assets; or

''(iii) is owned or controlled by a foreign person described in clause (i) or (ii); and

''(B) may impose the sanctions described in subsection (b) with respect to a foreign person that the President determines knowingly provides, on or after such date of enactment, significant financial, material, or technological support to a foreign person engaging in an activity described in any of subparagraphs (B) through (H) of paragraph (2);''.

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) by amending clause (i) to read as follows:

''(i) the Government of Syria (including any entity owned or controlled by the Government of Syria), a senior political figure of the Government of Syria, a member of the People's Assembly of Syria, or a senior foreign political figure (as such term is defined in section 101.605 of title 31, Code of Federal Regulations) of the Arab Socialist Ba'ath Party of Syria, including any such senior foreign political figure who is—

''(I) a member of the Central Command, Central Committee, or Auditing and Inspection Committee of such Party; or

''(II) a leader of a local branch of such Party;'';

(bb) in clause (ii), by striking ''; or'' and inserting a semicolon;

(cc) in clause (iii), by striking the semicolon and inserting ''; or''; and

(dd) by adding at the end the following:

''(iv) Syria Arab Airlines, Cham Wings, or any foreign person owned or controlled by Syria Arab Airlines or Cham Wings;'';

(II) by amending subparagraph (C) to read as follows:

''(C) knowingly sells or provides aircraft or spare aircraft parts—

''(i) to the Government of Syria; or

''(ii) for or on behalf of the Government of Syria to any foreign person operating in an area directly or indirectly controlled by the Government of Syria or foreign forces associated with the Government of Syria;'';

(III) in subparagraph (D), by striking ''; or'' and inserting a semicolon;

(IV) in subparagraph (E)—

(aa) by striking ''construction or engineering services'' and inserting ''construction, engineering, or commercial financial services''; and

(bb) by striking the closing period and inserting a semicolon; and

(V) by adding at the end the following:

''(F) purposefully engages in or directs—

''(i) the diversion of goods (including agricultural commodities, food, medicine, and medical devices), or any international humanitarian assistance, intended for the people of Syria; or

''(ii) the dealing in proceeds from the sale or resale of such diverted goods or international humanitarian assistance, as the case may be;

''(G) knowingly, directly or indirectly, engages in or attempts to engage in, the seizure, confiscation, theft, or expropriation for personal gain or political purposes of property, including real property, in Syria or owned by a citizen of Syria;

''(H) knowingly, directly or indirectly, engages in or attempts to engage in a transaction or transactions for or with such seized, confiscated, stolen, or expropriated property described in subparagraph (G); or

''(I) knowingly provides significant financial, material, or technological support to a foreign person engaging in an activity described in subparagraph (A).''; and

(iii) by adding at the end the following:

''(4) TRANSACTION DEFINED.—For purposes of the determination required by subparagraph (a)(2)(A), the term 'transaction' includes in-kind transactions.

''(5) ADDITIONAL DEFINITIONS.—In this section:

''(A) COMMERCIAL FINANCIAL SERVICES.—The term 'commercial financial services' means any transaction between the Government of Syria and a foreign bank or foreign financial institution operating in an area under the control of the Government of Syria that has a valuation of more than $5,000,000.

''(B) FINANCIAL INSTITUTION.—The term 'financial institution' means a financial institution specified in any of subparagraphs (A) through (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

''(6) SIGNIFICANT TRANSACTION CLARIFIED.—In this section, the term 'significant transaction' includes any natural gas, electricity, or other energy-related transaction.''; and

(B) by adding at the end the following:

''(c) CONGRESSIONAL REQUESTS.—Not later than 120 days after receiving a request from the chairman and ranking member of one of the appropriate congressional committees with respect to whether a foreign person knowingly engages in an activity described in subsection (a)(2) the President shall—

''(1) make the determination specified in subsection (a)(1) with respect to that foreign person; and

''(2) submit to such chairman and ranking member that submitted the request a report with respect to such determination that includes a statement of whether the President has imposed or intends to impose the sanctions described in subsection (b) with respect to that foreign person.''.

(2) EXTENSION OF SUNSET.—Section 7438 of the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note) is amended by striking ''the date that is 5 years after the date of the enactment of this Act'' and inserting ''December 31, 2035''.

(3) DETERMINATIONS WITH RESPECT TO SYRIA TRUST FOR DEVELOPMENT.—

(A) DETERMINATIONS.—Not later than 120 days after the enactment of this Act, the President shall—

(i) determine whether the nonprofit organization chaired by Asma Al-Assad, the First Lady of Syria, known as the ''Syria Trust for Development'' meets the criteria for the imposition of sanctions—

(I) under section 7412(a) of the Caesar Syria Civilian Protection Act of 2019, as amended by subsection (a);

(II) under Executive Order No. 13894 (84 Fed. Reg. 55851; relating to blocking property and suspending entry of certain persons contributing to the situation in Syria); or

(III) by nature of being owned or controlled by a person designated under any executive order or regulation administered by the Office of Foreign Assets Control; and

(ii) submit to the appropriate congressional committees each such determination, including a justification for the determination.

(B) FORM.—The determination required under subparagraph (A) shall be submitted in unclassified form, but the justification required under clause (ii) of such subparagraph may be included in a classified annex. The unclassified determination shall be made available on a publicly available website of the Federal Government.

(C) SANCTIONS RELATING TO IMPORTATION OF GOODS UNCHANGED.—Subparagraph (A) may not be construed to create any new authorities or requirements to impose sanctions on the importation of goods.

(D) DEFINED TERM.—In this subsection, the term ''appropriate congressional committees'' means—

(i) the Committee on Armed Services of the Senate;

(ii) the Committee on Foreign Relations of the Senate;

(iii) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(iv) the Committee on Armed Services of the House of Representatives;

(v) the Committee on Foreign Affairs of the House of Representatives; and

(vi) the Committee on Financial Services of the House of Representatives.

(4) FINDINGS ON APPLICABILITY WITH RESPECT TO SYRIAN ARAB AIRLINES, CHAM WINGS AIRLINES, AND RELATED ENTITIES.—Congress finds the following:

(A) In 2013, the President identified Syrian Arab Airlines as a blocked instrumentality or controlled entity of the Government of Syria and concurrently sanctioned Syrian Arab Airlines pursuant to Executive Order No. 13224 for acting for or on behalf of the Islamic Revolutionary Guard Corps-Qods Force of Iran.

(B) In 2016, the President sanctioned Syria-based Cham Wings Airlines pursuant to Executive Order No. 13582 for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the Government of Syria and Syrian Arab Airlines.

(C) Section 7412(a)(2)(A)(iii) of the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note) mandates the application of sanctions against any foreign person that ''knowingly provides significant financial, material, or technological support to, or knowingly engages in a significant transaction with * * * a foreign person subject to sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to Syria or any other provision of law that imposes sanctions with respect to Syria,'', which applies to airport service providers outside of Syria.

(5) SEVERABILITY.—If any provision of this section, or the application of such provision to any person or circumstance, is found to be unconstitutional, the remainder of this section, or the application of such provision to other persons or circumstances, shall not be affected.

(c) PROHIBITION OF RECOGNITION OF ASSAD REGIME.—

(1) STATEMENT OF POLICY.—It is the policy of the United States—

(A) to not recognize or normalize relations with any Government of Syria that is led by Bashar al-Assad due to the Assad regime's ongoing crimes against the Syrian people, including failure to meet the criteria outlined in section 7431(a) of the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note);

(B) to actively oppose recognition or normalization of relations by other governments with any Government of Syria that is led by Bashar Al-Assad, including by fully implementing the mandatory primary and secondary sanctions authorized under the Caesar Syria Civilian Protection Act of 2019 and Executive Order No. 13894; and

(C) to use the full range of authorities, including those provided under the Caesar Syria Civilian Protection Act of 2019 and Executive Order No. 13894, to deter reconstruction activities in areas under the control of Bashar al-Assad.

(2) PROHIBITION.—In accordance with paragraph (1), no Federal official or employee may take any action, and no Federal funds may be made available, to recognize or otherwise imply, in any manner, United States recognition of Bashar al-Assad or any Government in Syria that is led by Bashar al-Assad.

(d) INTERAGENCY STRATEGY TO COUNTER NORMALIZATION WITH ASSAD REGIME.—

(1) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the Committee on Foreign Relations of the Senate;

(ii) the Committee on the Judiciary of the Senate;

(iii) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(iv) the Committee on Appropriations of the Senate;

(v) the Select Committee on Intelligence of the Senate.

(vi) the Committee on Foreign Affairs of the House of Representatives;

(vii) the Committee on the Judiciary of the House of Representatives;

(viii) the Committee on Financial Services of the House of Representatives;

(ix) the Committee on Appropriations of the House of Representatives; and

(x) the Permanent Select Committee on Intelligence of the House of Representatives.

(B) COVERED TRANSACTION.—The term ''covered transaction'' means a transaction, including an investment, grant, contract, or donation (including a loan or other extension of credit) by a foreign person located in Turkey, the United Arab Emirates, Egypt, Jordan, Iraq, Oman, Bahrain, Kuwait, the Kingdom of Saudi Arabia, Tunisia, Algeria, Morocco, Libya, or Lebanon to a recipient in any area of Syria held by the Assad regime.

(2) REPORT AND STRATEGY REQUIRED.—

(A) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State, in consultation with the Secretary of the Treasury, the Administrator of the Drug Enforcement Administration, and the heads of other appropriate Federal departments and agencies, shall submit to the appropriate congressional committees a report and a strategy that describes any counter actions taken or planned by foreign governments to normalize, engage with, or upgrade political, diplomatic, or economic ties with the regime led by Bashar al-Assad in Syria (referred to in this subsection as the ''Assad regime'').

(B) ELEMENTS.—The report required under subparagraph (A) shall include—

(i) a description of violations of international law and human rights abuses committed by Bashar al-Assad, the Government

of the Russian Federation, or the Government of Iran and progress towards justice and accountability for the Syrian people;

(ii) a full list of diplomatic meetings at the Ambassador level or above, between the Syrian regime and any representative of the Governments of Turkey, the United Arab Emirates, Egypt, Jordan, Iraq, Oman, Bahrain, Kuwait, the Kingdom of Saudi Arabia, Tunisia, Algeria, Morocco, Libya, or Lebanon, respectively;

(iii) a list including an identification of—

(I) any single covered transaction exceeding $500,000; and

(II) any combination of covered transactions by the same source that, in aggregate, exceed $500,000 and occur within a single year;

(iv) for each identified single transaction or aggregate transactions, as the case may be, included in the list described in clause (iii), a determination of whether such transaction subjects any of the parties to the transaction to sanctions under the Caesar Syria Civilian Protection Act of 2019, as amended by subsection (b);

(v) a description of the steps the United States is taking to actively deter recognition or normalization of relations by other governments with the Assad regime, including specific diplomatic engagements and use of economic sanctions authorized by statutes or implemented through Executive orders, including—

(I) the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note);

(II) the Syria Accountability and Lebanese Sovereignty Restoration Act (22 U.S.C. 2151 note);

(III) the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.);

(IV) Executive Order No. 13894 (84 Fed. Reg. 55851; relating to blocking property and suspending entry of certain persons contributing to the situation in Syria);

(V) the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.);

(VI) the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9401 et seq.); and

(VII) the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.); and

(vi) an assessment of how recognition or normalization of relations by other governments with the Assad regime impacts the national security of the United States, prospects for implementation of the United Nations Security Council Resolution 2254, prospects for justice and accountability for war crimes in Syria, and the benefits derived by the Government of the Russian Federation or the Government of Iran.

(3) SCOPE.—The initial report required under paragraph (2) shall address the period beginning on January 1, 2021, and ending on the date of the enactment of this Act, and each subsequent report shall address the 1-year period following the conclusion of the scope of the prior report.

(4) FORM.—Each report submitted pursuant to paragraph (2)) shall be submitted in unclassified form, but may contain a classified annex. The unclassified section of such a report shall be made publicly available on a website of the United States Federal Government.

(e) REPORTS ON MANIPULATION OF UNITED NATIONS BY ASSAD REGIME IN SYRIA.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that describes the manipulation of the United Nations by the regime led by Bashar al-Assad in Syria (referred to in this subsection as the ''Assad regime'') and includes—

(1) a description of conditions, both explicit and implicit, set by the Assad regime with respect to United Nations operations in Syria, including with respect to implementing partners, hiring practices, allocation of grants and contracts, and procurement of goods and services;

(2) a description of the extent to which the United Nations has rejected or otherwise opposed any of the conditions described in paragraph (1);

(3) an identification of any officials or employees of the United Nations (including funds, programs and specialized agencies of the United Nations) with ties to the Assad regime, including family ties, or persons designated for sanctions by United Nations donor countries;

(4) a full account of access restrictions imposed by the Assad regime and the overall impact on the ability of the United Nations to deliver international assistance to target beneficiaries in areas outside regime control;

(5) a description of ways in which United Nations aid improperly benefits the Assad regime and its associates in defiance of basic humanitarian principles;

(6) a description of the due diligence mechanisms and vetting procedures in place to ensure entities contracted by the United Nations to ensure goods, supplies, or services provided to Syria do not have links to the Assad regime, known human rights abusers, or persons designated for sanctions by United Nations donor countries;

(7) an identification of entities affiliated with the Assad regime, including the Syria Trust for Development and the Syrian Arab Red Crescent, foreign government ministries, and private corporations owned or controlled directly or indirectly by the Assad regime, that have received United Nations funding, contracts, or grants or have otherwise entered into a formalized partnership with the United Nations;

(8) an assessment of how the Assad regime sets arbitrary or punitive exchange rates to extract funding from the United Nations, as well as the total amount extracted by such means;

(9) an assessment of the degree to which the various forms of manipulation described in this section has resulted in compromises of the humanitarian principles of humanity, neutrality, impartiality, and independence of the United Nations; and

(10) a strategy to reduce the ability of the Assad regime to manipulate or otherwise influence the United Nations and other aid operations in Syria and ensure United States and international aid is delivered in a neutral and impartial manner consistent with basic humanitarian principles.

(f) INTERAGENCY STRATEGY TO FREE AUSTIN TICE AND REPATRIATE AMERICAN REMAINS FROM THE BASHAR AL-ASSAD REGIME IN SYRIA.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the heads of other appropriate Federal agencies, shall submit a written strategy to the appropriate congressional committees to secure the release of all hostages or unlawfully or wrongfully detained United States nationals from Syria.

(2) ELEMENTS.—The strategy required under paragraph (1) shall include—

(A) a detailed description of the efforts by the United States Government to secure the release of United States nationals during the previous 12-month period, including working through intermediaries;

(B) a detailed description of the efforts and formal mechanisms of senior administration officials to keep family members of detained Americans informed of the latest developments relating to their detention, which shall include appropriate declassification of relevant information;

(C) a detailed plan for monitoring and assessing the health, well-being, location, conditions, and treatment of American hostages or unlawfully or wrongfully detained United States nationals in Syria;

(D) a description of the efforts by the United States Government to repatriate the remains of United States citizens killed by the Assad regime or the Islamic State in Syria, including Majd Kamalmaz, Kayla Mueller, James Foley, Peter Kassig, Steven Sotloff, and others; and

(E) a description of the efforts by the United States Government to seek accountability for Bashar al-Assad's crimes against United States citizens, including the murder of Majd Kamalmaz and the kidnaping and imprisonment of Austin Tice.

(3) FORM.—The strategy required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) SPECIAL RULE.—The Special Presidential Envoy for Hostage Affairs shall share as much information as possible from the strategy submitted pursuant to paragraph (1) with—

(A) the family of each of the American hostages in Syria;

(B) Americans who are being unlawfully or wrongfully detained in Syria; and

(C) families of Americans who have been killed by the Islamic State in Syria and whose remains have not been returned.

(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed as prohibiting United States officials from engaging directly with representatives of the Assad regime for the purposes of—

(1) securing the release of American hostages or wrongfully or unlawfully detained Americans; or

(2) seeking the repatriation of the remains of Americans who have been killed in Syria.

SA 2714. 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 H of title X, add the following:

SEC. 1095. GOVERNING ETHICAL AI USE AND INNOVATION FOR HEALTH CARE DEVELOPMENT AND EQUITY.

(a) NATIONAL INSTITUTES OF HEALTH.—Part A of title IV of the Public Health Service Act is amended by inserting after section 403D (42 U.S.C. 283a–3) the following:

''SEC. 403E. ARTIFICIAL INTELLIGENCE.

''(a) IN GENERAL.—The Director of NIH shall—

''(1) develop computational resources and datasets necessary to use artificial intelligence approaches for health and health care research;

''(2) provide expertise in biomedical research and the use of artificial intelligence;

''(3) develop and maintain federated resources that provide unified access to data from fundamental biomedical research and the clinical care environment;

''(4) provide education and ongoing support to a nationwide user community to foster scientifically sound, ethical, and inclusive

research using artificial intelligence that addresses the health needs of all individuals; and

''(5) extend the clinical research capabilities of the National Institutes of Health to address significant gaps in evidence to guide clinical care and to serve the needs of every community.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Director of NIH to carry out this section $400,000,000 for fiscal year 2025.''.

(b) OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY.—Subtitle C of title XXX of the Public Health Service Act (42 U.S.C. 300jj–51 et seq.) is amended by adding at the end the following:

''SEC. 3023. ARTIFICIAL INTELLIGENCE.

''(a) IN GENERAL.—The National Coordinator shall—

''(1) carry out activities to engage in health research by—

''(A) utilizing the electronic health record as a data collection tool; and

''(B) requiring that individuals are offered an opportunity to direct the use of their health data for research; and

''(2) establish data and interoperability standards for access, exchange, and use of clinical and administrative data from the clinical care environment through a National Artificial Intelligence Research Resource, in alignment with—

''(A) the United States Core Data for Interoperability;

''(B) the Fast Health Interoperability Resources; and

''(C) the Trusted Exchange Framework and Common Agreement.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Coordinator for fiscal year 2025—

''(1) $10,000,000 to carry out subsection (a)(1); and

''(2) $50,000,000 to carry out subsection (a)(2).''.

(c) MEDICARE REQUIREMENT FOR HOSPITALS RELATING TO USE OF ELECTRONIC HEALTH RECORDS DATA FOR RESEARCH PURPOSES.—Section 1866(a)(1) of the Social Security Act (42 U.S.C. 1395cc(a)(1)) is amended—

(1) by moving the indentation of subparagraph (W) 2 ems to the left;

(2) in subparagraph (X)—

(A) by moving the indentation 2 ems to the left; and

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

(3) in subparagraph (Y), by striking the period at the end and inserting ''; and''; and

(4) by inserting after subparagraph (Y) the following new subparagraph:

''(Z) in the case of a hospital, with respect to each individual who is admitted to the hospital on or after the date that is 1 year after the date of enactment of this subparagraph, to—

''(i) request permission of the individual to share the health data of the individual for research purposes in accordance with section 3023(a)(1) of the Public Health Service Act; and

''(ii) in the case where the individual grants permissions to the sharing of such data, share the electronic health record of the individual for such purposes in accordance with such section.''.

(d) SENSE OF THE SENATE.—It is the sense of the Senate that any steering subcommittee (or similar entity) for a National Artificial Intelligence Research Resource established in the Interagency Committee established under section 5103 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 9413) shall include an officer or employee of the National Institutes of Health.

(e) NATIONAL LIBRARY OF MEDICINE.—

(1) IN GENERAL.—Section 465(b) of the Public Health Service Act (42 U.S.C. 286(b)) is amended—

(A) in paragraph (7), by striking ''and'' after the semicolon;

(B) by redesignating paragraph (8) as paragraph (10); and

(C) by inserting after paragraph (7) the following:

''(8) establish facilities so that the Library serves as the central exchange center of federated data sharing;

''(9) establish a core data science program to guide and enable a diverse and comprehensive community of research data users; and''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Subpart 1 of part D of title IV of the Public Health Service Act (42 U.S.C. 286 et seq.) is amended by adding at the end the following:

''SEC. 468. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Secretary for fiscal year 2025—

''(1) $100,000,000 to carry out section 465(b)(8); and

''(2) $100,000,000 to carry out section 465(b)(9).''.

(f) OFFSET OF COSTS USING UNOBLIGATED AMOUNTS FROM THE INFLATION REDUCTION ACT OF 2022.—Of the unobligated balances of amounts appropriated or otherwise made available for activities of the Internal Revenue Service by section 10301 of Public Law 117–169 (commonly known as the ''Inflation Reduction Act of 2022'') as of the date of the enactment of this Act, $660,000,000 are hereby rescinded.

SA 2715. 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. _____. USE OF ARTIFICIAL INTELLIGENCE BY REGULATED FINANCIAL ENTITIES.

(a) DEFINITIONS.—In this section:

(1) AI TEST PROJECT.—The term ''AI test project'' means a financial product or service that falls under the jurisdiction of a financial regulatory agency—

(A) uses artificial intelligence; and

(B) is or may be subject to a Federal regulation or Federal statute.

(2) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' has the meaning given the term in (15 U.S.C. 9401).

(3) FEDERAL SECURITIES LAWS.—The term ''Federal securities laws'' means—

(A) the Securities Act of 1933 (15 U.S.C. 77a et seq.);

(B) the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.);

(C) the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201 et seq.);

(D) the Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.);

(E) the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.);

(F) the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.); and

(G) the Jumpstart Our Business Startup Act (Public Law 112–106; 126 Stat. 306).

(4) FINANCIAL PRODUCT OR SERVICE.—The term ''financial product or service''—

(A) has the meaning given the term in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481);

(B) includes—

(i) activities that are financial in nature, as defined in section 4(k)(4) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(k)(4));

(ii) any financial product or service provided by a person regulated by the Commission, as defined in 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481); and

(iii) includes the offer or sale of any security subject to the Federal securities laws

(C) does not include the business of insurance.

(5) FINANCIAL REGULATORY AGENCY.—The term ''financial regulatory agency'' means—

(A) the Board of Governors of the Federal Reserve System;

(B) the Federal Deposit Insurance Corporation;

(C) the Office of the Comptroller of the Currency;

(D) the Securities and Exchange Commission;

(E) the Bureau of Consumer Financial Protection;

(F) the National Credit Union Administration; and

(G) the Federal Housing Finance Agency.

(6) REGULATED ENTITY.—The term ''regulated entity'' means an entity regulated by any financial regulatory agency.

(b) REGULATORY SANDBOXES.—

(1) ESTABLISHMENT.—Each financial regulatory agency shall establish a regulatory sandbox that allows regulated entities to experiment with AI test projects without unnecessary or unduly burdensome regulation or fear of retroactive enforcement actions.

(2) APPLICATIONS.—

(A) SUBMISSION.—

(i) IN GENERAL.—A regulated entity may submit to each appropriate financial regulatory agency an application, on a form determined by the appropriate agency, to engage in an AI test project.

(ii) CONTENTS.—An application submitted under clause (i) shall include—

(I) an alternative compliance strategy that proposes a method to comply with the agency regulations and Federal statutory requirements, including an explanation as to why such modification is essential to the operation of the entity;

(II) a demonstration that under the strategy described in subclause (I), that the AI test project—

(aa) would serve the public interest, improve consumer access to a financial product or service, or promote consumer protection;

(bb) would enhance efficiency or operations, foster innovation or competitiveness, improve risk management and security, or enhance regulatory compliance;

(cc) would not present a systemic risk to the financial system of the United States;

(dd) continues to meet the purposes of the anti-money laundering and countering the financing of terrorism obligations under subchapter II of chapter 53 of title 31, United States Code; and

(ee) would not present a national security risk to the United States

(III) propose a date on which an AI Test Project would terminate and explain why such termination date would be appropriate; and

(IV) an estimate of the economic impact of the AI test project if approved.

(iii) JOINT APPLICATIONS.—Two or more regulated entities may submit a joint application under clause (i).

(B) AGENCY REVIEW.—

(i) IN GENERAL.—Except as provided in clause (v), not later than 60 days after the date on which an application is submitted to an agency under subparagraph (A), the agency shall—

(I) review the application; and

(II) submit to the applicant in writing a determination of the agency.

(ii) APPROVAL.—

(I) IN GENERAL.—If the applicant shows that it is more likely than not that the application meets the requirements for establishing an alternative compliance strategy and meets the requirements described in subparagraph (A)(ii)(II), the agency shall approve the application.

(II) EFFECT OF APPROVAL.—Beginning on the date on which an application submitted under subparagraph (A) is approved—

(aa) an agency that is not a party to an alternative compliance agreement entered into under this section—

(AA) may not attempt to enforce, including making a matter requiring attention or a matter requiring immediate attention, against the entity who is party to the agreement for activities in the test project and

(BB) may continue to enforce, against the entity who is party to the agreement, any regulation or Federal law over which the agency has enforcement authority that has not included in the agreement; and

(bb) the financial regulatory agency that approved the application shall notify any other financial regulatory agency of the approval.

(III) RULE OF CONSTRUCTION.—Nothing in this clause may be construed to limit the authority of a financial regulatory agency to take an enforcement action against an applicant with respect to fraud relating to the AI test project.

(iii) DENIAL.—

(I) IN GENERAL.—If an agency denies an application submitted under subparagraph (A), the agency shall—

(aa) submit to the applicant a written notice explaining the reason for denial, including evidence that the applicant did not satisfy the requirements for establishing an alternative compliance strategy and the baseline used by the agency to measure the likely economic consequences of rejecting the application; and

(bb) provide the applicant a reasonable amount of time, but in no case earlier than 30 days after issuance of the written notice of denial, before the agency takes an enforcement action against the applicant.

(II) RESUBMITTALS.—Each time an application submitted under subparagraph (A) is denied, the regulated entity may submit another application if the application is not substantially similar to the one denied.

(III) INJUNCTIVE RELIEF.—If a financial regulatory agency determines an AI test project presents an immediate danger to consumers or presents a risk to financial markets, the agency may file a civil action in an appropriate court seeking to enjoin such project.

(IV) RULE OF CONSTRUCTION.—Nothing in this clause may be construed to limit the authority of a financial regulatory agency to take an enforcement action against an applicant with respect to fraud relating to the AI test project.

(iv) EXTENSION.—If the financial regulatory agency needs additional time, the agency may vote to extend the application deadline by 90 days. After the expiration of the 90-day period, if the agency has not made a determination on the application, the application will automatically be deemed approved and effective.

(C) DATA SECURITY.—All data supplied by sponsors of AI test projects submitted under this section shall be stored in a secure manner.

(D) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each financial regulatory agency shall promulgate regulations that—

(i) shall be published in the Federal Register and provide a 45-day period for public notice and comment;

(ii) include—

(I) procedures for modifying the AI test projects that are approved by the agency;

(II) consequences for failure to comply with set terms;

(III) termination dates not earlier than 1 year after the date on which AI test projects are approved;

(IV) procedures to extend the termination date described in subclause (III); and

(V) procedures for confidentiality.

(c) REPORT.—Each financial regulatory agency shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives an annual report on the outcomes of AI test projects.

(d) REGULATIONS.—After approving not fewer than 1 AI test project, an agency may promulgate regulations, after providing an notice and an opportunity for public comment, other activities in other areas that qualify as AI test projects.

SA 2716. Mr. ROUNDS (for himself and Ms. SMITH) 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. PRESERVATION OF AFFORDABLE HOUSING RESOURCES.

(a) FACILITATING PREPAYMENT OF INDEBTEDNESS FOR CERTAIN PROPERTIES.—In fiscal year 2024, the Secretary of Housing and Urban Development (referred to in this section as the ''Secretary'') may waive or specify alternative requirements for any provision of section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) (as in effect before the date of enactment of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 et seq.)) and section 811 of the American Homeownership and Economic Opportunity Act of 2010 (12 U.S.C. 1701q note; Public Law 106–569), except for requirements relating to fair housing, nondiscrimination, labor standards, and the environment, in order to facilitate prepayment of any indebtedness relating to any remaining principal and interest under a loan made under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) (as in effect before the date of enactment of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 et seq.)) for a property that consists of not more than 15 units, is located in a municipality with a population of not more than 15,000 individuals, is within 5 years of maturity, is no longer effectively serving a need in the community, is functionally obsolescent, and for which the Secretary has determined that the property prepayment is part of a transaction, including a transaction involving transfer or replacement contracts described in subsection (b), that will provide rental housing assistance for the elderly or persons with disabilities on terms of at least equal duration and at least as advantageous to existing and future tenants as the terms required by current loan agreements entered into under any provisions of law.

(b) TRANSFER OR REPLACEMENT OF CONTRACT.—

(1) IN GENERAL.—Notwithstanding any contrary provision of law, in order to preserve affordable housing resources, upon a prepayment of a loan described in subsection (a), the Secretary may transfer or replace the contract for assistance at such prepaid property with a project-based subsidy contract under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to 1 or more multifamily housing projects located in the same State as the prepaid property, for the benefit of the elderly or persons with disabilities who are eligible to receive housing assistance under such section 8, to assist the same number of units at the receiving multifamily housing project or projects.

(2) USE OF PROJECT-BASED RENTAL ASSISTANCE AMOUNTS.—The Secretary may fund a transferred or replaced contract described in paragraph (1) from amounts available to the Secretary under the heading ''Project-Based Rental Assistance''.

SA 2717. Mr. ROUNDS (for himself and 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 F of title XII, add the following:

SEC. 1291. REVIEW AND PROHIBITIONS BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF CERTAIN TRANSACTIONS RELATING TO AGRICULTURE.

(a) IN GENERAL.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended—

(1) in subsection (a), by adding at the end the following:

''(14) AGRICULTURE.—The term 'agriculture' has the meaning given that term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).'';

(2) in subsection (b)(1), by adding at the end the following:

''(I) CONSIDERATION OF CERTAIN AGRICULTURAL LAND TRANSACTIONS.—

''(i) IN GENERAL.—Not later than 30 days after receiving notification from the Secretary of Agriculture of a reportable agricultural land transaction, the Committee shall determine—

''(I) whether the transaction is a covered transaction; and

''(II) if the Committee determines that the transaction is a covered transaction, whether to—

''(aa) request the submission of a notice under clause (i) of subparagraph (C) or a declaration under clause (v) of such subparagraph pursuant to the process established under subparagraph (H); or

''(bb) initiate a review pursuant to subparagraph (D).

''(ii) REPORTABLE AGRICULTURAL LAND TRANSACTION DEFINED.—In this subparagraph, the term 'reportable agricultural land transaction' means a transaction—

''(I) that the Secretary of Agriculture has reason to believe is a covered transaction;

''(II) that involves the acquisition of an interest in agricultural land by a foreign person, other than an excepted investor or an excepted real estate investor, as such terms are defined in regulations prescribed by the Committee; and

''(III) with respect to which a person is required to submit a report to the Secretary of

Agriculture under section 2(a) of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501(a)).'';

(3) in subsection (k)(2)—

(A) by redesignating subparagraphs (H), (I), and (J) as subparagraphs (I), (J), and (K), respectively; and

(B) by inserting after subparagraph (G) the following:

''(H) The Secretary of Agriculture, with respect to any covered transaction related to the purchase of agricultural land or agricultural biotechnology or otherwise related to the agriculture industry in the United States.''; and

(4) by adding at the end the following:

''(r) PROHIBITIONS RELATING TO PURCHASES OF AGRICULTURAL LAND AND AGRICULTURAL BUSINESSES.—

''(1) IN GENERAL.—If the Committee, in conducting a review under this section, determines that a transaction described in clause (i), (ii), or (iv) of subsection (a)(4)(B) would result in the purchase or lease by a covered foreign person of real estate described in paragraph (2) or would result in control by a covered foreign person of a United States business engaged in agriculture, the President shall prohibit the transaction unless a party to the transaction voluntarily chooses to abandon the transaction.

''(2) REAL ESTATE DESCRIBED.—Subject to regulations prescribed by the Committee, real estate described in this paragraph is agricultural land (as defined in section 9 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508)) in the United States that is in close proximity (subject to subsection (a)(4)(C)(ii)) to a United States military installation or another facility or property of the United States Government that is—

''(A) sensitive for reasons relating to national security for purposes of subsection (a)(4)(B)(ii)(II)(bb); and

''(B) identified in regulations prescribed by the Committee.

''(3) WAIVER.—The President may waive, on a case-by-case basis, the requirement to prohibit a transaction under paragraph (1) after the President determines and reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that the waiver is in the national interest of the United States.

''(4) COVERED FOREIGN PERSON DEFINED.—

''(A) IN GENERAL.—In this subsection, subject to regulations prescribed by the Committee, the term 'covered foreign person'—

''(i) means any foreign person (including a foreign entity) that acts as an agent, representative, or employee of, or acts at the direction or control of, the government of a covered country; and

''(ii) does not include a United States citizen or an alien lawfully admitted for permanent residence to the United States.

''(B) COVERED COUNTRY DEFINED.—For purposes of subparagraph (A), the term 'covered country' means any of the following countries, if the country is determined to be a foreign adversary pursuant to section 7.4 of title 15, Code of Federal Regulations (or a successor regulation):

''(i) The People's Republic of China.

''(ii) The Russian Federation.

''(iii) The Islamic Republic of Iran.

''(iv) The Democratic People's Republic of Korea.''.

(b) SPENDING PLANS.—Not later than 60 days after the date of the enactment of this Act, each department or agency represented on the Committee on Foreign Investment in the United States shall submit to the chairperson of the Committee a copy of the most recent spending plan required under section 1721(b) of the Foreign Investment Risk Review Modernization Act of 2018 (50 U.S.C. 4565 note).

(c) REGULATIONS.—

(1) IN GENERAL.—The President shall direct, subject to section 553 of title 5, United States Code, the issuance of regulations to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The regulations prescribed under paragraph (1) shall take effect not later than one year after the date of the enactment of this Act.

(d) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(1) take effect on the date that is 30 days after the effective date of the regulations under subsection (c)(2); and

(2) apply with respect to a covered transaction (as defined in section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565)) that is proposed, pending, or completed on or after the date described in paragraph (1).

(e) SUNSET.—The amendments made by this section, and any regulations prescribed to carry out those amendments, shall cease to be effective on the date that is 7 years after the date of the enactment of this Act.

SA 2718. Mr. ROUNDS (for himself, Mr. SCHUMER, Mr. HEINRICH, and Mr. YOUNG) 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. _____. REPORT ON ARTIFICIAL INTELLIGENCE REGULATION IN FINANCIAL SERVICES INDUSTRY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each of the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the National Credit Union Administration, and the Bureau of Consumer Financial Protection shall 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 the gap in knowledge of the agency relating to artificial intelligence, including an analysis on—

(1) which tasks are most frequently being assisted or completed with artificial intelligence in the institutions the agency regulates;

(2) current governance standards in place for artificial intelligence use at the agency and current standards in place for artificial intelligence oversight by the agency;

(3) potentially additional regulatory authorities required by the agency to continue to successfully execute the mission of the agency;

(4) where artificial intelligence may lead to overlapping regulatory issues between agencies that require clarification;

(5) how the agency is currently using artificial intelligence, how the agency plans to use such artificial intelligence the next 3 years, and the expected impact, including fiscal and staffing, of those plans; and

(6) what resources, monetary or other resources, if any, the agency requires to both adapt to the changes that artificial intelligence will bring to the regulatory landscape and to adequately adopt and oversee the use of artificial intelligence across the operations described in paragraph (5).

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require an agency to include confidential supervisory information or predecisional or deliberative nonpublic information in a report under this section.

SA 2719. Mr. CORNYN (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 end of subtitle B of title VIII, insert the following:

SECTION 829. USE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY PRODUCTS BY THE DEPARTMENT OF DEFENSE.

(a) PROHIBITION ON PROCUREMENT AND USE.—Subject to subsection (b) and notwithstanding sections 1905 through 1907 of title 41, United States Code, the Secretary of Defense may not procure or obtain, renew a contract to procure or obtain, or use a covered product that is procured from an entity other than—

(1) an original equipment manufacturer; or

(2) an authorized reseller.

(b) WAIVER.—

(1) IN GENERAL.—Upon written notice to the Director of the Office of Management and Budget, the Secretary of Defense may waive the prohibition under subsection (a) with respect to a covered product if the Secretary determines that—

(A) the waiver is necessary in the interest of national security; or

(B) procuring, obtaining, or using the covered product is necessary—

(i) for the purpose of scientifically valid research (as defined in section 102 the Education Sciences Reform Act of 2002 (20 U.S.C. 9501)); or

(ii) to avoid jeopardizing the performance of mission critical functions.

(2) NOTICE.—The notice described in paragraph (1)—

(A) shall—

(i) specify, with respect to the waiver under paragraph (1)—

(I) the justification for the waiver;

(II) any security mitigations that have been implemented; and

(III) with respect to a waiver that necessitates a security mitigation, the plan of action and milestones to avoid future waivers for subsequent similar purchases; and

(ii) be submitted in an unclassified form; and

(B) may include a classified annex.

(3) DURATION.—With respect to a waiver for the purpose of research, as described in paragraph (1)(B)(i), the waiver shall be effective for the duration of the research identified in the waiver.

(c) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the date that is 6 years after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the congressional defense committees a report that lists—

(A) the number and types of covered products for which a waiver under subsection (b)(1) was granted during the 1-year period preceding the date of the submission of the report; and

(B) the legal authority under which each waiver described in subparagraph (A) was

granted, such as whether the waiver was granted pursuant to subparagraph (A) or (B) of subsection (b)(1).

(2) CLASSIFICATION OF REPORT.—Each report submitted under this subsection—

(A) shall be submitted in unclassified form; and

(B) may include a classified annex that contains the information described in paragraph (1)(B).

(d) EFFECTIVE DATE.—This section shall take effect on the date that is 1 year after the date of enactment of this Act.

(e) DEFINITIONS.—In this section:

(1) AUTHORIZED RESELLER.—The term ''authorized reseller'' means a reseller, after market manufacturer, supplier, or distributor of a covered product with a direct or prime contractual arrangement with, or the express written authority of, the original equipment manufacturer of the covered product to manufacture, buy, stock, repackage, sell, resell, repair, service, otherwise support, or distribute the covered product.

(2) COVERED PRODUCT.—The term ''covered product''—

(A) means an information and communications technology end-use hardware product or component, including software and firmware that comprise the end-use hardware product or component; and

(B) does not include—

(i) other software; or

(ii) an end-use hardware product—

(I) in which there is embedded information and communications technology; and

(II) the principal function of which is not the creation, manipulation, storage, display, receipt, or transmission of electronic data and information.

(3) END-USE PRODUCT.—The term ''end-use product'' means a product ready for use by the maintainer, integrator, or end user of the product.

(4) INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The term ''information and communications technology''—

(A) has the meaning given the term in section 4713 of title 41, United States Code; and

(B) includes information and communications technologies covered by definitions contained in the Federal Acquisition Regulation, including definitions added after the date of the enactment of this Act by the Federal Acquisition Regulatory Council pursuant to notice and comment.

(5) ORIGINAL EQUIPMENT MANUFACTURER.—The term ''original equipment manufacturer'' means a company that manufactures a covered product that the company—

(A) designed from self-sourced or purchased components; and

(B) sells under the name of the company.

SA 2720. Mr. KELLY (for himself, Mr. PADILLA, and Mr. THUNE) 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 V, add the following:

SEC. 594. AUTHORIZATION FOR AWARD OF MEDAL OF HONOR TO E. ROYCE WILLIAMS FOR ACTS OF VALOR DURING THE KOREAN WAR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 8298 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 8291 of such title to E. Royce Williams for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor described in this subsection are the actions of E. Royce Williams—

(1) as a lieutenant in the Navy, on November 18, 1952, for which he was previously awarded the Navy Cross and the Taegeuk Order of Military Merit of South Korea; and

(2) as an Ace fighter pilot who shot down multiple MiG aircraft.

SA 2721. Mr. KELLY 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 III, add the following:

SEC. 358. BRIEFING ON STATUS OF POWER PROJECTION WING AT DAVIS-MONTHAN AIR FORCE BASE.

Not later than March 1, 2025, the Secretary of the Air Force shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the status of the stand-up of the power projection wing at Davis-Monthan Air Force Base, including any additional funding or authority needed for such stand-up.

SA 2722. 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, insert the following:

SEC. ____. EXPANDING WHISTLEBLOWER PROTECTIONS FOR CONTRACTORS ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Expanding Whistleblower Protections for Contractors Act of 2024''.

(b) DEFENSE CONTRACTOR EMPLOYEES: PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.—Section 4701 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''An employee'' and all that follows through ''services contractor'' and inserting ''A protected individual''; and

(II) by striking ''disclosing'' and all that follows through ''evidence of''; and

(ii) by striking subparagraphs (A), (B), and (C) and inserting the following subparagraphs:

''(A) Refusing to obey an order that would require the protected individual to violate a law, rule, or regulation related to any contract, subcontract, grant, or subgrant.

''(B) Disclosing to a person or body described in paragraph (2) information that the protected individual reasonably believes is evidence of the following:

''(i) Gross mismanagement of any Department of Defense contract or grant, any gross waste of Department funds, any abuse of authority relating to any Department contract, subcontract, grant, or subgrant, or any violation of law, rule, or regulation related to any Department contract or subcontract (including the competition for or negotiation of a contract or subcontract) or grant or subgrant.

''(ii) Gross mismanagement of any National Aeronautics and Space Administration contract or grant, any gross waste of Administration funds, any abuse of authority relating to an Administration contract, subcontract, grant, or subgrant, or any violation of law, rule, or regulation related to any Administration contract or subcontract (including the competition for or negotiation of a contract or subcontract) or grant or subgrant.

''(iii) A substantial and specific danger to public health or safety.''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking ''an employee'' and inserting ''a protected individual''; and

(ii) by striking subparagraph (B) and inserting the following subparagraph:

''(B) it shall not be within the authority of an executive branch official to request that a contractor, subcontractor, grantee, or subgrantee engage in a reprisal prohibited by paragraph (1).'';

(2) in subsection (c)—

(A) in paragraph (1), by adding at the end the following subparagraph:

''(E) Propose appropriate disciplinary action against any executive branch official for any request made of a contractor, subcontractor, grantee, or subgrantee that subjected the complainant to a reprisal prohibited by subsection (a).''; and

(B) by striking paragraph (7) and inserting the following paragraph:

''(7) CLARIFICATION FOR SCOPE OF WAIVER RESTRICTIONS.—(A) The rights, forum, and remedies provided for in this section may not be waived by any public or private agreement, policy, form, or condition of employment, including by any predispute arbitration agreement.

''(B) No provision of the predispute arbitration agreement shall be valid or enforceable if it requires arbitration of a dispute arising under this section.'';

(3) by striking subsection (e) and redesignating subsections (f) and (g) as subsections (e) and (f), respectively;

(4) in subsection (e), as so redesignated—

(A) by striking ''an employee'' and inserting ''a protected individual''; and

(B) by striking ''the employee'' and inserting ''the protected individual''; and

(5) in subsection (f), as so redesignated, by adding at the end the following new paragraph:

''(8) The term 'protected individual' means—

''(A) a contractor, subcontractor, grantee, or subgrantee of the Department of Defense or the National Aeronautics and Space Administration, including—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States;

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); and

''(iii) an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) within the Department of Defense;

''(B) an employee of a contractor, subcontractor, grantee, or subgrantee of the Department of Defense or the National Aeronautics and Space Administration, or a former employee of such contractor, subcontractor, grantee, or subgrantee whose protected disclosure or engagement in any activity protected against reprisal under this section occurred prior to termination, including an employee of—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States;

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); and

''(iii) an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) within the Department of Defense; or

''(C) a person performing personal services for the Department of Defense or the National Aeronautics and Space Administration pursuant to a contractual agreement for the performance of personal services, including a personal services contract or personal services agreement, and who engages in an activity for which any reprisal is prohibited under subsection (a), including a person performing personal services pursuant such a contractual agreement for—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States;

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); and

''(iii) an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) within the Department of Defense.''.

(c) ENHANCEMENT OF NON-DEFENSE CONTRACTOR PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.—Section 4712 of title 41, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following paragraph:

''(1) IN GENERAL.—A protected individual may not be discharged, demoted, or otherwise discriminated against as a reprisal for the following:

''(A) Refusing to obey an order that would require the protected individual to violate a law, rule, or regulation related to any contract, subcontract, grant, or subgrant.

''(B) Disclosing to a person or body described in paragraph (2) information that the protected individual reasonably believes is evidence of the following:

''(i) Gross mismanagement of any Federal contract or grant, any gross waste of Federal funds, any abuse of authority relating to any Federal contract, subcontract, grant, or subgrant, or any violation of law, rule, or regulation related to any Federal contract or subcontract (including the competition for or negotiation of a contract or subcontract) or grant or subgrant.

''(ii) A substantial and specific danger to public health or safety.''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking ''an employee'' and inserting ''a protected individual''; and

(ii) by striking subparagraph (B) and inserting the following subparagraph:

''(B) it shall not be within the authority of an executive branch official to request that a contractor, subcontractor, grantee, or subgrantee engage in a reprisal prohibited by paragraph (1).'';

(2) in subsection (c)—

(A) in paragraph (1), by adding at the end the following new subparagraph:

''(E) Propose appropriate disciplinary action against any executive branch official for any request made of a contractor, subcontractor, grantee, or subgrantee that subjected the complainant to a reprisal prohibited by subsection (a).''; and

(B) by striking paragraph (7) and inserting the following paragraph:

''(7) RIGHTS, FORUM, AND REMEDIES NOT WAIVABLE.—

''(A) IN GENERAL.—The rights, forum, and remedies provided for in this section may not be waived by any public or private agreement, policy, form, or condition of employment, including by any predispute arbitration agreement.

''(B) VALIDITY.—No provision of the predispute arbitration agreement shall be valid or enforceable if it requires arbitration of a dispute arising under this section.'';

(3) in subsection (e)—

(A) by striking ''an employee'' and inserting ''a protected individual''; and

(B) by striking ''the employee'' and inserting ''the protected individual'';

(4) by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(5) in subsection (f), as so redesignated, by inserting after paragraph (2) the following new paragraph:

''(3) The term 'protected individual' means—

''(A) a contractor, subcontractor, grantee, or subgrantee of the Federal Government, including—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States;

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); and

''(iii) an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003));

''(B) an employee of a contractor, subcontractor, grantee, or subgrantee of the Federal Government or a former employee of such contractor, subcontractor, grantee, or subgrantee whose protected disclosure or engagement in any activity protected against reprisal under this section occurred prior to termination, including an employee of—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States;

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); and

''(iii) an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)); or

''(C) a person performing personal services for the Federal Government pursuant to a contractual agreement for the performance of personal services, including a personal services contract or personal services agreement, including a person performing personal services pursuant to such a contractual agreement for—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States;

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); and

''(iii) an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).''.

SA 2723. 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 end of subtitle A of title X, add the following:

SEC. 1006. ADJUSTMENT RELATED TO TRANSITION RULES FOR CBP OFFICERS.

(a) SHORT TITLE.—This section may be cited as the ''U.S. Customs and Border Protection Officer Retirement Technical Corrections Act''.

(b) DEFINED TERM.—In this section, the term ''Eligible Individual'' means any individual who—

(1) received a tentative offer of employment as a U.S. Customs and Border Protection officer before July 6, 2008; and

(2) entered into duty as a U.S. Customs and Border Protection officer on or after July 6, 2008, as a result of an offer described in paragraph (1).

(c) TREATMENT OF ELIGIBLE INDIVIDUALS.—Eligible Individuals—

(1) are considered to be individuals serving as U.S. Customs and Border Protection Officers on July 6, 2008, for purposes of section 535(e) of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 1844); and

(2) are entitled to—

(A) the minimum annuity amount required under section 535(e)(2)(C) of such Act; and

(B) an exemption from mandatory retirement otherwise required under section 8425(b)(1) of title 5, United States Code.

(d) IMPLEMENTATION.—

(1) SUBMISSION OF INFORMATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(A) create a list of all Eligible Individuals;

(B) notify each Eligible Individual of the annuity correction described in subsection (c); and

(C) provide the Director of the Office of Personnel Management with all of the information that is necessary for making annuity corrections with respect to Eligible Individuals.

(2) COMPLETION OF ANNUITY CORRECTION.—After receiving the information described in paragraph (1)(C), the Director of the Office of Personnel Management shall make the annuity correction described in subsection (c) with respect to each Eligible Individual, including a retroactive annuity adjustment for Eligible Individuals who retired before the date of the enactment of this Act.

(e) WAIVERS AND GUIDANCE.—

(1) WAIVERS.—The Secretary of Homeland Security may retroactively waive the maximum entry age requirement under 3307(g) of

title 5, United States Code, to the extent necessary, to ensure that each Eligible Individual is eligible for immediate retirement with the annuity correction described in subsection (c).

(2) GUIDANCE.—The Director of the Office of Personnel Management, in consultation with the Secretary of Homeland Security, shall issue appropriate guidance to assist in the implementation of the annuity correction described in subsection (c).

(f) GOVERNMENT ACCOUNTABILITY OFFICE.—The Comptroller General of the United States—

(1) shall review U.S. Customs and Border Protection (referred to in this subsection as ''CBP'') hiring practices, policies, and procedures related to eligibility for enhanced retirement benefits referred to in this section by assessing—

(A) the process for determining whether an employee qualifies for such benefits, including considering any potential factors that would make an employee ineligible for such enhanced retirement benefits;

(B) the internal controls used by CBP to ensure that all eligible employees, and only eligible employees, receive such enhanced retirement benefits;

(C) the policies regarding the use of employees' personnel files to ensure compliance with current laws governing retirement benefits; and

(D) the adequacy of the training provided to CBP senior executives regarding human resources and hiring practices at CBP; and

(2) not later than 18 months after the date of the enactment of this Act, shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that describes the results of the review conducted pursuant to paragraph (1).

SA 2724. Mr. PETERS (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 of subtitle H of title X, add the following:

SECTION 1095. GOVERNMENT SPENDING OVERSIGHT.

(a) IN GENERAL.—Section 424 of title 5, United States Code, is amended by adding at the end the following:

''(f) GOVERNMENT SPENDING OVERSIGHT COMMITTEE.—

''(1) DEFINITIONS.— In this subsection:

''(A) AGENCY.—The term 'agency' has the meaning given the term in section 551 of this title.

''(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(i) the Committees on Appropriations of the Senate and the House of Representatives;

''(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(iii) the Committee on Oversight and Accountability of the House of Representatives; and

''(iv) any other relevant congressional committee of jurisdiction.

''(C) CHAIRPERSON.—The term 'Chairperson' means the Chairperson of the Committee.

''(D) COMMITTEE.—The term 'Committee' means the Government Spending Oversight Committee established under paragraph (2).

''(E) COVERED FUNDS.—The term 'covered funds' means—

''(i) any funds, including loans, that are made available in any form to any non-Federal entity or individual, under—

''(I) division A or B of the CARES Act (Public Law 116–136);

''(II) the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–123);

''(III) the Families First Coronavirus Response Act (Public Law 116–127);

''(IV) the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–139);

''(V) division M or N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

''(VI) the American Rescue Plan Act of 2021 (Public Law 117–2);

''(VII) any loan guaranteed or made by the Small Business Administration, including any direct loan or guarantee of a trust certificate, under the Small Business Act (15 U.S.C. 631 et seq.), the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), or any other provision of law;

''(VIII) unemployment compensation, as defined in section 85 of the Internal Revenue Code of 1986;

''(IX) the Infrastructure Investment and Jobs Act (Public Law 117–58);

''(X) Public Law 117–169 (commonly known as the 'Inflation Reduction Act');

''(XI) the Honoring our PACT Act of 2022 (Public Law 117–168); or

''(XII) the CHIPS Act of 2022 (division A of Public Law 117–167 (commonly known as the 'CHIPS and Science Act of 2022'));

''(ii) any Federal grant of not less than $50,000; and

''(iii) any intramural payment made Government wide for research activity.

''(2) ESTABLISHMENT.—There is established within the Council the Government Spending Oversight Committee to promote transparency and conduct and support oversight of covered funds to—

''(A) prevent and detect fraud, waste, abuse, and mismanagement; and

''(B) mitigate major risks that cut across programs and agency boundaries.

''(3) CHAIRPERSON.—The Chairperson of the Committee—

''(A) shall be selected by the Chairperson of the Council from among Inspectors General appointed by the President and confirmed by the Senate; and

''(B) should have experience managing oversight of large organizations and expenditures.

''(4) MEMBERSHIP.—The members of the Committee shall include—

''(A) the Chairperson;

''(B) the Inspector General of the Department of Labor;

''(C) the Inspector General of the Department of Health and Human Services;

''(D) the Inspector General of the Small Business Administration;

''(E) the Inspector General of the Department of the Treasury;

''(F) the Inspector General of the Department of Transportation;

''(G) the Treasury Inspector General for Tax Administration;

''(H) the Inspector General of the Department of Veterans Affairs;

''(I) the Inspector General of the Department of Commerce;

''(J) the Inspector General of the Department of Justice;

''(K) the Inspector General of the Department of Defense;

''(L) the Inspector General of the Department of Education;

''(M) the Inspector General of the Department of Homeland Security; and

''(N) any other Inspector General, as designated by the Chairperson, from any agency that expends or obligates covered funds.

''(5) EXECUTIVE DIRECTOR.—

''(A) IN GENERAL.—There shall be an Executive Director of the Committee.

''(B) APPOINTMENT; QUALIFICATIONS.—The Executive Director of the Committee shall—

''(i) be appointed by the Chairperson, in consultation with the majority leader of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, and the minority leader of the House of Representatives;

''(ii) have demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations;

''(iii) have experience managing oversight of large organizations and expenditures; and

''(iv) be a full-time employee of the Committee.

''(C) DUTIES.—The Executive Director of the Committee shall—

''(i) report directly to the Chairperson;

''(ii) appoint staff of the Committee, subject to the approval of the Chairperson, consistent with this subsection;

''(iii) supervise and coordinate Committee functions and staff; and

''(iv) perform any other duties assigned to the Executive Director by the Committee.

''(D) NOTICE.—The Chairperson shall provide notice to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives when appointing or removing the Executive Director of the Committee.

''(6) PROHIBITION ON ADDITIONAL COMPENSATION.—Members of the Committee may not receive additional compensation for services performed.

''(7) DUTIES OF THE COMMITTEE.—

''(A) IN GENERAL.—The Committee shall conduct oversight of covered funds and support Inspectors General in the oversight of covered funds in order to—

''(i) detect and prevent fraud, waste, abuse, and mismanagement; and

''(ii) identify major risks that cut across programs and agency boundaries.

''(B) GENERAL FUNCTIONS.—The Committee, in coordination with relevant Inspectors General, may—

''(i) provide support to, and collaborate with, relevant Inspectors General in conducting investigations, audits, and reviews relating to covered funds, including through—

''(I) data analytics;

''(II) the sharing of data, tools, and services;

''(III) the development and enhancement of data practices, analysis, and visualization; and

''(IV) any other appropriate means as determined by the Committee;

''(ii) provide analytical products to agencies, in coordination with Inspectors General, to promote program integrity, prevent improper payments, and facilitate verification efforts to ensure proper expenditure and utilization of covered funds;

''(iii) review the economy, efficiency, and effectiveness in the administration of, and the detection of fraud, waste, abuse, and mismanagement in, programs and operations using covered funds;

''(iv) review whether there are appropriate mechanisms for interagency collaboration relating to the oversight of covered funds, including coordinating and collaborating to the extent practicable with State and local government entities; and

''(v) expeditiously report to the Attorney General any instance in which the Committee has reasonable grounds to believe

there has been a violation of Federal criminal law.

''(C) ADDITIONAL FUNCTIONS.—The Committee may provide investigative support to prosecutive and enforcement authorities to protect program integrity and prevent, detect, and prosecute fraud of covered funds.

''(D) REPORTING.—

''(i) ALERTS.—The Committee shall submit to the President and Congress, including the appropriate congressional committees, management alerts on potential management, risk, and funding problems that require immediate attention.

''(ii) REPORTS AND UPDATES.—The Committee shall submit to Congress such other reports or provide such periodic updates on the work of the Committee as the Committee considers appropriate on the use of covered funds.

''(iii) BIANNUAL REPORTS.—The Committee shall submit biannual reports to the President and Congress, including the appropriate congressional committees, and may submit additional reports as appropriate summarizing the findings of the Committee and any recommended changes to the scope of covered funds.

''(iv) PUBLIC AVAILABILITY.—All reports submitted under this subparagraph shall be made publicly available and posted on the website established under paragraph (16).

''(v) REDACTIONS.—Any portion of a report submitted under this paragraph may be redacted when made publicly available, if that portion would disclose information that is not subject to disclosure under sections 552 and 552a of this title, or is otherwise prohibited from disclosure by law.

''(E) RECOMMENDATIONS.—

''(i) IN GENERAL.—The Committee shall make recommendations to agencies on measures to prevent or address fraud, waste, abuse, and mismanagement, and to mitigate major risks that cut across programs and agency boundaries, relating to covered funds.

''(ii) REPORT.—Not later than 30 days after receipt of a recommendation under clause (i), an agency shall submit a report to the President and the appropriate congressional committees on—

''(I) whether the agency agrees or disagrees with the recommendations; and

''(II) any actions the agency will take to implement the recommendations, which shall also be included in the report required under section 2(b)(3) of the GAO–IG Act (31 U.S.C. 1105 note; Public Law 115–414).

''(8) AUTHORITIES.—

''(A) IN GENERAL.—In carrying out the duties and functions under this subsection with respect to the oversight of covered funds, the Committee shall—

''(i) carry out those duties and functions in accordance with section 404(b)(1) of this title;

''(ii) in coordination with relevant Inspectors General, have the authorities provided under and be subject to paragraphs (1) through (4) of subsection (a) and subsections (h), (j), and (k) of section 406;

''(iii) be considered to be conducting civil or criminal law enforcement activity for the purposes of section 552a(b)(7) of this title; and

''(iv) for the purposes of sections 552 and 552a of this title, be considered to be a component which performs as its principal function an activity pertaining to the enforcement of criminal laws, and its records may constitute investigatory material compiled for law enforcement purposes.

''(B) LIMITATION ON SUBPOENA AUTHORITY.—When carrying out subpoena authority under section 406(a)(4) of this title, the following limitations shall apply to the Committee:

''(i) Any subpoena issued under this subsection shall be signed by the Chairperson, and this power is non-delegable.

''(ii) On a quarterly basis, the Committee 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 any subpoenas issued during the preceding quarter.

''(iii) The authority to issue a subpoena under this subsection shall terminate on the date that is 5 years after the effective date of this subsection.

''(9) REFUSAL OF INFORMATION OR ASSISTANCE.— Whenever information or assistance requested by the Committee or an Inspector General on the Committee is unreasonably refused or not provided, the Committee shall immediately report the circumstances to the appropriate congressional committees.

''(10) USE OF EXISTING RESOURCES.—The Committee shall leverage existing information technology resources within the Council, such as oversight.gov and those developed by the Pandemic Response Accountability Committee established under section 15010 of the CARES Act (Public Law 116–136; 134 Stat. 533), to carry out the duties of the Committee.

''(11) CONTRACTS.—The Committee may enter into contracts to enable the Committee to discharge its duties, including contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Committee.

''(12) SUBCOMMITTEES.—The Committee may establish subcommittees to facilitate the ability of the Committee to discharge its duties.

''(13) TRANSFER OF FUNDS, ASSETS, AND OBLIGATIONS.—

''(A) FUNDS.—The Committee may transfer funds appropriated to the Committee—

''(i) for expenses to support administrative support services and audits, reviews, or other activities related to oversight by the Committee of covered funds to any Office of the Inspector General or the General Services Administration; and

''(ii) to reimburse for services provided by the Council.

''(B) ASSETS AND OBLIGATIONS.—

''(i) ASSETS DEFINED.—In this subparagraph, the term 'assets' includes contracts, agreements, facilities, property, data, records, unobligated or unexpended balances of appropriations, and other funds or resources (other than personnel).

''(ii) TRANSFER.—Upon the effective date of this subsection, the assets and obligations held by or available in connection with the Pandemic Response Accountability Committee established under 15010 of the CARES Act (Public Law 116–136; 134 Stat. 533) shall be transferred to the Committee.

''(14) ADDITIONAL STAFF.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee may exercise the authorities of subsections (b) through (i) of section 3161 of this title (without regard to subsection (a) of that section) to meet temporary or urgent needs of the Committee under this subsection, as certified by the Chairperson to the appropriate congressional committees that such temporary or urgent needs exist, as if the Committee were a temporary organization.

''(B) HEAD OF ORGANIZATION.—For purposes of exercising the authorities described in subparagraph (A), the term 'Chairperson' shall be substituted for the term 'head of a temporary organization'.

''(C) CONSULTATION.—In exercising the authorities described in subparagraph (A), the Chairperson shall consult with members of the Committee.

''(D) ADDITIONAL DETAILEES.—In addition to the authority provided by section 3161(c) of this title, upon the request of an Inspector General, the Committee may detail, on a nonreimbursable basis, any personnel of the Committee to that Inspector General to assist in carrying out any audit, review, or investigation pertaining to the oversight of covered funds.

''(E) LIMITATIONS.—In exercising the employment authorities under section 3161(b) of this title, as provided under subparagraph (A) of this paragraph—

''(i) section 3161(b)(2) of this title (relating to periods of appointments) shall not apply; and

''(ii) no period of appointment may exceed the date on which the Committee terminates.

''(F) COMPETITIVE SERVICE.—A person employed by the Committee shall acquire competitive status and conditional tenure for appointment to any position in the competitive service for which the employee possesses the required qualifications upon the completion of 2 years of continuous service as an employee under this subsection.

''(G) ANNUITANTS.—

''(i) IN GENERAL.—The Committee may employ annuitants covered by section 9902(g) of this title for purposes of the oversight of covered funds.

''(ii) TREATMENT OF ANNUITANTS.—The employment of annuitants under this paragraph shall be subject to the provisions of section 9902(g) of this title, as if the Committee were the Department of Defense.

''(15) PROVISION OF INFORMATION.—

''(A) REQUESTS.—Upon request of the Committee for information or assistance from any agency or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any existing law, and consistent with section 406 of this title, furnish such information or assistance to the Committee, or an authorized designee, including an Inspector General designated by the Chairperson.

''(B) INSPECTORS GENERAL.—Any Inspector General responsible for conducting oversight related to covered funds may, consistent with the duties, responsibilities, policies, and procedures of the Inspector General, provide information requested by the Committee or an Inspector General on the Committee relating to the responsibilities of the Committee.

''(16) WEBSITE.—

''(A) IN GENERAL.—Not later than 30 days after the effective date of this subsection, the Committee shall establish and maintain a user-friendly, public-facing website—

''(i) to foster greater accountability and transparency in the use of covered funds, which shall have a uniform resource locator that is descriptive and memorable; and

''(ii) that shall be a portal or gateway to key information relating to the oversight of covered funds and provide connections to other Government websites with related information.

''(17) COORDINATION.—The Committee shall coordinate its oversight activities with the Comptroller General of the United States and State auditors.

''(18) NOTICE.—The Chairperson shall provide notice to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives when designating or removing an Inspector General from the membership of the Committee under paragraph (4).

''(19) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

''(A) affect the independent authority of an Inspector General to determine whether to conduct an audit or investigation of covered funds; or

''(B) require the Council or any Inspector General to provide funding to support the activities of the Committee.

''(20) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—For the purposes of carrying out the mission of the Committee under this subsection, there are authorized to be appropriated $17,000,000 for each of fiscal years 2026 and 2027 to carry out the duties and functions of the Committee.

''(B) REPORT TO CONGRESS.—Not later than 1 year after the effective date of this subsection, the Chairperson shall submit to the appropriate congressional committees a report that details the anticipated future budgetary needs of the Committee.''.

(b) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on September 30, 2025.

SA 2725. 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 end of title XV, add the following:

Subtitle D—Classification Reform for Transparency Act of 2024

SEC. 1549. SHORT TITLE.

This subtitle may be cited as the ''Classification Reform for Transparency Act of 2024''.

SEC. 1550. DEFINITIONS.

In this subtitle:

(1) CLASSIFICATION.—The term ''classification'' means the act or process by which information is determined to be classified information.

(2) CLASSIFICATION SYSTEM.—The term ''classification system'' means the system of the Federal Government for classification and declassification.

(3) CLASSIFIED INFORMATION.—The term ''classified information'' has the meaning given the term ''classified information of the United States'' in section 1924(c) of title 18, United States Code.

(4) DECLASSIFICATION.—The term ''declassification'' means the authorized change in the status of information from classified information to unclassified information.

(5) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given such term in section 105 of title 5, United States Code.

(6) INFORMATION.—The term ''information'' means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the Federal Government.

(7) NATIONAL DECLASSIFICATION CENTER.—The term ''National Declassification Center'' means the National Declassification Center established by section 3.7 of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor center.

(8) PANEL.—The term ''Panel'' means the Interagency Security Classification Appeals Panel established by section 5.3 of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor panel.

SEC. 1551. CLASSIFICATION PROHIBITIONS AND LIMITATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, in no case shall information be classified, continue to be maintained as classified, or fail to be declassified in order—

(1) to conceal a violation of law, inefficiency, mismanagement, or administrative error;

(2) to prevent embarrassment to a person, organization, or element of the Federal Government;

(3) to restrain competition; or

(4) to prevent or delay the release of information that does not require protection in the interest of the national security.

(b) BASIC SCIENTIFIC RESEARCH.—Basic scientific research information not clearly related to the national security of the United States shall not be classified.

(c) RECLASSIFICATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), information may not be reclassified after declassification and release to the public under proper authority.

(2) WAIVER.—The National Security Advisor may authorize the reclassification of information after declassification and release as described in paragraph (1) in a case in which the National Security Advisor determines that doing so is in the interest of national security.

SEC. 1552. TASK FORCE ON STREAMLINING CLASSIFICATION SYSTEM AND NARROWING OF CLASSIFICATION CRITERIA.

(a) ESTABLISHMENT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the President shall establish a task force to streamline the classification system and to narrow the criteria for classification.

(b) MEMBERSHIP.—The task force established pursuant to subsection (a) shall be composed of members selected as follows:

(1) At least 1 member selected by the Director of National Intelligence.

(2) At least 1 member selected by the Archivist of the United States.

(3) At least 1 member selected by the Secretary of Defense.

(4) At least 1 member selected by the Secretary of State.

(5) At least 1 member selected by the Attorney General.

(6) Such additional members as the President considers appropriate.

(c) DUTIES.—The duties of the task force established pursuant to subsection (a) are as follows:

(1) To create a plan for phasing out the use in the classification system of the classification level designated as ''Confidential''.

(2) To develop specific guidance on the precise meaning of ''damage to the national security'' as it pertains to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order.

(3) To develop specific guidance on the precise meaning of ''intelligence sources or methods'' as it pertains to such Executive Order.

(4) To develop additional guidance related to narrowing the criteria for classification and the exemptions from automatic declassification.

(d) DEADLINE AND REPORT.—Not later than 1 year after the date on which the President establishes the task force required by subsection (a), the task force shall—

(1) complete the duties set forth under subsection (c); and

(2) submit to Congress and make publicly available a report with the plan created under paragraph (1) of subsection (c) and the guidance developed under paragraphs (2) and (3) of such subsection.

SEC. 1553. AUTOMATIC EXPIRATION OF CLASSIFICATION STATUS.

(a) AUTOMATIC EXPIRATION.—

(1) IN GENERAL.—Subject to subsection (b), the classification marking on any information that is more than 50 years old shall be considered expired, and the information shall be considered unclassified.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date that is 3 years after the date of the enactment of this Act.

(b) AUTHORITY TO EXEMPT.—The President may, as the President considers appropriate, exempt specific information from the requirement of subsection (a)(1) pursuant to a request received by the President pursuant to subsection (c).

(c) REQUESTS FOR EXEMPTIONS.—In extraordinary cases, the head of an Executive agency may request from the President an exemption to the requirement of subsection (a)(1) for specific information that reveals—

(1) the identity of a human source or human intelligence source in a case in which the source or a relative of the source is alive and disclosure would present a clear danger to the safety of the source or relative;

(2) a key design concept of a weapon of mass destruction; or

(3) information that would result in critical harm to ongoing or future operations.

(d) NOTIFICATION.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committee of Congress'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Oversight and Accountability and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) IN GENERAL.—If an exemption is requested pursuant to subsection (c), the President shall, not later than 30 days after the date on which the President approves or rejects the requested exemption, submit to Congress, including the appropriate committees of Congress, notice of such approval or rejection.

(3) CONTENTS.—Each notice submitted pursuant to paragraph (2) for an approval or rejection shall include a justification for the approval or rejection.

(4) FORM.—To the degree practicable, each notice submitted pursuant to paragraph (2) shall be submitted in unclassified form.

SEC. 1554. REFORMS OF THE CLASSIFICATION SYSTEM.

(a) DECLASSIFICATION AUTHORITY OF NATIONAL DECLASSIFICATION CENTER.—Beginning 1 year after the date that the National Declassification Center refers any information that is among the holdings of the National Archives and eligible for automatic declassification pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, to any relevant Executive agency for review and if such Executive agency has not completed the review, the National Declassification Center may declassify the information without requiring review by or approval for declassification or release from any Executive agency.

(b) INCORPORATION OF INTERAGENCY SECURITY CLASSIFICATION APPEALS PANEL IN CLASSIFICATION AND DECLASSIFICATION GUIDANCE.—

(1) DECISIONS OF PANEL AS BINDING PRECEDENT.—Decisions of the Panel shall create a binding precedent on each Executive agency with respect to the classification status of information subject to the decision, unless the decision is overturned by the President.

(2) TIMING OF BINDING PRECEDENT.—Decisions of the Panel shall become binding on each Executive agency after an appeal—

(A) is not exercised by an agency; or

(B) is rejected by the President.

(3) INCORPORATION OF DECISIONS INTO GUIDANCE.—The National Declassification Center

and each head of an Executive agency shall incorporate decisions of the Panel into classification and declassification guidance as may be applicable.

(4) CONGRESSIONAL OVERSIGHT.—

(A) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this paragraph, the term ''appropriate committee of Congress'' means—

(i) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Oversight and Accountability and the Permanent Select Committee on Intelligence of the House of Representatives.

(B) ANNUAL REPORT.—Each year, the Panel shall submit to the appropriate committees of Congress an annual report summarizing the decisions of the Panel for the year covered by the report and the precedents that were created.

(c) DECLASSIFICATION UPON REQUEST OF CONGRESS.—

(1) IN GENERAL.—Not later than 90 days after the date on which the head of an Executive agency receives a request from a chair, vice-chair, or ranking member of an appropriate committee of Congress for declassification of specific information in the possession of the Executive agency, the head of the Executive agency shall—

(A) review the information for declassification; and

(B) provide the member of Congress—

(i) the declassified information or document; or

(ii) notice that, pursuant to review under subparagraph (A), the information is not being declassified, along with a justification for not declassifying the information.

(2) COMPLEX OR LENGTHY REQUESTS.—In a case in which the head of an Executive agency receives a request as described in paragraph (1) and the head determines that such request is particularly complex or lengthy, such paragraph shall be applied by substituting ''180 days'' for ''90 days''.

(d) MANDATORY DECLASSIFICATION REVIEW FOR MATTERS IN THE PUBLIC INTEREST.—The President shall require that the mandatory declassification review process established pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, include—

(1) a process by which members of the public may request declassification of information in cases in which—

(A) the information meets the standards for classification; and

(B) the public interest in disclosure would outweigh the national security harm that could reasonably be expected to result from disclosure of the information; and

(2) an expedited process for consideration of declassification of information in cases in which there is urgency to inform the public concerning actual or alleged Federal Government activity.

(e) REMEDIATION TO ADDRESS EXCESSIVE CLASSIFICATION AND INSUFFICIENT DECLASSIFICATION ACTIONS OF EMPLOYEES AND CONTRACTORS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, each head of an Executive agency shall develop and implement, in consultation with the Director of the Office of Personnel Management, the Director of National Intelligence, and the Director of the Information Security Oversight Office, a system that includes the following elements:

(A) Periodic audits, or other evidence-based approaches, to identify and correct agency-wide trends in employees of Executive agencies who knowingly, willfully, negligently, or frequently classify information—

(i) that does not meet the standard for classification set forth in the applicable Executive Order or statute; or

(ii) at a higher level than warranted under the applicable Executive Order or statute.

(B) Remedial measures or administrative penalties, as may be appropriate, including reprimand, suspension without pay, removal, termination of classification authority, loss or denial of access to classified information, or other sanctions in accordance with applicable law and agency regulation.

(C) At a minimum, the prompt removal of the classification authority of any individual who demonstrates reckless disregard or a pattern of error in applying the classification standards of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order.

(D) Periodic reevaluation for employees who are identified pursuant to subparagraph (A).

(E) Development of criteria to incorporate responsible use of the classification system in the performance standards and reviews of employees whose duties significantly involve the creation or handling of classified information.

(F) A safe harbor for employees who fail to apply classification markings to, or otherwise protect, classified information in cases in which—

(i) the employee identifies significant ambiguity as to the classification status of the information; or

(ii) the failure is an isolated or rare instance and is neither willful, knowing, or negligent.

(G) Employees who meet the criteria to utilize a safe harbor as specified in subparagraph (F) shall not be subject to any remedial measures or administrative penalties, including suspension or termination of clearance or classification authority, as a result of their failure to apply classification markings to, or otherwise protect, classified information.

(H) Cash awards or other incentives to promote meritorious challenges to unnecessary classification, pursuant to section 1.8 of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or comparable provision of a successor order, or significant contributions to the declassification of information that is eligible for declassification.

(I) The incorporation of the standards, requirements, and other elements of the system into existing and future contracts that involve the handling of classified information.

(2) PRESERVATION OF EXISTING EMPLOYEE PROTECTIONS.—Paragraph (1) shall not be construed to require the elimination of any employee protections in effect on the day before the date of the enactment of this Act.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Personnel Management, the Director of National Intelligence, and the Director of the Information Security Oversight Office shall jointly submit to Congress a report on the status of Executive agency implementation of systems pursuant to paragraph (1).

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) Identification of any relevant leading practices by Executive agencies.

(ii) Identification of Executive agencies that have failed to develop a system in accordance with paragraph (1).

(f) IDENTIFICATION OF HARM TO NATIONAL SECURITY.—At the time of original classification, in addition to the identifications and markings required by section 1.6 of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, the original classification authority shall identify in writing the specific harm to national security that could reasonably be expected to result from disclosure.

(g) CONGRESSIONAL AUTHORITY TO RELEASE INFORMATION.—Nothing in this subtitle shall be deemed in conflict with, or to otherwise impede the authority of, Congress under clause 3 of section 5 of article I of the Constitution of the United States to release information in its possession, and such information so released shall be deemed declassified or otherwise released in full.

SEC. 1555. FUNDING FOR CLASSIFICATION AND DECLASSIFICATION.

(a) IN GENERAL.—The President shall ensure that for each fiscal year, the budget of the President submitted pursuant to section 1105(a) of title 31, United States Code, includes estimated expenditures and proposed appropriations that the President decides are necessary to support the classification, declassification, and safeguarding activities of the Federal Government in the fiscal year for which the budget is submitted and the 4 fiscal years after that year.

(b) DETAILED ANALYSIS.—Estimates included pursuant to subsection (a) shall be accompanied by a detailed analysis, disaggregated by budget function, Executive agency, program, project, activity, and fiscal year, of the estimated amounts that will be expended on classification, declassification, and safeguarding activities by the Federal Government over the same period.

(c) MINIMUM AMOUNT.—Estimates and proposed appropriations included pursuant to subsection (a) for a fiscal year shall estimate and propose an amount of funding available for declassification activities that is equal to or greater than 10 percent of the amount estimated and proposed for classification and safeguarding activities for the same fiscal year.

SA 2726. Mr. MERKLEY (for himself and Mr. WELCH) 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___. REFERENCE PRICES FOR PRESCRIPTION DRUGS UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Each year, the Secretary of Defense shall establish the reference price for each prescription drug provided to beneficiaries under the TRICARE program—

(1) by determining the lowest retail list price for the drug among the countries specified in subsection (b) in which the drug is available, if drug pricing information is available for at least 3 of such countries; or

(2) in the case of a drug for which drug pricing information or dosage equivalents are not available for at least 3 of such countries, by determining an appropriate price based on the determination by the Secretary of—

(A) the added therapeutic effect of the drug;

(B) the value of the drug;

(C) patient access to the drug;

(D) the costs associated with researching and developing the drug; and

(E) other factors, as the Secretary determines appropriate.

(b) REFERENCE COUNTRIES.—The countries specified in this subsection are Japan, Germany, the United Kingdom, France, Italy, Canada, Australia, Spain, the Netherlands, Switzerland, and Sweden.

(c) APPLICATION UNDER TRICARE PROGRAM.—

(1) FEDERAL SUPPLY SCHEDULE.—In procuring a prescription drug under the Federal Supply Schedule of the General Services Administration, the Secretary of Defense, and any drug manufacturer providing the prescription drug to the Secretary, shall comply with the price limitations under section 8126 of title 38, United States Code, or the reference price limitations for such drug established under subsection (a), whichever is lower.

(2) CONTRACTS WITH PHARMACY BENEFITS MANAGERS.—

(A) IN GENERAL.—In entering into contracts with pharmacy benefits managers to carry out the pharmacy benefits program under section 1074g of title 10, United States Code, the Secretary of Defense shall ensure that the price for prescription drugs provided by such pharmacy benefits managers to beneficiaries under the TRICARE program does not exceed the price for such drug established under the pharmacy benefits program or the reference price for such drug established under subsection (a), whichever is lower.

(B) DRUG MANUFACTURERS.—A drug manufacturer may not sell a prescription drug under the pharmacy benefits program under section 1074g of title 10, United States Code, for an amount that exceeds the limitation under subparagraph (A).

(3) DIRECT PURCHASING.—

(A) IN GENERAL.—In making direct purchases of prescription drugs under any authority not covered by paragraph (1) or (2), the Secretary of Defense shall ensure that the price for such drug does not exceed the reference price for such drug established under subsection (a).

(B) DRUG MANUFACTURERS.—A drug manufacturer may not sell a prescription drug to the Secretary of Defense under an authority specified in subparagraph (A) for an amount that exceeds the reference price for such drug established under subsection (a).

(d) ENFORCEMENT.—

(1) CIVIL PENALTY.—A drug manufacturer who does not comply with the requirements under subsection (c) shall be subject to a civil penalty, for each year in which the violation occurs and with respect to each drug for which the violation occurs, in an amount equal to 5 times the difference between—

(A) the total amount received by the manufacturer for sales of the drug under the TRICARE program for the year; less

(B) the total amount the manufacturer would have received for sales of the drug under the TRICARE program for the year if the manufacturer had complied with subsection (c).

(2) AMOUNTS COLLECTED.—

(A) IN GENERAL.—Each year, the Secretary of the Treasury shall transfer to the Director of the National Institutes of Health an amount equal to the amount collected in civil penalties under subsection (e) for the previous year.

(B) USE OF AMOUNTS.—The Director of the National Institutes of Health shall use amounts transferred under subparagraph (A) for purposes of conducting drug research and development.

(e) APPLICABILITY TO BRAND AND GENERIC DRUGS.—The reference price established under subsection (a) shall apply to drugs approved under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or under subsection (a) or (k) of section 351 of the Public Health Service Act (42 U.S.C. 262).

(f) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

SA 2727. Ms. MURKOWSKI (for herself, Mr. KAINE, Mr. WARNER, Mr. KENNEDY, Mr. VAN HOLLEN, Mr. CARDIN, and Mr. CASSIDY) 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. EXEMPTION OF ALIENS WORKING AS FISH PROCESSORS FROM THE NUMERICAL LIMITATION ON H–2B NONIMMIGRANT VISAS.

(a) SHORT TITLE.—This section may be cited as the ''Save Our Seafood Act''.

(b) IN GENERAL.—Section 214(g)(10) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(10)) is amended—

(1) by striking ''The numerical limitations of paragraph (1)(B)'' and inserting ''(A) The numerical limitation under paragraph (1)(B)''; and

(2) by adding at the end the following:

''(B)(i) The numerical limitation under paragraph (1)(B) shall not apply to any nonimmigrant alien issued a visa or otherwise provided status under section 101(a)(15)(H)(ii)(b) who is employed (or has received an offer of employment)—

''(I) as a fish roe processor, a fish roe technician, or a supervisor of fish roe processing; or

''(II) as a fish processor.

''(ii) As used in clause (i)—

''(I) the term 'fish' means fresh or saltwater finfish, mollusks, crustaceans, and all other forms of aquatic animal life, including the roe of such animals, other than marine mammals and birds; and

''(II) the term 'processor'—

''(aa) means any person engaged in the processing of fish, including handling, storing, preparing, heading, eviscerating, shucking, freezing, changing into different market forms, manufacturing, preserving, packing, labeling, dockside unloading, holding, and all other processing activities; and

''(bb) does not include any person engaged in—

''(AA) harvesting or transporting fish or fishery products without otherwise engaging in processing;

''(BB) practices such as heading, eviscerating, or freezing intended solely to prepare a fish for holding on board a harvest vessel; or

''(CC) operating a retail establishment.''.

(c) REPEAL.—Section 14006 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287) is repealed.

SA 2728. Mr. YOUNG 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 VIII, add the following:

SEC. 855. STUDY ON PILOT PROGRAM TO EXPAND THE SHRINKING DEFENSE INDUSTRIAL BASE.

(a) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall conduct a study on the feasibility and advisability of implementing a pilot program to assist small businesses within the defense industrial base to transition to unrestricted contracting.

(b) ELEMENTS.—The study required under subsection (a) shall, for purposes of identifying support measures for contractors growing from small to other-than-small under North American Industry Classification System codes that are among the top ten by total Federal contract spending or are among any additional sectors the Secretary determines critical to the defense industrial base, examine the following:

(1) Whether an evaluation preference, reserves under multiple award contracts, or other procurement assistance is appropriate.

(2) Whether a pilot program to implement the procurement assistance described in paragraph (1) would contribute to job creation, increased competition, and a more resilient industrial base and align with broader national security interests.

(3) Criteria for the pilot program, including an eligibility period and criteria for participation and graduation.

(4) Methods to also encourage growth of startups and very small businesses should the program proceed.

(5) Metrics to assess the success of the program.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the study conducted under subsection (a).

SA 2729. 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 end of subtitle A of title XXVIII, add the following:

SEC. 2816. AUTHORIZATION OF MILITARY CONSTRUCTION PROJECT AT FORT CAVAZOS, TEXAS, TO CONSTRUCT AN AMMUNITION HOLDING AREA UPGRADE.

(a) IN GENERAL.—The Secretary of the Army may carry out a military construction project at Fort Cavazos, Texas, to construct an ammunition holding area upgrade, in an amount not to exceed $9,000,000.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated to carry out the military construction project under subsection (a) shall be available until September 30, 2029.

SA 2730. 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. _____. UNAUTHORIZED ACCESS TO DEPARTMENT OF DEFENSE FACILITIES.

(a) IN GENERAL.—Chapter 67 of title 18, United States Code, is amended by adding at the end the following:

''§ 1390. Unauthorized access to Department of Defense facilities

''(a) IN GENERAL.—It shall be unlawful, within the jurisdiction of the United States, without authorization to go upon any property that—

''(1) is under the jurisdiction of the Department of Defense; and

''(2) has been clearly marked as closed or restricted.

''(b) PENALTIES.—Any person who violates subsection (a) shall—

''(1) in the case of the first offense, be fined under this title, imprisoned not more than 180 days, or both;

''(2) in the case of the second offense, be fined under this title, imprisoned not more than 3 years, or both; and

''(3) in the case of the third or subsequent offense, be fined under this title, imprisoned not more than 10 years, or both.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 67 of title 18, United States Code, is amended by adding at the end the following:

''1390. Unauthorized access to Department of Defense facilities.''.

SA 2731. 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 I, insert the following:

SEC. _____. EXTENSION OF PROHIBITION ON CERTAIN REDUCTIONS TO B–1 BOMBER AIRCRAFT SQUADRONS.

Section 133(c)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1574), as most recently amended by section 136 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 174), is further amended by striking ''September 30, 2026'' and inserting ''September 30, 2028''.

SA 2732. 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 end of subtitle F of title III, add the following:

SEC. 358. PROTECTING MILITARY INSTALLATIONS AND RANGES ACT OF 2024.

(a) SHORT TITLE.—This Act may be cited as the ''Protecting Military Installations and Ranges Act of 2024''.

(b) REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF REAL ESTATE PURCHASES OR LEASES NEAR MILITARY INSTALLATIONS OR MILITARY AIRSPACE.—

(1) INCLUSION IN DEFINITION OF COVERED TRANSACTION.—Section 721(a)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amended—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''; and'' and inserting a semicolon;

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) any transaction described in subparagraph (B)(vi) that is proposed, pending, or completed on or after the date of the enactment of the Protecting Military Installations and Ranges Act of 2024.''; and

(B) in subparagraph (B), by adding at the end the following:

''(vi) Notwithstanding clause (ii) or subparagraph (C), the purchase or lease by, or a concession to, a foreign person of private or public real estate—

''(I) that is located in the United States and within—

''(aa) 100 miles of a military installation (as defined in section 2801(c)(4) of title 10, United States Code); or

''(bb) 50 miles of—

''(AA) a military training route (as defined in section 183a(h) of title 10, United States Code);

''(BB) airspace designated as special use airspace under part 73 of title 14, Code of Federal Regulations (or a successor regulation), and managed by the Department of Defense;

''(CC) a controlled firing area (as defined in section 1.1 of title 14, Code of Federal Regulations (or a successor regulation)) used by the Department of Defense; or

''(DD) a military operations area (as defined in section 1.1 of title 14, Code of Federal Regulations (or a successor regulation)); and

''(II) if the foreign person is owned or controlled by, is acting for or on behalf of, or receives subsidies from—

''(aa) the Government of the Russian Federation;

''(bb) the Government of the People's Republic of China;

''(cc) the Government of the Islamic Republic of Iran; or

''(dd) the Government of the Democratic People's Republic of Korea.''.

(2) MANDATORY UNILATERAL INITIATION OF REVIEWS.—Section 721(b)(1)(D) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(D)) is amended—

(A) in clause (iii), by redesignating subclauses (I), (II), and (III) as items (aa), (bb), and (cc), respectively, and by moving such items, as so redesignated, 2 ems to the right;

(B) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively, and by moving such subclauses, as so redesignated, 2 ems to the right;

(C) by striking ''Subject to'' and inserting the following:

''(i) IN GENERAL.—Subject to''; and

(D) by adding at the end the following:

''(ii) MANDATORY UNILATERAL INITIATION OF CERTAIN TRANSACTIONS.—The Committee shall initiate a review under subparagraph (A) of a covered transaction described in subsection (a)(4)(B)(vi).''.

(3) CERTIFICATIONS TO CONGRESS.—Section 721(b)(3)(C)(iii) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(3)(C)(iii)) is amended—

(A) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(VI) with respect to covered transactions described in subsection (a)(4)(B)(vi), to the members of the Senate from the State in which the military installation, military training route, special use airspace, controlled firing area, or military operations area is located, and the member from the Congressional District in which such installation, route, airspace, or area is located.''.

(c) LIMITATION ON APPROVAL OF ENERGY PROJECTS RELATED TO REVIEWS CONDUCTED BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

(1) REVIEW BY SECRETARY OF DEFENSE.—Section 183a of title 10, United States Code, is amended—

(A) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and

(B) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL RULE RELATING TO REVIEW BY COMMITTEE ON FOREIGN INVESTMENT OF THE UNITED STATES.—(1) If, during the period during which the Department of Defense is reviewing an application for an energy project filed with the Secretary of Transportation under section 44718 of title 49, the purchase, lease, or concession of real property on which the project is planned to be located is under review or investigation by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), the Secretary of Defense—

''(A) may not complete review of the project until the Committee concludes action under such section 721 with respect to the purchase, lease, or concession; and

''(B) shall notify the Secretary of Transportation of the delay.

''(2) If the Committee on Foreign Investment in the United States determines that the purchase, lease, or concession of real property on which an energy project described in paragraph (1) is planned to be located threatens to impair the national security of the United States and refers the purchase, lease, or concession to the President for further action under section 721(d) of the Defense Production Act of 1950 (50 U.S.C. 4565(d)), the Secretary of Defense shall—

''(A) find under subsection (e)(1) that the project would result in an unacceptable risk to the national security of the United States; and

''(B) transmit that finding to the Secretary of Transportation for inclusion in the report required under section 44718(b)(2) of title 49.''.

(2) REVIEW BY SECRETARY OF TRANSPORTATION.—Section 44718 of title 49, United States Code, is amended—

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following new subsection:

''(h) SPECIAL RULE RELATING TO REVIEW BY COMMITTEE ON FOREIGN INVESTMENT OF THE UNITED STATES.—The Secretary of Transportation may not issue a determination pursuant to this section with respect to a proposed structure to be located on real property the purchase, lease, or concession of which is under review or investigation by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) until—

''(1) the Committee concludes action under such section 721 with respect to the purchase, lease, or concession; and

''(2) the Secretary of Defense—

''(A) issues a finding under section 183a(e) of title 10; or

''(B) advises the Secretary of Transportation that no finding under section 183a(e) of title 10 will be forthcoming.''.

SA 2733. 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 V, insert the following:

SEC. ___. AIR FORCE TECHNICAL TRAINING CENTER OF EXCELLENCE.

(a) IN GENERAL.—Chapter 903 of title 10, United States Code, is amended by adding at the end the following new section:

''SEC. 9025. AIR FORCE TECHNICAL TRAINING CENTER OF EXCELLENCE.

''(a) ESTABLISHMENT.—The Secretary of the Air Force shall operate a Technical Training Center of Excellence. The head of the Center shall be the designee of the Commander of Airmen Development Command.

''(b) PURPOSE.—The purpose of the Center shall be to—

''(1) facilitate collaboration among all Air Force technical training installations;

''(2) serve as a premier training location for all maintainers throughout the military departments;

''(3) publish a set of responsibilities aimed at driving excellence, innovation, and leadership across all technical training specialties;

''(4) advocate for innovative improvements in curriculum, facilities, and medial;

''(5) foster outreach with industry and academia;

''(6) identify and promulgate best practices, standards, and benchmarks;

''(7) create a hub of excellence for the latest advancements in aviation technology and training methodologies; and

''(8) carry out such other responsibilities as the Secretary determines appropriate.

''(c) LOCATION.—The Secretary shall select a location for the Center that is an Air Force installation that provides technical training and maintenance proficiency.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 903 of title 10, United States Code, is amended by inserting after the item relating to section 9024 the following new item:

''9025. Air Force Technical Training Center of Excellence.''.

SA 2734. 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 end of subtitle C of title XII, add the following:

SEC. 1239. FEASIBILITY REPORT ON PERMANENT STATIONING OF ADDITIONAL ARMORED BRIGADE COMBAT TEAM IN EUROPE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility and efficiency of, in response to recent aggression by the Russian Federation, permanently stationing in Europe an additional armored brigade combat team of the United States Army for the purpose of strengthening deterrence and reassuring Eastern European member countries of the North Atlantic Treaty Organization.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An examination of, at a minimum, basing solutions in Poland and Germany.

(2) An analysis on the impact of such basing on the deployment tempo of armored brigade combat teams of the United States Army based in the continental United States.

SA 2735. 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 I, insert the following:

SEC. ___. FUNDING FOR NACELLE IMPROVEMENT PROGRAM FOR V–22 AIRCRAFT.

The amount authorized by appropriated by this Act for fiscal year 2025 is hereby increased by $156,900,000, with the amount of the increase to be available for the Nacelle Improvement program for V–22 aircraft.

SA 2736. 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 I, insert the following:

SEC. ___. FUNDING FOR MQ–1C 25M GRAY EAGLE COMPANY AND AIRCRAFT.

The amount authorized to be appropriated by this Act for Aircraft Procurement, Army, MQ–1 UAV, as specified in the funding table in section 4101, is hereby increased by $350,000,000, with the amount of the increase to be available to establish and designate a minimum of one MQ–1C 25M Gray Eagle company equipped with 12 MQ–1C 25M Gray Eagle aircraft in fiscal year 2025.

SA 2737. 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 II, insert the following:

SEC. _____. VEHICLE INTEGRATION AND TESTING OF 3GEN FLIR ON ABRAMS TANK.

(a) ADDITIONAL AMOUNT.—The amount authorized to be appropriated for fiscal year 2025 by section 201 for research, development, test, and evaluation is hereby increased by $7,300,000, with the amount of the increase to be available for vehicle integration and testing of the 3GEN FLIR on the current model Abrams tank.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall provide the congressional defense committees a briefing on the 3GEN FLIR program.

(2) MATTERS COVERED.—The briefing provided pursuant to paragraph (1) shall cover the following:

(A) The effect of the combat vehicle modernization strategy of the Army on the 3GEN FLIR program and the industrial base.

(B) An assessment of efforts and resources needed to integrate the 3GEN FLIR onto the SEP Version 3 main battle tank.

SA 2738. 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 V, insert the following:

SEC. ___. SERVICE ACADEMIES: REFERRAL OF DENIED APPLICANTS TO THE SENIOR MILITARY COLLEGES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act the Secretary of Defense shall establish a system whereby a covered individual may elect to have the Secretary share information regarding such covered individual with a senior military college.

(b) DEFINITIONS.—In this section:

(1) COVERED INDIVIDUAL.—The term ''covered individual'' means an individual whose application for an appointment as a cadet or midshipman at a Service Academy is denied.

(2) SENIOR MILITARY COLLEGE.—The term ''senior military college'' means a school specified in section 2111a of title 10, United States Code.

(3) SERVICE ACADEMY.—The term ''Service Academy'' has the meaning given such term in section 347 of title 10, United States Code.

SA 2739. 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 end of subtitle A of title XXVIII, add the following:

SEC. 2816. AUTHORIZATION OF MILITARY CONSTRUCTION PROJECT AT FORT BLISS, TEXAS, TO CONSTRUCT A NEW PERMANENT PARTY BARRACKS FOR THE UNITED STATES ARMY FORCES COMMAND.

(a) IN GENERAL.—The Secretary of the Army may carry out a military construction project at Fort Bliss, Texas, to construct a new permanent party barracks for the United States Army Forces Command, in an amount not to exceed $3,300,000.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated to carry out the military construction project under subsection (a) shall be available until September 30, 2029.

SA 2740. 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 end of subtitle H of title X, add the following:

SEC. 1095. DISPLAY OF UNITED STATES FLAG FOR PATRIOTIC AND MILITARY OBSERVANCES.

(a) AMENDMENT TO FLAG CODE.—Section 8(c) of title 4, United States Code, is amended by inserting '', except as may be necessary in limited circumstances and done in a respectful manner as part of a military or patriotic observance involving members of the Armed Forces'' after ''aloft and free''.

(b) MODIFICATION OF DEPARTMENT OF DEFENSE POLICY.—The Secretary of Defense shall—

(1) rescind the February 10, 2023, Department of Defense memorandum entitled, ''Clarification of Department of Defense Community Engagement Policy on Showing Proper Respect to the United States Flag''; and

(2) support military recruitment through public outreach events during patriotic and military observances, including the display of the United States flag regardless of size and position, including horizontally, provided that, in accordance with section 8(b) of title 4, United States Code, the flag never touch anything beneath it, such as the ground, the floor, water, or merchandise.

SA 2741. 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 end of subtitle D of title XII, add the following:

SEC. 1266. REQUIREMENT TO PERMIT DIGNITARIES AND SERVICE MEMBERS FROM TAIWAN TO DISPLAY THE FLAG OF THE REPUBLIC OF CHINA.

(a) IN GENERAL.—The Secretary of State and the Secretary of Defense shall permit members of the armed forces and government representatives from the Republic of China (Taiwan) or the Taipei Economic and Cultural Representative Office (TECRO) to display, for the official purposes set forth in subsection (b), symbols of Republic of China sovereignty, including—

(1) the flag of the Republic of China (Taiwan); and

(2) the corresponding emblems or insignia of military units.

(b) OFFICIAL PURPOSES.—The official purposes referred to in subsection (a) are—

(1) the wearing of official uniforms;

(2) conducting government hosted ceremonies or functions; and

(3) the appearances on Department of State and Department of Defense social media accounts promoting engagements with Taiwan.

SA 2742. Mr. CRUZ (for himself, Mr. CRAPO, Mr. LEE, Mr. RUBIO, Ms. LUMMIS, Mr. RISCH, and Mr. DAINES) 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 V, add the following:

SEC. 529C. REMEDIES FOR MEMBERS OF THE ARMED FORCES DISCHARGED OR SUBJECT TO ADVERSE ACTION UNDER THE COVID–19 VACCINE MANDATE.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary of Defense may not issue any COVID–19 vaccine mandate as a replacement for the mandate rescinded under section 525 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 1161 note prec.) absent a further Act of Congress expressly authorizing a replacement mandate.

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

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

(2) in subsection (a)—

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

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

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

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

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

''(c) REMEDIES AVAILABLE FOR A COVERED MEMBER DISCHARGED OR SUBJECT TO ADVERSE ACTION BASED ON COVID–19 STATUS.—At the election of a covered member discharged or subject to adverse action based on the member's COVID–19 vaccination status, and upon application through a process established by the Secretary of Defense, the Secretary shall—

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

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

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

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

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

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

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

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

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

''(d) RETENTION AND DEVELOPMENT OF UNVACCINATED MEMBERS.—The Secretary of Defense shall—

''(1) make every effort to retain covered members who are not vaccinated against COVID–19 and provide such members with professional development, promotion and leadership opportunities, and consideration equal to that of their peers;

''(2) only consider the COVID–19 vaccination status of a covered member in making deployment, assignment, and other operational decisions where—

''(A) the law or regulations of a foreign country require covered members to be vaccinated against COVID–19 in order to enter that country; and

''(B) the covered member's presence in that foreign country is necessary in order to perform their assigned role; and

''(3) for purposes of deployments, assignments, and operations described in paragraph (2), create a process to provide COVID–19 vaccination exemptions to covered members with—

''(A) a natural immunity to COVID–19;

''(B) an underlying health condition that would make COVID–19 vaccination a greater risk to that individual than the general population; or

''(C) sincerely held religious beliefs in conflict with receiving the COVID–19 vaccination.

''(e) APPLICABILITY OF REMEDIES CONTAINED IN THIS SECTION.—The prohibitions and remedies described in this section shall apply to covered members regardless of whether or not they sought an accommodation to any Department of Defense COVID–19 vaccination policy on any grounds.''.

SA 2743. 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 end of subtitle C of title XII, add the following:

SEC. 1239. EXTENSION OF, AND REPEAL OF WAIVER UNDER, PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019.

Section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92; 22 U.S.C. 9526 note) is amended—

(1) by striking subsection (f); and

(2) in subsection (h)(2), by striking ''the date that is'' and all that follows and inserting ''January 1, 2031.''.

SA 2744. 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 end of subtitle C of title XII, add the following:

SEC. 1239. EXTENSION OF, AND REPEAL OF WAIVER AND CERTAIN EXCEPTION UNDER, PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019.

Section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92; 22 U.S.C. 9526 note) is amended—

(1) in subsection (a)(1)(B)(v), by inserting ''or a successor to that pipeline'' after ''pipeline'';

(2) in subsection (e)—

(A) by striking paragraph (4); and

(B) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively;

(3) by striking subsection (f); and

(4) in subsection (h)(2), by striking ''the date that is'' and all that follows and inserting ''January 1, 2031.''.

SA 2745. 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 XII, insert the following:

SEC. 12____. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN OFFICIALS OF ARGENTINA.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to Congress a report with respect to each individual specified in subsection (c) that includes—

(1) a description of the assets of the individual, including—

(A) the estimated net worth of the individual;

(B) the estimated net worth of the immediate family members of the individual; and

(C) a description of all of the individual's real, personal, and intellectual property, bank of investment or similar accounts, and any other financial or business interests or holdings, whether obtained legitimately or illegitimately; and

(2) a determination with respect to whether the individual meets the criteria for the imposition of sanctions under section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 (division F of Public Law 118–47; 8 U.S.C. 1182 note).

(b) IMPOSITION OF SANCTIONS.—If the President makes an affirmative determination under subsection (a)(2) with respect to an individual, the President shall impose sanctions under section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024, with respect to the individual.

(c) INDIVIDUALS SPECIFIED.—The individuals specified in this subsection are the following:

(1) Cristina Elisabet Fernández de Kirchner, born on February 19, 1953, in La Plata, Buenos Aires, Argentina.

(2) Máximo Kirchner, born on February 2, 1977, in La Plata, Buenos Aires, Argentina.

(3) Juan Martin Mena, born on February 25, 1979, in Mar del Plata, Buenos Aires, Argentina.

(4) Oscar Isidro José Parrilli, born on August 13, 1951, in San Martín de Los Andes, Neuquén, Argentina.

(5) Carlos Alberto Zannini, born on August 27, 1954, in Villa Nueva, Córdoba, Argentina.

SA 2746. 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 end of subtitle F of title XII, add the following:

SEC. 1291. LIMITATION ON FOREIGN ASSISTANCE TO MEXICO UNTIL MEXICO PROVIDES WATER PURSUANT TO TREATY OBLIGATIONS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than February 15, 2025, and annually thereafter, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report regarding deliveries of water by Mexico pursuant to the Treaty relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 3, 1944 (9 Bevans 1166), between the United States and Mexico (in this section referred to as the ''Treaty'').

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a determination of whether Mexico has, during the calendar year preceding the submission of the report, delivered to the United States 350,000 acre-feet of water; and

(B) an assessment of Mexico's capabilities for delivering 1,750,000 acre-feet of water by the final year of the five-year cycle described in the Treaty within which the previous calendar year fell.

(b) LIMITATION ON ASSISTANCE.—

(1) IN GENERAL.—If the Secretary does not submit the report required by subsection (a) by February 15 of a calendar year or makes a negative determination under subsection (a)(2)(A), the President—

(A) may implement all of the measures described in paragraph (2); and

(B) shall implement at least one of such measures.

(2) MEASURES DESCRIBED.—The measures described in this paragraph are the following:

(A) A prohibition on the United States Agency for International Development obligating or expending funds for programs for private sector productivity in Mexico.

(B) A prohibition on the Trade and Development Agency obligating or expending funds for grantees in Mexico or for missions with delegations from Mexico.

(C) A limitation on assistance to Mexico, such that not more than 85 percent of the funds appropriated or otherwise made available for assistance for Mexico may be obligated or expended, other than funds made available to counter the flow of fentanyl, fentanyl precursors, xylazine, and other synthetic drugs into the United States.

SA 2747. 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 end of subtitle A of title XII, add the following:

SEC. 1216. REQUIRED PROVISION OF MILITARY ASSISTANCE TO ISRAEL.

(a) APPROVAL OF LICENSES.—Not later than one day after the date of the enactment of this Act and notwithstanding any provision of the Arms Export Control Act (22 U.S.C. 2751 et seq.), the President shall approve all pending requests, applications, and licenses for the export of defense articles or defense services to the Government of Israel.

(b) TRANSFER OF MUNITIONS AND WEAPONS.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the President shall transfer the defense articles and provide the defense services described in subsection (a) to the Government of Israel.

(2) CERTIFICATION.—Not later than 10 days after the date of the enactment of this Act, and every 30 days thereafter until December 31, 2025, the Secretary of State and the Secretary of Defense shall provide to the appropriate congressional committees a report that includes—

(A) a list of each request, application, or license for the export of defense articles or defense services to the Government of Israel that was pending on the date of the enactment of this Act; and

(B) a certification whether those defense articles or defense services have been provided or, if they have not been provided, an estimate of when they will be provided.

(c) PROHIBITION ON OBSTRUCTION OF TRANSFERS.—

(1) PROHIBITION ON OBSTRUCTION OF TRANSFERS.—No executive officer or employee may halt, defer, or otherwise prevent the transfer of defense articles or defense services described in subsection (a) to the Government of Israel.

(2) SUNSET.—The prohibition under paragraph (1) shall terminate one year after the President certifies to the appropriate congressional committees that the state of Israel is not engaged in active hostilities.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

SA 2748. Mr. CRUZ (for himself, Mr. SCOTT of Florida, Mr. BARRASSO, 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 of subtitle F of title XII, add the following:

SEC. 1291. VENEZUELA RESTORATION FUND.

(a) ESTABLISHMENT.—There is established in the United States Treasury a fund, to be known as the ''Venezuela Restoration Fund'', which shall consist of amounts deposited in the Fund under subsection (c).

(b) USES.—Amounts in the Fund—

(1) shall be available to the Secretary of State only for the purposes described in paragraph (2), without fiscal year limitation or need for subsequent appropriation;

(2) shall be used only for the purposes of—

(A) strengthening democratic governance and institutions, including the democratically elected National Assembly of Venezuela;

(B) defending internationally recognized human rights for the people of Venezuela, including support for efforts to document crimes against humanity and violations of human rights;

(C) supporting the efforts of independent media outlets to broadcast, distribute, and share information beyond the limited channels made available by the Maduro regime; and

(D) combatting corruption and improving the transparency and accountability of institutions that are part of the Maduro regime;

(3) may support governmental and nongovernmental parties in advancing the purposes described in paragraph (2); and

(4) shall be allocated in a manner complementary to existing United States foreign assistance, diplomacy, and anti-corruption activities.

(c) FUNDING.—Beginning on or after the date of the enactment of this Act, notwithstanding any other provision of law, in the case of any funds or assets forfeited to the United States by an individual or entity connected to the regimes of Hugo Chávez and Nicolás Maduro in Venezuela, the funds or assets will be deposited in the Venezuela Restoration Fund established under subsection (a).

(d) REPORTING.—Not later than 1 year after the date of the enactment of this Act and not less frequently than annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees that includes—

(1) an accounting of the amount and sources of funds that have been deposited into the Venezuela Restoration Fund; and

(2) a summary of the obligation, amounts, and expenditure of such funds.

SA 2749. 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 end of subtitle E of title XII, add the following:

SEC. 1272. INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.

(a) SHORT TITLES.—This section may be cited as the ''Strengthening Tracking Of Poisonous Tranq Requiring Analyzed National Quantification Act of 2024'' or the ''STOP TRANQ Act''

(b) IN GENERAL.—Section 489(a)(11) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(11)) is amended—

(1) in subparagraph (A), by inserting '', xylazine,'' after ''illicit fentanyl''; and

(2) in subparagraph (D), by inserting '')'' before the semicolon at the end.

SA 2750. 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 end of subtitle E of title X, add the following:

SEC. 1049. CRIMINAL AND IMMIGRATION PENALTIES FOR EVADING ARREST OR DETENTION.

(a) SHORT TITLE.—This section may be cited as ''Agent Raul Gonzalez Officer Safety Act''.

(b) CRIMINAL PENALTIES FOR EVADING ARREST OR DETENTION.—

(1) IN GENERAL.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

''§ 40B. Evading arrest or detention while operating a motor vehicle

''(a) OFFENSE.—A person commits an offense under this section by operating a motor vehicle within 100 miles of the United States border while intentionally fleeing from—

''(1) a pursuing U.S. Border Patrol agent acting pursuant to lawful authority; or

''(2) any pursuing Federal, State, or local law enforcement officer who is actively assisting, or under the command of, U.S. Border Patrol.

''(b) PENALTIES.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), any person who commits an offense described in subsection (a) shall be—

''(A) imprisoned for a term of not more than 2 years;

''(B) fined under this title; or

''(C) subject to the penalties described in subparagraphs (A) and (B).

''(2) SERIOUS BODILY INJURY.—If serious bodily injury results from the commission of an offense described in subsection (a), the person committing such offense shall be—

''(A) imprisoned for a term of not less than 5 years and not more than 20 years;

''(B) fined under this title; or

''(C) subject to the penalties described in subparagraphs (A) and (B).

''(3) DEATH.—If the death of any person results from the commission of an offense described in subsection (a), the person committing such offense shall be—

''(A) imprisoned for a term of not less than 10 years and up to life;

''(B) fined under this title; or

''(C) subject to the penalties described in subparagraphs (A) and (B).''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 2 of title 18, United States Code, is amended by adding at the end the following:

''40B. Evading arrest or detention while operating a motor vehicle.''.

(c) INADMISSIBILITY, DEPORTABILITY, AND INELIGIBILITY RELATED TO EVADING ARREST OR DETENTION WHILE OPERATING A MOTOR VEHICLE.—

(1) INADMISSIBILITY.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

''(J) EVADING ARREST OR DETENTION WHILE OPERATING A MOTOR VEHICLE.—Any alien who has been convicted of, who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 40B(a) of title 18, United States Code, is inadmissible.''.

(2) DEPORTABILITY.—Section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) EVADING ARREST OR DETENTION WHILE OPERATING A MOTOR VEHICLE.—Any alien who has been convicted of, who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 40B(a) of title 18, United States Code, is deportable.''.

(3) INELIGIBILITY FOR RELIEF.—Title II of such Act (8 U.S.C. 1151 et seq.) is amended by inserting after section 208 the following:

''SEC. 208A. INELIGIBILITY FOR RELIEF RELATED TO EVADING ARREST OR DETENTION WHILE OPERATING A MOTOR VEHICLE.

''Any alien who has been convicted of, who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 40B(a) of title 18, United States Code, shall be ineligible for relief under the immigration laws, including asylum under section 208.''.

(d) ANNUAL REPORT.—The Attorney General, in conjunction with the Secretary of Homeland Security, shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that—

(1) identifies the number of people who committed a violation of section 40B(a) of title 18, United States Code, as added by subsection (b)(1); and

(2) summarizes—

(A) the number of individuals who were charged with the violation referred to in paragraph (1);

(B) the number of individuals who were apprehended but not charged with such violation;

(C) the number of individuals who committed such violation but were not apprehended;

(D) the penalties sought in the charging documents pertaining to such violation; and

(E) the penalties imposed for such violation.

SA 2751. Ms. CORTEZ MASTO (for herself, Mr. CRAPO, and Mr. RISCH) 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 subtitle H of title X, insert the following:

SEC. 10___. TECHNICAL CORRECTION TO THE WATER RIGHTS SETTLEMENT FOR THE SHOSHONE-PAIUTE TRIBES OF THE DUCK VALLEY RESERVATION.

Section 10807(b)(3) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1409) is amended—

(1) by striking ''There is'' and inserting the following:

''(A) IN GENERAL.—There is''; and

(2) by adding at the end the following:

''(B) ADJUSTED INTEREST PAYMENTS.—There is authorized to be appropriated to the Secretary for deposit into the Development Fund $5,124,902.12.''.

SA 2752. Ms. WARREN (for herself, Mr. LEE, Mr. BRAUN, 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 in title X, insert the following:

SEC. 10___. REPEAL OF REPORTS ON UNFUNDED PRIORITIES.

(a) DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—The following provisions of title 10, United States Code, are repealed:

(A) Section 222a.

(B) Section 222b.

(C) Section 222e (as added by section 211 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31)).

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 9 of such title is amended by striking the items relating to sections 222a, 222b, and 222e (as added by section 211 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31)).

(b) MILITARY CONSTRUCTION PROJECTS.—Section 2806 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 222a note) is repealed.

(c) NATIONAL NUCLEAR SECURITY ADMINISTRATION.—

(1) IN GENERAL.—Section 4716 of the Atomic Energy Defense Act (50 U.S.C. 2756) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4716.

SA 2753. Ms. WARREN 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 ____—DIGITAL ASSET SANCTIONS COMPLIANCE ENHANCEMENT

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Digital Asset Sanctions Compliance Enhancement Act''.

SEC. ___02. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ''appropriate congressional committees and leadership'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, and the speaker, the majority leader, and the minority leader of the House of Representatives.

(2) DIGITAL ASSETS.—The term ''digital assets'' means any digital representation of value, financial assets and instruments, or claims that are used to make payments or investments, or to transmit or exchange funds or the equivalent thereof, that are issued or represented in digital form through the use of distributed ledger technology.

(3) DIGITAL ASSET TRADING PLATFORM.—The term ''digital asset trading platform'' means a person, or group of persons, that operates as an exchange or other trading facility for the purchase, sale, lending, or borrowing of digital assets.

(4) DIGITAL ASSET TRANSACTION FACILITATOR.—The term ''digital asset transaction facilitator'' means—

(A) any person, or group of persons, that significantly and materially facilitates the purchase, sale, lending, borrowing, exchange, custody, holding, validation, or creation of digital assets on the account of others, including any communication protocol, decentralized finance technology, smart contract, or other software, including open-source computer code—

(i) deployed through the use of distributed ledger or any similar technology; and

(ii) that provides a mechanism for multiple users to purchase, sell, lend, borrow, or trade digital assets; and

(B) any person, or group of persons, that the Secretary of the Treasury otherwise determines to be significantly and materially facilitating digital assets transactions in violation of sanctions.

(5) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(6) 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; 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. ___03. IMPOSITION OF SANCTIONS WITH RESPECT TO THE USE OF DIGITAL ASSETS TO FACILITATE TRANSACTIONS BY RUSSIAN PERSONS SUBJECT TO SANCTIONS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and periodically thereafter as necessary, the President shall submit to Congress a report identifying any foreign person that—

(1) operates a digital asset trading platform or is a digital asset transaction facilitator; and

(2)(A) has significantly and materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of any person with respect to which sanctions have been imposed by the United States relating to the Russian Federation, including by facilitating transactions that evade such sanctions; or

(B) is owned or controlled by, or acting or purporting to act for or on behalf of any person with respect to which sanctions have been imposed by the United States relating to the Russian Federation.

(b) IMPOSITION OF SANCTIONS.—The President may 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 foreign person identified in a report submitted under 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.

(c) IMPLEMENTATION; PENALTIES.—

(1) 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.

(2) 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.

(d) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under this section 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 Congress a notification of the waiver and the reasons for the waiver.

(e) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—This section 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.

(2) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under subsection (b) shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

SEC. ___04. DISCRETIONARY PROHIBITION OF TRANSACTIONS.

The Secretary of the Treasury may require that no digital asset trading platform or digital asset transaction facilitator that does business in the United States transact with, or fulfill transactions of, digital asset addresses that are known to be, or could reasonably be known to be, affiliated with persons headquartered or domiciled in the Russian Federation if the Secretary—

(1) determines that exercising such authority is important to the national interest of the United States; and

(2) not later than 90 days after exercising the authority described in paragraph (1), submits to the appropriate congressional committees and leadership a report on the basis for any determination under that paragraph.

SEC. ___05. TRANSACTION REPORTING.

Not later than 120 days after the date of enactment of this Act, the Financial Crimes Enforcement Network shall require United States persons engaged in a transaction with a value greater than $10,000 in digital assets through 1 or more accounts outside of the United States to file a report described in section 1010.350 of title 31, Code of Federal Regulations, using the form described in that section, in accordance with section 5314 of title 31, United States Code.

SEC. ___06. REPORTS.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Treasury shall submit to the appropriate congressional committees and leadership a report on the progress of the Department of the Treasury in carrying out this Act, including any resources needed by the Department to improve implementation and progress in coordinating with governments of countries that are allies or partners of the United States.

(b) OTHER REPORTS.—Not later than 120 days after the date of enactment of this Act, and every year thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees and leadership and make publicly available a report identifying the digital asset trading platforms that the Office of Foreign Assets Control of the Department of the Treasury determines to be high risk for sanctions evasion, money laundering, or other illicit activities. Any exchange included in the report may petition the Office of Foreign Assets Control for removal, which shall be granted upon demonstrating that the exchange is taking steps sufficient to comply with applicable United States law.

SA 2754. Ms. WARREN 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 title X, add the following:

Subtitle I—Digital Asset Anti-money Laundering

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Digital Asset Anti-Money Laundering Act''.

SEC. 1097. DEFINITIONS.

(1) ANONYMITY ENHANCED CRYPTOCURRENCY.—The term ''anonymity enhanced cryptocurrency'' means a digital asset containing any feature that—

(A) prevents tracing through distributed ledgers; or

(B) conceals or obfuscates the origin, destination, and counterparties of digital asset transactions.

(2) DIGITAL ASSETS.—The term ''digital asset'' means an asset that is issued or transferred using a cryptographically secured distributed ledger, blockchain technology, or any other similar technology.

(3) DIGITAL ASSETS KIOSK.—The term ''digital assets kiosk'' means a digital assets automated teller machine that facilitates the buying, selling, and exchange of digital assets.

(4) DIGITAL ASSETS MIXER.—The term ''digital assets mixer'' means a website, software, or other service with features that conceal or obfuscate the origin, destination, or counterparties of digital asset transactions.

(5) FINANCIAL INSTITUTION.—The term ''financial institution'' has the meaning given the term in section 5312(a) of title 31, United States Code.

(6) MONEY SERVICES BUSINESS.—The term ''money services business'' has the meaning given the term in section 1010.100 of title 31, Code of Federal Regulations.

(7) UNHOSTED WALLET.—The term ''unhosted wallet'' means software or hardware that facilitates the storage of public and private keys used to digitally sign and securely transact digital assets, such that the stored value is the property of the wallet owner and the wallet owner has total independent control over the value.

(8) VALIDATOR.—The term ''validator'' means a person or entity that—

(A) processes and validates, approves, or verifies transactions, or produces blocks of digital asset transactions to be recorded on a cryptographically secured distributed ledger or any similar technology, as specified by the Secretary of the Treasury; and

(B) may perform other such services that may secure a digital assets kiosk network.

SEC. 1098. DIGITAL ASSET REQUIREMENTS.

(a) DIGITAL ASSETS PARTICIPANTS DESIGNATION.—

(1) DEFINITION OF FINANCIAL INSTITUTION.—

(A) IN GENERAL.—Section 5312(a)(2) of title 31, United States Code, as amended by section 6110(a)(1) of the Anti-Money Laundering Act of 2020 (division F of Public Law 116–283), is amended—

(i) in subparagraph (Z), by striking ''or'' at the end;

(ii) by redesignating subparagraph (AA) as subparagraph (BB); and

(iii) by inserting after subparagraph (Z) the following:

''(AA) Unhosted wallet providers, digital asset miners, validators, or other nodes that may act to validate or secure third-party transactions, independent network participants (including maximal extractable value searchers), miner extractable value searchers, other validators or network participants with control over network protocols, or any other person facilitating or providing services related to the exchange, sale, custody, or lending of digital assets that the Secretary shall prescribe by regulation.''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on the day after the effective date of the final rules issued by the Secretary of the Treasury pursuant to section 6110(b) of the Anti-Money Laundering Act of 2020 (division F of Public Law 116–283).

(2) REGULATIONS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury, through the Director of the Financial Crimes Enforcement Network, shall promulgate regulations imposing requirements under subchapter II of chapter 53 of title 31, United States Code, on financial institutions described in subparagraph (AA) of section 5312(a)(2) of title 31, United States Code, as added by paragraph (1)(A) of this subsection.

(B) EXEMPTION.—The Secretary of the Treasury, through the Director of the Financial Crimes Enforcement Network, should consider for exemption from the regulations issued under subparagraph (A) assets—

(i) issued or transferred using a cryptographically secured distributed ledger, blockchain technology, or any other similar technology used solely for internal business applications;

(ii) not offered for sale, traded, or otherwise converted to fiat currency or another digital asset; or

(iii) otherwise deemed to pose little illicit finance risk.

(C) PERIODIC REVIEWS.—The Secretary of the Treasury, through the Director of the Financial Crimes Enforcement Network, shall periodic reviews of the classifications under paragraph (2).

(b) REGISTRATION RULES.—The Financial Crimes Enforcement Network has the authority to subject the entities described in subsection (a) to the registration rules under section 5330 of title 31, United States Code, and the foreign registration rules under section 1022.380(a)(2) of title 31, Code of Federal Regulations.

(c) IMPLEMENTATION OF PROPOSED RULE.—Not later than 1 year after the date of enactment of this Act, the Financial Crimes Enforcement Network shall finalize the proposed virtual currency rule (85 Fed. Reg. 83840; relating to requirements for certain transactions involving convertible virtual currency or digital assets).

(d) REPORTING REQUIREMENTS.—Not later than 18 months after the date of enactment of this Act, the Financial Crimes Enforcement Network shall promulgate regulations that require United States persons with greater than $10,000 in digital assets in 1 or more accounts outside of the United States to file a report described in section 1010.350 of title 31, Code of Federal Regulations, using the form described in that section, in accordance with section 5314 of title 31, United States Code.

(e) TREASURY REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Treasury shall promulgate regulations that require financial institutions to establish controls to mitigate illicit finance risks associated with—

(1) handling, using, or transacting business with digital asset mixers, anonymity enhanced cryptocurrency, and other anonymity-enhancing technologies, as specified by the Secretary; and

(2) handling, using, or transacting business with digital assets that have been anonymized by the technologies described in paragraph (1).

SEC. 1099. EXAMINATION AND REVIEW PROCESS.

(a) TREASURY.—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, shall establish a risk-focused examination and review process for digital assets participants designated as financial institutions and money services businesses to assess—

(1) the adequacy of antimoney-laundering and countering-the-financing-of-terrorism programs and reporting obligations under subsections (g) and (h) of section 5318 of title 31, United States Code; and

(2) compliance with antimoney laundering and countering-the-financing-of-terrorism requirements under subchapter II of chapter 53 of title 31, United States Code.

(b) SEC.—Not later than 2 years after the date of enactment of this Act, the Securities and Exchange Commission, in consultation with the Secretary of the Treasury, shall establish a dedicated risk-focused examination and review process for entities regulated by the Commission to assess—

(1) the adequacy of antimoney laundering and countering-the-financing-of-terrorism programs and reporting obligations under subsections (g) and (h) of section 5318 of title 31, United States Code; and

(2) compliance with antimoney laundering and countering-the-financing-of-terrorism requirements under subchapter II of chapter 53 of title 31, United States Code.

(c) CFTC.—Not later than 2 years after the date of enactment of this Act, the Commodity Futures Trading Commission, in consultation with the Secretary of the Treasury, shall establish a dedicated risk-focused examination and review process for entities regulated by the Commission to assess—

(1) the adequacy of antimoney laundering and countering-the-financing-of-terrorism programs and reporting obligations under subsections (g) and (h) of section 5318 of title 31, United States Code; and

(2) compliance with antimoney laundering and countering-the-financing-of-terrorism requirements under subchapter II of chapter 53 of title 31, United States Code.

SEC. 1099A. DIGITAL ASSETS KIOSKS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Financial Crimes Enforcement Network shall require digital asset kiosks owners and administrators to submit and update the physical addresses of the kiosks owned or operated by the owner or administrator every 90 days, as applicable.

(b) RULEMAKING.—Not later than 18 months after the date of enactment of this Act, the Financial Crimes Enforcement Network shall promulgate regulations requiring digital asset kiosk owners and administrators to—

(1) verify the identity of each customer using a valid form of government-issued identification or other documentary method, as determined by the Secretary of the Treasury; and

(2) collect the name and physical address of each counterparty to the transaction.

(c) REPORTS.—

(1) FINCEN.—Not later than 180 days after the date of enactment of this Act, the Financial Crimes Enforcement Network shall issue a report on digital assets kiosk networks operating as money services businesses that have not registered with the Financial Crimes Enforcement Network in violation of section 1022.380 of title 31, Code of Federal Regulations, that includes—

(A) estimates of the number and locations of suspected unlicensed operators, as applicable; and

(B) an assessment of any additional resources the Financial Crimes Enforcement Network determines to be necessary to investigate the unlicensed digital asset kiosk networks.

(2) DEA.—Not later than 1 year after the date of enactment of this Act, the Drug Enforcement Administration shall, in consultation with other agencies as appropriate, issue a report identifying recommendations to reduce drug trafficking and money laundering associated with digital assets kiosks.

SEC. 1099B. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of the Treasury such sums as are necessary to carry out this subtitle.

SA 2755. Ms. WARREN 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 XXVIII, insert the following:

SEC. 28_____. APPLICATION OF FEDERAL, STATE, AND LOCAL HOUSING LAWS TO PRIVATIZED MILITARY HOUSING.

Section 2890 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) TREATMENT OF HOUSING LAWS.—All Federal, State, and local housing protections that would otherwise apply to an individual located in a jurisdiction surrounding a military installation in the United States, including standards relating to habitability and defenses to eviction, shall apply to an individual residing in a housing unit that is located on a military installation.''.

SA 2756. Ms. WARREN (for herself, Mr. KING, Mr. HOEVEN, Mr. BLUMENTHAL, Mr. CASEY, and 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 appropriate place in title X, insert the following:

SEC. ___. RECOGNITION AND HONORING OF SERVICE OF INDIVIDUALS WHO SERVED IN UNITED STATES CADET NURSE CORPS DURING WORLD WAR II.

Section 106 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(g)(1)(A) Service as a member of the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 31, 1948, of any individual who was honorably discharged therefrom pursuant to subparagraph (B) shall be considered active duty for purposes of eligibility and entitlement to benefits under chapters 23 and 24 of this title (including with respect to headstones and markers), other than such benefits relating to the interment of the individual in Arlington National Cemetery provided solely by reason of such service.

''(B)(i) Not later than one year after the date of the enactment of this subsection, the Secretary of Defense shall issue to each individual who served as a member of the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 31, 1948, a discharge from such service under honorable conditions if the Secretary determines that the nature and duration of the service of the individual so warrants.

''(ii) A discharge under clause (i) shall designate the date of discharge. The date of discharge shall be the date, as determined by the Secretary, of the termination of service of the individual concerned as described in that clause.

''(2) An individual who receives a discharge under paragraph (1)(B) for service as a member of the United States Cadet Nurse Corps shall be honored as a veteran but shall not be entitled by reason of such service to any benefit under a law administered by the Secretary of Veterans Affairs, except as provided in paragraph (1)(A).

''(3) The Secretary of Defense may design and produce a service medal or other commendation, or memorial plaque or grave marker, to honor individuals who receive a discharge under paragraph (1)(B).''.

SA 2757. 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:

Strike sections 1113 and 1114.

SA 2758. 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. ___. ACCESS TO RECORDS RELATING TO MARTIN LUTHER KING, JR..

(a) FINDINGS.—Congress finds that—

(1) Dr. Martin Luther King, Jr. was the subject of an egregious and invasive campaign of government surveillance, undertaken without judicial review;

(2) surveillance recorded the private conversations of Dr. Martin Luther King, Jr and others; and

(3) in light of the extensive historical and congressional review of Dr. Martin Luther King, Jr. and the government surveillance carried out against him, the historical value of the records at issue is duplicatable and does not outweigh the harm to the privacy interests of the recorded individuals.

(b) ACCESS TO RECORDS.—

(1) DEFINITIONS.—In this section:

(A) ARCHIVIST.—The term ''Archivist'' means the Archivist of the United States.

(B) COVERED RECORDS.—The term ''covered records'' means any tapes or documents in the custody of any Federal agency relating to the surveillance by the Federal Bureau of Investigation of Dr. Martin Luther King, Jr., that were the subject of the order of the United States District Court for the District of Columbia filed on January 31, 1977.

(2) ACCESS FOR THE KING CHILDREN.—

(A) IN GENERAL.—On the day after the last day on which the covered records are required to be kept under seal under the order described in paragraph (1)(B), the Archivist shall grant the surviving children of Dr. Martin Luther King, Jr., exclusive access to view the covered records, in consultation with expert historians and archivists.

(B) PROHIBITION ON PUBLICATION.—The surviving children described in subparagraph (A) are prohibited from making the covered records available to the public.

(C) NO SURVIVING CHILDREN.—If there are no surviving children, as described in subparagraph (A), the Archivist shall grant the right under such subparagraph to the estates or heirs of the children of Dr. Martin Luther King, Jr., and the prohibition under subparagraph (B) shall apply to such estates or heirs.

(3) SEALING AND PUBLIC RELEASE.—

(A) SEALING.—The Archivist shall keep under seal each covered record for 60 years beginning on the day after the last day on which the covered records are required to be kept under seal.

(B) PUBLIC RELEASE.—After the conclusion of the 60-year period described in subparagraph (A), the covered records shall be subject to public release and dissemination by the Archivist pursuant to the usual protocols used by the Archivist for the release of records.

SA 2759. Ms. KLOBUCHAR (for herself, Mr. CRAMER, Mr. CARPER, and Mr. DAINES) 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. _____. CREDIT MONITORING.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605A(k) (15 U.S.C. 1681c–1(k))—

(A) by striking paragraph (1) and inserting the following:

''(1) DEFINITIONS.—In this subsection:

''(A) UNIFORMED SERVICES.—The term 'uniformed services' has the meaning given the term in section 101(a) of title 10, United States Code.

''(B) UNIFORMED SERVICES MEMBER CONSUMER.—The term 'uniformed services member consumer' means a consumer who, regardless of duty status, is—

''(i) a member of the uniformed services; or

''(ii) a spouse, or a dependent who is not less than 18 years old, of a member of the uniformed services.''; and

(B) in paragraph (2)(A), by striking ''active duty military consumer'' and inserting ''uniformed services member consumer''; and

(2) in section 625(b)(1)(K) (15 U.S.C. 1681t(b)(1)(K)), by striking ''active duty military consumers'' and inserting ''uniformed services member consumers''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 1 year after the date on which the agency described in section 605A(k)(3) of the Fair Credit Reporting Act (15 U.S.C. 1681c–1(k)(3)) issues a final rule that updates existing rules to implement the amendments made by subsection (a).

SA 2760. Mr. MANCHIN (for himself and Mrs. BLACKBURN) 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 X, add the following:

SEC. 1049. DEFINITION OF RURAL AREA FOR CERTAIN IMMIGRATION AND HOMELAND SECURITY PURPOSES.

(a) EB-5 IMMIGRANT INVESTOR VISAS.—Section 203(b)(5)(D)(vii) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)(D)(vii)) is amended to read as follows:

''(vii) RURAL AREA.—The term 'rural area' means—

''(I) any area other that is not within a metropolitan statistical area (as designated by the Director of the Office of Management and Budget) or within the outer boundary of any city or town with a population of 20,000 or more (based on the most recent decennial census of the United States);

''(II) a county within a metropolitan statistical area without an urbanized area (as designated by the Census Bureau);

''(III) any census tract within a metropolitan statistical area with a primary Rural-Urban Commuting Area Code of 4 through 10 (as determined by Economic Research Service of the Department of Agriculture);

''(IV) any county within a metropolitan statistical area with a population of fewer than 50,000 people if more than 80 percent of the census tracts within such county have a Road Ruggedness Scale of 3, 4 or 5 (as categorized by the Economic Research Service of the Department of Agriculture); and

''(V) any census tract within a metropolitan statistical area with a land area greater than 100 square miles and a Road Ruggedness Scale of 3, 4, or 5.''.

(b) RURAL POLICING INSTITUTE.—Section 210C(c) of the Homeland Security Act of 2002 (6 U.S.C. 124j(c)) is amended to read as follows:

''(c) DEFINED TERM.—In this section, the term 'rural area' has the meaning given such term in section 203(b)(5)(D)(vii) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)(D)(vii)).''.

SA 2761. Mr. CARDIN 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. TRANSFER AND REDESIGNATION OF THE 121ST FIGHTER SQUADRON OF THE 113TH WING, DISTRICT OF COLUMBIA AIR NATIONAL GUARD.

Not later than September 30, 2025, the Secretary of the Air Force shall transfer and redesignate the 121st Fighter Squadron of the 113th Wing, District of Columbia Air National Guard to the 175th Wing of the Maryland Air National Guard.

SA 2762. Mr. CARDIN 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—Peace Corps Act of 2024

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Peace Corps Act of 2024''.

SEC. 1097. CODIFICATION OF CERTAIN EXECUTIVE ORDERS RELATING TO EXISTING NONCOMPETITIVE ELIGIBILITY FEDERAL HIRING STATUS FOR RETURNING VOLUNTEERS AND EXTENSION OF THE PERIOD OF SUCH STATUS.

The Peace Corps Act (22 U.S.C. 2501 et seq.) is amended by inserting after section 5A the following:

''SEC. 5B. CODIFICATION OF EXECUTIVE ORDERS RELATING TO NONCOMPETITIVE ELIGIBILITY FEDERAL HIRING STATUS FOR RETURNING VOLUNTEERS.

''(a) IN GENERAL.—Subject to subsection (b), Executive Order 11103 (22 U.S.C. 2504 note; relating to Providing for the Appointment of Former Peace Corps Volunteers to the Civilian Career Services), as amended by Executive Order 12107 (44 Fed. Reg. 1055; relating to the Civil Service Commission and Labor-Management in the Federal Service), as in effect on the day before the date of the enactment of the Peace Corps Act of 2024, shall remain in effect and have the full force and effect of law.

''(b) PERIOD OF ELIGIBILITY.—

''(1) DEFINITIONS.—In this subsection:

''(A) EXECUTIVE AGENCY.—The term 'Executive agency'—

''(i) has the meaning given such term in section 105 of title 5, United States Code;

''(ii) includes the United States Postal Service and the Postal Regulatory Commission; and

''(iii) does not include the Government Accountability Office.

''(B) HIRING FREEZE.—The term 'hiring freeze' means any memorandum, Executive order, or other action by the President that prohibits an Executive agency from filling vacant Federal civilian employee positions or creating new such positions.

''(2) IN GENERAL.—The period of eligibility for noncompetitive appointment to the civil service provided to an individual under subsection (a), including any individual who is so eligible on the date of the enactment of the Peace Corps Act of 2024, shall be extended by the total number of days, during such period, that—

''(A) a hiring freeze for civilian employees of the executive branch is in effect by order of the President with respect to any Executive agency at which the individual has applied for employment;

''(B) there is a lapse in appropriations with respect to any Executive agency at which the individual has applied for employment; or

''(C) the individual is receiving disability compensation under section 8142 of title 5, United States Code, based on the individual's service as a Peace Corps volunteer, retroactive to the date the individual applied for such compensation.

''(3) APPLICABILITY.—The period of eligibility for noncompetitive appointment status to the civil service under subsection (a) shall apply to a Peace Corps volunteer—

''(A) whose service ended involuntarily as a result of a suspension of volunteer operations by the Director, but may not last longer than 1 year after the date on which such service ended involuntarily; or

''(B) who re-enrolls as a volunteer in the Peace Corps after completion of a term of service.''.

SEC. 1098. EXTENSION OF PERIOD OF EXISTING NONCOMPETITIVE ELIGIBILITY FEDERAL HIRING STATUS FOR RETURNING VOLUNTEERS.

The Peace Corps Act (22 U.S.C. 2501 et seq.) is amended by inserting after section 5B, as added by section 1097 of this Act, the following:

''SEC. 5C. EXTENSION OF PERIOD OF EXISTING NONCOMPETITIVE ELIGIBILITY FEDERAL HIRING STATUS FOR RETURNING VOLUNTEERS.

''(a) IN GENERAL.—Subject to section 5B, Executive Order 11103 (22 U.S.C. 2504 note; relating to Providing for the Appointment of Former Peace Corps Volunteers to the Civilian Career Services), as amended by Executive Order 12107 (44 Fed. Reg. 1055; relating to the Civil Service Commission and Labor-Management in the Federal Service), as in effect on the day before the date of the enactment of the Peace Corps Act of 2024, shall remain in effect and have the full force and effect of law.

''(b) NONCOMPETITIVE ELIGIBILITY FEDERAL HIRING STATUS.—Subject to subsection (d), any volunteer whose Peace Corps service was terminated after April 1, 2020, and who has been certified by the Director as having satisfactorily completed a full term of service, may be appointed not later than 2 years after completion of qualifying service to a position in any United States department, agency, or establishment in the competitive service under title 5, United States Code, without competitive examination, in accordance with such regulations and conditions as may be prescribed by the Director of the Office of Personnel Management.

''(c) EXTENSION.—The appointing authority may extend the noncompetitive appointment eligibility under subsection (b) to not more than 3 years after a volunteer's separation from the Peace Corps if the volunteer, following such service, was engaged in—

''(1) military service;

''(2) the pursuit of studies at a recognized institution of higher learning; or

''(3) other activities which, in the view of the appointing authority, warrant an extension of such eligibility.

''(d) EXCEPTION.—The appointing authority may not extend the noncompetitive appointment eligibility under subsection (b) to any volunteer who chooses to be subject to early termination.''.

SEC. 1099. PROTECTION OF PEACE CORPS VOLUNTEERS AGAINST REPRISAL OR RETALIATION.

Section 8G of the Peace Corps Act (22 U.S.C. 2507g) is amended by adding at the end the following:

''(d) PROHIBITION AGAINST REPRISAL OR RETALIATION.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED OFFICIAL OR OFFICE.—The term 'covered official or office' means—

''(i) any Peace Corps employee, including an employee of the Office of Inspector General;

''(ii) a Member of Congress or a designated representative of a committee of Congress;

''(iii) an Inspector General (other than the Inspector General for the Peace Corps);

''(iv) the Government Accountability Office;

''(v) any authorized official of the Department of Justice or other Federal law enforcement agency; and

''(vi) a United States court, including any Federal grand jury.

''(B) RELIEF.—The term 'relief' includes all affirmative relief necessary to make a volunteer whole, including monetary compensation, equitable relief, compensatory damages, and attorney fees and costs.

''(C) REPRISAL OR RETALIATION.—The term 'reprisal or retaliation' means taking, threatening to take, or initiating adverse administrative action against a volunteer because the volunteer made a report described in subsection (a) or otherwise disclosed to a covered official or office any information pertaining to waste, fraud, abuse of authority, misconduct, mismanagement, violations of law, or a significant threat to health and safety, if the activity or occurrence complained of is based upon the reasonable belief of the volunteer.

''(2) IN GENERAL.—The Director of the Peace Corps shall take all reasonable measures, including through the development and implementation of a comprehensive policy, to prevent and address reprisal or retaliation against a volunteer by any Peace Corps officer or employee, or any other person with supervisory authority over the volunteer during the volunteer's period of service.

''(3) REPORTING AND INVESTIGATION; RELIEF.—

''(A) IN GENERAL.—A volunteer may report a complaint or allegation of reprisal or retaliation—

''(i) directly to the Inspector General of the Peace Corps, who may conduct such investigations and make such recommendations with respect to the complaint or allegation as the Inspector General considers appropriate; and

''(ii) through other channels provided by the Peace Corps, including through the process for confidential reporting implemented pursuant to subsection (a).

''(B) RELIEF.—The Director of the Peace Corps—

''(i) may order any relief for an affirmative finding of a proposed or final resolution of a complaint or allegation of reprisal or retaliation in accordance with policies, rules, and procedures of the Peace Corps; and

''(ii) shall ensure that such relief is promptly provided to the volunteer.

''(4) APPEAL.—

''(A) IN GENERAL.—A volunteer may submit an appeal to the Director of the Peace Corps of any proposed or final resolution of a complaint or allegation of reprisal or retaliation.

''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to affect any other right of recourse a volunteer may have under any other provision of law.

''(5) NOTIFICATION OF RIGHTS AND REMEDIES.—The Director of the Peace Corps shall ensure that volunteers are informed in writing of the rights and remedies provided under this section.

''(6) DISPUTE MEDIATION.—The Director of the Peace Corps shall offer the opportunity for volunteers to resolve disputes concerning a complaint or allegation of reprisal or retaliation through mediation in accordance with procedures developed by the Peace Corps.

''(7) VOLUNTEER COOPERATION.—The Director of the Peace Corps may take such disciplinary or other administrative action, including termination of service, with respect to a volunteer who unreasonably refuses to cooperate with an investigation into a compliant or allegation of reprisal or retaliation conducted by the Inspector General of the Peace Corps.''.

SEC. 1099A. SEXUAL ASSAULT ADVISORY COUNCIL.

(a) REPORT AND EXTENSION OF THE SEXUAL ASSAULT ADVISORY COUNCIL.—Section 8D of the Peace Corps Act (22 U.S.C. 2507d) is amended—

(1) by amending subsection (d) to read as follows:

''(d) REPORTS.—On an annual basis through the date specified in subsection (g), the Council shall submit a report to the Director of the Peace Corps, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that describes its findings based on the reviews conducted pursuant to subsection (c) and includes relevant recommendations. Each such report shall be made publicly available.''; and

(2) in subsection (g), by striking ''October 1, 2023'' and inserting ''October 1, 2029''.

SEC. 1099B. SUSPENSION WITHOUT PAY.

Section 7 of the Peace Corps Act (22 U.S.C. 2506) is amended by inserting after subsection (a) the following:

''(b) SUSPENSION WITHOUT PAY.—(1) The Peace Corps may suspend (without pay) any employee appointed or assigned under this section if the Director has determined that the employee engaged in serious misconduct that could impact the efficiency of the service and could lead to removal for cause.

''(2) Any employee for whom a suspension without pay is proposed under this subsection shall be entitled to—

''(A) written notice stating the specific reasons for such proposed suspension;

''(B)(i) up to 15 days to respond orally or in writing to such proposed suspension if the employee is assigned in the United States; or

''(ii) up to 30 days to respond orally or in writing to such proposed suspension if the employee is assigned outside of the United States;

''(C) representation by an attorney or other representative, at the employee's own expense;

''(D) a written decision, including the specific reasons for such decision, as soon as practicable;

''(E) a process through which the employee may submit an appeal to the Director of the Peace Corps not later than 10 business days after the issuance of a written decision; and

''(F) a final decision personally rendered by the Director of the Peace Corps not later than 30 days after the receipt of such appeal.

''(3) Notwithstanding any other provision of law, a final decision under paragraph (2)(F) shall be final and not subject to further review.

''(4) If the Director fails to establish misconduct by an employee under paragraph (1) and no disciplinary action is taken against such employee based upon the alleged grounds for the suspension, the employee shall be entitled to reinstatement, back pay, full benefits, and reimbursement of attorney fees of up to $20,000.''.

SA 2763. Mr. CARDIN 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. DIVERSITY IN NATIONAL SECURITY AND INTERNATIONAL AFFAIRS MATTERS.

(a) TRANSPARENCY AND ACCOUNTABILITY IN NATIONAL SECURITY AND INTERNATIONAL AFFAIRS WORKFORCE POLICIES AND PRACTICES.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that it is in the strategic interest of the United States to recruit and retain talent from across the United States to support the national security and foreign policy goals of the United States.

(2) ESTABLISHMENT.—There shall be established within the front office of the Department of State, the United States Agency for International Development, and other international affairs and national security agencies (as applicable), a Diversity and Inclusion Office (in this section referred to as the ''Office'') to advance transparency, accountability, and meritocracy in the recruitment and retention of a diverse workforce.

(3) HEAD OF OFFICE.—Each Office shall be led by a Chief Diversity Officer or Chief Diversity and Inclusion Officer (in this subsection referred to as the ''Officer''), who shall—

(A) report directly to the Secretary, the Administrator, or other agency head, as applicable;

(B) develop and promote strategies in support of the policy expressed in paragraph (1), including—

(i) serving as a permanent voting member of any agency committee or panel responsible for the selection of senior leadership positions within the agency; and

(ii) developing a Diversity, Equity, Inclusion and Accessibility Strategic Plan or another comprehensive strategic plan that supports a diverse workforce and advances fair, transparent, and safe human resources policies and practices; and

(C) be supported by expert senior, mid-career, and other personnel to assist in the development and implementation of diversity, equity, and inclusion initiatives.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each Office such sums as may be necessary to establish and maintain the work described in paragraph (3).

(b) OFFICE OF RACE AND ETHNIC RELATIONS AND AFFAIRS.—

(1) ESTABLISHMENT.—The Secretary may establish within the front office of the Under Secretary of State for Civilian Security, Democracy, and Human Rights an Office of Race and Ethnic Relations and Affairs (in this subsection referred to as the ''Office'') to assist in addressing national security and human rights concerns stemming from racial and ethnic divisions and conflicts.

(2) HEAD OF OFFICE AND FUNCTIONS.—The head of the Office shall—

(A) be a recognized expert in race and ethnic relations, hold the rank and status of ambassador or equivalent position, and report directly to the Secretary; and

(B) direct and coordinate activities, policies, programs, action plans, public diplomacy, and funding relating to the human rights, protection, and empowerment of members of marginalized and underserved racial, ethnic, and indigenous populations, including individuals of African descent and Roma populations;

(C) work to improve race and ethnic relations and address racial and ethnic violence;

(D) represent the United States in contacts with foreign governments, international organizations, and specialized agencies relating to race and ethnicity, and lead the coordination, monitoring, and evaluation of United States international race and ethnic policies and programs; and

(E) establish a program to support international research and education on race and ethnicity in national and regional conflicts.

(c) CENTERS OF EXCELLENCE IN FOREIGN AFFAIRS AND ASSISTANCE.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development, in coordination with the Secretary of State, may designate Centers of Excellence in Foreign Affairs and Assistance

at historically Black colleges and universities and other institutions to receive grants to develop research, training, fellowship, internships, degree programs, educational exchange programs, and other partnership opportunities that advance United States national security through foreign policy and international development efforts.

(2) HISTORICALLY BLACK COLLEGE AND UNIVERSITY DEFINED.—In this section, the term ''historically Black college and university'' has the meaning given the term ''part B institution'' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

SA 2764. 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. _____. TEMPORARY JUDGESHIPS IN THE DISTRICT COURTS.

(a) EXISTING JUDGESHIPS.—The existing judgeships for the district of Hawaii, the district of Kansas, and the eastern district of Missouri authorized by section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note) and the existing judgeships for the northern district of Alabama, the district of Arizona, the central district of California, the southern district of Florida, the district of New Mexico, the western district of North Carolina, and the eastern district of Texas authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note) shall, as of the effective date of this section, be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this section.

(b) TABLES.—In order that the table contained in section 133 of title 28, United States Code, will, with respect to each judicial district, reflect the changes in the total number of permanent district judgeships authorized as a result of subsection (a) of this section, such table is amended—

(1) by striking the items relating to Alabama and inserting the following:

''Alabama:	
Northern	8
Middle	3
Southern	3'';

(2) by striking the item relating to Arizona and inserting the following:

''Arizona	13'';

(3) by striking the items relating to California and inserting the following:

''California:	
Northern	14
Eastern	6
Central	28
Southern	13'';

(4) by striking the items relating to Florida and inserting the following:

''Florida:	
Northern	4
Middle	15
Southern	18'';

(5) by striking the item relating to Hawaii and inserting the following:

''Hawaii	4'';

(6) by striking the item relating to Kansas and inserting the following:

''Kansas	6'';

(7) by striking the items relating to Missouri and inserting the following:

''Missouri:	
Eastern	7
Western	5
Eastern and Western	2'';

(8) by striking the item relating to New Mexico and inserting the following:

''New Mexico	7'';

(9) by striking the items relating to North Carolina and inserting the following:

''North Carolina:	
Eastern	4
Middle	4
Western	5''; and

(10) by striking the items relating to Texas and inserting the following:

''Texas:	
Northern	12
Southern	19
Eastern	8
Western	13''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section and the amendments made by this section.

SA 2765. 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. _____. NATURAL GAS EXPORTS.

(a) FINDING.—Congress finds that expanding natural gas exports will lead to increased investment and development of domestic supplies of natural gas that will contribute to job growth and economic development.

(b) NATURAL GAS EXPORTS.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by inserting ''or any other nation not excluded by this section'' after ''trade in natural gas'';

(2) by striking ''(c) For purposes'' and inserting the following:

''(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

''(1) IN GENERAL.—For purposes''; and

(3) by adding at the end the following:

''(2) EXCLUSIONS.—

''(A) IN GENERAL.—Any nation subject to sanctions or trade restrictions imposed by the United States is excluded from expedited approval under paragraph (1).

''(B) DESIGNATION BY PRESIDENT OR CONGRESS.—The President or Congress may designate nations that may be excluded from expedited approval under paragraph (1) for reasons of national security.

''(3) ORDER NOT REQUIRED.—No order is required under subsection (a) to authorize the export or import of any natural gas to or from Canada or Mexico.''.

SA 2766. 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. _____. PROHIBITION ON SALES OF PETROLEUM PRODUCTS FROM THE STRATEGIC PETROLEUM RESERVE TO CERTAIN COUNTRIES.

(a) PROHIBITIONS.—Notwithstanding any other provision of law, unless a waiver has been issued under subsection (b), the Secretary of Energy shall not draw down and sell petroleum products from the Strategic Petroleum Reserve—

(1) to any entity that is under the ownership or control of the Chinese Communist Party, the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran; or

(2) except on the condition that such petroleum products will not be exported to the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran.

(b) WAIVER.—

(1) IN GENERAL.—On application by a bidder, the Secretary of Energy may waive, prior to the date of the applicable auction, the prohibitions described in subsection (a) with respect to the sale of crude oil to that bidder at that auction.

(2) REQUIREMENT.—The Secretary of Energy may issue a waiver under this subsection only if the Secretary determines that the waiver is in the interest of the national security of the United States.

(3) APPLICATIONS.—A bidder seeking a waiver under this subsection shall submit to the Secretary of Energy an application by such date, in such form, and containing such information as the Secretary of Energy may require.

(4) NOTICE TO CONGRESS.—Not later than 15 days after issuing a waiver under this subsection, the Secretary of Energy shall provide a copy of the waiver to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SA 2767. 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. RESTRICTIONS AT WORLD BANK GROUP AND INTERNATIONAL MONETARY FUND.

(a) HAMAS AND PALESTINE ISLAMIC JIHAD.—

(1) WORLD BANK GROUP.—The Secretary of the Treasury shall instruct the United States Executive Director to the World Bank Group shall to use the voice, vote, and influence of the United States at the World Bank Group to oppose all projects relating to the Palestinian Authority or territories of the West Bank or Gaza Strip, until the Secretary certifies to the appropriate congressional committees that—

(A) Hamas, Palestine Islamic Jihad, or any of its successor organizations do not exert direct or indirect political or military control over the territories of the West Bank or Gaza Strip;

(B) the terrorist infrastructure within the West Bank and Gaza has been verifiably dismantled; and

(C) the Palestinian Authority or any successor does not include members of Hamas, Palestinian Islamic Jihad, or any of its agents, affiliates, or successor organizations.

(2) INTERNATIONAL MONETARY FUND.—The Secretary of the Treasury shall instruct the United States Executive Director to the International Monetary Fund to use the voice, vote, and influence of the United States at the Fund to oppose all financing relating to the Palestinian Authority or territories of the West Bank or Gaza Strip, until the Secretary certifies to the appropriate congressional committees that—

(A) Hamas, Palestine Islamic Jihad, or any of its successor organizations do not exert direct or indirect political or military control over the territories of the West Bank or Gaza Strip;

(B) the terrorist infrastructure within the West Bank and Gaza has been verifiably dismantled; and

(C) the Palestinian Authority or any successor does not include members of Hamas, Palestinian Islamic Jihad, or any of its agents, affiliates or successor organizations.

(b) YEMEN AND HOUTHIS.—

(1) WORLD BANK GROUP.—The Secretary shall instruct the United States Executive Director to the World Bank Group shall to

use the voice, vote, and influence of the United States at the World Bank Group to oppose all projects relating to the Yemen until the Secretary certifies to the appropriate congressional committees that Yemeni Houthi or any of its successor organizations do not exert direct or indirect political or military control over Yemen.

(2) INTERNATIONAL MONETARY FUND.—The Secretary shall instruct the United States Executive Director to the International Monetary Fund to use the voice, vote, and influence of the United States at the Fund to oppose all financing relating to the Yemen until the Secretary certifies to the appropriate congressional committees that Yemeni Houthi or any of its successor organizations do not exert direct or indirect political or military control over Yemen.

(c) LEBANON AND HIZBOLLAH.—

(1) WORLD BANK GROUP.—The Secretary shall instruct the United States Executive Director to the World Bank Group shall to use the voice, vote, and influence of the United States at the World Bank Group to oppose all projects relating to Lebanon until the Secretary certifies to the appropriate congressional committees that Hizbollah or any of its successor organizations do not exert direct or indirect political or military control over Lebanon.

(2) INTERNATIONAL MONETARY FUND.—The Secretary shall instruct the United States Executive Director to the International Monetary Fund to use the voice, vote, and influence of the United States at the Fund to oppose all financing relating to Lebanon until the Secretary certifies to the Appropriate congressional committees that Hizbollah or any of its successor organizations do not exert direct or indirect political or military control over Lebanon.

(d) IRAQ AND KATA'IB HIZBALLAH.—

(1) WORLD BANK GROUP.—The Secretary shall instruct the United States Executive Director to the World Bank Group shall to use the voice, vote, and influence of the United States at the World Bank Group to oppose all projects relating to Iraq until the Secretary certifies to the appropriate congressional committees that Kata'ib Hizballah or any of its successor organizations do not exert direct or indirect political or military control over Iraq.

(2) INTERNATIONAL MONETARY FUND.—The Secretary shall instruct the United States Executive Director to the International Monetary Fund to use the voice, vote, and influence of the United States at the Fund to oppose all financing relating to Iraq until the Secretary certifies to the appropriate congressional committees that Kata'ib Hizballah or any of its successor organizations do not exert direct or indirect political or military control over Iraq.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(2) HAMAS.—The term ''Hamas'' means—

(A) the entity known as Hamas and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(B) any person—

(i) identified as an agent or instrumentality of Hamas on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury; and

(ii) the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(3) KATA'IB HIZBALLAH.—The term ''Kata'ib Hizballah'' means—

(A) the entity known Kata'ib Hizballah and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(B) any person—

(i) identified as an agent or instrumentality of Kata'ib Hizballah on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury; and

(ii) the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(4) PALESTINE ISLAMIC JIHAD.—The term ''Palestine Islamic Jihad'' means—

(A) the entity known as Palestine Islamic Jihad and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) any person—

(i) identified as an agent or instrumentality of Palestine Islamic Jihad on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury; and

(ii) the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(5) YEMENI HOUTHI.—The term ''Yemeni Houthi'' means—

(A) the entity known as Houthi or Ansarallah and designated by the Secretary of State as a specially designated as a specially designated global terrorist organization under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism); and

(B) any person—

(i) identified as an agent or instrumentality of Houthi or Ansarallah on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury; and

(ii) the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

SA 2768. 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 title X, add the following:

Subtitle I—International Nuclear Energy Financing Act of 2024

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''International Nuclear Energy Financing Act of 2024''.

SEC. 1097. FINDINGS.

Congress finds as follows:

(1) Nuclear power provides clean energy with greater reliability than wind or solar energy, and with comparable life cycle greenhouse gas emissions.

(2) According to W. Gyude Moore, the former Minister of Public Works for Liberia, ''Obstacles to the financing of nuclear power in emerging economies work to prevent countries like my own from industrializing our economies and building climate-resilient infrastructure. This is especially bad timing as the next generation of nuclear technologies, including small modular reactors and microreactors, are especially suitable to emerging markets. Such restrictions are an example of climate injustice, not a reaction against it.''.

(3) The People's Republic of China and the Russian Federation have sought to export nuclear reactors to Europe, Eurasia, Latin America, and South Asia using technologies which, according to a 2017 study by Columbia University's Center on Global Energy Policy, are associated with higher safety risk than American and Japanese reactor designs.

(4) In a 2019 letter to congressional leaders, 38 national security experts emphasized the importance of nuclear energy finance to counter Chinese and Russian ambitions, writing: ''In the nuclear energy sector, the initial supply of a reactor typically leads to the supplier's involvement throughout the hundred-year life of the nuclear program, enabling long-term influence on nuclear safety, security and nonproliferation, as well as the ability to advance energy security and broader foreign policy interests.''.

(5) As Rafael Mariano Grossi, Director General of the International Atomic Energy Agency, wrote in Climate Change and Nuclear Power 2020, ''Nuclear power, currently being generated in 30 countries, is already reducing carbon dioxide emissions by about two gigatons per year. That is the equivalent of taking more than 400 million cars off the road—every year.''. He continued, ''Nuclear power now provides about 10 percent of the world's electricity, but it contributes almost 30 percent of all low carbon electricity. Nuclear power will be essential for achieving the low carbon future which world leaders have agreed to strive for.''.

SEC. 1098. INTERNATIONAL FINANCIAL INSTITUTION SUPPORT FOR NUCLEAR ENERGY.

The Secretary of the Treasury shall instruct the United States Executive Director at the International Bank for Reconstruction and Development and, as the Secretary deems appropriate, the United States Executive Director at any other international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act (22 U.S.C. 262r(c)(2)), to use the voice, vote, and influence of the United States at the institution to support financial assistance for the generation and distribution of nuclear energy, consistent with the national security interests of the United States.

SEC. 1099. WAIVER AUTHORITY.

The Secretary of the Treasury may waive the requirement of section 1098 on a case-by-base basis upon notifying the Committee on Foreign Relations of the Senate and the Committee on Financial Services of the House of Representatives that the waiver is in the national interest of the United States, with a detailed explanation of the reasons therefor.

SEC. 1099A. PROGRESS REPORT.

The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in the annual report required by section 1701 of the International Financial Institutions Act (22 U.S.C. 262r) a discussion of any progress made in promoting international financial institution (as defined in section 1701(c)(2) of such Act) assistance for nuclear energy.

SEC. 1099B. SUNSET.

This subtitle shall have no force or effect after the date that is 10 years after the date of the enactment of this Act.

SA 2769. Mr. HAGERTY (for himself and 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 appropriate place in title XII, insert the following:

SEC. ___. MODERNIZING THE DEFENSE CAPABILITIES OF THE PHILIPPINES.

(a) USE OF AUTHORITIES.—The Secretary of State, in consultation with the Secretary of Defense, shall use the authorities under this section—

(1) to strengthen the United States-Philippines alliance; and

(2) to support the acceleration of the modernization of the defense capabilities of the Philippines.

(b) PURPOSE.—In addition to the purposes otherwise authorized for Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), a purpose of such programs shall be to provide assistance, including equipment, training, and other support, to modernize the defense capabilities of the Armed Forces of the Philippines—

(1) to safeguard the territorial sovereignty of the Philippines;

(2) to improve maritime domain awareness;

(3) to counter coercive military activities;

(4) to improve the military and civilian infrastructure and capabilities necessary to prepare for regional contingencies; and

(5) to strengthen cooperation between the United States and the Philippines on counterterrorism-related efforts.

(c) ANNUAL SPENDING PLAN.—Not later than March 1, 2025, and annually thereafter for a period of 5 years, the Secretary of State, in coordination with the Secretary of Defense, shall submit to the appropriate congressional committees a plan describing how amounts authorized to be appropriated pursuant to subsection (e), if made available, would be used to achieve the purpose described in subsection (b).

(d) ANNUAL REPORT ON ENHANCING THE UNITED STATES-PHILIPPINES DEFENSE RELATIONSHIP.—

(1) REPORT.—Not later than 270 days after the date of the enactment of this Act, and annually thereafter for a period of 7 years, the Secretary of State, in consultation with the Secretary of Defense, and in consultation with such other heads of Federal departments and agencies as the Secretary of State considers appropriate, shall submit to the appropriate congressional committees a report that describes steps taken to enhance the United States-Philippines defense relationship.

(2) MATTERS TO BE INCLUDED.—Each report required under paragraph (1) shall include the following:

(A) A description of the capabilities needed to modernize the defense capabilities of the Philippines, including with respect to—

(i) coastal defense;

(ii) long-range fires;

(iii) integrated air defenses;

(iv) maritime security;

(v) manned and unmanned aerial systems;

(vi) mechanized ground mobility vehicles;

(vii) intelligence, surveillance, and reconnaissance;

(viii) defensive cybersecurity; and

(ix) any other defense capabilities that the Secretary of State determines, including jointly with the Philippines, are crucial to the defense of the Philippines.

(B) A description of additional statutory authorities and funding levels required to provide support for and cooperation with the Philippines on the capabilities described in subparagraph (A).

(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(e) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for Foreign Military Financing, there is authorized to be appropriated to the Department of State for Foreign Military Financing grant assistance for the Philippines $500,000,000 for each of fiscal years 2025 through 2030.

(f) USE OF FUNDS.—Of the amounts authorized to be appropriated pursuant to subsection (e), the Secretary of State shall obligate and expend not less than $500,000 each fiscal year for one or more blanket order agreements for Foreign Military Financing training programs related to the defense needs of the Philippines.

(g) SUNSET PROVISION.—Assistance may not be provided under this section after September 30, 2035.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) BLANKET ORDER AGREEMENT.—The term ''blanket order agreement'' means an agreement between a foreign customer and the United State Government for a specific category of items or services (including training) that—

(A) does not include a definitive list of items or quantities; and

(B) specifies a dollar ceiling against which orders may be placed.

SA 2770. Mr. WHITEHOUSE (for himself, Mr. REED, and Ms. KLOBUCHAR) 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. GRANTS FOR STATE, COUNTY, AND TRIBAL VETERANS' CEMETERIES THAT ALLOW INTERMENT OF CERTAIN PERSONS ELIGIBLE FOR INTERMENT IN NATIONAL CEMETERIES.

Section 2408 of title 38, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following new subsection (k):

''(k)(1) The Secretary may not establish a condition for a grant under this section that restricts the ability of a State, county, or tribal organization receiving such a grant to allow the interment of any person described in paragraph (8) or (10) of section 2402(a) of this title in a veterans' cemetery owned by that State or county or on trust land owned by, or held in trust for, that tribal organization.

''(2) The Secretary may not deny an application for a grant under this section solely on the basis that the State, county, or tribal organization receiving such grant may use funds from such grant to expand, improve, operate, or maintain a veterans' cemetery in which interment of persons described in paragraph (8) or (10) of section 2402(a) of this title is allowed.

''(3)(A) When requested by a State, county, or tribal organization in receipt of a grant made under this section, the Secretary shall—

''(i) determine whether a person is eligible for burial in a national cemetery under paragraph (8) or (10) of section 2402(a) of this title; and

''(ii) advise the grant recipient of the determination.

''(B) A grant recipient described in subparagraph (A) may use a determination of the Secretary under such subparagraph as a determination of the eligibility of the person concerned for burial in the cemetery for which the grant was made.''.

SA 2771. 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 of title X, add the following:

Subtitle I—Enhancing First Response Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Enhancing First Response Act''.

SEC. 1097. REPORTS AFTER ACTIVATION OF DISASTER INFORMATION REPORTING SYSTEM; IMPROVEMENTS TO NETWORK OUTAGE REPORTING.

(a) DEFINITIONS.—In this section:

(1) AUTOMATIC LOCATION INFORMATION; AUTOMATIC NUMBER IDENTIFICATION.—The terms ''Automatic Location Information'' and ''Automatic Number Identification'' have the meanings given those terms in section 9.3 of title 47, Code of Federal Regulations, or any successor regulation.

(2) BROADBAND INTERNET ACCESS SERVICE.—The term ''broadband internet access service'' has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

(3) COMMERCIAL MOBILE SERVICE.—The term ''commercial mobile service'' has the meaning given the term in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)).

(4) COMMERCIAL MOBILE DATA SERVICE.—The term ''commercial mobile data service'' has the meaning given the term in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401).

(5) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(6) INDIAN TRIBAL GOVERNMENT; LOCAL GOVERNMENT.—The terms ''Indian tribal government'' and ''local government'' have the meanings given those terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(7) INTERCONNECTED VOIP SERVICE; STATE.—The terms ''interconnected VoIP service'' and ''State'' have the meanings given those terms in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(8) OUTAGE.—The term ''outage'' has the meaning given the term in section 4.5 of title 47, Code of Federal Regulations, or any successor regulation.

(9) PUBLIC SAFETY ANSWERING POINT.—The term ''public safety answering point'' has the meaning given the term in section 222(h) of the Communications Act of 1934 (47 U.S.C. 222(h)).

(10) SYSTEM.—The term ''System'' means the Disaster Information Reporting System.

(b) REPORTS AFTER ACTIVATION OF DISASTER INFORMATION REPORTING SYSTEM.—

(1) PRELIMINARY REPORT.—

(A) IN GENERAL.—Not later than 6 weeks after the deactivation of the System with respect to an event for which the System was activated for not less than 7 days, the Commission shall issue a preliminary report on, with respect to such event and to the extent known—

(i) the number and duration of any outages of—

(I) broadband internet access service;

(II) interconnected VoIP service;

(III) commercial mobile service; and

(IV) commercial mobile data service;

(ii) the approximate number of users or the amount of communications infrastructure potentially affected by an outage described in clause (i);

(iii) the number and duration of any outages that prevent public safety answering points from receiving caller location or number information or receiving emergency calls and routing such calls to emergency service personnel; and

(iv) any additional information determined appropriate by the Commission.

(B) DEVELOPMENT OF REPORT.—The Commission shall develop the report required by subparagraph (A) using information collected by the Commission, including information collected by the Commission through the System.

(2) PUBLIC FIELD HEARINGS.—

(A) REQUIREMENT.—Not later than 8 months after the deactivation of the System with respect to an event for which the System was activated for not less than 7 days, the Commission shall hold not less than 1 public field hearing in the area affected by such event.

(B) INCLUSION OF CERTAIN INDIVIDUALS IN HEARINGS.—For each public field hearing held under subparagraph (A), the Commission shall consider including—

(i) representatives of State government, local government, or Indian tribal governments in areas affected by such event;

(ii) residents of the areas affected by such event, or consumer advocates;

(iii) providers of communications services affected by such event;

(iv) faculty of institutions of higher education;

(v) representatives of other Federal agencies;

(vi) electric utility providers;

(vii) communications infrastructure companies; and

(viii) first responders, emergency managers, or 9–1–1 directors in areas affected by such event.

(3) FINAL REPORT.—Not later than 12 months after the deactivation of the System with respect to an event for which the System was activated for not less than 7 days, the Commission shall issue a final report that includes, with respect to such event—

(A) the information described in paragraph (1)(A); and

(B) any recommendations of the Commission on how to improve the resiliency of affected communications or networks recovery efforts.

(4) DEVELOPMENT OF REPORTS.—In developing a report required under this subsection, the Commission shall consider information collected by the Commission, including information collected by the Commission through the System, and any public hearing described in paragraph (2) with respect to the applicable event.

(5) PUBLICATION.—The Commission shall publish each report, excluding information that is otherwise exempt from public disclosure under the rules of the Commission, issued under this subsection on the website of the Commission upon the issuance of such report.

(c) IMPROVEMENTS TO NETWORK OUTAGE REPORTING.—Not later than 1 year after the date of enactment of this Act, the Commission shall investigate and publish a report on—

(1) the value to public safety agencies of originating service providers including visual information to improve situational awareness about outages in the notifications provided to public safety answering points, as required by rules issued by the Commission;

(2) the volume and nature of 911 outages that may go unreported under the outage notification thresholds of the Commission; and

(3) recommended changes to rules issued by the Commission to address paragraphs (1) and (2).

SEC. 1098. REPORTING OF PUBLIC SAFETY TELECOMMUNICATORS AS PROTECTIVE SERVICE OCCUPATIONS.

(a) FINDINGS.—Congress finds the following:

(1) Public safety telecommunicators play a critical role in emergency response, providing medical instruction, gathering lifesaving information, and protecting civilians and first responders.

(2) The Standard Occupational Classification system is designed and maintained solely for statistical purposes, and is used by Federal statistical agencies to classify workers and jobs into occupational categories for the purpose of collecting, calculating, analyzing, or disseminating data.

(3) Occupations in the Standard Occupational Classification are classified based on work performed and, in some cases, on the skills, education, or training needed to perform the work.

(4) Classifying public safety telecommunicators as a protective service occupation would correct an inaccurate representation in the Standard Occupational Classification, recognize these professionals for the lifesaving work they perform, and better align the Standard Occupational Classification with related classification systems.

(b) STANDARD OCCUPATIONAL CLASSIFICATION SYSTEM.—The Director of the Office of Management and Budget shall, not later than 30 days after the date of the enactment of this Act, categorize public safety telecommunicators as a protective service occupation under the Standard Occupational Classification system.

SEC. 1099. REPORT ON IMPLEMENTATION OF THE KARI'S LAW ACT OF 2017.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) MULTI-LINE TELEPHONE SYSTEM.—The term ''multi-line telephone system'' has the meaning given the term in section 721(f) of the Communications Act of 1934 (47 U.S.C. 623(f)).

(b) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Inspector General of the Commission shall publish a report regarding the enforcement by the Commission of section 721 of the Communications Act of 1934 (47 U.S.C. 623), which shall include—

(1) a summary of the extent to which multi-line telephone system manufacturers and vendors have complied with that section;

(2) potential difficulties and obstacles in complying with that section;

(3) recommendations to the Commission, if necessary, on ways to improve the policies of the Commission to better enforce that section; and

(4) recommendations to Congress, if necessary, on further legislation that could mitigate problems like those that are addressed by that section.

SA 2772. 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 appropriate place, insert the following:

SEC. ___. PREMERGER FILING FEES TO BE RETAINED AND USED FOR EXPENSES.

Beginning in fiscal year 2025, and in each fiscal year thereafter, all premerger notification filing fees collected pursuant to section 7A of the 8 Clayton Act (15 U.S.C. 18a) shall be—

(1) retained and used for expenses necessary for the enforcement of antitrust and kindred laws by the Antitrust Division of the Department of Justice and the Federal Trade Commission, to remain available until expended; and

(2) treated as direct spending described in section 250(c)(8)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)(A)).

SA 2773. Mr. BENNET (for himself and Mr. YOUNG) 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. ____. OFFICE OF GLOBAL COMPETITION ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given such term in section 105 of title 5, United States Code.

(2) OFFICE.—The term ''Office'' means the Office of Global Competition Analysis established under subsection (b).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The President shall establish an office for analysis of global competition.

(2) PURPOSES.—The purposes of the Office are as follows:

(A) To carry out a program of analysis relevant to United States leadership in science, technology, and innovation sectors critical to national security and economic prosperity

relative to other countries, particularly those countries that are strategic competitors of the United States.

(B) To support policy development and decision making across the Federal Government to ensure United States leadership in science, technology, and innovation sectors critical to national security and economic prosperity relative to other countries, particularly those countries that are strategic competitors of the United States.

(3) DESIGNATION.—The office established under paragraph (1) shall be known as the ''Office of Global Competition Analysis''.

(c) ACTIVITIES.—In accordance with the priorities determined under subsection (d), the Office shall—

(1) subject to subsection (f), acquire, access, use, and handle data or other information relating to the purposes of the Office under subsection (b)(2);

(2) conduct long- and short-term analyses regarding—

(A) United States policies that enable technological competitiveness relative to those of other countries, particularly with respect to countries that are strategic competitors of the United States;

(B) United States science and technology ecosystem elements, including regional and national research development and capacity, technology innovation, and science and engineering education and research workforce, relative to those of other countries, particularly with respect to countries that are strategic competitors of the United States;

(C) United States technology development, commercialization, and advanced manufacturing ecosystem elements, including supply chain resiliency, scale-up manufacturing testbeds, access to venture capital and financing, technical and entrepreneurial workforce, and production, relative to those of other countries, particularly with respect to countries that are strategic competitors of the United States;

(D) United States competitiveness in technology and innovation sectors critical to national security and economic prosperity relative to other countries, including the availability and scalability of United States technology in such sectors abroad, particularly with respect to countries that are strategic competitors of the United States;

(E) trends and trajectories, including rate of change in technologies, related to technology and innovation sectors critical to national security and economic prosperity;

(F) threats to United States national security interests as a result of any foreign country's dependence on technologies of strategic competitors of the United States; and

(G) threats to United States interests based on dependencies on foreign technologies critical to national security and economic prosperity;

(3) solicit input on technology and economic trends, data, and metrics from relevant private sector stakeholders, including entities involved in financing technology development and commercialization, and engage with academia to inform the analyses under paragraph (2); and

(4) to the greatest extent practicable and as may be appropriate, ensure that versions of the analyses under paragraph (2) are unclassified and available to relevant Federal agencies and offices.

(d) DETERMINATION OF PRIORITIES.—On a periodic basis, the Director of the Office of Science and Technology Policy, the Assistant to the President for Economic Policy, and the Assistant to the President for National Security Affairs shall, in coordination with such heads of Executive agencies as the Director of the Office of Science and Technology Policy and such Assistants jointly consider appropriate, jointly determine the priorities of the Office with respect to subsection (b)(2)(A), considering, as may be appropriate, the strategies and reports under subtitle B of title VI of the Research and Development, Competition, and Innovation Act (Public Law 117–167).

(e) ADMINISTRATION.—Subject to the availability of appropriations, to carry out the purposes set forth under subsection (b)(2), the Office shall enter into an agreement with a federally funded research and development center, a university affiliated research center, or a consortium of federally funded research and development centers and university-affiliated research centers.

(f) ACQUISITION, ACCESS, USE, AND HANDLING OF DATA OR INFORMATION.—In carrying out the activities under subsection (c), the Office—

(1) shall acquire, access, use, and handle data or information in a manner consistent with applicable provisions of law and policy, including laws and policies providing for the protection of privacy and civil liberties, and subject to any restrictions required by the source of the information;

(2) shall have access, upon written request, to all information, data, or reports of any Executive agency that the Office determines necessary to carry out the activities under subsection (c), provided that such access is—

(A) conducted in a manner consistent with applicable provisions of law and policy of the originating agency, including laws and policies providing for the protection of privacy and civil liberties; and

(B) consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters; and

(3) may obtain commercially available information that may not be publicly available.

(g) DETAILEE SUPPORT.—Consistent with applicable law, including sections 1341, 1517, and 1535 of title 31, United States Code, and section 112 of title 3, United States Code, the head of a department or agency within the executive branch of the Federal Government may detail personnel to the Office in order to assist the Office in carrying out any activity under subsection (c), consistent with the priorities determined under subsection (d).

(h) ANNUAL REPORT.—Not less frequently than once each year, the Office shall submit to Congress a report on the activities of the Office under this section, including a description of the priorities under subsection (d) and any support, disaggregated by Executive agency, provided to the Office consistent with subsection (g) in order to advance those priorities.

(i) PLANS.—Before establishing the Office under subsection (b)(1), the President shall submit to Congress a report detailing plans for—

(1) the administrative structure of the Office, including—

(A) a detailed spending plan that includes administrative costs; and

(B) a disaggregation of costs associated with carrying out subsection (e);

(2) ensuring consistent and sufficient funding for the Office; and

(3) coordination between the Office and relevant Executive agencies and offices.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $20,000,000 for fiscal year 2024.

(k) FUNDING.—This Act shall be carried out using amounts appropriated on or after the date of the enactment of this Act.

SA 2774. Mr. VAN HOLLEN (for himself, Mr. CARDIN, Mr. KAINE, and Mr. WARNER) 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—Establishment of Chesapeake National Recreation Area

SEC. 1096. DEFINITIONS.

In this subtitle:

(1) ADVISORY COMMISSION.—The term ''Advisory Commission'' means the Chesapeake National Recreation Area Advisory Commission established under section 1099F(a).

(2) BAY.—The term ''Bay'' means—

(A) the Chesapeake Bay watershed; and

(B) any tidal segment of a tributary of the Chesapeake Bay in any State.

(3) BAY PROGRAM.—The term ''Bay Program'' means the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).

(4) CHESAPEAKE GATEWAYS.—The term ''Chesapeake Gateways'' means the Chesapeake Bay Gateways and Watertrails Network authorized under section 502 of the Chesapeake Bay Initiative Act of 1998 (54 U.S.C. 320101 note; Public Law 105–312).

(5) MAP.—The term ''Map'' means the map entitled ''Chesapeake National Recreation Area Proposed Boundary'', numbered P99/189631, and dated June 2023.

(6) NATIONAL PARK SERVICE SITE.—The term ''National Park Service site'' means a unit of the National Park System that is—

(A) directly associated with the Bay; and

(B) located in 1 or more of the States in the Bay watershed.

(7) PARTNER SITE.—The term ''partner site'' means land that is subject to a partner site agreement under section 1099C(b).

(8) RECREATION AREA.—The term ''Recreation Area'' means the Chesapeake National Recreation Area established by section 1098(a).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(10) YOUTH REPRESENTATIVE.—The term ''youth representative'' means a member of the Advisory Commission who—

(A) has not attained the age of 22 as of the date on which the member is appointed or reappointed; and

(B) is tasked with representing the interests of children and young adults in the State from which the member is appointed.

SEC. 1097. PURPOSES.

The purposes of this subtitle are—

(1) to recognize the ecological, cultural, and historic diversity of the region in which the Bay is located by promoting the national significance of the Bay and surrounding areas;

(2) to conserve and protect the significant natural, recreational, historical, and cultural resources relating to the Bay;

(3) to facilitate public access to the Bay for—

(A) recreation;

(B) public enjoyment; and

(C) the enhancement of sustainable tourism that respects the health of the Bay;

(4) to encourage engagement and cooperation with communities that neighbor the Bay and communities that include historically underserved and underrepresented populations that have traditionally lacked access to the Bay;

(5) to promote diversity, equity, and inclusion with respect to the Bay by emphasizing

the vital economic, cultural, and ecological contributions of historic and current populations, including, at a minimum, by providing educational and interpretive services to increase public understanding of, and appreciation for—

(A) the natural, historical, and cultural resources of the Bay; and

(B) traditional practices of the individuals whose livelihoods have been dependent on the land and water resources of the Bay and the surrounding area;

(6) to facilitate the cooperative management and stewardship of the resources of the Bay; and

(7) to advance the conservation goals of Chesapeake Gateways and the Bay Program.

SEC. 1098. ESTABLISHMENT AND BOUNDARIES OF CHESAPEAKE NATIONAL RECREATION AREA.

(a) ESTABLISHMENT.—To preserve, protect, interpret, and provide for the public enjoyment of the resources relating to the Bay and surrounding areas, there is established as a unit of the National Park System the Chesapeake National Recreation Area.

(b) BOUNDARY.—The boundary of the Recreation Area shall be the boundary as depicted on the Map.

(c) ADMINISTRATIVE, INTERPRETIVE, AND VISITOR SERVICE SITES.—As soon as practicable after the date of the establishment of the Recreation Area, the Secretary shall—

(1) seek to enter into a cooperative agreement for administrative, interpretive, and visitor service uses for the Recreation Area under section 1099C(a) or a partner site agreement under section 1099C(b) with the City of Annapolis, Maryland, for the use of the Burtis House;

(2) acquire, lease, or enter into a cooperative management agreement with respect to real property for an additional administrative, interpretive, and visitor services center for the Recreation Area, which shall be located within or in the environs of the historic downtown area of the City of Annapolis, Maryland; and

(3) acquire, lease, or enter into a cooperative management agreement with respect to real property for an additional interpretive and visitor services center for the Recreation Area, which shall be located within or in the environs of Fort Monroe.

(d) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) REVISION OF FORT MONROE NATIONAL MONUMENT BOUNDARY.—

(1) IN GENERAL.—The boundary of Fort Monroe National Monument, established by Proclamation 8750, dated November 1, 2011 (54 U.S.C. 320301 note; 76 Fed. Reg. 68625), is revised to exclude all land and interests in land within the North Beach area of the Monument (as in existence on the day before the date of enactment of this Act) that are identified on the Map as part of the Recreation Area.

(2) ADMINISTRATION.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the land or interests in land described in paragraph (1) shall be considered to be a reference to the Recreation Area.

(3) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(A) IN GENERAL.—Subject to subparagraph (B) and until the date on which administrative jurisdiction over the land and interests in land are transferred to the Secretary, the Secretary of the Army shall continue to administer the land and interests in land described in paragraph (1) that were under the jurisdiction of the Secretary of the Army as of the day before the date of enactment of this Act in accordance with—

(i) the memorandum of agreement between the Secretary of the Army and the Secretary dated December 9, 2016; and

(ii) this subtitle.

(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary of the Army shall—

(i) consult with the Secretary; and

(ii) administer the land and interests in land described in paragraph (1) in a manner consistent with this subtitle.

SEC. 1099. ACQUISITION OF LAND FOR THE CHESAPEAKE NATIONAL RECREATION AREA.

(a) WITHIN BOUNDARY.—Subject to subsection (c), the Secretary may acquire land or interests in land within the boundary of the Recreation Area only by—

(1) donation;

(2) purchase from a willing seller with donated or appropriated funds;

(3) exchange; or

(4) transfer from another Federal agency.

(b) OUTSIDE BOUNDARY.—

(1) IN GENERAL.—Subject to subsection (c), the Secretary may acquire, using the methods described in subsection (a), land or interests in land located outside the boundary of the Recreation Area, in consultation with the Advisory Commission as described in section 1099F(b)(2)(B).

(2) INCLUSION IN RECREATION AREA.—On acquisition of land or an interest in land under paragraph (1), the boundary of the Recreation Area shall be modified to reflect the acquisition.

(c) LIMITATION.—Any land or interest in land owned by a State or a political subdivision of a State that is within the boundary of the Recreation Area or described in subsection (b)(1) may be acquired only by donation.

(d) CONDEMNATION.—No land or interest in land may be acquired for the Recreation Area by condemnation unless the owner of the applicable land or interest in land consents to the condemnation.

(e) ENVIRONMENTAL QUALITY STANDARDS.—Prior to the acquisition of land or an interest in land under this section, the Secretary shall ensure that the land or interest in land meets all applicable environmental quality standards.

(f) BOUNDARY ADJUSTMENT.—As the Secretary determines to be necessary, the Secretary may make minor revisions of the boundary of the Recreation Area by publishing a revised map or other boundary description in the Federal Register.

SEC. 1099A. ACQUISITION OF LAND-BASED RESOURCES FOR THE CHESAPEAKE NATIONAL RECREATION AREA.

(a) IN GENERAL.—Subject to subsection (b), the Secretary may acquire land-based resources, including associated docks, piers, and structures extending into adjacent waters, within the boundary of the Recreation Area only by—

(1) donation;

(2) purchase from a willing seller with donated or appropriated funds;

(3) exchange; or

(4) transfer from another Federal agency.

(b) ENVIRONMENTAL QUALITY STANDARDS.—Prior to the acquisition of a land-based resource under this section, the Secretary shall ensure that the land-based resource meets all applicable environmental quality standards.

SEC. 1099B. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the Recreation Area in accordance with—

(1) this section; and

(2) the laws generally applicable to units of the National Park System, including title 54, United States Code.

(b) HEADQUARTERS.—To facilitate coordination of the Recreation Area with Chesapeake Gateways and the Bay Program, the headquarters of the Recreation Area shall be located at the Chesapeake Bay Office of the National Park Service of the Department of the Interior.

(c) COMMERCIAL AND RECREATIONAL FISHING.—Nothing in this subtitle impacts or otherwise affects statutory or regulatory authority with respect to navigation or regulation of commercial or recreational fishing activities or shellfish aquaculture in the Chesapeake Bay or tributaries of the Chesapeake Bay.

(d) STATE JURISDICTION.—Nothing in this subtitle enlarges or diminishes the jurisdiction of a State, including the jurisdiction or authority of a State with respect to fish and wildlife management.

(e) COORDINATION.—

(1) IN GENERAL.—Consistent with the purposes of the Recreation Area, the Secretary shall seek to coordinate the programming and management of activities of the Recreation Area with the goals of Chesapeake Gateways and the Chesapeake Bay Agreement (as defined in section 117(a) of the Federal Water Pollution Control Act (33 U.S.C. 1267(a))).

(2) COORDINATION WITH NATIONAL PARK SERVICE SITES AND PARTNER SITES.—As a component of the management plan required under section 1099E, the Secretary shall, to the maximum extent practicable, coordinate the development of an implementation plan for onsite interpretation of resources and other means of enhancing public understanding of the Bay at participating National Park Service sites and partner sites to tell the story of the outstanding, remarkable, and nationally significant resources of the Bay.

SEC. 1099C. AGREEMENTS AND MATCHING FUNDS.

(a) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—To accomplish the purposes of the Recreation Area, the Secretary may enter into cooperative agreements with a State, a political subdivision of a State, an educational institution, a Tribal government, a nonprofit organization, or other interested party that contributes to—

(A) the development of the Recreation Area; or

(B) the implementation of the management plan for the Recreation Area prepared under section 1099E(a).

(2) MATCHING FUNDS.—

(A) IN GENERAL.—The Secretary shall require that any Federal funds made available under an agreement entered into under paragraph (1) shall be matched on a 1-to-1 basis by non-Federal funds.

(B) IN-KIND CONTRIBUTION.—With the approval of the Secretary, the non-Federal share required under subparagraph (A) may be in the form of property, goods, or services from a non-Federal source, fairly valued.

(3) EFFECT.—Nothing in this subsection affects any existing cooperative agreement authority applicable to Chesapeake Gateways.

(b) PARTNER SITE AGREEMENTS.—

(1) IN GENERAL.—The Secretary, under such terms and conditions as the Secretary considers to be appropriate, may enter into a partner site agreement with an eligible entity described in paragraph (2) that owns or manages an eligible site described in paragraph (3), which shall provide for the inclusion of the partner site in the Recreation Area.

(2) DESCRIPTION OF ELIGIBLE ENTITY.—An eligible entity referred to in paragraph (1) is—

(A) a Federal entity;

(B) a State or local government;

(C) a Tribal government;

(D) a private nonprofit organization; or

(E) a private landowner.

(3) DESCRIPTION OF ELIGIBLE SITE.—An eligible site referred to in paragraph (1) is land that the Secretary has determined—

(A) contains a nationally significant natural, recreational, historical, or cultural resource;

(B) ensures public access to the applicable resource; and

(C) meaningfully contributes to the purposes of the Recreation Area.

(4) CRITERIA FOR INCLUSION IN THE RECREATION AREA.—On the establishment of the Advisory Commission, the Secretary shall, establish any additional criteria for inclusion of partner sites in the Recreation Area, taking into consideration the recommendations of the Advisory Commission under section 1099F(b)(2).

(5) COOPERATIVE MANAGEMENT OF PARTNER SITES.—Under a partner site agreement entered into paragraph (1), the Secretary may acquire from, and provide to, the owner or manager of the partner site goods and services to be used in the cooperative management of the applicable partner site.

(6) PROHIBITION.—The Secretary may not transfer administrative responsibilities for the Recreation Area to the owner or operator of a partner site.

(c) TERMS AND CONDITIONS OF AGREEMENTS.—Any agreement entered into under subsection (a) or (b) may include any terms and conditions that are determined to be necessary by the Secretary to ensure that—

(1) in the case of an agreement relating to a partner site, the partner site complies with the terms and conditions of the applicable agreement;

(2) the Secretary has the right of access at all reasonable times, and as specified in the applicable agreement, to all public portions of the properties covered by the agreement or grant for the purposes of—

(A) conducting visitors through the properties or providing public recreational access;

(B) interpreting the properties for the public; and

(C) research, inventory, monitoring, and resource management;

(3) no changes or alterations may be made to any properties covered by an agreement entered into under subsection (a) or (b) unless the Secretary and the other party to the agreement agree to the changes or alterations; and

(4) any conversion, use, or disposal of a project for purposes contrary to the purposes of this subtitle, as determined by the Secretary, shall entitle the United States to reimbursement in an amount equal to the greater of—

(A) the amounts made available to the project by the United States; and

(B) the portion of the increased value of the project attributable to the amounts made available under this subsection, as determined at the time of the conversion or disposal.

SEC. 1099D. CHESAPEAKE GATEWAYS.

(a) IN GENERAL.—The Secretary (acting through the Superintendent of the Chesapeake Bay Office of the National Park Service) shall administer Chesapeake Gateways in coordination with the Recreation Area.

(b) PERMANENT AUTHORIZATION.—Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (54 U.S.C. 320101 note; Public Law 105–312) is amended by striking ''to carry out this section $3,000,000'' and all that follows through the period at the end and inserting ''to carry out activities authorized under this section $6,000,000 for each fiscal year.''.

(c) EFFECT.—Nothing in this section or an amendment made by this section modifies the eligibility criteria developed under section 502(b)(2) of the Chesapeake Bay Initiative Act of 1998 (54 U.S.C. 320101 note; Public Law 105–312).

SEC. 1099E. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date on which funds are first made available for the preparation of a management plan for the Recreation Area, the Secretary, in consultation with the Chesapeake Executive Council (as defined in section 117(a) of the Federal Water Pollution Control Act (33 U.S.C. 1267(a))) and the Advisory Commission, shall prepare a management plan for the Recreation Area, in accordance with—

(1) section 1099B(e)(2); and

(2) section 100502 of title 54, United States Code.

(b) TRANSPORTATION PLANNING.—

(1) INITIAL SITES.—As soon as practicable after the date of enactment of this Act, the Secretary, in coordination with the Secretary of Transportation and State transportation agencies, shall conduct transportation planning in accordance with section 100502(3) of title 54, United States Code, with respect to the initial sites depicted on the Map, to minimize traffic burden on the surrounding community by—

(A) providing an evaluation of the transportation systems needs;

(B) using strategies to effectively manage the transportation system;

(C) subject to section 1099B(c), prioritizing water and trail access to Recreation Area sites; and

(D) collecting community feedback on traffic.

(2) FUTURE SITES.—The Secretary may, in accordance with paragraph (1), conduct additional transportation planning, as determined to be necessary by the Secretary, for any future sites included in the Recreation Area.

(c) COST SHARE.—The management plan prepared under subsection (a) shall address costs to be shared by the Secretary and partner sites for necessary capital improvements to, and maintenance and operations of, the Recreation Area.

(d) SUBMISSION TO CONGRESS.—On completion of the management plan under subsection (a), the Secretary shall submit the management plan to—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

SEC. 1099F. CHESAPEAKE NATIONAL RECREATION AREA ADVISORY COMMISSION.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory commission, to be known as the ''Chesapeake National Recreation Area Advisory Commission''.

(b) DUTIES.—The Advisory Commission shall—

(1) advise the Secretary on the development and implementation of the management plan required under section 1099E; and

(2) after consultation with the States and other interested parties, recommend to the Secretary criteria and specific recommendations on the Bay for—

(A) partner sites; and

(B) properties to be added to the boundary of the Recreation Area to be managed by the Secretary, including properties located outside of the existing boundaries of the Recreation Area.

(c) APPLICABLE LAW.—Except as otherwise provided in this section, the Advisory Commission shall be subject to—

(1) chapter 10 of title 5, United States Code (commonly referred to as the ''Federal Advisory Committee Act''), except section 1013(b) of that title; and

(2) all other applicable laws (including regulations).

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Commission shall be composed of 19 members, appointed by the Secretary, of whom—

(A) 9 shall be appointed to represent the State of Maryland, of whom—

(i) 4 shall have knowledge of environmental, recreational, cultural or historic resources, environmental justice, grassroots organizing, education, or interpretation;

(ii) 1 shall represent commercial fishing interests on the Bay;

(iii) 1 shall represent agricultural interests in the watershed of the Bay;

(iv) 1 shall be a youth representative;

(v) 1 shall be selected from among individuals recommended by the Governor of the State of Maryland; and

(vi) 1 shall be a representative of a federally recognized Indian Tribe or State-recognized Indian Tribe that is traditionally associated with the Bay;

(B) 9 shall be appointed to represent the Commonwealth of Virginia, of whom—

(i) 4 shall have knowledge of environmental, recreational, cultural or historic resources, environmental justice, grassroots organizing, education, or interpretation;

(ii) 1 shall represent commercial fishing interests on the Bay;

(iii) 1 shall represent agricultural interests in the watershed of the Bay;

(iv) 1 shall be a youth representative;

(v) 1 shall be selected from among individuals recommended by the Governor of the Commonwealth of Virginia; and

(vi) 1 shall be a representative of a federally recognized Indian Tribe or State-recognized Indian Tribe that is traditionally associated with the Bay; and

(C) 1 shall be the Executive Director of the Chesapeake Bay Commission.

(2) REQUIREMENT.—In appointing the members described in subparagraphs (A)(i) and (B)(i) of paragraph (1), the Secretary shall seek to ensure the broadest practicable representation of the areas of knowledge described in those subparagraphs.

(e) TERMS.—

(1) IN GENERAL.—A member of the Advisory Commission shall be appointed for a term of 3 years.

(2) SUCCESSION AND REAPPOINTMENT.—On expiration of the term of a member of the Advisory Commission, the member—

(A) shall continue to serve until a successor is appointed; and

(B) may be reappointed to serve an additional 3-year term.

(f) VACANCIES.—A vacancy on the Advisory Commission shall be filled in the same manner as the original appointment.

(g) ELECTED POSITIONS.—

(1) CHAIRPERSON.—The Advisory Commission shall have a Chairperson who shall—

(A) be elected by the Advisory Commission; and

(B) serve for a term of 1 year, unless reelected pursuant to procedures established by the Advisory Commission under subsection (h)(1).

(2) VICE CHAIRPERSON.—The Advisory Commission shall have a Vice Chairperson who shall—

(A) be elected by the Advisory Commission;

(B) serve for a term of 1 year, unless reelected pursuant to procedures established by the Advisory Commission under subsection (h)(1); and

(C) serve as Chairperson in the absence of the Chairperson.

(3) OTHER POSITIONS.—The Advisory Commission may establish other positions and

elect members to serve in those positions as the Advisory Commission determines to be appropriate, subject to subsection (h).

(h) PROCEDURES.—

(1) IN GENERAL.—Subject to paragraphs (2) through (6) and any applicable laws (including regulations), the Advisory Commission may establish such rules and procedures for conducting the affairs of the Advisory Commission as the Advisory Commission determines to be necessary.

(2) MEETINGS.—The Advisory Commission shall meet at the call of—

(A) the Chairperson; or

(B) a majority of the appointed members.

(3) QUORUM.—A quorum shall consist of not less than 11 of the members of the Advisory Commission.

(4) ACTIONS OF THE ADVISORY COMMISSION.—Any action of the Advisory Commission shall require a majority vote of the members present at any meeting.

(5) VIRTUAL MEETINGS.—

(A) IN GENERAL.—Meetings of the Advisory Commission may be conducted virtually, in whole or in part.

(B) REQUEST.—Any member of the Advisory Commission may request permission from the Chairperson of the Advisory Commission to participate virtually in—

(i) a meeting; and

(ii) all activities for that meeting.

(6) ELECTIONS.—Not less than ¾ of the members of the Advisory Commission must be present, virtually or in-person, for elections carried out under subsection (g).

(i) ADVISORY COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) IN GENERAL.—Members of the Advisory Commission shall serve without compensation.

(B) TRAVEL EXPENSES.—Members of the Advisory Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter 1 of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of services for, or the duties of, the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Secretary may provide the Advisory Commission with any staff or technical assistance that the Secretary, after consultation with the Advisory Commission, determines to be appropriate to enable the Advisory Commission to carry out the duties of the Advisory Commission.

(B) DETAIL OF EMPLOYEES.—The Secretary may accept the services of personnel detailed from a State or any political subdivision of a State.

(j) TERMINATION.—

(1) IN GENERAL.—Unless extended under paragraph (2), the Advisory Commission shall terminate on the date that is 10 years after the date of enactment of this Act.

(2) EXTENSION.—

(A) RECOMMENDATION.—Not later than 8 years after the date of enactment of this Act, the Advisory Commission shall make a recommendation to the Secretary as to whether the Advisory Commission is still necessary to advise on the development of the Recreation Area.

(B) DETERMINATION.—

(i) IN GENERAL.—If, based on a recommendation under subparagraph (A), the Secretary determines that the Advisory Commission is still necessary, the Secretary may extend the existence of the Advisory Commission for a period of not more than 10 years beyond the date described in paragraph (1).

(ii) TIMING.—The Secretary shall make a determination to extend the existence of the Advisory Commission under clause (i) not later than 180 days before the date described in paragraph (1).

SEC. 1099G. SAVINGS PROVISION.

Except as provided in section 1098(e), nothing in this subtitle enlarges or diminishes the authority of any official at, or transfers the administration or management of, any National Park Service site or any partner site to the Recreation Area.

SA 2775. Mr. BROWN 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. ___. ENHANCING MONITORING AND ENFORCEMENT OF NATIONAL SECURITY MITIGATION AGREEMENTS ENTERED INTO BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

(a) PROCEDURES.—Not later than one year after the date of the enactment of this Act, the Secretary of the Treasury (in the section referred to as the ''Secretary''), as the chairperson of the Committee on Foreign Investment in the United States (in this section referred to as the ''Committee''), shall promulgate procedures for the Committee with respect to the implementation, monitoring, and enforcement of national security mitigation agreements and conditions entered into or imposed by the Committee pursuant to section 721(l)(3) of the Defense Production Act of 1950 (50 U.S.C. 4565(l)(3)), including with respect to—

(1) a consistent approach to monitoring, evaluating, and enforcing the implementation of and compliance with such agreements and conditions;

(2) on-site compliance reviews conducted under such agreements and conditions; and

(3) the use of third-party auditors and monitors.

(b) GUIDANCE.—Not later than one year after the date of the enactment of this Act, the Secretary shall publish such guidance as may be appropriate to clarify expectations with respect to periodic reporting and the submission of certain information to the Committee and lead agencies designated under subsection (k)(5) of section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) in connection with a national security mitigation agreement or condition entered into or imposed pursuant to subsection (l)(3) of that section.

(c) CENTRALIZATION OF MONITORING AND ENFORCEMENT FUNCTIONS.—Section 721(q)(2) of the Defense Production Act of 1950 (50 U.S.C. 4565(q)(2)) is amended by inserting before the period the following: '', such as monitoring of agreements and conditions entered into or imposed under subsection (l) and enforcement of this section.''.

SA 2776. Mr. BROWN 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. MANDATORY DECLARATIONS TO COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF TRANSACTIONS RELATING TO CRITICAL INFRASTRUCTURE, CRITICAL TECHNOLOGIES, AND SENSITIVE PERSONAL DATA.

Section 721(b)(1)(C)(v)(IV)(cc) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)(v)(IV)(cc)) is amended by striking ''subsection (a)(4)(B)(iii)(II)'' and inserting ''subsection (a)(4)(B)(iii)''.

SA 2777. Mr. BROWN 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. REPORT ON WOMEN'S HEALTH RESEARCH BY DEPARTMENT OF DEFENSE.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the current amount and percentage of funding the Department Defense dedicates to the study of women's health and plans to expand those efforts to improve the health of women members of the Armed Forces.

SA 2778. Mr. BROWN 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. _____. REPORT ON INFECTIOUS AGENT BIOMANUFACTURING FOR PANDEMIC AND MILITARY READINESS.

Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall submit to the congressional defense committees a report on—

(1) the value of the Department partnering with a nonprofit to biomanufacture infectious agents and reagents necessary for warfighter health efforts; and

(2) how best to acquire and manufacture biomaterials to support the Department's development of medical countermeasures for biological threats.

SA 2779. Mr. BROWN 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 III, add the following:

SEC. 358. PROHIBITION ON OPERATION OF CONNECTED VEHICLES DESIGNED, DEVELOPED, MANUFACTURED, OR SUPPLIED BY PERSONS OWNED BY, CONTROLLED BY, OR SUBJECT TO THE JURISDICTION OF A FOREIGN ENTITY OF CONCERN ON MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense shall prohibit the operation of any connected vehicle on the list required under subsection (b) on a military installation.

(b) LIST REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall establish a list of prohibited connected vehicles that are designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction of a foreign entity of concern.

(2) ANNUAL REVIEW.—The Secretary shall review the list required under paragraph (1) not less frequently than once each year and shall make such additions, subtractions, supplements, or amendments to the list as the Secretary determines appropriate.

(c) DEFINITIONS.—In this section:

(1) CONNECTED VEHICLE.—The term ''connected vehicle''—

(A) means an automotive vehicle that integrates onboard networked hardware with automotive software systems to communicate via dedicated short-range communication, cellular telecommunications connectivity, satellite communication, or other wireless spectrum connectivity with any other network or device; and

(B) includes automotive vehicles, whether personal or commercial, capable of—

(i) global navigation satellite system communication for geolocation;

(ii) communication with intelligent transportation systems;

(iii) remote access or control;

(iv) wireless software or firmware updates; or

(v) on-device roadside assistance.

(2) FOREIGN ENTITY OF CONCERN.—The term ''foreign entity of concern'' has the meaning given that term in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651).

(3) MILITARY INSTALLATION.—The term ''military installation'' has the meaning given that term in section 2801(4) of title 10, United States Code.

SA 2780. Mr. BROWN 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. REPORT ON BIOLOGIC VASCULAR REPAIR.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the status of developing and integrating innovative biologic vascular repair solutions as standard protocol in military trauma care, including field-testing and assessment of long-term benefits and performance of biologic solutions.

SA 2781. Mr. BROWN 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 IX, add the following:

SEC. 925. IMPLEMENTATION OF DEPARTMENT OF DEFENSE MANUAL 8140.03.

(a) IN GENERAL.—The Secretary of Defense shall implement the requirements set forth in Department of Defense Manual 8140.03 (relating to the Cyberspace Workforce Qualification and Management Program) throughout the components of the Department of Defense.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report that provides—

(1) the status of each component of the Department of Defense with respect to implementation of the requirements of Department of Defense Manual 8140.03; and

(2) recommendations to facilitate exchange among the components of the Department of Defense on effective best practices for implementing the requirements.

SA 2782. Mr. BROWN 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 XV, add the following:

SEC. 1510. DESIGNATION OF GLENN RESEARCH CENTER AS UNITED STATES GOVERNMENT LEAD IN FISSION SURFACE POWER.

For the purpose of enhancing developmental efficiencies relating to fission surface power across Federal agencies, including the National Aeronautics and Space Administration, the Department of Defense, the Department of Commerce, and the Department of Energy, the Glenn Research Center of the National Aeronautics and Space Administration—

(1) is designated as the United States Government lead for fission surface power; and

(2) shall be tasked with the national security goal of developing and preparing fission surface power for terrestrial deployment and deployment in space systems by 2027.

SA 2783. Mr. BROWN (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. _____. PREVENTING FIRST RESPONDER SECONDARY EXPOSURE TO FENTANYL.

Section 3021(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10701(a)) is amended—

(1) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) Providing training and resources for first responders on the use of containment devices to prevent secondary exposure to fentanyl and other potentially lethal substances, and purchasing such containment devices for use by first responders.''.

SA 2784. Mr. BROWN (for himself and Mr. VANCE) 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. PILOT PROGRAM ON SHORT TERM ACQUISITION OF SECURE SPACE FOR EXIGENT CIRCUMSTANCES FOR DEFENSE ACQUISITION MISSIONS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using the leasing authority described in subsection (b) to assist the military departments in securing modern, flexible, and accessible facilities.

(b) LEASING AUTHORITY.—

(1) IN GENERAL.—The Secretary of a military department may enter into full-service leases to address exigent circumstances, as specified under subsection (e)(2), of the principal acquisition organizations of the Department of Defense.

(2) LIMITATIONS.—The Secretary concerned may exercise the leasing authority under paragraph (1) on the following conditions:

(A) No more than 5 leases under this section for each military department may be in effect at any given time.

(B) The duration of any such lease may not exceed 5 years.

(C) The premises being leased by the Secretary concerned may not exceed 100,000 square feet of usable space.

(3) DELEGATION.—The Secretary concerned may delegate the leasing authority under paragraph (1) to a commander or an equivalent commanding officer at a principal acquisition organization of the Department of Defense.

(c) PROCEDURES.—The Secretary concerned—

(1) shall establish procedures to limit lease payments to not more than the fair market value of the lease; and

(2) in exigent circumstances, as determined by the Secretary concerned, may utilize other than competitive procedures to adequately protect the interests of the United States.

(d) SOURCE FUNDS.—The Secretary concerned, in using the authority under this section, may spend amounts available to the Secretary concerned for operation and maintenance, research, development, test, and evaluation, or procurement.

(e) REPORT.—Not later than 30 days after the date of execution of a lease under this section, the Secretary concerned shall submit to the congressional defense committees a report that includes—

(1) the details of the lease, including—

(A) the location;

(B) the size of the premises;

(C) the duration of the lease;

(D) the annual cost; and

(E) the total cost; and

(2) a description of the exigent circumstances of the principal acquisition organizations of the Department of Defense that warrant the exercise of leasing authority under subsection (b)(1).

(f) TERMINATION.—

(1) IN GENERAL.—The authority to enter into a lease under this section shall terminate on October 1, 2030.

(2) EFFECT OF TERMINATION OF AUTHORITY.—The termination of authority under paragraph (1) will not affect leases enter into before the termination date.

(g) PRINCIPAL ACQUISITION ORGANIZATIONS OF THE DEPARTMENT OF DEFENSE DEFINED.—In this section, the term ''principal acquisition organization of the Department of Defense'' means—

(1) the Air Force Life Cycle Management Center;

(2) the United States Army Contracting Command;

(3) the Naval Air Systems Command;

(4) the Naval Information Warfare Center; or

(5) the Naval Surface Warfare Center.

SA 2785. Mr. BROWN (for himself and Mr. VANCE) 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 XXVIII, add the following:

SEC. 2816. MODIFICATION OF COST THRESHOLDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION FOR LABORATORY REVITALIZATION PROJECTS.

Section 2805(d) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''$9,000,000'' and inserting ''$12,000,000''; and

(B) in subparagraph (B), by striking ''$9,000,000'' and inserting ''$12,000,000''; and

(2) in paragraph (2), by striking ''$9,000,000'' and inserting ''$12,000,000''.

SA 2786. Mr. BROWN (for himself and Mr. VANCE) 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. ____. USE OF PARTNERSHIP INTERMEDIARIES TO PROMOTE DEFENSE RESEARCH AND EDUCATION.

(a) IN GENERAL.—Chapter 303 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4128. Use of partnership intermediaries to promote defense research and education.

''(a) IN GENERAL.—Subject to the approval of the Secretary of Defense or the head of another department or agency of the Federal Government concerned, the head of a Federal laboratory or research center may—

''(1) enter into a contract, memorandum of understanding, or other transaction with a partnership intermediary that provides for the partnership intermediary to perform services for the Department of Defense that increase the likelihood of success in the conduct of cooperative or joint activities of the laboratory or center with industry or academic institutions; and

''(2) pay the Federal costs of such contract, memorandum or understanding, or other transaction out of funds made available for the support of the technology transfer function of the laboratory or center.

''(b) DEFINITIONS.—In this section:

''(1) Term 'Federal laboratory or research center' means—

''(A) a Federal laboratory; or

''(B) a federally funded research and development center that is not a laboratory.

''(2) The term 'laboratory' has the meaning given that term in section 12(d)(2) the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)).

''(3) The term 'partnership intermediary' means an agency of a State or local government, or a nonprofit entity that—

''(A) assists, counsels, advises, evaluates, or otherwise cooperates with industry or academic institutions that need or can make demonstrably productive use of technology-related assistance from a Federal laboratory or research center;

''(B) facilitates technology transfer or transition from industry or academic institutions to a Federal laboratory or research center;

''(C) assists and facilitates workforce development in critical technology areas for prototyping or technology transition activities to fulfill unmet needs of a Federal laboratory or research center; or

''(D) assists and facilitates improvements to intellectual property owned by the Federal laboratory or research center, such as improvements to the quality, value, flexibility, utility, or complexity of such intellectual property.''.

(b) CONFORMING AMENDMENTS.—Section 4124 of title 10, United States Code, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

SA 2787. Mr. BROWN (for himself and Mr. VANCE) 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. ADDITIONAL AMOUNT FOR DEFENSE HEALTH PROGRAM FOR EDUCATION AND TRAINING.

(a) INCREASE.—The amount authorized to be appropriated by this Act for the Defense Health Program for education and training is hereby increased by $25,000,000, with the amount of such increase to be used to enhance existing civilian-military partnerships for surge capacity and interoperability necessary to provide a system of care within the continental United States for casualties resulting from large-scale combat operations.

(b) OFFSET.—The amount authorized to be appropriated by this Act for base operations and communication is hereby decreased by $25,000,000.

SA 2788. Mr. MANCHIN (for himself, Mr. BARRASSO, Mr. RISCH, and Ms. HIRONO) 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 PROGRAMS AND SERVICES AGREEMENT WITH THE GOVERNMENT OF THE REPUBLIC OF PALAU.

During the period beginning on October 1, 2024, and ending on the date on which a new Federal programs and services agreement with the Government of the Republic of Palau enters into force, any activities described in sections 132 and 221(a) of the Compact of Free Association between the Government of the United States of America and the Government of the Republic of Palau set forth in section 201 of Public Law 99–658 (48 U.S.C. 1931 note) shall, with the mutual consent of the Government of the Republic of Palau, continue in the manner authorized and required for fiscal year 2024 under the amended agreements described in subsections (b) and (f) of section 462 of that Compact.

SA 2789. Mr. BROWN 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 III, add the following:

SEC. 324. PUBLIC AVAILABILITY OF CERTAIN INFORMATION RELATING TO DEPARTMENT OF DEFENSE PFAS CLEANUP ACTIVITIES.

(a) IN GENERAL.—The Secretary of Defense shall make publicly available on the website required under section 331(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2701 note) timely and regularly updated information on the status and schedule of the cleanup activities at sites where the Secretary has obligated amounts for environmental restoration activities to address the release of perfluoroalkyl and polyfluoroalkyl substances (in this section referred to as ''PFAS'').

(b) SPECIFIC INFORMATION.—Not later than one year after the date of the enactment of this Act, the Secretary shall ensure that the following information is available on the website specified in subsection (a) for each site described in such subsection:

(1) A schedule of future off-base drinking water sampling efforts and results of off-base drinking water sampling for PFAS.

(2) The number of off-site private drinking water wells in which the Secretary has detected PFAS attributable to activities of the Department of Defense that is more than a Federal drinking water standard.

(3) A description of measures undertaken or planned to mitigate the migration of PFAS-affected groundwater from the site at levels that are more than Federal drinking water standards, including a schedule for the implementation of such measures.

(4) The number of off-site private drinking water wells for which alternative drinking

water or treatment has been provided to prevent the consumption of PFAS-affected water at levels that are more than Federal drinking water standards.

(5) The location of or link to the administrative record and any site-related environmental restoration documents of the site, including work plans, environmental reports, regulator comments, decision documents, and public comments.

(6) The location of the restoration advisory board document repository for the site or a link to the community outreach website of the restoration advisory board where documents such as public comments and records of community engagement meetings and briefings are available.

(7) An estimate of the cost to complete and schedule of the remediation of PFAS at the site.

SA 2790. Mr. BROWN 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 III, add the following:

SEC. 324. EXPEDITED ACTION TO ADDRESS THE MIGRATION OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES FROM DEPARTMENT OF DEFENSE INSTALLATIONS AND NATIONAL GUARD FACILITIES.

(a) IN GENERAL.—The Secretary of Defense shall expedite the implementation of early actions to mitigate the migration of groundwater contaminated by perfluoroalkyl and polyfluoroalkyl substances (in this section referred to as ''PFAS'') from a source located on a military installation to protect or minimize the effects on groundwater, surface water, underground sources of drinking water, and sediment.

(b) EVALUATION AND ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall complete an evaluation and assessment of all covered facilities where a release, or a threat of a release, of PFAS has occurred that is subject to a response action under the Defense Environmental Restoration Program under section 2701 of title 10, United States Code, to—

(1) identify potential early actions that may be implemented at such facilities to prevent or remediate the release or threatened release of PFAS;

(2) identify such facilities at which an underground source of drinking water is, or may be, contaminated by a release, or the threat of a release, of PFAS; and

(3) prioritize facilities for the implementation of early actions or other actions to prevent or reduce risks to human health and the environment.

(c) PUBLIC PARTICIPATION.—The Secretary shall make the results of an evaluation and assessment for a covered facility conducted under subsection (b) available to communities and individuals affected by a release, or the threat of a release, of PFAS at the covered facility.

(d) REPORT.—For each covered facility for which an evaluation and assessment is required under subsection (b), not later than 270 days after the date of the enactment of this Act, the Secretary shall make publicly available on an appropriate website of the Department of Defense—

(1) a description of early actions identified by the evaluation and assessment;

(2) a description of interim remedies or other early actions that have been implemented;

(3) a list of facilities at which the migration of contaminated ground water is not under control or for which data are insufficient to determine whether contaminated ground water migration is controlled; and

(4) a schedule for the implementation of interim remedies or other early actions.

(e) PROVISION OF ALTERNATIVE WATER TO PROTECT PUBLIC HEALTH.—

(1) NOTICE; PROVISION OF WATER.—Not later than 60 days after the discovery of the release, or the threat of release, of PFAS from a covered facility into an underground source of drinking water, the Secretary shall—

(A) provide notice pursuant to section 2705 of title 10, United States Code, to the regional offices of the Environmental Protection Agency and appropriate State, tribal, and local authorities;

(B) identify private and public water wells with a concentration of a PFAS chemical that exceeds the maximum contaminant level established pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) provide alternative water to households and communities served by wells identified pursuant to paragraph (2)(B)(ii) as expeditiously as possible, but in no case more than 30 days after the notice is required under paragraph (1).

(2) REQUIREMENTS OF NOTICE.—A notice provided under this subsection shall—

(A) be made available to the public and provided to communities and households served by private and public wells identified under paragraph (1)(B); and

(B) include—

(i) an identification of any private or public water well that is affected by a release, or the threat of a release, of PFAS from the covered facility;

(ii) an identification of any private or public water well with a concentration of a PFAS chemical that exceeds the maximum contaminant level established pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(iii) a plan and schedule for the provision of safe alternative water for households and communities served by water wells identified under clause (ii).

(f) EMERGENCY AUTHORITY.—The Secretary shall expedite the provision of alternative water to avoid, mitigate, or eliminate an imminent and substantial endangerment to the health of persons presented by a release or threatened release of a pollutant or contaminant from an on-base source, including the use of emergency authorities for approval of contracting services and the commitment of funds.

(g) DEFINITIONS.—In this section:

(1) COVERED FACILITY.—The term ''covered facility'' means—

(A) a military installation, as defined in section 2801(c)(4) of title 10, United States Code;

(B) a formerly used defense site; or

(C) a National Guard facility, as defined in section 2700(4) of title 10, United States Code.

(2) FORMERLY USED DEFENSE SITE.—The term ''formerly used defense site'' means any site formerly used by the Department of Defense or the National Guard eligible for environmental restoration by the Secretary of Defense funded under the ''Environmental Restoration Account, Formerly Used Defense Sites'' account established under section 2703(a)(5) of title 10, United States Code.

(3) UNDERGROUND SOURCE OF DRINKING WATER.—The term ''underground source of drinking water'' has the meaning given such term in section 144.3 of title 40, Code of Federal Regulations, or any successor regulation.

SA 2791. Mr. BROWN 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. POLICY OF DEPARTMENT OF DEFENSE RELATING TO CERTAIN CONSTRUCTION MATERIALS MADE IN THE UNITED STATES.

The Secretary of Defense shall issue a policy to require that when considering an offer for a contract for work on a military construction project in the United States, including for construction on barracks, family housing, or any other facility on an installation of the Department of Defense, each Secretary of a military department shall consider collated steel fasteners, including collated steel nails and staples, that are manufactured in the United States for all wood on wood construction projects.

SA 2792. Mr. BROWN (for himself 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 of subtitle A of title XV, add the following:

SEC. 1510. NASA PUBLIC-PRIVATE TALENT PROGRAM.

Section 20113 of title 51, United States Code, is amended by adding at the end the following new subsection:

''(n) PUBLIC-PRIVATE TALENT PROGRAM.—

''(1) ASSIGNMENT AUTHORITY.—Under policies and procedures prescribed by the Administration, the Administrator may, with the agreement of a private sector entity and the consent of an employee of the Administration or of such entity, arrange for the temporary assignment of such employee of the Administration to such private sector entity, or of such employee of such entity to the Administration, as the case may be.

''(2) AGREEMENTS.—

''(A) IN GENERAL.—The Administrator shall provide for a written agreement among the Administration, the private sector entity, and the employee concerned regarding the terms and conditions of the employee's assignment under this subsection. The agreement shall—

''(i) require that the employee of the Administration, upon completion of the assignment, will serve in the Administration, or elsewhere in the civil service if approved by the Administrator, for a period equal to twice the length of the assignment;

''(ii) provide that if the employee of the Administration or of the private sector entity (as the case may be) fails to carry out the agreement, such employee shall be liable to the United States for payment of all expenses of the assignment, unless such failure was for good and sufficient reason, as determined by the Administrator; and

''(iii) contain language ensuring that such employee of the Administration or of the private sector entity (as the case may be) does not improperly use predecisional or draft deliberative information that such employee may be privy to or aware of related to Administration programing, budgeting, resourcing, acquisition, or procurement for the benefit or advantage of the private sector entity.

''(B) TREATMENT.—An amount for which an employee is liable under subparagraph (A) shall be treated as a debt due the United States.

''(C) WAIVER.—The Administrator may waive, in whole or in part, collection of a debt described in subparagraph (B) based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States, after taking into account any indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee concerned.

''(3) TERMINATION.—An assignment under this section may, at any time and for any reason, be terminated by the Administration or the private-sector entity concerned, as the case may be.

''(4) DURATION.—

''(A) IN GENERAL.—An assignment under this subsection shall be for a period of not less than three months and not more than two years, renewable up to a total of three years. An employee of the Administration may not be assigned under this subsection for more than a total of three years inclusive of all such assignments.

''(B) EXTENSION.—An assignment under this subsection may be for a period in excess of two years, but not more than three years, if the Administrator determines that such assignment is necessary to meet critical mission or program requirements.

''(5) POLICIES AND PROCEDURES.—

''(A) IN GENERAL.—The Administrator shall establish policies and procedures relating to assignments under this subsection.

''(B) ELEMENTS.—Policies and procedures established pursuant to subparagraph (A) shall address the following:

''(i) The nature and elements of written agreements with participants in assignments under this subsection.

''(ii) Criteria for making such assignments, including the needs of the Administration relating thereto.

''(iii) How the Administration will oversee such assignments, in particular with respect to paragraphs (2)(A)(iii), (7)(C), and (7)(D).

''(iv) Criteria for issuing waivers.

''(v) How expenses under paragraph (2)(A)(ii) would be determined.

''(vi) Guidance for participants in such assignments.

''(vii) Mission Directorate, Office, and organizational structure to implement and manage such assignments.

''(viii) Any other necessary policies, procedures, or guidelines to ensure such assignments comply with all relevant statutory authorities and ethics rules, and effectively contribute to one or more of the Administration's missions.

''(C) INHERENTLY GOVERNMENTAL ACTIVITIES.—Assignments made under this subsection shall not have responsibilities or perform duties or decision making regarding Administration activities that are inherently governmental, pursuant to subpart 7.500 of title 48, Code of Federal Regulations, and Office of Management and Budget review.

''(6) STATUS OF FEDERAL EMPLOYEES ASSIGNED TO PRIVATE SECTOR ENTITIES.—

''(A) IN GENERAL.—An employee of the Administration who is assigned to a private sector entity under this subsection shall be considered, during the period of such assignment, to be on detail to a regular work assignment in the Administration for all purposes. The written agreement established under paragraph (2)(A) shall address the specific terms and conditions related to such employee's continued status as a Federal employee.

''(B) CERTIFICATION.—In establishing a temporary assignment of an employee of the Administration to a private sector entity, the Administrator shall certify that such temporary assignment shall not have an adverse or negative impact on the mission of the Administration or organizational capabilities associated with such assignment.

''(7) TERMS AND CONDITIONS FOR PRIVATE SECTOR EMPLOYEES.—An employee of a private sector entity who is assigned to the Administration under this subsection—

''(A) shall continue to receive pay and benefits from the private sector entity from which such employee is assigned and shall not receive pay or benefits from the Administration, except as provided in subparagraph (B);

''(B) is deemed to be an employee of the Administration for the purposes of—

''(i) chapters 73 and 81 of title 5;

''(ii) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, except that such section 209 does not apply to any salary, or contribution or supplementation of salary made pursuant to subparagraph (A) of this paragraph;

''(iii) sections 1343, 1344, and 1349(b) of title 31;

''(iv) the Federal Tort Claims Act and any other Federal tort liability statute;

''(v) the Ethics in Government Act of 1978; and

''(vi) chapter 21 of title 41;

''(C) shall not have access to any trade secrets or any other nonpublic information which is of commercial value to the private sector entity from which such employee is assigned;

''(D) may not perform work that is considered inherently governmental in nature, in accordance with paragraph (5)(C); and

''(E) may not be used to circumvent—

''(i) section 1710 of title 41, United States Code; or

''(ii) any limitation or restriction on the size of the Administration's civil servant workforce.

''(8) ADDITIONAL REQUIREMENTS.—The Administrator shall ensure that—

''(A) the normal duties and functions of an employee of the Administration who is assigned to a private sector entity under this subsection can be reasonably performed by other employees of the Administration without the permanent transfer or reassignment of other personnel of the Administration;

''(B) normal duties and functions of such other employees of the Administration are not, as a result of and during the course of such temporary assignment, performed or augmented by contractor personnel in violation of section 1710 of title 41; and

''(C) not more than two percent of the Administration's civil servant workforce may participate in an assignment under this subsection at the same time.

''(9) CONFLICTS OF INTEREST.—The Administrator shall implement a system to identify, mitigate, and manage any conflicts of interests that may arise as a result of an employee's assignment under this subsection.

''(10) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private-sector entity may not charge the Administration or any other agency of the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the entity to an employee assigned to the Administration under this subsection for the period of the assignment concerned.

''(11) CONSIDERATIONS.—In carrying out this subsection, the Administrator shall take into consideration—

''(A) the question of how assignments under this subsection might best be used to help meet the needs of the Administration with respect to the training of employees; and

''(B) where applicable, areas of particular private sector expertise, such as cybersecurity.

''(12) NASA REPORTING.—

''(A) IN GENERAL.—Not later than April 30 of each year, the Administrator shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the implementation of this subsection.

''(B) CONTENTS.—Each report under subparagraph (A) shall include, with respect to the annual period to which such report relates, the following:

''(i) Information relating to the total number of employees of private sector entities assigned to the Administration, and the total number of employees of the Administration assigned to private sector entities.

''(ii) A brief description and assessment of the talent management benefits evidenced from such assignments, as well as any identified strategic human capital and operational challenges, including the following:

''(I) An identification of the names of the private sector entities to and from which employees were assigned.

''(II) A complete listing of positions such employees were assigned to and from.

''(III) An identification of assigned roles and objectives of such assignments.

''(IV) Information relating to the durations of such assignments.

''(V) Information relating to associated pay grades and levels.

''(iii) An assessment of impacts of such assignments on the Administration workforce and workforce culture.

''(iv) An identification of the number of Administration staff and budgetary resources required to implement this subsection.

''(13) FEDERAL ETHICS.—Nothing in this subsection shall affect existing Federal ethics rules applicable to Federal personnel.

''(14) GAO REPORTING.—

''(A) IN GENERAL.—Not later than three years after the date of the enactment of this subsection, the Comptroller General of the United States shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the implementation of this subsection.

''(B) CONTENTS.—The report under subparagraph (A) shall include the following:

''(i) A review of the implementation of this subsection, according to law and the Administration policies and procedures established for assignments under this subsection.

''(ii) Information relating to the extent to which such assignments adhere to best practices relating to public-private talent exchange programs.

''(iii) A determination as to whether there should be limitations on the number of individuals participating in such assignments.

''(iv) Information relating to the extent to which the Administration complies with statutory requirements and ethics rules, and appropriately handles potential conflicts of interest and access to nonpublic information with respect to such assignments.

''(v) Information relating to the extent to which such assignments effectively contribute to one or more of the Administration's missions.

''(vi) Information relating to Administration resources, including employee time, dedicated to administering such assignments, and whether such resources are sufficient for such administration.''.

SA 2793. Mr. BROWN 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 X, add the following:

SEC. 1049. PROHIBITION ON OPERATION, PROCUREMENT, AND CONTRACTING RELATED TO FOREIGN-MADE LIGHT DETECTION AND RANGING TECHNOLOGY.

(a) PROHIBITION ON AGENCY OPERATION OR PROCUREMENT.—The Secretary of Defense shall not operate or enter into or renew a contract for the procurement of—

(1) a covered light detection and ranging technology (referred to in this section as ''LiDAR technology'') that—

(A) is manufactured in a covered foreign country or by an entity domiciled in a covered foreign country;

(B) uses operating software developed in a covered foreign country or by an entity domiciled in a covered foreign country; or

(C) uses network connectivity or data storage located in or administered by an entity domiciled in a covered foreign country; or

(2) a system or systems that incorporates, interfaces with, or otherwise uses LiDAR technology as described in paragraph (1).

(b) EXEMPTION.—The prohibition under subsection (a) shall not apply if the operation, procurement, or contracting action is for the purposes of intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.

(c) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) on a case-by-case basis if the Secretary certifies, in writing, to the congressional defense committees that the operation, procurement, or contracting action is required in the national interest of the United States.

(d) EFFECTIVE DATE.—The prohibition under subsection (a) shall take effect on June 30, 2026.

(e) DEFINITIONS.—In this section:

(1) CONGRESSIONAL DEFENSE COMMITTEES.—The term ''congressional defense committees'' has the meaning given the term in section 101(a) of title 10, United States Code.

(2) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' means any of the following:

(A) The People's Republic of China.

(B) The Islamic Republic of Iran.

(C) The Democratic People's Republic of North Korea.

(D) The Russian Federation.

(3) COVERED LIDAR COMPANY.—The term ''covered LiDAR company'' means any of the following:

(A) Hesai Technology (or any subsidiary or affiliate of Hesai Technology).

(B) Any entity that produces or provides LiDAR and that is included on—

(i) the Consolidated Screening List maintained by the International Trade Administration of the Department of Commerce; or

(ii) the civil-military fusion list maintained under section 1260h of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note).

(C) Any entity that produces or provides LiDAR and that—

(i) is domiciled in a covered foreign country; or

(ii) is subject to unmitigated foreign ownership, control, or influence by a covered foreign country, as determined by the Secretary of Defense, in accordance with the National Industrial Security Program or any successor to such program.

(4) COVERED LIDAR TECHNOLOGY.—The term ''covered LiDAR technology'' means LiDAR technology and any related services and equipment manufactured by a covered LiDAR company.

(5) LIGHT DETECTION AND RANGING AND LIDAR.—The terms ''light detection and ranging'' and ''LiDAR'' mean a sensor that emits light, often in the form of a pulsed or modulated laser, and scans or flashes the environment to detect and measure the range of its surroundings.

SA 2794. Mr. BROWN 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 XV, add the following:

SEC. 1510. BRIEFING ON OPPORTUNITIES TO ADVANCE EDUCATIONAL PARTNERSHIPS BETWEEN AIR FORCE INSTITUTE OF TECHNOLOGY AND NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

(a) IN GENERAL.—Not later than July 30, 2025, the Secretary of the Air Force, in coordination with the Administrator of the National Aeronautics and Space Administration, shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on a path forward to increase opportunities to advance educational partnerships between the Air Force Institute of Technology and the National Aeronautics and Space Administration.

(b) ELEMENT.—The briefing required by subsection (a) shall include specific recommendations for the Air Force Institute of Technology and the National Aeronautics and Space Administration to establish more formal relations that will lead to more National Aeronautics and Space Administration employees enrolling in Air Force Institute of Technology course offerings and add synergist gains in cross-over work projects.

SA 2795. Mr. BROWN 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—POWER Act

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Providing Officers With Electronic Resources Act'' or the ''POWER Act''.

SEC. 1092. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) chemical screening devices enhance the ability of law enforcement agencies to identify unknown chemical substances seized or otherwise encountered by law enforcement officers; and

(2) equipping law enforcement agencies with technology that can more efficiently identify substances, such as heroin, fentanyl, methamphetamine, and other narcotics, will ensure that law enforcement agencies can—

(A) investigate cases more quickly and safely;

(B) better deploy resources and strategies to prevent illegal substances from entering and harming communities throughout the United States; and

(C) share spectral data with other law enforcement agencies and State and local fusion centers.

(b) PURPOSE.—The purpose of this subtitle is to provide grants to State, local, territorial, and Tribal law enforcement agencies to purchase chemical screening devices and train personnel to use chemical screening devices in order to—

(1) enhance law enforcement efficiency; and

(2) protect law enforcement officers.

SEC. 1093. DEFINITIONS.

In this subtitle:

(1) APPLICANT.—The term ''applicant'' means a law enforcement agency that applies for a grant under section 1094.

(2) ATTORNEY GENERAL.—The term ''Attorney General'' means the Attorney General, acting through the Director of the Office of Community Oriented Policing Services.

(3) CHEMICAL SCREENING DEVICE.—The term ''chemical screening device'' means an infrared spectrophotometer, mass spectrometer, nuclear magnetic resonance spectrometer, Raman spectrophotometer, ion mobility spectrometer, or any other scientific instrumentation that is able to collect data that can be interpreted to determine the presence and identity of a covered substance.

(4) CHIEF LAW ENFORCEMENT OFFICER.—The term ''chief law enforcement officer'' has the meaning given the term in section 922(s) of title 18, United States Code.

(5) COVERED SUBSTANCE.—The term ''covered substance'' means—

(A) fentanyl;

(B) any other synthetic opioid; and

(C) any other narcotic or psychoactive substance.

(6) GRANT FUNDS.—The term ''grant funds'' means funds from a grant awarded under section 1094.

(7) 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).

(8) LAW ENFORCEMENT AGENCY.—The term ''law enforcement agency'' means an agency of a State, unit of local government, or Indian Tribe that is authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(9) PERSONNEL.—The term ''personnel''—

(A) means employees of a law enforcement agency; and

(B) includes scientists and law enforcement officers.

(10) RECIPIENT.—The term ''recipient'' means an applicant that receives a grant under section 1094.

(11) STATE.—The term ''State'' has the meaning given the term in section 901 of

title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

SEC. 1094. GRANTS.

(a) GRANTS AUTHORIZED.—The Attorney General may award grants to applicants to—

(1) purchase a chemical screening device; and

(2) train personnel to use, and interpret data collected by, a chemical screening device.

(b) APPLICATIONS.—

(1) IN GENERAL.—The chief law enforcement officer of an applicant shall submit to the Attorney General an application that—

(A) shall include—

(i) a statement describing the need for a chemical screening device in the jurisdiction of the applicant; and

(ii) a certification—

(I) of the number of chemical screening devices the applicant owns or possesses;

(II) that not less than 1 employee of the applicant will be trained to—

(aa) use any chemical screening device purchased using grant funds; and

(bb) interpret data collected by any chemical screening device purchased using grant funds; and

(III) that the applicant will make any chemical screening device purchased using grant funds reasonably available to test a covered substance seized by a law enforcement agency near the jurisdiction of the applicant; and

(B) in addition to the information required under subparagraph (A), may, at the option of the applicant, include—

(i) information relating to—

(I) the process used by the applicant to identify a covered substance seized by the applicant, including—

(aa) the approximate average amount of time required for the applicant to identify a covered substance; and

(bb) as of the date of the application, the number of cases in which the applicant is awaiting identification of a covered substance;

(II) any documented case of a law enforcement officer, first responder, or treating medical personnel in the jurisdiction of the applicant who has suffered an accidental drug overdose caused by exposure to a covered substance while in the line of duty;

(III) any chemical screening device the applicant will purchase using grant funds, including the estimated cost of the chemical screening device; and

(IV) any estimated costs relating to training personnel of the applicant to use a chemical screening device purchased using grant funds; and

(ii) data relating to—

(I) the approximate amount of covered substances seized by the applicant during the 2-year period ending on the date of the application, categorized by the type of covered substance seized; and

(II) the approximate number of covered substance overdoses in the jurisdiction of the applicant that the applicant investigated or responded to during the 2-year period ending on the date of the application, categorized by fatal and nonfatal overdoses.

(2) JOINT APPLICATIONS.—

(A) IN GENERAL.—Two or more law enforcement agencies, including law enforcement agencies located in different States, that have jurisdiction over areas that are geographically contiguous may submit a joint application for a grant under this section that includes—

(i) for each law enforcement agency—

(I) all information required under paragraph (1)(A); and

(II) any optional information described in paragraph (1)(B) that each law enforcement agency chooses to include;

(ii) a plan for the sharing of any chemical screening devices purchased or training provided using grant funds; and

(iii) a certification that not less than 1 employee of each law enforcement agency will be trained to—

(I) use any chemical screening device purchased using grant funds; and

(II) interpret data collected by any chemical screening device purchased using grant funds.

(B) SUBMISSION.—Law enforcement agencies submitting a joint application under subparagraph (A) shall—

(i) be considered as 1 applicant; and

(ii) select the chief law enforcement officer of 1 of the law enforcement agencies to submit the joint application.

(c) RESTRICTIONS.—

(1) SUPPLEMENTAL FUNDS.—Grant funds shall be used to supplement, and not supplant, State, local, and Tribal funds made available to any applicant for any of the purposes described in subsection (a).

(2) ADMINISTRATIVE COSTS.—Not more than 3 percent of any grant awarded under this section may be used for administrative costs.

(d) REPORTS AND RECORDS.—

(1) REPORTS.—For each year during which grant funds are used, the recipient shall submit to the Attorney General a report containing—

(A) a summary of any activity carried out using grant funds;

(B) an assessment of whether each activity described in subparagraph (A) is meeting the need described in subsection (b)(1)(A)(i) that the applicant identified in the application submitted under subsection (b); and

(C) any other information relevant to the purpose of this subtitle that the Attorney General may determine appropriate.

(2) RECORDS.—For the purpose of an audit by the Attorney General of the receipt and use of grant funds, a recipient shall—

(A) keep—

(i) any record relating to the receipt and use of grant funds; and

(ii) any other record as the Attorney General may require; and

(B) make the records described in subparagraph (A) available to the Attorney General upon request by the Attorney General.

SEC. 1095. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Attorney General $20,000,000 for fiscal year 2025 to carry out section 1094.

SA 2796. Mr. BROWN 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 VIII, the following:

SEC. 855. REPORT ON DOMESTIC SHORTFALLS OF INDUSTRIAL RESOURCES, MATERIALS, AND CRITICAL TECHNOLOGY ITEMS ESSENTIAL TO THE NATIONAL DEFENSE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall 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 that—

(1) identifies current or projected domestic shortfalls of industrial resources, materials, or critical technology items essential to the national defense;

(2) assesses strategic and critical materials for which the United States relies on the People's Republic of China as the sole or primary source; and

(3) includes recommendations relating to the use of authorities under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to make investments to reduce the reliance of the United States on the People's Republic of China for strategic and critical materials.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) DEFINITIONS.—In this section, the terms ''critical technology item'', ''industrial resources'', ''materials'', and ''national defense'' have the meanings given those terms in section 702 of the Defense Production Act of 1950 (50 U.S.C. 4552).

SA 2797. Mr. ROUNDS (for himself, Ms. KLOBUCHAR, Mr. MORAN, Mr. BLUMENTHAL, 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 end of subtitle H of title X, insert the following:

SEC. 1095. RECORDS PRESERVATION PROCESSES FOR CERTAIN AT-RISK AFGHAN ALLIES.

(a) DEFINITION OF AFGHAN ALLY.—In this section and only for the purpose of the Department of Defense records preservation processes established by this section, the term ''Afghan ally'' means an alien who is a citizen or national of Afghanistan, or in the case of an alien having no nationality, an alien who last habitually resided in Afghanistan, who—

(1) was—

(A) a member of—

(i) the special operations forces of the Afghanistan National Defense and Security Forces;

(ii) the Afghanistan National Army Special Operations Command;

(iii) the Afghan Air Force; or

(iv) the Special Mission Wing of Afghanistan;

(B) a female member of any other entity of the Afghanistan National Defense and Security Forces, including—

(i) a cadet or instructor at the Afghanistan National Defense University; and

(ii) a civilian employee of the Ministry of Defense or the Ministry of Interior Affairs;

(C) an individual associated with former Afghan military and police human intelligence activities, including operators and Department of Defense sources;

(D) an individual associated with former Afghan military counterintelligence, counterterrorism, or counternarcotics;

(E) an individual associated with the former Afghan Ministry of Defense, Ministry of Interior Affairs, or court system, and who was involved in the investigation, prosecution or detention of combatants or members of the Taliban or criminal networks affiliated with the Taliban;

(F) an individual employed in the former justice sector in Afghanistan as a judge, prosecutor, or investigator who was engaged in rule of law activities for which the United States provided funding or training; or

(G) a senior military officer, senior enlisted personnel, or civilian official who

served on the staff of the former Ministry of Defense or the former Ministry of Interior Affairs of Afghanistan; and

(2) provided service to an entity or organization described in paragraph (1) for not less than 1 year during the period beginning on December 22, 2001, and ending on September 1, 2021, and did so in support of the United States mission in Afghanistan.

(b) INCLUSIONS.—For purposes of this section, the Afghanistan National Defense and Security Forces includes members of the security forces under the Ministry of Defense and the Ministry of Interior Affairs of the Islamic Republic of Afghanistan, including the Afghanistan National Army, the Afghan Air Force, the Afghanistan National Police, and any other entity designated by the Secretary of Defense as part of the Afghanistan National Defense and Security Forces during the relevant period of service of the applicant concerned.

(c) AFGHAN ALLIES RECORDS PRESERVATION PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a process by which an individual may apply to the Secretary of Defense for classification as an Afghan ally.

(2) APPLICATION SYSTEM.—The process established under paragraph (1) shall—

(A) include the development and maintenance of a secure online portal through which applicants may provide information verifying their status as Afghan allies and upload supporting documentation; and

(B) allow—

(i) an applicant to submit his or her own application;

(ii) a designee of an applicant to submit an application on behalf of the applicant; and

(iii) the submission of an application regardless of where the applicant is located, provided that the applicant is outside the United States.

(3) REVIEW PROCESS.—As soon as practicable after receiving a request for classification described in paragraph (1), the Secretary of Defense shall—

(A) review—

(i) the service record of the applicant, if available;

(ii) if the applicant provides a service record or other supporting documentation, any information within the internal or contractor-held records of the Department of Defense that helps verify the service record concerned, including information or an attestation provided by any current or former official of the Department of Defense who has personal knowledge of the eligibility of the applicant for such classification; and

(iii) available data holdings in the possession of the Department of Defense or any contractor of the Department of Defense, including as applicable biographic and biometric records, iris scans, fingerprints, voice biometric information, hand geometry biometrics, other identifiable information, and any other information related to the applicant, including relevant derogatory information; and

(B)(i) in a case in which the Secretary of Defense determines that the applicant is an Afghan ally without significant derogatory information, the Secretary shall preserve a complete record of such application for potential future use by the applicant or a designee of the applicant; and

(ii) include with such preserved record—

(I) any service record concerned, if available;

(II) if the applicant provides a service record, any information that helps verify the service record concerned; and

(III) any biometrics for the applicant.

(4) REVIEW PROCESS FOR DENIAL OF REQUEST FOR RECORDS PRESERVATION.—

(A) IN GENERAL.—In the case of an applicant with respect to whom the Secretary of Defense denies a request for classification and records preservation based on a determination that the applicant is not an Afghan ally or based on derogatory information—

(i) the Secretary shall provide the applicant with a written notice of the denial that provides, to the maximum extent practicable, a description of the basis for the denial, including the facts and inferences, or evidentiary gaps, underlying the individual determination; and

(ii) the applicant shall be provided an opportunity to submit not more than 1 written appeal to the Secretary for each such denial.

(B) DEADLINE FOR APPEAL.—An appeal under clause (ii) of subparagraph (A) shall be submitted—

(i) not more than 120 days after the date on which the applicant concerned receives notice under clause (i) of that subparagraph; or

(ii) on any date thereafter, at the discretion of the Secretary of Defense.

(C) REQUEST TO REOPEN.—

(i) IN GENERAL.—An applicant who receives a denial under subparagraph (A) may submit a request to reopen a request for classification and records preservation under the process established under paragraph (1) so that the applicant may provide additional information, clarify existing information, or explain any unfavorable information.

(ii) LIMITATION.—After considering 1 such request to reopen from an applicant, the Secretary of Defense may deny subsequent requests to reopen submitted by the same applicant.

(5) TERMINATION.—The application process under this subsection shall terminate on the date that—

(A) is not earlier than ten years after the date of the enactment of this Act; and

(B) on which the Secretary of Defense makes a determination that such termination is in the national interest of the United States.

(6) GENERAL PROVISIONS.—

(A) PROHIBITION ON FEES.—The Secretary of Defense may not charge any fee in connection with a request for a classification or records preservation under this section.

(B) DEFENSE PERSONNEL.—Any limitation in law with respect to the number of personnel within the Office of the Secretary of Defense, the military departments, or a Defense Agency (as defined in section 101(a) of title 10, United States Code) shall not apply to personnel employed for the primary purpose of carrying out this section.

(C) REPRESENTATION.—An alien applying for records preservation under this section may be represented during the application process, including at relevant interviews and examinations, by an attorney or other accredited representative. Such representation shall not be at the expense of the United States Government.

SA 2798. Mr. BARRASSO (for Mr. DAINES (for himself, Ms. LUMMIS, and Mr. BARRASSO)) submitted an amendment intended to be proposed by Mr. Barrasso 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. ____. SUPPORTING NATIONAL SECURITY WITH SPECTRUM.

(a) SHORT TITLE.—This section may be cited as the ''Supporting National Security with Spectrum Act''.

(b) ADDITIONAL ''RIP AND REPLACE'' FUNDING.— Section 4(k) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1603(k)) is amended by striking ''$1,900,000,000'' and inserting ''$4,980,000,000''.

(c) APPROPRIATION OF FUNDS.—There is appropriated to the Federal Communications Commission for fiscal year 2024, out of amounts in the Treasury not otherwise appropriated, $3,080,000,000, to remain available until expended, to carry out section 4 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1603).

(d) FCC AUCTION 97 REAUCTION OF CERTAIN LICENSES; COMPLETION OF REAUCTION.—

(1) FCC AUCTION 97 REAUCTION OF CERTAIN LICENSES.—Not later than 1 year after the date of enactment of this Act, the Federal Communications Commission shall initiate a system of competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) to grant licenses for spectrum in the inventory of the Commission within the bands of frequencies referred to by the Commission as the ''AWS–3 bands'', without regard to whether the authority of the Commission under paragraph (11) of that section has expired.

(2) COMPLETION OF REAUCTION.—The Federal Communications Commission shall complete the system of competitive bidding described in subsection (a), including receiving payments, processing applications, and granting licenses, without regard to whether the authority of the Commission under paragraph (11) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) has expired.

SA 2799. 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 E of title I, add the following:

SEC. 144. PROCUREMENT OF F–35 DEVELOPMENTAL TESTING AIRCRAFT.

Section 225(b) of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 195) is amended—

(1) in paragraph (1)—

(A) by striking ''two'' each place it appears and inserting ''three''; and

(B) by striking ''2030'' and inserting ''2034''; and

(2) by adding at the end the following new paragraph:

''(3) DEVELOPMENTAL TESTING MODIFICATIONS.—Any developmental testing modifications to aircraft designated under paragraph (1) may be procured using funds made available to the F–35 aircraft program for research, development, test, and evaluation or procurement of aircraft.''.

SA 2800. Mr. LUJÁN 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—Secure and Affordable Broadband Extension Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Secure and Affordable Broadband Extension Act''.

SEC. 1097. ADDITIONAL "RIP AND REPLACE" FUNDING.

(a) INCREASE IN EXPENDITURE LIMIT.—Section 4(k) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1603(k)) is amended by striking ''$1,900,000,000'' and inserting ''$4,980,000,000''.

(b) APPROPRIATION OF FUNDS.—There is appropriated to the Federal Communications Commission for fiscal year 2024, out of amounts in the Treasury not otherwise appropriated, $3,080,000,000, to remain available until expended, to carry out section 4 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1603).

SEC. 1098. IMPROVING THE AFFORDABLE CONNECTIVITY PROGRAM.

(a) IMPROVING VERIFICATION OF ELIGIBILITY.—

(1) REQUIRED USE OF NATIONAL VERIFIER TO DETERMINE ELIGIBILITY.—Section 904 of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752) is amended—

(A) in subsection (a)(6)(C), by striking ''or the participating provider verifies eligibility under subsection (a)(2)(B)''; and

(B) in subsection (b)(2), by striking ''shall'' and all that follows and inserting the following: ''shall use the National Verifier and National Lifeline Accountability Database.''.

(2) REPEAL OF ELIGIBILITY THROUGH A PROVIDER'S EXISTING LOW-INCOME PROGRAM.—Section 904(a)(6) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752(a)(6)) is amended—

(A) in subparagraph (C), by adding ''or'' at the end;

(B) by striking subparagraph (D); and

(C) by redesignating subparagraph (E) as subparagraph (D).

(3) LIMITATION ON ELIGIBILITY THROUGH THE COMMUNITY ELIGIBILITY PROVISION OF THE FREE LUNCH PROGRAM AND THE FREE SCHOOL BREAKFAST PROGRAM.—Section 904(a)(6) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752(a)(6)) is amended by striking subparagraph (B) and inserting the following:

''(B) at least 1 member of the household—

''(i) is eligible for and receives—

''(I) free or reduced price lunch under the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); or

''(II) free or reduced price breakfast under the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773); and

''(ii) attends a school the local educational agency of which does not elect to receive special assistance payments under section 11(a)(1)(F) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759a(a)(1)(F)).''.

(4) REDUCTION OF ELIGIBLE HOUSEHOLDS.—Section 904(a)(6)(A) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752(a)(6)(A)) is amended by striking ''except that'' and all that follows and inserting a semicolon.

(5) EFFECTIVE DATE; RULES.—

(A) DEFINITIONS.—In this paragraph—

(i) the terms ''affordable connectivity benefit'', ''Commission'', ''eligible household'', and ''participating provider'' have the meanings given those terms in section 904(a) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752(a)), as amended by this subsection; and

(ii) the term ''Affordable Connectivity Program'' means the program established under section 904(b)(1) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752(b)(1)).

(B) EFFECTIVE DATE.—Except as provided in subparagraph (C), the amendments made by this subsection shall take effect on the date of enactment of this Act.

(C) ENROLLED HOUSEHOLDS.—A household that received the affordable connectivity benefit as of April 30, 2024, but is no longer an eligible household by reason of the amendments made by this subsection shall nonetheless be treated an eligible household until the date that is 180 days after the date of enactment of this Act.

(D) UPDATING RULES.—Not later than 180 days after the date of enactment of this Act, the Commission shall update the rules of the Commission relating to the Affordable Connectivity Program to implement the amendments made by this subsection.

(E) RE-CERTIFICATION.—During the period beginning on the date on which the Commission updates the rules under subparagraph (D) and ending on the date that is 240 days after the date of enactment of this Act, a participating provider or the Administrator of the Universal Service Administrative Company, as applicable, shall re-certify the eligibility of a household for the Affordable Connectivity Program in accordance with section 54.1806(f) of title 47, Code of Federal Regulations, or any successor regulation, based on the amendments made by this subsection.

(b) REPEAL OF AFFORDABLE CONNECTIVITY PROGRAM DEVICE SUBSIDY.—Section 904 of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752) is amended—

(1) in subsection (a)—

(A) by striking paragraph (4); and

(B) by redesignating paragraphs (5) through (11) as paragraphs (4) through (10), respectively; and

(2) in subsection (b)—

(A) in paragraph (1), by striking '', or an affordable connectivity benefit and a connected device,'';

(B) by striking paragraph (5);

(C) by redesignating paragraphs (6) through (15) as paragraphs (5) through (14), respectively;

(D) by amending paragraph (5), as so redesignated, to read as follows:

''(5) CERTIFICATION REQUIRED.—To receive a reimbursement under paragraph (4), a participating provider shall certify to the Commission that each eligible household for which the participating provider is seeking reimbursement for providing an internet service offering discounted by the affordable connectivity benefit—

''(A) will not be required to pay an early termination fee if such eligible household elects to enter into a contract to receive such internet service offering if such household later terminates such contract;

''(B) was not, after December 27, 2020, subject to a mandatory waiting period for such internet service offering based on having previously received broadband internet access service from such participating provider; and

''(C) will otherwise be subject to the participating provider's generally applicable terms and conditions as applied to other customers.'';

(E) in paragraph (11), as so redesignated—

(i) in subparagraph (D), by striking ''a connected device or a reimbursement for'';

(ii) by striking subparagraph (E);

(iii) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively; and

(iv) in subparagraph (F), as so redesignated, by striking ''subsection (a)(6)'' and inserting ''subsection (a)(5)''; and

(F) in paragraph (13), as so redesignated, by striking ''paragraph (12)'' and inserting ''paragraph (11)''.

(c) ANTIFRAUD CONTROLS, PERFORMANCE GOALS, AND MEASURES.—Section 904 of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752) is amended by adding at the end the following:

''(k) ANTIFRAUD CONTROLS, PERFORMANCE GOALS, AND MEASURES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Commission shall develop and implement antifraud controls, performance goals, and performance measures for the Affordable Connectivity Program, and in doing so, shall consider the recommendations submitted by the Comptroller General of the United States to the Commission in the report entitled 'Affordable Broadband: FCC Could Improve Performance Goals and Measures, Consumer Outreach, and Fraud Risk Management', publicly released January 25, 2023 (GAO–23–105399).''.

(d) REPORT ON EFFECTIVENESS.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Federal Communications Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report analyzing the effects of this section, including the amendments made by this section, with respect to improving the efficiency and quality of the Affordable Connectivity Program established under section 904(b)(1) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752(b)(1)).

(e) APPROPRIATION OF FUNDS.—Section 904(i)(2) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752(i)(2)) is amended—

(1) in the paragraph heading, by striking ''APPROPRIATION'' and inserting ''APPROPRIATIONS'';

(2) by striking ''There is'' and inserting the following:

''(A) FISCAL YEAR 2021.—There is''; and

(3) by adding at the end the following:

''(B) FISCAL YEAR 2024.—There is appropriated to the Affordable Connectivity Fund, out of any money in the Treasury not otherwise appropriated, $6,000,000,000 for fiscal year 2024, to remain available until expended.''.

SEC. 1099. REAUCTION OF CERTAIN LICENSES.

(a) FCC REAUCTION AUTHORITY.—Not later than 2 years after the date of enactment of this Act, the Federal Communications Commission, without regard to whether the authority of the Commission under paragraph (11) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) has expired—

(1) shall initiate 1 or more systems of competitive bidding under that section to grant licenses for—

(A) the bands referred to by the Commission as the ''AWS–3 bands''; and

(B) any other unassigned spectrum bands with respect to which the Commission previously offered licenses in competitive bidding, as determined appropriate by the Commission; and

(2) shall initiate 1 or more systems of competitive bidding under that section to grant licenses for any unassigned spectrum bands, other than the bands auctioned under paragraph (1), with respect to which the Commission—

(A) previously offered licenses in competitive bidding; and

(B) determines there is sufficient current demand.

(b) COMPLETION OF REAUCTION.—The Federal Communications Commission shall complete each system of competitive bidding described in subsection (a), including receiving payments, processing applications, and granting licenses, without regard to whether the authority of the Commission under paragraph (11) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) has expired.

SA 2801. Mr. LUJÁN 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. INDIAN CHILD PROTECTION AND FAMILY VIOLENCE PREVENTION ACT AMENDMENTS.

The Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3202 et seq.) is amended as follows:

(1) By amending section 403(3)(A) (25 U.S.C. 3202(3)(A)) to read as follows:

''(A) in any case in which—

''(i)(I) a child is dead or exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling; and

''(II) such condition is not justifiably explained or may not be the product of an accidental occurrence; or

''(ii) a child is subjected to sexual assault, sexual molestation, sexual exploitation, sexual contact, or prostitution; and''.

(2) In section 409 (25 U.S.C. 3208)—

(A) in subsection (a)—

(i) by striking ''The Secretary of Health and Human Services, acting through the Service and in cooperation with the Bureau'' and inserting ''The Service, in cooperation with the Bureau''; and

(ii) by striking ''sexual abuse'' and inserting ''abuse or neglect'';

(B) in subsection (b) through the end of the section, by striking ''Secretary of Health and Human Services'' each place it appears and inserting ''Service'';

(C) in subsection (b)(1), by inserting after ''Any Indian tribe or intertribal consortium'' the following: '', on its own or in partnership with an urban Indian organization,'';

(D) in subsections (b)(2)(B) and (d), by striking ''such Secretary'' each place it appears and inserting ''the Service'';

(E) by amending subsection (c) to read as follows:

''(c) CULTURALLY APPROPRIATE TREATMENT.—In awarding grants under this section, the Service shall encourage the use of culturally appropriate treatment services and programs that respond to the unique cultural values, customs, and traditions of applicant Indian Tribes.'';

(F) in subsection (d)(2), by striking ''the Secretary'' and inserting ''the Service'';

(G) by redesignating subsection (e) as subsection (f); and

(H) by inserting after subsection (d) the following:

''(e) REPORT.—Not later than 2 years after the date of the enactment of the Native American Child Protection Act, the Service shall submit a report to Congress on the award of grants under this section. The report shall contain—

''(1) a description of treatment and services for which grantees have used funds awarded under this section; and

''(2) any other information that the Service requires.''.

(3) In section 410 (25 U.S.C. 3209)—

(A) in the heading—

(i) by inserting ''**NATIONAL**'' before ''**INDIAN**''; and

(ii) by striking ''**CENTERS**'' and inserting ''**CENTER**'';

(B) by amending subsections (a) and (b) to read as follows:

''(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of the Native American Child Protection Act, the Secretary shall establish a National Indian Child Resource and Family Services Center.

''(b) REPORT.—Not later than 2 years after the date of the enactment of the Native American Child Protection Act, the Secretary of the Interior, acting through the Bureau of Indian Affairs, shall submit a report to Congress on the status of the National Indian Child Resource and Family Services Center.'';

(C) in subsection (c)—

(i) by striking ''Each'' and inserting ''The''; and

(ii) by striking ''multidisciplinary'';

(D) in subsection (d)—

(i) in the text before paragraph (1), by striking ''Each'' and inserting ''The'';

(ii) in paragraph (1), by striking ''and inter-tribal consortia'' and inserting ''intertribal consortia, and urban Indian organizations'';

(iii) in paragraph (2), by inserting ''urban Indian organizations,'' after ''tribal organizations,'';

(iv) in paragraph (3)—

(I) by inserting ''and technical assistance'' after training; and

(II) by striking ''and to tribal organizations'' and inserting '', Tribal organizations, and urban Indian organizations'';

(v) in paragraph (4)—

(I) by inserting '', State,'' after ''Federal''; and

(II) by striking ''and tribal'' and inserting ''Tribal, and urban Indian''; and

(vi) by amending paragraph (5) to read as follows:

''(5) develop model intergovernmental agreements between Tribes and States, and other materials that provide examples of how Federal, State, and Tribal governments can develop effective relationships and provide for maximum cooperation in the furtherance of prevention, investigation, treatment, and prosecution of incidents of family violence and child abuse and child neglect involving Indian children and families.'';

(E) in subsection (e)—

(i) in the heading, by striking ''MULTIDISCIPLINARY TEAM'' and inserting ''TEAM'';

(ii) in the text before paragraph (1), by striking ''Each multidisciplinary'' and inserting ''The''; and

(F) by amending subsections (f) and (g) to read as follows:

''(f) CENTER ADVISORY BOARD.—The Secretary shall establish an advisory board to advise and assist the National Indian Child Resource and Family Services Center in carrying out its activities under this section. The advisory board shall consist of 12 members appointed by the Secretary from Indian Tribes, Tribal organizations, and urban Indian organizations with expertise in child abuse and child neglect. Members shall serve without compensation, but may be reimbursed for travel and other expenses while carrying out the duties of the board. The advisory board shall assist the Center in coordinating programs, identifying training and technical assistance materials, and developing intergovernmental agreements relating to family violence, child abuse, and child neglect.

''(g) APPLICATION OF INDIAN SELF-DETERMINATION ACT TO THE CENTER.—The National Indian Child Resource and Family Services Center shall be subject to the provisions of the Indian Self-Determination Act. The Secretary may also contract for the operation of the Center with a nonprofit Indian organization governed by an Indian-controlled board of directors that have substantial experience in child abuse, child neglect, and family violence involving Indian children and families.''.

(4) In section 411 (25 U.S.C. 3210)—

(A) in subsection (d)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking ''abuse and child neglect'' and inserting ''abuse, neglect, or both'';

(II) in subparagraph (B), by striking ''and'' at the end; and

(III) by inserting after subparagraph (C), the following:

''(D) development of agreements between Tribes, States, or private agencies on the coordination of child abuse and neglect prevention, investigation, and treatment services;

''(E) child protective services operational costs including transportation, risk and protective factors assessments, family engagement and kinship navigator services, and relative searches, criminal background checks for prospective placements, and home studies; and

''(F) development of a Tribal child protection or multidisciplinary team to assist in the prevention and investigation of child abuse and neglect;'';

(ii) in paragraph (2)—

(I) in subparagraph (A), by inserting ''in culturally appropriate ways'' after ''incidents of family violence''; and

(II) in subparagraph (C), by inserting ''that may include culturally appropriate programs'' after ''training programs''; and

(iii) in paragraph (3)—

(I) in subparagraph (A), by inserting ''and neglect'' after ''abuse''; and

(II) in subparagraph (B), by striking ''cases, to the extent practicable,'' and inserting ''and neglect cases'';

(B) in subsection (f)—

(i) in paragraph (2), by striking ''develop, in consultation with Indian tribes, appropriate caseload standards and staffing requirements which are comparable to standards developed by the National Association of Social Work, the Child Welfare League of America and other professional associations in the field of social work and child welfare'' and inserting ''develop, not later than one year after the date of the enactment of the Native American Child Protection Act, in consultation with Indian Tribes, appropriate caseload standards and staffing requirements'';

(ii) in paragraph (3)(D), by striking ''sexual abuse'' and inserting ''abuse and neglect, high incidence of family violence'';

(iii) by amending paragraph (4) to read as follows:

''(4) The formula established pursuant to this subsection shall provide funding necessary to support not less than one child protective services or family violence caseworker, including fringe benefits and support costs, for each Indian Tribe.''; and

(iv) in paragraph (5), by striking ''tribes'' and inserting ''Indian Tribes''; and

(C) by amending subsection (g) to read as follows:

''(g) REPORT.—Not later than 2 years after the date of the enactment of the Native American Child Protection Act, the Secretary of the Interior, acting through the Bureau of Indian Affairs, shall submit a report to Congress on the award of grants

under this section. The report shall contain—

''(1) a description of treatment and services for which grantees have used funds awarded under this section; and

''(2) any other information that the Secretary of the Interior requires.''.

SA 2802. Ms. BUTLER 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 E of title VII, add the following:

SEC. 750. ASSESSMENT OF HEALTH CARE SYSTEM SUPPORTING MILITARY INSTALLATIONS WITHIN THE AIRSPACE OF THE R–2508 COMPLEX.

(a) IN GENERAL.—To ensure adequate health care for the civilian and military workforce of the Department of Defense, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop an assessment of the health care system supporting the military installations within the airspace of the R–2508 complex.

(b) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the assessment developed under subsection (a).

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a description of any challenges to the health care system described in subsection (a) within the private and public sector, including—

(i) any challenges relating to funding and authorization of care;

(ii) any potential obstacles to access health care services for civilian and military populations; and

(iii) whether there exists a provider shortage for emergency care personnel and certain other specialties;

(B) an assessment of the potential impacts of such challenges on the mission of any military installations within the airspace of the R–2508 complex;

(C) recommendations for legislative proposals to improve such health care system; and

(D) the plans of the Secretary to address the issues identified under subparagraphs (A) and (B).

SA 2803. Ms. BUTLER 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. PLAN TO ASSESS EFFECTIVENESS OF COAST GUARD ACTIONS TO ENSURE EXPERIENCE FREE OF SEXUAL ASSAULT AND SEXUAL HARASSMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating (referred to in this section as the ''Secretary'') shall submit to Congress a plan to assess the effectiveness of actions taken by the Commandant of the Coast Guard to ensure that members of the Coast Guard have an experience in the Coast Guard that—

(1) aligns with the core values of the Coast Guard; and

(2) is free of sexual assault and sexual harassment.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) A description of evaluation mechanisms that will be used to assess the effectiveness of the actions described in subsection (a).

(2) An evaluation of the effectiveness of actions taken by the Commandant of the Coast Guard (referred to in this section as the ''Commandant'') pursuant to the 90-day Accountability and Transparency Report.

(3) A description of the outcomes of the investigation conducted by the Office of the Inspector General of the Department of Homeland Security into Operation Fouled Anchor, and a plan to undertake the actions recommended in response to such outcomes.

(4) An update on the investigations conducted by the Coast Guard Investigative Service into sexual assault and sexual harassment allegations within the Coast Guard, and a plan to undertake actions in response to the outcomes of such investigations.

(5) Specific measurable goals related to Coast Guard climate and sexual assault and sexual harassment prevention and response, and metrics to measure progress toward such goals.

(c) UPDATES.—

(1) IN GENERAL.—Not later than 180 days after the date on which the plan is submitted under subsection (a), and every 180 days thereafter, the Secretary shall submit to Congress a notification of the progress of the Coast Guard toward achieving the goals and metrics established in the plan.

(2) SUNSET.—Paragraph (1) shall cease to have effect on the date, not less than 2 years after the date of the enactment of this Act, on which the Secretary, in consultation with the appropriate committees of Congress, makes a determination that the Commandant has effectively met the objectives of the plan required by subsection (a).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Oversight and Accountability of the House of Representatives.

SA 2804. Ms. BUTLER 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 E of title VII, insert the following:

SEC. 749A. GAO REPORT ON MATERNITY CARE ACCESS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on programs and activities of the Department of Defense to support the availability and retention of maternity care for members of the Armed Forces and their dependents. Such report shall examine, to the extent data is available—

(1) the availability of maternity care for members of the Armed Forces and their dependents;

(2) recent trends in obstetric care unit closures, including at military medical treatment facilities and hospitals that predominantly serve members of the Armed Forces and their dependents;

(3) what is known about the factors that contribute to obstetric care unit closures at military medical treatment facilities and hospitals that predominantly serve members of the Armed Forces and their dependents;

(4) what is known about the populations, including racial and ethnic minority groups, disproportionately impacted by obstetric care unit closures at military medical treatment facilities and hospitals that predominantly serve members of the Armed Forces and their dependents;

(5) what is known about the health outcomes, including maternal mental health and substance use outcomes, associated with obstetric care unit closures at military medical treatment facilities and hospitals that predominantly serve members of the Armed Forces and their dependents;

(6) the manner in which selected recipients of awards from relevant Federal agencies may utilize such awards to carry out activities that support the availability and retention of maternity care for members of the Armed Forces and their dependents, and any challenges associated with implementing such activities; and

(7) the activities of the Department of Defense to address obstetric care unit closures and coordinate with the heads of other relevant agencies to support innovative partnerships between accredited freestanding birth centers, hospitals, military medical treatment facilities, other health care settings, maternity care providers, and perinatal health workers.

(b) DEFINITIONS.—In this section—

(1) the term ''freestanding birth center'' has the meaning given such term in section 1905(l)(3) of the Social Security Act (42 U.S.C. 1396d(l)(3)); and

(2) the term ''military medical treatment facility'' means military medical treatment facilities described in section 1073d of title 10, United States Code.

SA 2805. Ms. BUTLER (for herself and Mrs. BRITT) 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. 10___. IMPROVE INITIATIVE.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

''SEC. 409K. IMPROVE INITIATIVE.

''(a) IN GENERAL.—The Director of the National Institutes of Health, in consultation with the Director the Eunice Kennedy Shriver National Institute of Child Health and Human Development, shall establish a program to be known as the Implementing a

Maternal health and PRegnancy Outcomes Vision for Everyone Initiative (referred to in this section as the 'Initiative').

''(b) DUTIES.—The Initiative shall—

''(1) advance research to—

''(A) reduce preventable causes of maternal mortality and severe maternal morbidity;

''(B) reduce racial, ethnic, geographic, and socioeconomic disparities in maternal health outcomes; and

''(C) improve health for pregnant and postpartum women before, during, and after pregnancy;

''(2) use an integrated approach to understand the biological, behavioral, sociocultural, and structural factors that affect maternal mortality and severe maternal morbidity by building an evidence base for improved outcomes in specific regions of the United States; and

''(3) target health disparities associated with maternal mortality and severe maternal morbidity by—

''(A) implementing and evaluating community-based interventions for disproportionately affected women; and

''(B) identifying risk factors and the underlying biological mechanisms associated with leading causes of maternal mortality and severe maternal morbidity in the United States.

''(c) IMPLEMENTATION.—The Director of the Institute may award grants or enter into contracts, cooperative agreements, or other transactions to carry out subsection (a), including with researchers from racial and ethnic minority groups (as defined in section 1707(g)(1)).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $53,400,000 for each of fiscal years 2025 through 2031.''.

SA 2806. Ms. BUTLER (for herself and Mr. PADILLA) 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 B of title III, add the following:

SEC. 318. AUTHORIZATION TO TRANSFER FUNDS TO INTERNATIONAL BOUNDARY AND WATER COMMISSION.

The Secretary of the Navy may transfer amounts available to the Department of the Navy to the United States section of the International Boundary and Water Commission to assist in efforts that contribute directly to mitigating pollution in the Tijuana River that impact the training of Navy personnel, as determined by the Secretary.

SA 2807. Ms. BUTLER (for herself and Mr. PADILLA) 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 title X, add the following:

Subtitle I—Tijuana River Public Health and Water Quality

SEC. 1096. PURPOSES.

The purposes of this subtitle are—

(1) to establish a program to plan and implement water quality restoration and protection activities;

(2) to ensure the coordination of restoration and protection activities among Federal, State, local, and regional entities and conservation partners relating to water quality and stormwater management in the American Tijuana River watershed; and

(3) to provide funding for water quality restoration and protection activities in the American Tijuana River watershed.

SEC. 1097. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AMERICAN TIJUANA RIVER WATERSHED.—The term ''American Tijuana River watershed'' means the portion of the Tijuana River watershed that lies in the United States.

(3) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the United States Section of the International Boundary and Water Commission.

(4) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130).

(5) PROGRAM.—The term ''program'' means the Tijuana River Public Health and Water Quality Restoration Program established under section 1098(a)(1).

(6) PROGRAM DIRECTOR.—The term ''Program Director'' means the Program Director of the program designated under section 1098(a)(2).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(8) TIJUANA RIVER.—The term ''Tijuana River'' means the river that rises in the Sierra de Juarez in Mexico, flows through the City of Tijuana and then north into the United States, passes through the Tijuana River estuary, and drains into the Pacific Ocean.

(9) WATER QUALITY RESTORATION AND PROTECTION.—The term ''water quality restoration and protection'', with respect to the Tijuana River watershed, means—

(A) the enhancement of water quality and stormwater management; and

(B) the use of natural and green infrastructure to enhance the ability of the watershed to capture pollutants and reduce runoff to prevent flooding.

(10) WATER REUSE.—The term ''water reuse'' has the meaning given the term in the document of the Environmental Protection Agency entitled ''National Water Reuse Action Plan: Collaborative Implementation (Version 1)'' and dated February 2020.

SEC. 1098. TIJUANA RIVER PUBLIC HEALTH AND WATER QUALITY RESTORATION PROGRAM.

(a) ESTABLISHMENT.—

(1) PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a program, to be known as the ''Tijuana River Public Health and Water Quality Restoration Program''.

(2) PROGRAM DIRECTOR.—Not later than 180 days after the date of enactment of this Act, the Administrator shall designate a Program Director of the program, who shall—

(A) have leadership and project management experience; and

(B) be qualified—

(i) to direct the integration of multiple project planning efforts and programs from different agencies and jurisdictions;

(ii) to align numerous, and possibly competing, priorities to accomplish visible and measurable outcomes under the water quality plan under section 1099(a)(1);

(iii) to manage efforts and associated functions needed to run the management conference described in subsection (b)(2);

(iv) to facilitate engagement with the International Boundary and Water Commission and related Federal agencies;

(v) to solicit feedback from relevant Federal, State, Tribal, local, public, nonprofit, and other relevant stakeholders on the creation and implementation of the water quality plan under section 1099(a)(1); and

(vi) to consult with Indian Tribes within the American Tijuana River watershed region.

(b) DUTIES.—In carrying out the program—

(1) the Administrator shall—

(A) develop the water quality plan under section 1099(a)(1) to address pollution prevention, environmental and ecological restoration, climate change, resilience, and mitigation, and related efforts, in the American Tijuana River watershed region;

(B) carry out projects, plans, and initiatives for the Tijuana River and work in consultation with applicable management entities, including representatives of the Federal Government, State and local governments, and regional and nonprofit organizations, to carry out public health and water quality restoration and protection activities relating to the Tijuana River;

(C) carry out activities that—

(i) develop, using monitoring, data collection, and assessment, a shared set of science-based water quality restoration and protection activities identified in accordance with subparagraph (B);

(ii) support the implementation of a shared set of science-based water quality restoration and protection activities identified in accordance with subparagraph (B), including water reuse projects, water recycling projects, and natural and green infrastructure projects;

(iii) target cost-effective projects with measurable results; and

(iv) maximize public health and water quality conservation outcomes;

(D) coordinate the development of consistent Federal policies, strategies, projects, and priorities for addressing the public health and water quality restoration and protection of the Tijuana River;

(E) coordinate a funding strategy among available funding sources in the region; and

(F) provide grants, agreements, and technical assistance in accordance with section 1099A; and

(2) not later than 120 days after the date on which the Program Director is designated under subsection (a)(2), the Program Director shall convene a management conference for the Tijuana River pursuant to section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(c) COORDINATION.—In establishing the program, the Administrator shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Secretary;

(B) the Commissioner;

(C) the Secretary of Agriculture;

(D) the Secretary of Homeland Security;

(E) the Administrator of General Services;

(F) the Commissioner of U.S. Customs and Border Protection;

(G) the Secretary of the Interior;

(H) the Secretary of the Army, acting through the Chief of Engineers;

(I) the Administrator of the National Oceanic and Atmospheric Administration;

(J) the Director of the United States Fish and Wildlife Service; and

(K) the head of any other applicable agency, as determined by the Administrator;

(2) a representative of Naval Base Coronado;

(3) a representative of the Commander, Navy Region Southwest;
(4) a representative of the Coast Guard;
(5) a representative of the United States Geological Survey;
(6) a representative of the Bureau of Indian Affairs;
(7) a representative from each Indian Tribe located within the American Tijuana River watershed;
(8) the heads of State agencies, including—
(A) the Governor of California;
(B) the California Environmental Protection Agency;
(C) the California State Water Resources Control Board;
(D) the California Department of Water Resources; and
(E) the San Diego Regional Water Quality Control Board;
(9) 2 representatives of affected units of local government in the State, chosen on a rotating 3-year cycle by the Governor of California, including representatives from the City of Imperial Beach, the City of San Diego, the City of Chula Vista, the City of Coronado, the Port of San Diego, and the County of San Diego;
(10) 2 representatives of relevant nonprofit groups, chosen on a rotating 3-year cycle by the Governor of California;
(11) other public agencies and organizations with authority for the planning and implementation of conservation strategies relating to the Tijuana River in the United States and Mexico, as determined by the Administrator; and
(12) representatives of the North American Development Bank.

(d) COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.—
(1) IN GENERAL.—To achieve the purposes of this subtitle and to ensure effective coordination of Federal and non-Federal water quality restoration and protection activities, the Administrator shall use amounts made available for those purposes from any Federal agency, including the the U.S.-Mexico Border Water Infrastructure Grant Program of the Environmental Protection Agency, to enter into cooperative agreements and memoranda of understanding with, and provide technical assistance to—
(A) the heads of other Federal agencies, States, State agencies, units of local government, regional governmental bodies, and private entities; and
(B) in cooperation with the Secretary, the Government of Mexico.
(2) USE OF AGREEMENTS.—The Administrator shall enter into the cooperative agreements and memoranda of understanding described in paragraph (1)—
(A) to carry out the activities described in this section, including studies, plans, construction, and completion of projects to improve the water quality of, environment of, and public health around the Tijuana River; and
(B) to carry out a pilot project under which the Administrator shall, for projects selected by the Administrator that would otherwise not be successful in improving the water quality of, environment of, and public health of people residing in areas surrounding the Tijuana River—
(i) identify the parties responsible for the projects; and
(ii) provide funds to those parties for the operations and maintenance of the projects.
(3) TERM.—The cooperative agreements and memoranda of understanding described in paragraph (1) shall be limited to a specified period of time, as determined by the Administrator.
(4) FINANCIAL ARRANGEMENTS.—
(A) IN GENERAL.—If the Administrator enters into a cooperative agreement or memorandum of understanding described in paragraph (1), the Administrator may require the other party to the agreement or memorandum to provide payment to the Administrator.
(B) DEPOSIT.—Any amounts received as a payment under subparagraph (A) shall be deposited into the State and Tribal Assistance Grants account of the Environmental Protection Agency and shall remain available, without further appropriation, to carry out the purposes of this subtitle.
(5) PERSONNEL; SERVICES; TECHNICAL ASSISTANCE.—The Administrator may provide or accept personnel, services, and technical assistance pursuant to a cooperative agreement or memorandum of understanding described in paragraph (1), with or without reimbursement, for the purposes of carrying out the agreement or memorandum.

(e) AUTHORIZATION OF APPROPRIATIONS.—
(1) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out this section $50,000,000 for each of fiscal years 2025 through 2035, to remain available until expended.
(2) SET ASIDE.—Of amounts made available to carry out this section, the Administrator may use not more than 5 percent for grants under this section for salaries, expenses, and administration.

SEC. 1099. WATER QUALITY PLAN.

(a) DEVELOPMENT.—
(1) IN GENERAL.—The Administrator, in consultation with the individuals and entities described in section 1098(c), shall develop a plan for the purpose of improving and protecting the water quality of the Tijuana River watershed.
(2) REQUIREMENTS.—The water quality plan under paragraph (1) shall—
(A) build on and incorporate any existing efforts and plans to improve and protect the water quality of the Tijuana River watershed, including ongoing and completed efforts and plans; and
(B) include—
(i) such features as are needed to improve and protect the quality of wastewater, stormwater runoff, and other untreated flows;
(ii) criteria for selecting—
(I) water quality restoration and protection projects; and
(II) projects on the priority list under subsection (c)(1);
(iii) the amounts necessary for the operations and maintenance of infrastructure existing on and constructed after the date of enactment of this Act; and
(iv) potential sources of funding to help pay the costs described in clause (iii).
(3) OPERATIONS AND MAINTENANCE FUNDING.—
(A) IN GENERAL.—The Administrator, working with the individuals and entities described in section 1098(c), shall assess and identify potential alternative sources and approaches for financing infrastructure projects, including financing the operations and maintenance of those infrastructure projects.
(B) REQUIREMENT.—In carrying out subparagraph (A), the Administrator shall assess the approaches identified in the report of the Environmental Financial Advisory Board entitled ''Evaluating Stormwater Infrastructure Funding and Financing'' and dated March 2020.

(b) ISSUANCE; UPDATES.—The Administrator shall—
(1) not later than 1 year after the date of enactment of this Act, issue the water quality plan under subsection (a)(1); and
(2) every 5 years after the date on which the plan is issued under paragraph (1), update the plan.

(c) PRIORITY LIST.—
(1) IN GENERAL.—The water quality plan under subsection (a)(1) shall include a priority list of potential or proposed water quality restoration and protection projects for the Tijuana River watershed that—
(A) provides for the management of wastewater or stormwater or the removal of debris, sediment, chemicals, bacteria, and other contaminants from the water flowing north into the United States;
(B) estimates the costs and identifies the entities that will fund the construction, operation, and maintenance of each project on the priority list;
(C) is developed in coordination with the individuals and entities described in section 1098(c);
(D) assists agencies to coordinate funding; and
(E) identifies projects—
(i) in the American Tijuana River watershed; and
(ii) that address transboundary flows that affect coastal communities in and near the Tijuana River watershed.
(2) DEVELOPMENT.—In developing the priority list under paragraph (1), the Administrator shall—
(A) use the best available science, including any relevant findings and recommendations of a watershed assessment conducted by Federal, State, and local agencies;
(B) carry out and fund science development, monitoring, or modeling as needed to inform project development and assessment; and
(C) include, in order of priority, potential or proposed water quality or stormwater projects for the restoration and protection of the Tijuana River that—
(i) would help—
(I) to achieve and maintain the water quality standards for—
(aa) public health;
(bb) recreational opportunities;
(cc) scenic resources; and
(dd) wildlife and habitat; and
(II) to address water needs in the Tijuana River watershed, including through water reuse and water recycling; and
(ii) would identify responsible agencies and funding sources through coordinated efforts by the individuals and entities described in section 1098(c).

SEC. 1099A. GRANTS, AGREEMENTS, AND ASSISTANCE.

(a) IN GENERAL.—In order to carry out the purposes of the program as described in section 1096, the Administrator may—
(1) provide grants and technical assistance to the Commissioner, State and local governments, nonprofit organizations, and institutions of higher education, in both the United States and Mexico; and
(2) enter into interagency agreements with other Federal agencies.

(b) CRITERIA.—The Administrator, in consultation with the individuals and entities described in section 1098(c), shall develop criteria for providing grants and technical assistance and entering into interagency agreements under subsection (a) to ensure that activities carried out under an interagency agreement or using those grants or technical assistance—
(1) accomplish 1 or more of the purposes identified in section 1096; and
(2) advance the implementation of priority projects identified under section 1099(c).

(c) COST SHARING.—The Administrator may establish a Federal share requirement for any project carried out using any assistance proved under this section on an individual project basis.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Administrator may enter into an agreement to manage the implementation of this section with the North American Development Bank or a similar organization that offers grant management services.

(2) FUNDING.—If the Administrator enters into an agreement under paragraph (1), the organization selected shall—

(A) for each fiscal year, receive amounts to carry out this section in an advance payment of the entire amount on the date of enactment of an appropriations Act making appropriations to the Administrator for a fiscal year, or as soon as practicable thereafter; and

(B) otherwise administer the implementation of this section to support partnerships between the public and private sectors in accordance with this subtitle.

(e) CONSTRUCTION, OPERATION, AND MAINTENANCE.—The Commissioner may construct, operate, and maintain any project carried out using funds made available to carry out this section.

SEC. 1099B. ANNUAL BUDGET PLAN.

The President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, shall submit estimated expenditures and proposed appropriations for projects under this subtitle for the current year, the budget year, and 5 outyears (as those terms are defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c))), including for projects included in the priority list under section 1099(c), for each Federal agency described in section 1098(c)(1).

SEC. 1099C. REPORTS.

Not later than 180 days after the date of enactment of this Act, and every 2 years thereafter, the Administrator shall submit to Congress a report on the implementation of this subtitle, including—

(1) a description of—

(A) each project that has received funding pursuant to this subtitle; and

(B) the status of all projects that have received funding pursuant to this subtitle that are in progress on the date of submission of the report; and

(2) an assessment of the effectiveness of the operation and maintenance of each project that has been carried out pursuant to this subtitle.

SA 2808. 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, add the following:

DIVISION E—PROTECT REPORTERS FROM EXPLOITATIVE STATE SPYING

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Protect Reporters from Exploitative State Spying Act'' or the ''PRESS Act''.

SEC. 5002. DEFINITIONS.

In this division:

(1) COVERED JOURNALIST.—The term ''covered journalist'' means a person who regularly gathers, prepares, collects, photographs, records, writes, edits, reports, investigates, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

(2) COVERED SERVICE PROVIDER.—

(A) IN GENERAL.—The term ''covered service provider'' means any person that, by an electronic means, stores, processes, or transmits information in order to provide a service to customers of the person.

(B) INCLUSIONS.—The term ''covered service provider'' includes—

(i) a telecommunications carrier and a provider of an information service (as such terms are defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153));

(ii) a provider of an interactive computer service and an information content provider (as such terms are defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230));

(iii) a provider of remote computing service (as defined in section 2711 of title 18, United States Code); and

(iv) a provider of electronic communication service (as defined in section 2510 of title 18, United States Code) to the public.

(3) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given such term in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(4) DOCUMENT.—The term ''document'' means writings, recordings, and photographs, as those terms are defined by rule 1001 of the Federal Rules of Evidence (28 U.S.C. App.).

(5) FEDERAL ENTITY.—The term ''Federal entity'' means an entity or employee of the judicial or executive branch or an administrative agency of the Federal Government with the power to issue a subpoena or issue other compulsory process.

(6) JOURNALISM.—The term ''journalism'' means gathering, preparing, collecting, photographing, recording, writing, editing, reporting, investigating, or publishing news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

(7) PERSONAL ACCOUNT OF A COVERED JOURNALIST.—The term ''personal account of a covered journalist'' means an account with a covered service provider used by a covered journalist that is not provided, administered, or operated by the employer of the covered journalist.

(8) PERSONAL TECHNOLOGY DEVICE OF A COVERED JOURNALIST.—The term ''personal technology device of a covered journalist'' means a handheld communications device, laptop computer, desktop computer, or other internet-connected device used by a covered journalist that is not provided or administered by the employer of the covered journalist.

(9) PROTECTED INFORMATION.—The term ''protected information'' means any information identifying a source who provided information as part of engaging in journalism, and any records, contents of a communication, documents, or information that a covered journalist obtained or created as part of engaging in journalism.

(10) SPECIFIED OFFENSE AGAINST A MINOR.—The term ''specified offense against a minor'' has the meaning given that term in section 111(7) of the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20911(7)).

SEC. 5003. LIMITS ON COMPELLED DISCLOSURE FROM COVERED JOURNALISTS.

In any matter arising under Federal law, a Federal entity may not compel a covered journalist to disclose protected information, unless a court in the judicial district in which the subpoena or other compulsory process is, or will be, issued determines by a preponderance of the evidence, after providing notice and an opportunity to be heard to the covered journalist, that—

(1) disclosure of the protected information is necessary to prevent, or to identify any perpetrator of, an act of terrorism against the United States;

(2) disclosure of the protected information is necessary to prevent a threat of imminent violence, significant bodily harm, or death, including specified offenses against a minor; or

(3) disclosure of the protected information is necessary to prevent the destruction or incapacitation of critical infrastructure.

SEC. 5004. LIMITS ON COMPELLED DISCLOSURE FROM COVERED SERVICE PROVIDERS.

(a) CONDITIONS FOR COMPELLED DISCLOSURE.—In any matter arising under Federal law, a Federal entity may not compel a covered service provider to provide testimony or any document consisting of any record, information, or other communications stored by a covered provider on behalf of a covered journalist, including testimony or any document relating to a personal account of a covered journalist or a personal technology device of a covered journalist, unless—

(1) a court in the judicial district in which the subpoena or other compulsory process is, or will be, issued—

(A) determines by a preponderance of the evidence that—

(i) providing the testimony or document is necessary to prevent, or to identify any perpetrator of, an act of terrorism against the United States;

(ii) providing the testimony or document is necessary to prevent a threat of imminent violence, significant bodily harm, or death, including specified offenses against a minor; or

(iii) providing the testimony or document is necessary to prevent the destruction or incapacitation of critical infrastructure; and

(B) issues an order authorizing the Federal entity to compel the provision of the testimony or document; or

(2) the covered journalist is the target of an ongoing acquisition conducted in accordance with section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a).

(b) NOTICE TO COURT.—A Federal entity seeking to compel the provision of testimony or any document described in subsection (a) under paragraph (1) of such subsection shall inform the court that the testimony or document relates to a covered journalist.

(c) NOTICE TO COVERED JOURNALIST AND OPPORTUNITY TO BE HEARD.—

(1) IN GENERAL.—A court may authorize a Federal entity to compel the provision of testimony or a document under subsection (a)(1) that will include the disclosure of protected information only after the Federal entity seeking the testimony or document provides the covered journalist to whom the testimony relates or on behalf of whom the document is stored—

(A) notice of the subpoena or other compulsory request for such testimony or document from the covered service provider not later than the time at which such subpoena or request is issued to the covered service provider; and

(B) an opportunity to be heard before the court before the time at which the provision of the testimony or document is compelled.

(2) EXCEPTION TO NOTICE REQUIREMENT.—

(A) IN GENERAL.—Notice and an opportunity to be heard under paragraph (1) may be delayed for not more than 45 days if the court involved determines there is clear and convincing evidence that such notice would pose a clear and substantial threat to the integrity of a criminal investigation, or would present an imminent risk of death or serious bodily harm, including specified offenses against a minor.

(B) EXTENSIONS.—The 45-day period described in subparagraph (A) may be extended

by the court for additional periods of not more than 45 days if the court involved makes a new and independent determination that there is clear and convincing evidence that providing notice to the covered journalist would pose a clear and substantial threat to the integrity of a criminal investigation, or would present an imminent risk of death or serious bodily harm, including specified offenses against a minor, under current circumstances.

SEC. 5005. LIMITATION ON CONTENT OF INFORMATION.

The content of any testimony, document, or protected information that is compelled under section 5003 or 5004 shall—

(1) not be overbroad, unreasonable, or oppressive; and

(2) be narrowly tailored in subject matter and period of time covered so as to avoid compelling the production of peripheral, nonessential, or speculative information.

SEC. 5006. RULE OF CONSTRUCTION.

Nothing in this division shall be construed to—

(1) apply to civil defamation, slander, or libel claims or defenses under State law, regardless of whether or not such claims or defenses, respectively, are raised in a State or Federal court;

(2) prevent the Federal Government from compelling the disclosure of protected information from, or related to, a covered journalist who is—

(A) suspected of committing a crime, other than a crime relating to the seeking, solicitation, receipt, possession, communication, or withholding of protected information;

(B) an agent of a foreign power, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

(C) an individual or organization designated under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism);

(D) a specially designated terrorist, as that term is defined in section 595.311 of title 31, Code of Federal Regulations (or any successor thereto);

(E) a terrorist organization, as that term is defined in section 212(a)(3)(B)(vi)(II) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)(II)); or

(F) a member or affiliate of a foreign terrorist organization designated under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(3) authorize the intentional targeting of a covered journalist under section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) for the objective of suppressing or burdening criticism, dissent, or the free expression of ideas or political opinions by individuals or the press;

(4) authorize the Federal Government to compel, without complying with the requirements of this division, the disclosure of protected information from, or related to, a covered journalist who has only sought, solicited, received, possessed, or published information of the Federal Government, including classified information, in the course of engaging in journalism;

(5) establish any additional authority to conduct surveillance or compel a person to provide testimony, documents, or information; or

(6) limit the authority of the Government to seek or obtain an order under title I or III of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq., 1831 et seq.).

SA 2809. 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, insert the following:

SEC. 1095. 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 access to an item that is subject to the jurisdiction of the United States (without regard to the physical location of the item) and included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations, 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, to use the functions of the item if the use of those functions may pose a serious risk to the national security or foreign policy of the United States, such as by—

''(A) training an artificial intelligence model that could—

''(i) substantially lower the barrier of entry for experts or non-experts to design, synthesize, acquire, or use chemical, biological, radiological, or nuclear weapons or weapons of mass destruction;

''(ii) enable offensive cyber operations through automated vulnerability discovery and exploitation against a wide range of potential targets of cyber attacks; or

''(iii) permit the evasion of human control or oversight of automated systems through means of deception or obfuscation; or

''(B) accessing a quantum computer that could enable offensive cyber operations or other risks to national security; or

''(C) accessing hacking tools.'';

(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)—

(I) in the matter preceding clause (i), by striking ''release'' and inserting ''release or remote access'';

(II) in clause (iv), by striking ''; or'' and inserting a semicolon;

(III) in clause (v), by striking the period at the end and inserting ''; or''; and

(IV) by adding at the end the following:

''(vi) offensive cyber operations.'';

(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 to—

''(A) items subject to the jurisdiction of the United States (without regard to the physical location of the items) that are determined by the President to warrant controls with respect to access by foreign persons or countries of concern; and

''(B) the functions of such items.'';

(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 by foreign persons of items as 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 (10), by striking ''or in-country transferred'' and inserting ''in-country transferred, or remotely accessed'';

(v) in paragraph (11), by adding at the end before the semicolon the following: ''or remote access''; and

(vi) in paragraph (15), by adding at the end before ''; and'' the following: ''or remotely access (including the provision thereof)'';

(B) in subsection (b), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remote access''; and

(C) in subsection (d)(1), by amending subparagraph (A) to read as follows:

''(A) the export, reexport, or in-country transfer of, or remote access to, items described in paragraph (2), or remote access to items described in section 1742(15), including, in both cases, items that are not subject to control under this part; and''.

(5) in section 1755(b)(2) (50 U.S.C. 4814(b)(2))—

(A) in subparagraph (C), by striking ''and in-country transfers'' and inserting ''in-country transfers, and remote access''; and

(B) in subparagraph (E), by striking ''and in-country transfers'' and inserting ''in-country transfers, and remote access''; and

(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(a) (50 U.S.C. 4816(a)), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remote access''; and

(8) in section 1760 (50 U.S.C. 4819)—

(A) in subsection (a)(2)(F)(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'';

(B) in subsection (d)(2), by striking ''export'' each place it appears and inserting ''export control''; and

(C) in subsection (h)(1)(B), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remotely access''; and

(10) in section 1767 (50 U.S.C. 4825)—

(A) in subsection (a), by striking ''or reexport'' and inserting ''reexport, or remote access''; and

(B) in subsection (b)(2)—

(i) in subparagraph (A), by striking ''and in-country transfer'' and inserting ''in-country transfer, and remote access''; and

(ii) in subparagraph (C), by striking ''or in-country transferred'' and inserting ''in-country transferred, or remotely accessed''.

SA 2810. 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 end of subtitle C of title VIII, add the following:

SEC. 855. MODIFICATION TO PROCUREMENT REQUIREMENTS RELATING TO RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS.

(a) MODIFICATION REGARDING ADVANCED BATTERIES IN DISCLOSURES CONCERNING RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS BY CONTRACTORS OF DEPARTMENT OF DEFENSE.—Section 857 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 4811 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) by striking ''permanent magnet'' and inserting ''permanent magnet, or an advanced battery or advanced battery component (as those terms are defined in section 40207(a) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a))),''; and

(ii) by striking ''of the magnet'' and inserting ''of the magnet, the advanced battery, or the advanced battery component (as applicable)''; and

(B) by amending paragraph (2) to read as follows:

''(2) ELEMENTS.—A disclosure under paragraph (1) with respect to a system described in that paragraph shall include—

''(A) if the system includes a permanent magnet, an identification of the country or countries in which—

''(i) any rare earth elements and strategic and critical materials used in the magnet were mined;

''(ii) such elements and materials were refined into oxides;

''(iii) such elements and materials were made into metals and alloys; and

''(iv) the magnet was sintered or bonded and magnetized; and

''(B) if the system includes an advanced battery or an advanced battery component, an identification of the country or countries in which—

''(i) any strategic and critical materials that are covered minerals used in the battery or component were refined, processed, or reprocessed;

''(ii) any strategic and critical materials that are covered minerals and that were manufactured into the battery or component; and

''(iii) the battery cell, module, and pack of the battery or component were manufactured and assembled.''; and

(2) by amending subsection (d) to read as follows:

''(d) DEFINITIONS.—In this section:

''(1) The term 'strategic and critical materials' means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).

''(2) The term 'covered minerals' means lithium, nickel, cobalt, manganese, and graphite.''.

(b) TECHNICAL AMENDMENTS.—Subsection (a) of such section 857 is further amended—

(1) in paragraph (3), by striking ''provides the system'' and inserting ''provides the system as described in paragraph (1)''; and

(2) in paragraph (4)(C), by striking ''a senior acquisition executive'' and inserting ''a service acquisition executive''.

SA 2811. 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 end of subtitle F of title III, add the following:

SEC. 358. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS RELATING TO THE FOOD PROGRAM OF THE DEPARTMENT OF DEFENSE.

Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall—

(1) implement the recommendations of the Comptroller General of the United States contained in the report published by the Comptroller General in June 2024 and titled ''DOD Food Program: Additional Actions Needed to Implement, Oversee, and Evaluate Nutrition Efforts for Service Members'' (GAO–24–106155); or

(2) if the Secretary does not implement any such recommendation, submit to the Committees on Armed Services of the Senate and the House of Representatives a report explaining why the Secretary has not implemented those recommendations.

SA 2812. Ms. CORTEZ MASTO (for herself and Mr. MULLIN) 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. _____. DEFENSE CRITICAL ENERGY INFRASTRUCTURE SECURITY.

Section 215A of the Federal Power Act (16 U.S.C. 824o–1) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking ''of the 48 contiguous States or the District of Columbia'' and inserting ''State'';

(B) by redesignating paragraph (8) as paragraph (9); and

(C) by inserting after paragraph (7) the following:

''(8) RESILIENCE.—The term 'resilience' has the meaning given the term in section 1304A(j) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17384a(j)).'';

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''the 48 contiguous States and the District of Columbia'' and inserting ''any State''; and

(3) by adding at the end the following:

''(g) AUTHORITY TO ADDRESS VULNERABILITIES.—The Secretary may, to the extent that funds are made available for such purposes in advance in appropriations Acts, enter into contracts or cooperative agreements with external providers of energy—

''(1) to improve the security and resilience of defense critical electric infrastructure; and

''(2) to reduce the vulnerability of critical defense facilities designated under subsection (c) to the disruption of the supply of energy to those facilities.''.

SA 2813. 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. STRENGTHENING OF AUTHORITY OF UNITED STATES SECRET SERVICE TO INVESTIGATE FINANCIAL CRIMES.

(a) EXPANSION OF UNITED STATES SECRET SERVICE INVESTIGATIVE AUTHORITIES.—Section 3056(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''or'' after ''871'' and inserting '', or 1960'' after ''879''; and

(2) in paragraph (3)—

(A) by inserting ''structured transactions,'' after ''devices,'';

(B) by striking ''federally insured''; and

(C) by inserting '', as defined in section 5312 of title 31'' after ''institution''.

(b) FINCEN EXCHANGE.—Section 310(d)(3)(A) of title 31, United States Code, is amended, in the matter preceding clause (i), by striking ''5 years'' and inserting ''10 years''.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—Section 7125(b) of the Otto Warmbier North Korea Nuclear Sanctions and Enforcement Act of 2019 (22 U.S.C. 262p–13 note) is amended by striking ''6'' and inserting ''10''.

SA 2814. 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. DISCLOSURE REQUIREMENTS RELATING TO OWNERSHIP, STORAGE, AND MAINTENANCE OF INFORMATION IN A FOREIGN ADVERSARY COUNTRY.

(a) DISCLOSURE REQUIREMENTS.—Beginning 1 year after the date of enactment of this

Act, any person who owns, controls, or distributes access to a covered service shall clearly and conspicuously disclose to any individual who downloads or otherwise uses the covered service the following:

(1) Whether the covered service is owned, wholly or partially, by a foreign adversary country, by a foreign adversary country-owned entity, or by a non-state-owned entity located in a foreign adversary country.

(2) Whether information collected from the covered service is stored and maintained in a foreign adversary country.

(3) Whether a foreign adversary country or a foreign adversary country-owned entity has access to such information.

(b) FALSE INFORMATION.—It shall be unlawful for any person to knowingly disclose false information under this section.

(c) DEFINITIONS.—In this section:

(1) COVERED SERVICE DEFINED.—The term ''covered service'' means an internet website or a mobile application that—

(A) is owned, wholly or partially, by a foreign adversary country, by a foreign adversary country-owned entity, or by a non-state-owned entity located in a foreign adversary country; or

(B) stores and maintains information collected from such website or application in a foreign adversary country.

(2) FOREIGN ADVERSARY COUNTRY.—The term ''foreign adversary country'' means a country specified in section 4872(d)(2) of title 10, United States Code.

(3) INDIVIDUAL.—The term ''individual'' means a natural person residing in the United States.

(4) NON-STATE-OWNED ENTITY LOCATED IN A FOREIGN ADVERSARY COUNTRY.—The term ''non-state-owned entity located in a foreign adversary country'' means an entity that is—

(A) controlled (as such term is defined in section 800.208 of title 31, Code of Federal Regulations, or a successor regulation) by any governmental organization of a foreign adversary country; or

(B) organized under the laws of a foreign adversary country.

(d) ENFORCEMENT.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of this section is a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE FEDERAL TRADE COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates this section shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Federal Trade Commission under any other provision of law.

SA 2815. 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 end of subtitle E of title V, add the following:

SEC. 562. FACTORS FOR COUNSELING PATHWAYS UNDER TRANSITION ASSISTANCE PROGRAM.

Section 1142(c)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (M) as subparagraph (R); and

(2) by inserting after subparagraph (L) the following new subparagraphs:

''(M) Child care requirements of the member (including whether a dependent of the member is enrolled in the Exceptional Family Member Program).

''(N) The employment status of other adults in the household of the member.

''(O) The location of the duty station of the member (including whether the member was separated from family while on duty).

''(P) The effects of operating tempo and personnel tempo on the member and the household of the member.

''(Q) Whether the member is an Indian or urban Indian, as those terms are defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).''.

SA 2816. Ms. CORTEZ MASTO (for herself and Mr. CRAPO) 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. _____. INCREASE IN DAYS OF PAID LEAVE PROVIDED FOR CERTAIN MILITARY SERVICE BY FEDERAL EMPLOYEES.

(a) IN GENERAL.—Section 6323(a) of title 5, United States Code, is amended by striking the second sentence and inserting the following: ''Leave under this subsection accrues for an employee or individual at the rate of 40 days per fiscal year and, to the extent that it is not used in a fiscal year, accumulates for use in succeeding fiscal years until it totals not more than 20 days at the beginning of any fiscal year.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2025.

SA 2817. 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, insert the following:

SEC. 1096. SOAR PERMANENT AUTHORIZATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''SOAR Permanent Authorization Act''.

(b) AMENDMENTS TO THE SOAR ACT.—The Scholarships for Opportunity and Results Act (division C of Public Law 112–10) is amended—

(1) in section 3007 (sec. 38–1853.07 D.C. Official Code)—

(A) in subsection (a)(5)(A)(i), by striking subclause (I) and inserting the following:

''(I) is fully accredited by an accrediting body with jurisdiction in the District of Columbia or that is recognized by the Student and Visitor Exchange English Language Program administered by U.S. Immigration and Customs Enforcement; or'';

(B) by striking subsection (c) and redesignating subsection (d) as subsection (c);

(C) in subsection (b)—

(i) in the subsection heading, by striking ''AND PARENTAL ASSISTANCE'' and inserting '', PARENTAL ASSISTANCE, AND STUDENT ACADEMIC ASSISTANCE'';

(ii) in the matter preceding paragraph (1), by striking ''$2,000,000'' and inserting ''$2,200,000''; and

(iii) by adding at the end the following:

''(3) The expenses of providing tutoring service to participating eligible students that need additional academic assistance. If there are insufficient funds to provide tutoring services to all such students in a year, the eligible entity shall give priority in such year to students who previously attended an elementary school or secondary school identified as one of the lowest-performing schools under the District of Columbia's accountability system.''; and

(D) in subsection (c), as redesignated by subparagraph (B)—

(i) in paragraph (2)(B), by striking ''subsections (b) and (c)'' and inserting ''subsection (b)''; and

(ii) in paragraph (3), by striking ''subsections (b) and (c)'' and inserting ''subsection (b)'';

(2) in section 3008(h) (sec. 38–1853.08(h) D.C. Official Code)—

(A) in paragraph (1), by striking ''section 3009(a)(2)(A)(i)'' and inserting ''section 3009(a)'';

(B) by striking paragraph (2) and inserting the following:

''(2) ADMINISTRATION OF TESTS.—The Institute of Education Sciences may administer assessments to students participating in the evaluation under section 3009(a) for the purpose of conducting the evaluation under such section.''; and

(C) in paragraph (3), by striking ''the nationally norm-referenced standardized test described in paragraph (2)'' and inserting ''a nationally norm-referenced standardized test'';

(3) in section 3009(a) (sec. 38–1853.09(a) D.C. Official Code)—

(A) in paragraph (1)(A), by striking ''annually'' and inserting ''regularly'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking clause (i) and inserting the following:

''(i) is rigorous; and''; and

(ii) in subparagraph (B), by striking ''impact of the program'' and all that follows through the end of the subparagraph and inserting ''impact of the program on academic progress and educational attainment.'';

(C) in paragraph (3)—

(i) in the paragraph heading, by striking ''ON EDUCATION'' and inserting ''OF EDUCATION'';

(ii) in subparagraph (A)—

(I) by inserting ''the academic progress of'' after ''assess''; and

(II) by striking ''in each of grades 3'' and all that follows through the end of the subparagraph and inserting ''; and'';

(iii) by striking subparagraph (B); and

(iv) by redesignating subparagraph (C) as subparagraph (B); and

(D) in paragraph (4)—

(i) in subparagraph (A)—

(I) by striking ''A comparison of the academic achievement of participating eligible

students who use an opportunity scholarship on the measurements described in paragraph (3)(B) to the academic achievement'' and inserting ''The academic progress of participating eligible students who use an opportunity scholarship compared to the academic progress''; and

(II) by inserting '', which may include students'' after ''students with similar backgrounds'';

(ii) in subparagraph (B), by striking ''increasing the satisfaction of such parents and students with their choice'' and inserting ''those parents' and students' satisfaction with the program'';

(iii) by striking subparagraph (D) through (F) and inserting the following:

''(D) The high school graduation rates, college enrollment rates, college persistence rates, and college graduation rates of participating eligible students who use an opportunity scholarship compared with the rates of public school students described in subparagraph (A), to the extent practicable.

''(E) The college enrollment rates, college persistence rates, and college graduation rates of students who participated in the program as the result of winning the Opportunity Scholarship Program lottery compared to the enrollment, persistence, and graduation rates for students who entered but did not win such lottery and who, as a result, served as the control group for previous evaluations of the program under this division. Nothing in this subparagraph may be construed to waive section 3004(a)(3)(A)(iii) with respect to any such student.

''(F) The safety of the schools attended by participating eligible students who use an opportunity scholarship compared with the schools attended by public school students described in subparagraph (A), to the extent practicable.''; and

(iv) in subparagraph (G), by striking ''achievement'' and inserting ''progress''; and

(4) in section 3014 (sec. 38–1853.14, D.C. Official Code)—

(A) in subsection (a), in the matter preceding paragraph (1), by striking ''$60,000,000 for fiscal year 2012 and for each fiscal year through fiscal year 2023'' and inserting ''$75,000,000 for fiscal year 2024 and for each succeeding fiscal year''; and

(B) in subsection (b), by striking ''$60,000,000'' and inserting ''$75,000,000''.

SA 2818. 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. COUNTERING EMERGING AERIAL THREATS TO DIPLOMATIC SECURITY.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following:

''SEC. 65. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

''(a) DEFINITIONS.—In this section:

''(1) The term 'appropriate committees of Congress' means—

''(A) the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Commerce, Science, and Transportation, and the Select Committee on Intelligence of the Senate; and

''(B) the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Transportation and Infrastructure, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

''(2) 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.

''(3) 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 activity by the Secretary of State, in coordination with the Secretary of Transportation with respect to potentially impacted airspace, through a risk-based assessment;

''(B) is located in the United States; and

''(C) directly relates to the security or protection operations of the Department of State, including operations pursuant to—

''(i) section 37; or

''(ii) the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4801 et seq.).

''(4) 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.

''(5)(A) The term 'personnel' means—

''(i) an officer, employee, or contractor of the Department of State, who is authorized to perform duties that include safety, security, or protection of people, facilities, or assets; or

''(ii) an employee who is trained and certified to perform those duties, including training specific to countering unmanned aircraft threats and mitigating risks in the national airspace.

''(B) To qualify for use of the authorities described in subsection (b), a contractor conducting operations described in that subsection must—

''(i) be directly contracted by the Department of State;

''(ii) provide, in the contract, insurance coverage sufficient to compensate tort victims;

''(iii) operate at a government-owned or government-leased facility or asset;

''(iv) not conduct inherently governmental functions;

''(v) be trained to safeguard privacy and civil liberties; and

''(vi) be trained and certified, including use-of-force training and certification, by the Department of State to meet the established standards and regulations of the Department of State.

''(6) 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 of State, 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 (c).

''(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 (c).

''(C) Potential consequences of the impacts of any actions taken under subsection (c) 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) 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.

''(7) 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 STATE.—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 of State may 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 (c) that are necessary to detect, identify, monitor, track, and mitigate a credible threat (as defined by the Secretary of State, in consultation with the Secretary of Transportation 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) ACTIONS DESCRIBED.—

''(1) IN GENERAL.—The actions authorized by subsection (b) 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.

''(2) TEMPORARY FLIGHT RESTRICTIONS.—A temporary flight restriction shall be timely published prior to undertaking any actions described in paragraph (1).

''(d) 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 of State shall conduct research, testing, 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 (c).

''(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) COORDINATION FOR RESEARCH, TESTING, TRAINING, AND EVALUATION.—The Secretary of State 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.

''(e) FORFEITURE.—Any unmanned aircraft system or unmanned aircraft that is seized by the Secretary of State 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.

''(f) REGULATIONS AND GUIDANCE.—The Secretary of State, and the Secretary of Transportation—

''(1) may prescribe regulations to carry out this section; and

''(2) in developing regulations described in paragraph (1), 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.

''(g) COORDINATION.—

''(1) IN GENERAL.—The Secretary of State 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 of State shall, 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 of State shall coordinate the development of guidance under subsection (f) with the Secretary of Transportation (through the Administrator of the Federal Aviation Administration).

''(4) COORDINATION WITH THE DEPARTMENT OF TRANSPORTATION AND NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.—The Secretary of State shall coordinate the development of the actions described in subsection (c) with the Secretary of Transportation (through the Administrator of the Federal Aviation Administration) and the Assistant Secretary of Commerce for Communications and Information and Administrator of the National Telecommunications and Information Administration.

''(h) PRIVACY PROTECTION.—

''(1) IN GENERAL.—Any regulation or guidance issued to carry out an action under subsection (c) by the Secretary of State shall ensure for the Department of State, 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 (c);

''(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 of State 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 of State 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 (c);

''(v) is between the Department of State and a Federal law enforcement agency in the course of a security or protection operation of either agency or a joint operation of such agencies; or

''(vi) is otherwise required by law;

''(i) BUDGET.—

''(1) IN GENERAL.—The Secretary of State shall submit to Congress, as a part of the budget materials of the Department of State for each fiscal year after fiscal year 2023, a consolidated funding display that identifies the funding source for the actions described in subsection (c) within the Department of State.

''(2) CLASSIFICATION.—Each funding display submitted under paragraph (1) shall be in unclassified form but may contain a classified annex.

''(j) PUBLIC DISCLOSURES.—

''(1) IN GENERAL.—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 (c); or

''(B) an operational procedure or protocol used to carry out this section.

''(2) ACCESS.—Any request for public access to information described in paragraph (1) shall be submitted to the Department of State, which shall process the request as required under section 552(a)(3) of title 5, United States Code.

''(k) ASSISTANCE AND SUPPORT.—

''(1) FACILITIES AND SERVICES OF OTHER AGENCIES AND NON-FEDERAL ENTITIES.—

''(A) IN GENERAL.—The Secretary of State is 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 (c).

''(B) REIMBURSEMENT.—In accordance with subparagraph (A), the Secretary of State 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)(3)(C), the Secretary of State 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 of State under this section.

''(l) SEMIANNUAL BRIEFINGS AND NOTIFICATIONS.—

''(1) IN GENERAL.—On a semiannual basis beginning 180 days after the date of the enactment of this section, the Secretary of State shall provide a briefing to the appropriate committees of Congress on the activities carried out pursuant to this section.

''(2) REQUIREMENT.—The Secretary of State 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 (c) 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 of State 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 of State

that would significantly affect privacy, civil rights, or civil liberties;

''(iii) options considered and steps taken by the Secretary of State 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 (c); 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 of State for more than 180 days; or

''(II) shared with any entity other than the Department of State;

''(C) an explanation of how the Secretary of State 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; and

''(D) 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.

''(4) UNCLASSIFIED FORM.—Each briefing required under paragraph (1) shall be in unclassified form but may be accompanied by an additional classified briefing.

''(m) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) vest in the Secretary of State any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration;

''(2) vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Secretary of State; or

''(3) provide a new basis of liability with respect to an officer of a State, local, Tribal, or territorial law enforcement agency who participates in a security or protection operation of the Department of State and in so doing—

''(A) is acting in the official capacity of the individual as an officer; and

''(B) does not exercise the authority granted to the Secretary of State by this section.

''(n) TERMINATION.—The authority provided by subsection (b) shall terminate on the date that is 4 years after the date of the enactment of this section.

''(o) SCOPE OF AUTHORITY.—Nothing in this section shall be construed to provide the Secretary of State with additional authorities beyond those described in subsection (b).''.

SA 2819. 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, insert the following:

SEC. 10____. STUDY ON PHARMACEUTICAL INGREDIENTS.

The Secretary of Health and Human Services shall seek to enter into an agreement with the RAND Corporation under which the RAND Corporation—

(1) studies—

(A) the extent to which drug manufacturers use foreign sources for precursor chemicals and active pharmaceutical ingredients for the manufacture of drugs for the United States market; and

(B) any statutory, regulatory, or other barriers to domestic production of such chemicals and ingredients; and

(2) submits a report on such study to the Secretary of Health and Human Services.

SA 2820. Mr. JOHNSON (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 D of title XII, add the following:

SEC. 1266. ELIGIBILITY OF TAIWAN FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Taiwan has adopted high standards in the field of export controls.

(2) Taiwan has declared its unilateral adherence to the Missile Technology Control Regime, the Wassenaar Arrangement, the Australia Group, and the Nuclear Suppliers Group.

(3) At the request of President George W. Bush, section 1206 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2321k note) required that Taiwan be treated as if it were designated as a major non-NATO ally (as defined in section 644(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(q)).

(b) ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION.—The President, consistent with the commitments of the United States under international arrangements, shall take steps so that Taiwan may be treated as if it were included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of the Export Administration Regulations to the requirement for a license for the export, re-export, or in-country transfer of an item subject to controls under the Export Administration Regulations.

(c) CRITERIA.—Before the President may treat Taiwan as eligible for the exception described in subsection (b), the President shall ensure that Taiwan satisfies any applicable criteria normally required for inclusion in the Country Group A:5 list set forth in Supplement No. 1 to part 740 of the Export Administration Regulations, particularly with respect to alignment of export control policies with such policies of the United States.

(d) EXPORT ADMINISTRATION REGULATIONS DEFINED.—In this section, the term ''Export Administration Regulations'' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

SA 2821. 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. 10_____. ASSESSMENT OF EXISTING LARGE POWER TRANSFORMERS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, shall submit to Congress an assessment of large power transformers in the United States.

(b) REQUIREMENTS.—The assessment required under subsection (a) shall include—

(1) an identification of the number of large power transformers in the United States as of the date of the assessment;

(2) a description of the age and condition of the large power transformers identified under paragraph (1);

(3) an identification of the number of large power transformers identified under paragraph (1) that require replacement or significant repair as of the date of the assessment;

(4) an estimate of the number of large power transformers that would be required in the United States if there was a need for recovery of the electric grid on a nationwide scale;

(5) an analysis of any deficiencies in the supply chain for domestic production of large power transformers, including any reliance on foreign materials or components;

(6) an identification of any gaps in the labor workforce for domestic production of large power transformers and any existing Federal workforce development programs that could address the shortage; and

(7) a list of authorities and resources in existence as of the date of the assessment that the Department of Energy or another Federal agency could use to procure large power transformers.

(c) FORM.—The assessment required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 2822. Mr. RICKETTS 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 XII, add the following:

SEC. 1266. WAR RESERVE STOCK PROGRAM FOR TAIWAN.

(a) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President may transfer to Taiwan any or all of the items described in subsection (b).

(b) ITEMS DESCRIBED.—The items referred to in subsection (a) are armor, artillery, automatic weapons ammunition, missiles, and other munitions that—

(1) are obsolete or surplus items;

(2) are in the inventory of the Department of Defense;

(3) are intended for use as reserve stocks for Taiwan; and

(4) are located in a stockpile in Taiwan.

(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making a transfer under the authority of this section, the President shall transmit a notification of the

proposed transfer to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives. The notification shall identify the items to be transferred and the concessions to be received.

SA 2823. Mr. RICKETTS (for himself 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 end of subtitle F of title XII, add the following:

SEC. 1291. MODIFICATIONS TO LIMITATIONS ON ASSISTANCE.

(a) MODIFICATIONS TO LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.—Section 620K of the Foreign Assistance Act of 1961 (22 U.S.C. 2378b) is amended—

(1) in subsection (a), by striking ''Hamas-controlled'' and inserting ''Hamas-inclusive'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''is effectively'' and all that follows through ''Palestinian Authority'' and inserting ''employs Hamas members, or agents or affiliates of Hamas, unless Hamas''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''Hamas-controlled'' and inserting ''Hamas-inclusive'';

(ii) in subparagraph (A), by striking ''security services'' and inserting ''agencies and security services''; and

(iii) in subparagraph (B), by inserting ''verifiably'' before ''dismantling'';

(3) in subsection (c) in the matter preceding paragraph (1), by inserting ''for a period of not more than 2 years'' after ''thereafter'';

(4) by striking subsection (e);

(5) by redesignating subsection (f) as subsection (e); and

(6) by amending subsection (e)(2), as so redesignated, to read as follows:

''(2) FOREIGN TERRORIST ORGANIZATION.—The term 'foreign terrorist organization' means—

''(A) an organization designated as a foreign terrorist organization by the Secretary of State in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)); or

''(B) an entity designated pursuant to Executive Order No. 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).''.

(b) MODIFICATIONS TO LIMITATION ON ASSISTANCE FOR THE WEST BANK AND GAZA.—

(1) MODIFICATIONS TO THE FOREIGN ASSISTANCE ACT OF 1961.—Section 620L of the Foreign Assistance Act of 1961 (22 U.S.C. 2378c) is amended—

(A) in subsection (b)—

(i) in paragraph (1), by inserting ''provided that such assistance does not benefit Hamas or any other foreign terrorist organization'' after ''human needs'';

(ii) in paragraph (2), by inserting ''or indirectly'' after ''directly'';

(iii) by striking paragraph (3);

(iv) by redesignating paragraph (4) as paragraph (3); and

(v) in paragraph (3)(B), as so redesignated—

(I) in clause (i), by striking ''; and'' and inserting a semicolon;

(II) in clause (ii), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(iii) submits a confirmation to the appropriate congressional committees that such assistance does not directly or indirectly benefit Hamas or any other foreign terrorist organization.''; and

(B) by amending subsection (e)(2) to read as follows:

''(2) FOREIGN TERRORIST ORGANIZATION DEFINED.—The term 'foreign terrorist organization' means—

''(A) an organization designated as a foreign terrorist organization by the Secretary of State in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)); or

''(B) an entity designated pursuant to Executive Order No. 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).''.

(2) MODIFICATIONS TO THE TAYLOR FORCE ACT.—Section 1004 of the Taylor Force Act (22 U.S.C. 2378c-1) is amended—

(A) in subsection (a)(1), in the matter preceding subparagraph (A), by inserting ''or indirectly'' after ''directly''; and

(B) in subsection (f)(1)—

(i) by inserting ''or indirectly'' after ''directly''; and

(ii) by inserting ''or its agents or affiliates'' after ''the Palestinian Authority''.

SA 2824. Mr. SCOTT of South Carolina (for himself and Mr. BROWN) 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 DEFENSE PRODUCTION ACT OF 1950.

Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. 4564(a)) is amended by striking ''September 30, 2025'' and inserting ''September 30, 2026''.

SA 2825. Mr. RICKETTS (for himself, Mr. RUBIO, Mr. BUDD, Mr. TILLIS, Mrs. FISCHER, 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 end of subtitle D of title XII, add the following:

SEC. 1266. ENHANCED CONGRESSIONAL NOTIFICATION REGARDING SCIENCE AND TECHNOLOGY AGREEMENTS WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) SHORT TITLE.—This Act may be cited as the ''Science and Technology Agreement Enhanced Congressional Notification Act of 2023''.

(b) NOTIFICATION REQUIRED.—Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following:

''SEC. 65. CONGRESSIONAL NOTIFICATION REGARDING SCIENCE AND TECHNOLOGY AGREEMENTS WITH THE PEOPLE'S REPUBLIC OF CHINA.

''(a) NOTIFICATION REQUIRED.—The Secretary of State may not enter into, renew, or extend any science and technology agreement with the People's Republic of China until—

''(1) the Secretary submits to the appropriate congressional committees a notification containing each of the matters described in subsection (b); and

''(2) a period of not less than 30 days has elapsed following such submission.

''(b) MATTERS DESCRIBED.—The matters described in this subsection are, with respect to the science and technology agreement for which the notification is submitted, the following:

''(1) A written notice of such agreement, including the full text of such agreement.

''(2) A detailed justification for such agreement, including an explanation as to why such agreement is in the national security interests of the United States.

''(3) An assessment of the risks and potential effects of such agreement, including any potential for the transfer under such agreement of technology or intellectual property capable of harming the national security interests of the United States.

''(4) A detailed justification for how the Secretary intends to address human rights concerns in any scientific and technology collaboration proposed to be conducted under such agreement.

''(5) An assessment of the extent to which the Secretary will be able to continuously monitor the commitments made by the People's Republic of China under such agreement.

''(6) Such other information relating to such agreement as may be determined appropriate.

''(c) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Foreign Affairs of the House of Representatives.

''(2) SCIENCE AND TECHNOLOGY AGREEMENT.—The term 'science and technology agreement' means any treaty, memorandum of understanding, or other contract or agreement between the United States and one or more foreign countries for the purpose of collaborating on or otherwise engaging in joint activities relating to scientific research, technological development, or the sharing of scientific or technical knowledge or resources between such countries.''.

(c) APPLICABILITY.—

(1) DEFINITIONS.—In this subsection, the terms ''appropriate congressional committees'' and ''science and technology agreement'' have the meanings given such terms in section 65(c) of the State Department Basic Authorities Act of 1956, as added by subsection (b).

(2) IN GENERAL.—The requirements under section 65 of such Act shall apply with respect to science and technology agreements entered into, renewed, or extended on or after the date of the enactment of this Act.

(3) EXISTING AGREEMENTS.—Any science and technology agreement between the Secretary of State and the People's Republic of China in effect as of the date of the enactment of this Act shall be revoked on the date that is 60 days after the date of the enactment of this Act unless, not later than such

date, the Secretary of State submits to the appropriate congressional committees a notification of such agreement containing each of the matters described in section 65(b) of such Act.

SA 2826. Mr. RICKETTS (for himself, Mrs. SHAHEEN, 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 end of subtitle D of title XII, add the following:

SEC. 1266. IMPROVING MULTILATERAL COOPERATION TO IMPROVE THE SECURITY OF TAIWAN.

(a) SHORT TITLES.—This section may be cited as the ''Building Options for the Lasting Security of Taiwan through European Resolve Act'' or the ''BOLSTER Act''.

(b) FINDINGS.—Congress finds the following:

(1) In an October 2022 speech before the 20th National Congress of the Chinese Communist Party, General Secretary Xi Jinping declared that the People's Republic of China (referred to in this section as the ''PRC'') has not ruled out the use of force regarding Taiwan.

(2) The Office of the Director of National Intelligence's Annual Threat Assessment of the U.S. Intelligence Community, published on February 6, 2023, noted that ''Beijing is working to meet its goal of fielding a military by 2027 designed to deter U.S. intervention in a future cross-Strait crisis.''.

(3) The risk of economic disruption following a conflict in the Taiwan Strait could amount to approximately $2,000,000,000,000 in a blockade scenario, which would immediately, and potentially irreversibly impact global trade and investment, key supply chains for semiconductors, and other trade and national security priorities.

(4) The European Union's foreign and security policy service, the European External Action Service, recognizes that the European Union may use sanctions to promote the objectives of its Common Foreign and Security Policy, all of which have potential relevance in the event of military action or coercion against Taiwan.

(5) The European Union has imposed sanctions on—

(A) PRC officials and entities responsible for human rights abuses in Xinjiang; and

(B) PRC entities for their support of Russia's illegal and unprovoked war in Ukraine.

(6) In July 2022, Jorge Toledo Albinana, Ambassador of the European Union to the People's Republic of China, said, ''In the event of a military invasion [of Taiwan], we have made it very clear that the European Union, with the United States and its allies, will impose similar or even greater measures than those we have now taken against Russia.''.

(7) On January 18, 2023, the European Parliament passed a resolution calling upon ''all competent European Union institutions to urgently draw up a scenario-based strategy for tackling security challenges in Taiwan.''.

(8) In an April 18, 2023, speech to the European Parliament, European Commission President Ursula von der Leyen emphasized that the European Union ''stand[s] strongly against any unilateral change of the status quo [in the Taiwan Strait], in particular by the use of force.''.

(9) The PRC has supported Russia's illegal, full-scale invasion of Ukraine by resupplying Russia's defense industrial base.

(10) Taiwan has—

(A) aligned itself with European Union sanctions against Russia in response to the full-scale invasion of Ukraine; and

(B) provided Ukraine more than $113,000,000 in financial support and more than 950 metric tons of humanitarian supplies.

(c) CONSULTATIONS WITH EUROPEAN GOVERNMENTS REGARDING SANCTIONS AGAINST THE PRC UNDER CERTAIN CIRCUMSTANCES.—

(1) IN GENERAL.—The head of the Office of Sanctions Coordination at the Department of State, in consultation with the Director of the Office of Foreign Assets Control at the Department of the Treasury, shall engage in regular consultations with the International Special Envoy for the Implementation of European Union Sanctions and appropriate government officials of European countries, including the United Kingdom, to develop coordinated plans and share information on independent plans to impose sanctions and other economic measures against the PRC, as appropriate, if the PRC is found to be involved in—

(A) overthrowing or dismantling the governing institutions in Taiwan, including engaging in disinformation campaigns in Taiwan that promote the strategic interests of the PRC;

(B) occupying any territory controlled or administered by Taiwan as of the date of the enactment of this Act;

(C) violating the territorial integrity of Taiwan;

(D) taking significant action against Taiwan, including—

(i) creating a naval blockade or other quarantine of Taiwan;

(ii) seizing the outer lying islands of Taiwan; or

(iii) initiating a cyberattack that threatens civilian or military infrastructure in Taiwan; or

(E) providing assistance that helps the security forces of the Russian Federation in executing Russia's unprovoked, illegal war against Ukraine.

(2) SEMIANNUAL CONGRESSIONAL BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter for the following 5 years, the head of the Office of Sanctions Coordination shall provide a briefing regarding the progress of the consultations required under paragraph (1) to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Financial Services of the House of Representatives.

(d) COORDINATION OF HUMANITARIAN SUPPORT IN A TAIWAN CONTINGENCY.—

(1) PLAN.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the United States Agency for International Development (referred to in this section as the ''Administrator''), in coordination with the Secretary of State, shall develop a plan to deliver humanitarian aid to Taiwan in the event of a blockade, quarantine, or military invasion of Taiwan by the People's Liberation Army (referred to in this section as the ''PLA'').

(2) CONSULTATION REQUIREMENT.—In developing the plan required under paragraph (1), the Administrator shall consult with the European Commission's Emergency Response Coordination Centre and appropriate government officials of European countries regarding cooperation to provide aid to Indo-Pacific countries as the result of a blockade, quarantine, or military invasion of Taiwan by the PLA, including the extent to which European countries could backfill United States humanitarian aid to other parts of the world.

(3) CONGRESSIONAL ENGAGEMENT.—Upon completion of the plan required under paragraph (1), the Administrator shall provide a briefing regarding the details of such plan and the consultations required under paragraph (2) to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(e) REPORT ON THE ECONOMIC IMPACTS OF PRC MILITARY ACTION AGAINST TAIWAN.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the President shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that contains an independent assessment of the expected economic impact of—

(A) a 30-day blockade or quarantine of Taiwan by the PLA; and

(B) a 180-day blockade or quarantine of Taiwan by the PLA.

(2) ASSESSMENT ELEMENTS.—The assessment required under paragraph (1) shall contain a description of—

(A) the impact of the blockade or quarantine of Taiwan on global trade and output;

(B) the 10 economic sectors that would be most disrupted by a sustained blockade of Taiwan by the PLA; and

(C) the expected economic impact of a sustained blockade of Taiwan by the PLA on the domestic economies of European countries that are members of NATO or the European Union.

(3) INDEPENDENT ASSESSMENT.—

(A) IN GENERAL.—The assessment required under paragraph (1) shall be conducted by a federally-funded research and development center or another appropriate independent entity with expertise in economic analysis.

(B) USE OF DATA FROM PREVIOUS STUDIES.—The entity conducting the assessment required under paragraph (1) may use and incorporate information contained in previous studies on matters relevant to the elements of the assessment.

(f) CONSULTATIONS WITH THE EUROPEAN UNION AND EUROPEAN GOVERNMENTS REGARDING INCREASING POLITICAL AND ECONOMIC RELATIONS WITH TAIWAN.—

(1) FINDINGS.—Congress finds the following:

(A) Representative offices in Taiwan have been established by—

(i) 16 of the 27 European Union member states;

(ii) the European Union;

(iii) the United Kingdom; and

(iv) Switzerland.

(B) Taiwan has representative offices in—

(i) 19 of the 27 European Union countries;

(ii) the United Kingdom; and

(iii) Switzerland.

(C) The PRC has used its economic power to pressure Taiwan's diplomatic allies to cut ties and switch diplomatic recognition to the PRC, which has reduced Taiwan's diplomatic allies to just 12, including The Holy See.

(D) On November 18, 2021, Taiwan formally opened the Taiwanese Representative Office in Lithuania, which is the first such office in Europe that uses Taiwan in its title rather than the PRC-preferred title, ''Taipei'', despite actions of economic coercion imposed on Lithuania by the PRC.

(E) Since 2020, legislative bodies in Poland, Lithuania, France, Germany, the Netherlands, the Czech Republic, Italy, Switzerland, Ireland, Belgium, Luxembourg, Sweden, Denmark, and Slovakia have passed legislation or resolutions that call for—

(i) deepening ties and exchanges with Taiwan;

(ii) supporting Taiwan's participation in international organizations; or

(iii) maintaining the status quo in the Taiwan Strait.

(F) Since 2020, parliamentary delegations from Slovakia, the Czech Republic, Poland, Lithuania, Germany, Spain, France, Finland, Romania, Portugal, Belgium, Sweden, Ireland, Italy, Estonia, Latvia, and the European Union have visited Taiwan.

(G) In May 2023, representatives from the United Kingdom, France, Germany, and the Czech Republic joined the United States, Australia, and Japan in a joint statement calling for Taiwan's inclusion in the 76th World Health Assembly.

(H) The November 2023 Group of 7 Japan 2023 Foreign Ministers' Statement expressed ''support for Taiwan's meaningful participation in international organizations, including in the World Health Assembly and WHO technical meetings.''.

(I) As of 2022, Taiwan was the European Union's 13th largest trading partner overall and its 5th largest Asian trading partner.

(J) Taiwan is a leading investor in the Czech Republic, which currently hosts more than $1,000,000,000 in foreign direct investment from Taiwan, resulting in thousands of jobs for Czech citizens.

(K) From 2021 to 2022, trade between Lithuania and Taiwan increased by 50 percent. Taiwan has invested in Lithuania's emerging chip sector, laser companies, and other high-tech industries.

(L) In June 2022, the European Commission, for the first time, upgraded its trade and investment dialogues with Taiwan, which had been ongoing at the technical level for more than 20 years, to the ministerial and director-general level for the first time in recognition of the benefit from higher-level coordination.

(M) In August 2023, Taiwan Semiconductor Manufacturing Company Limited announced partnerships with various European technology firms and investments of $3,500,000,000 to build its first semiconductor plant in Europe in Germany.

(N) On November 8, 2023, the Government of the United Kingdom signed an Enhanced Trade Partnership agreement with Taiwan. This is the first such agreement between Taiwan and a European country.

(O) On December 13, 2023 the European Parliament passed a resolution that—

(i) urges the European Union to pursue a resilient supply chain agreement with Taiwan; and

(ii) calls for a bilateral investment agreement between Taiwan and the European Union to enhance a 2-way partnership in digital trade and cyber resilience.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States, Europe, and Taiwan are like-minded partners that—

(i) share common values, such as democracy, the rule of law and human rights; and

(ii) enjoy a close trade and economic partnership;

(B) bolstering political, economic, and people-to-people relations with Taiwan would benefit the European Union, individual European countries, and the United States;

(C) the European Union can play an important role in helping Taiwan resist the economic coercion of the PRC by negotiating with Taiwan regarding new economic, commercial, and investment agreements;

(D) the United States and European countries should coordinate and increase diplomatic efforts to facilitate Taiwan's meaningful participation in international organizations;

(E) the United States and European countries should—

(i) publicly and repeatedly emphasize the differences between their respective ''One China'' policies and the PRC's ''One China'' principle; and

(ii) counter the PRC's propaganda and false narratives about United Nations General Assembly Resolution 2758 (XXVI), which claim the resolution recognizes PRC territorial claims to Taiwan; and

(F) Taiwan's inclusion in the U.S.-EU Trade and Technology Council's Secure Supply Chain working group would bring valuable expertise and enhance transatlantic cooperation in the semiconductor sector.

(3) CONGRESSIONAL BRIEFING.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter for the following 5 years, the Secretary of State shall provide a briefing to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the Department of State's engagements with the European Union and the governments of European countries to increase political and economic relations with Taiwan, including—

(A) public statements of support for Taiwan's democracy and its meaningful participation in international organizations;

(B) unofficial diplomatic visits to and from Taiwan by high-ranking government officials and parliamentarians;

(C) the establishment of parliamentary caucuses or groups that promote strong relations with Taiwan;

(D) strengthening subnational diplomacy, including diplomatic and trade-related visits to and from Taiwan by local government officials;

(E) strengthening coordination between United States and European business chambers, universities, think tanks, and other civil society groups with similar groups in Taiwan;

(F) establishing new representative, economic, or cultural offices in a European country or in Taiwan;

(G) promoting direct flights to and from Taiwan;

(H) facilitating visits by religious leaders to Taiwan; and

(I) increasing economic engagement and trade relations.

(g) CONSULTATIONS WITH EUROPEAN GOVERNMENTS ON SUPPORTING TAIWAN'S SELF-DEFENSE.—

(1) FINDINGS.—Congress finds the following:

(A) In September 2021, the European Commission released the European Union Strategy for Cooperation in the Indo-Pacific, which acknowledges that increased tensions between the PRC and Taiwan could impact European security and economic prosperity.

(B) In 2019, 2021, and 2023, the French Navy sent warships to transit the Taiwan Strait and in 2021, the British Navy frigate HMS Richmond transited the Taiwan Strait.

(C) In November 2021, the German Navy committed to sending vessels to the Indo-Pacific every 2 years to expand cooperation with like-minded states advocating for freedom of navigation and a rules-based international order.

(D) European deterrence efforts in the Taiwan Strait support the United States' strategic interests, as the United States also sends warships through the Taiwan Strait to promote deterrence and respond to aggressive behavior by the PRC towards Taiwan.

(E) In April 2023, European Commission Vice-President Josep Borrell Fontelles called on European navies to patrol the Taiwan Strait to show Europe's commitment to freedom of navigation.

(F) In August 2023, French President Emmanuel Macron signed into law legislation emphasizing that France would defend freedom of navigation in the Indo-Pacific region, including the South China Sea and the Taiwan Strait.

(G) European countries, including France, Germany, the United Kingdom, the Netherlands, the Czech Republic, and Lithuania, have developed Indo-Pacific strategies.

(H) At the 2022 Madrid Summit, the North Atlantic Treaty Organization unveiled a new Strategic Concept, stating that allies will work together ''to address the systemic challenges posed by the PRC to Euro-Atlantic security'' and underscored the importance of the Indo-Pacific for NATO, ''given that developments in that region can directly affect Euro-Atlantic security.''.

(I) In September 2022, the North Atlantic Council held its first dedicated discussion about the status of Taiwan, its democratic government, and its critical role in the manufacturing of microchips globally.

(J) In 2022, the United Kingdom approved a substantial increase in exports of submarine components and technology to Taiwan to upgrade its naval forces.

(K) In 2024, Taiwan's defense ministry signed an agreement with France's DCI Group for the supply of parts and accessories to maintain its Lafayette-class frigates.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) preserving peace and security in the Taiwan Strait is a shared interest of the United States and Europe;

(B) European countries, particularly countries with experience combating Russian aggression and malign activities, can provide Taiwan with lessons learned from their ''total defense'' programs to mobilize the military and civilians in a time of crisis;

(C) the United States and Europe should increase coordination to strengthen Taiwan's cybersecurity, especially for critical infrastructure and network defense operations;

(D) the United States and Europe should work with Taiwan—

(i) to improve its energy resiliency;

(ii) to strengthen its food security;

(iii) to combat misinformation, disinformation, digital authoritarianism, and foreign interference; and

(iv) to provide expertise on how to improve defense infrastructure;

(E) European naval powers, in coordination with the United States, should increase freedom of navigation transits through the Taiwan Strait; and

(F) European naval powers, the United States, and Taiwan should establish exchanges and partnerships among their coast guards to counter coercion by the PRC.

(3) CONGRESSIONAL BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter for the following 5 years the Secretary of State, in consultation with the Secretary of Defense, shall provide a briefing to the Committee on Foreign Relations of the Senate, the Committee on Armed Services of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Armed Services of the House of Representatives regarding discussions with governments of European NATO countries about contributions to Taiwan's self-defense through—

(A) public statements of support for Taiwan's security;

(B) arms transfers or arms sales, particularly of weapons consistent with an asymmetric defense strategy;

(C) transfers or sales of dual-use items and technology;

(D) transfers or sales of critical non-military supplies, such as food and medicine;

(E) increasing the military presence of such countries in the Indo-Pacific region;

(F) joint training and military exercises;

(G) enhancing Taiwan's critical infrastructure resiliency, including communication and digital infrastructure;

(H) coordination to counter disinformation;

(I) coordination to counter offensive cyber operations; and

(J) any other matter deemed important by the Secretary of State and the Secretary of Defense.

(h) EXPEDITED LICENSING FOR EUROPEAN COUNTRIES TRANSFERRING MILITARY EQUIPMENT TO TAIWAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall establish an expedited decision-making process for blanket third party transfers of defense articles and services from NATO countries to Taiwan, including transfers and re-transfers of United States origin grant, Foreign Military Sales, and Direct Commercial Sales end-items not covered by an exemption under the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations.

(2) AVAILABILITY.—The expedited decision-making process described in paragraph (1)—

(A) shall be available for classified and unclassified items; and

(B) shall, to the extent practicable—

(i) require the approval, return, or denial of any licensing application to export defense articles and services that is related to a government-to-government agreement within 15 days after the submission of such application; and

(ii) require the completion of the review of all other licensing requests not later than 30 days after the submission of such application.

SA 2827. 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 in title XVI, insert the following:

SEC. ____. MODIFICATION REPORTING REQUIREMENTS FOR SENIOR MILITARY ADVISOR FOR CYBER POLICY AND DEPUTY PRINCIPAL CYBER ADVISOR.

Section 392a(b) of title 10, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)(i), by striking ''the Under Secretary of Defense for Policy'' and inserting ''the Assistant Secretary of Defense for Cyber Policy''; and

(B) in subparagraph (B), by striking '', the following:'' and all that follows through the period at the end and inserting ''the Assistant Secretary of Defense for Cyber Policy''; and

(2) in paragraph (3)(A)—

(A) in clause (ii), by striking ''Under Secretary'' and inserting ''Assistant Secretary of Defense for Cyber Policy'';

(B) in clause (iii), by striking ''Under Secretary of Defense for Policy'' and inserting ''Assistant Secretary of Defense for Cyber Policy''; and

(C) in clause (iv), by inserting ''of Defense for Policy'' after ''Under Secretary''.

SA 2828. 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 (a).

(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 2829. Mr. CORNYN (for himself and Mr. CASEY) 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 EXPORT CONTROLS ON ITEMS WITH CRITICAL CAPABILITIES TO ENABLE HUMAN RIGHTS ABUSES.

(a) STATEMENT OF POLICY.—It is the policy of the United States to use export controls to the extent necessary to further the protection of internationally recognized human rights.

(b) REVIEW OF ITEMS WITH CRITICAL CAPABILITIES TO ENABLE HUMAN RIGHTS ABUSES.—Not later than 180 days after the date of the enactment of this Act, and as appropriate thereafter, the Secretary, in coordination with the Secretary of State, the Director of National Intelligence, and the heads of other Federal agencies as appropriate, shall conduct a review of items subject to controls for crime control reasons pursuant to section 742.7 of the Export Administration Regulations.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—In furtherance of the policy set forth in subsection (a), not later than 180 days after completing the review required by subsection (b), the Secretary, in coordination with the heads of other Federal agencies as appropriate, shall submit to the appropriate congressional committees a report on whether additional export controls are needed to protect human rights.

(2) ELEMENTS.—The report required by paragraph (1) shall include consideration of—

(A) whether controls for crime control reasons pursuant to section 742.7 of the Export Administration Regulations should be imposed on additional items, including items with critical capabilities to enable human rights abuses involving—

(i) censorship or social control;

(ii) surveillance, interception, or restriction of communications;

(iii) monitoring or restricting access to or use of the internet;

(iv) identification of individuals through facial or voice recognition or biometric indicators; or

(v) DNA sequencing;

(B) whether end-use and end-user controls should be imposed on the export, reexport, or in-country transfer of certain items with critical capabilities to enable human rights abuses that are subject to the Export Administration Regulations if the person seeking to export, reexport, or transfer the item has knowledge, or the Secretary determines and so informs that person, that the end-user or ultimate consignee will use the item to enable human rights abuses; and

(C) the effects of multilateral cooperation with other governments on implementing controls described in subparagraphs (A) and (B).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Financial Services of the House of Representatives.

(2) END-USER; KNOWLEDGE; ULTIMATE CONSIGNEE.—The terms ''end-user'', ''knowledge'', and ''ultimate consignee'' have the meanings given those terms in section 772.1 of the Export Administration Regulations.

(3) EXPORT; EXPORT ADMINISTRATION REGULATIONS; IN-COUNTRY TRANSFER; ITEM; REEXPORT.—The terms ''export'', ''Export Administration Regulations'', ''in-country transfer'', ''item'', and ''reexport'' have the meanings given those terms in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

SA 2830. Mr. LANKFORD (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 E of title X, add the following:

SEC. 1049. PORT MAINTENANCE.

(a) IN GENERAL.—Section 411(o) of the Homeland Security Act of 2002 (6 U.S.C. 211(o)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) PORT MAINTENANCE.—

''(A) PROCEDURES.—

''(i) IN GENERAL.—Subject to subparagraphs (B) and (C), the Commissioner, in consultation with the Administrator of the General Services Administration—

''(I) shall establish procedures by which U.S. Customs and Border Protection may conduct maintenance and repair projects costing not more than $300,000 at any Federal Government-owned port of entry where the Office of Field Operations performs any of the activities described in subparagraphs (A) through (G) of subsection (g)(3); and

''(II) is authorized to perform such maintenance and repair projects, subject to the procedures described in clause (ii).

''(ii) PROCEDURES DESCRIBED.—The procedures established pursuant to clause (i) shall include—

''(I) a description of the types of projects that may be carried out pursuant to clause (i); and

''(II) the procedures for identifying and addressing any impacts on other tenants of facilities where such projects will be carried out.

''(iii) PUBLICATION OF PROCEDURES.—All of the procedures established pursuant to clause (i) shall be published in the *Federal Register*.

''(iv) RULE OF CONSTRUCTION.—The publication of procedures under clause (iii) shall not impact the authority of the Commissioner to update such procedures, in consultation with the Administrator, as appropriate.

''(B) LIMITATION.—The authority under subparagraph (A) shall only be available for maintenance and repair projects involving existing infrastructure, property, and capital at any port of entry described in subparagraph (A).

''(C) ANNUAL ADJUSTMENTS.—The Commissioner shall annually adjust the amount described in subparagraph (A) by the percentage (if any) by which the Consumer Price Index for All Urban Consumers for the month of June preceding the date on which such adjustment takes effect exceeds the Consumer Price Index for All Urban Consumers for the same month of the preceding calendar year.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to affect the availability of funding from—

''(i) the Federal Buildings Fund established under section 592 of title 40, United States Code;

''(ii) the Donation Acceptance Program established under section 482; or

''(iii) any other statutory authority or appropriation for projects described in subparagraph (A).''.

(b) REPORTING.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Commissioner of U.S. Customs and Border Protection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Appropriations of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Appropriations of the House of Representatives that includes the elements described in paragraph (2).

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a summary of all maintenance projects conducted pursuant to section 411(o)(3) of the Homeland Security Act of 2002, as added by subsection (a) during the prior fiscal year;

(B) the cost of each project referred to in subparagraph (A);

(C) the account that funded each such project, if applicable; and

(D) any budgetary transfers, if applicable, that funded each such project.

(c) TECHNICAL AMENDMENT.—Section 422(a) of the Homeland Security Act of 2002 (6 U.S.C. 232(a)) is amended by inserting ''section 411(o)(3) of this Act and'' after ''Administrator under''.

SA 2831. Mr. LANKFORD 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.

Section 5336(b)(5) of title 31, United States Code, is amended by striking ''1 year after the date of enactment of this section'' and inserting ''January 1, 2026''.

SA 2832. Mr. LANKFORD (for himself and Mr. KELLY) 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 X, add the following:

SECTION 1049. OFFICE OF FIELD OPERATIONS IMAGE TECHNICIAN PILOT PROGRAM.

(a) SHORT TITLE.—This Act may be cited as the ''Border Enforcement, Security, and Trade (BEST) Facilitation Act of 2023''.

(b) IN GENERAL.—Section 411(g) of the Homeland Security Act of 2002 (6 U.S.C. 211(g)) is amended by adding at the end the following:

''(6) IMAGE TECHNICIAN PILOT PROGRAM.—

''(A) IMAGE TECHNICIAN 1.—

''(i) IN GENERAL.—There shall be in the Office of Field Operations, Image Technician 1 positions, which shall be filled in accordance with the provisions under chapter 33 (relating to appointments in the competitive service) and chapters 51 and 53 (relating to classification and rates of pay) of title 5, United States Code.

''(ii) CONDITIONS.—Image Technician 1 positions—

''(I) may be filled by existing U.S. Customs and Border Protection employees;

''(II) are not law enforcement officer positions; and

''(III) may not be filled by independent contractors.

''(iii) DUTIES.—The duties of an Image Technician 1 shall include—

''(I) reviewing non-intrusive inspection images of conveyances and containers entering or exiting the United States through a land, sea, or air port of entry or international rail crossing;

''(II) assessing whether images of conveyances and containers appear to contain anomalies indicating the potential presence of contraband, persons unlawfully seeking to enter or exit the United States, or illicitly concealed merchandise, including illicit drugs and terrorist weapons;

''(III) recommending entry release or exit release for any conveyances and containers whenever the images of such items do not include noticeable anomalies indicating the potential presence of contraband, persons seeking to unlawfully enter or exit the United States, or illicitly concealed merchandise, including illicit drugs or terrorist weapons, to the U.S. Customs and Border Protection Officer responsible for inspecting such conveyance or container; and

''(IV) recommending further inspection of any conveyances and containers whenever the Image Technician reasonably believes that an image of any such item contains anomalies indicating the potential presence of contraband, persons seeking to unlawfully enter or exit the United States, or illicitly concealed merchandise, such as illicit drugs or terrorist weapons, to the U.S. Customs and Border Protection officer who is responsible for inspecting such conveyance or container.

''(B) IMAGE TECHNICIAN 2.—

''(i) IN GENERAL.—There shall be in the Office of Field Operations, Image Technician 2 positions, which shall be filled in accordance with the provisions under chapter 33 (relating to appointments in the competitive service) and chapters 51 and 53 (relating to classification and rates of pay) of title 5, United States Code.

''(ii) CONDITIONS.—Image Technician 2 positions—

''(I) may be filled by existing U.S. Customs and Border Protection employees;

''(II) are not law enforcement officer positions; and

''(III) may not be filled by independent contractors.

''(iii) DUTIES.—The duties of an Image Technician 2 shall include—

''(I) carrying out all of the duties described in subclauses (I) through (IV) of subparagraph (A)(ii);

''(II) receiving intelligence from the National Targeting Center regarding tactics, techniques, and procedures being used at ports of entry and in the border environment by malign actors to facilitate the unlawful entry or exit of contraband, persons, or illicitly concealed merchandise, such as illicit drugs or terrorist weapons; and

''(III) reporting new information to the National Targeting Center regarding tactics, techniques, and procedures being used at ports of entry and in the border environment by malign actors to facilitate the unlawful entry or exit of contraband, persons, or concealed merchandise, such as illicit drugs or terrorist weapons.

''(C) SUPERVISORY U.S. CUSTOMS AND BORDER PROTECTION OFFICERS.—

''(i) SUPERVISION.—All image technicians shall be supervised by a Supervisory U.S. Customs and Border Protection Officer.

''(ii) DISCRETION AND DECISION-MAKING AUTHORITY.—The appropriate Supervisory U.S. Customs and Border Protection Officer, while working with image technicians, shall retain the discretion and final decision-making authority—

''(I) to release conveyances or cargo for entry; or

''(II) to refer such conveyance or cargo for further inspection.

''(iii) TRAINING.—A Supervisory U.S. Customs and Border Protection Officer who supervises image technicians shall receive additional training in accordance with subparagraph (D).

''(D) TRAINING REQUIREMENTS.—All image technicians shall receive annual training and additional ad hoc training, to the extent necessary based on current trends, regarding—

''(i) respecting privacy, civil rights, and civil liberties, including the protections against unreasonable searches and seizures afforded by the First and Fourth Amendments to the Constitution of the United States;

''(ii) analyzing images generated by nonintrusive inspection technologies or any successor technologies deployed by U.S. Customs and Border Protection;

''(iii) identifying commodities and merchandise in images generated by non-intrusive inspection technologies or any successor technologies deployed by U.S. Customs and Border Protection;

''(iv) identifying contraband, persons who are seeking to unlawfully enter or exit the United States, or illicitly concealed merchandise, such as illicit drugs or terrorist weapons, in images generated by non-intrusive technologies or any successor technologies deployed by U.S. Customs and Border Protection;

''(v) tactics, techniques, and procedures being used at ports of entry and in the border environment by malign actors to facilitate the unlawful entry or exit of contraband, persons, or illicitly concealed merchandise, such as illicit drugs or terrorist weapons; and

''(vi) any other training that the Commissioner of U.S. Customs and Border Protection determines to be relevant to the duties described in subparagraphs (A)(iii) or (B)(iii).

''(E) ANNUAL ASSESSMENT.—All image technicians shall receive annual testing with respect to their—

''(i) accuracy in image analysis;

''(ii) timeliness in image analysis; and

''(iii) ability to ascertain tactics, techniques, and procedures being used at ports of entry and in the border environment by malign actors to facilitate the unlawful entry or exit of contraband, persons, or illicitly concealed merchandise, such as illicit drugs or terrorist weapons.

''(F) COMMAND CENTERS.—As part of the pilot program established under this paragraph, the Executive Assistant Commissioner of the Office of Field Operations shall establish 12 regional command centers at land, rail, air, and sea ports in which image technicians shall review non-intrusive inspection images.

''(G) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to affect the discretion and final decision-making authority given to U.S. Customs and Border Protection Officers to release conveyances or cargo for entry or exit or to refer such conveyances or cargo for further inspection.''.

(c) EFFECTIVE DATE.—

(1) SUNSET.—The amendment made by subsection (b) shall cease to have effect on the date that is 5 years after the date of the enactment of this Act.

(2) TRANSFERS AUTHORIZED.—Upon the termination of the pilot program established by section 411(g)(6) of the Homeland Security Act of 2002, as added by subsection (a), individuals occupying Image Technician 1 or Image Technician 2 positions in the Office of Field Operations may transfer to comparable positions within U.S. Customs and Border Protection or the Department of Homeland Security.

(d) SEMIANNUAL REPORTS.—Not later than 180 days after the hiring of the first positions described in section 411(g)(6) of the Homeland Security Act of 2002, as added by subsection (b), and every 180 days thereafter, the Commissioner of U.S. Customs and Border Protection, in consultation with the Executive Assistant Commissioner of the Office of Field Operations, shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that identifies—

(1) the number of Image Technician 1 and Image Technician 2 positions filled during the reporting period;

(2) the number of Image Technician 1 and Image Technician 2 positions currently employed by the Office of Field Operations, disaggregated by—

(A) port of entry or field office;

(B) image technician position; and

(C) command center, as applicable;

(3) the daily average number of images scanned by each Image Technician 1 and each Image Technician 2;

(4) training methodologies utilized to train image technicians;

(5) assessment passage rates of image technicians;

(6) the impact of image technicians on interdiction rates at ports of entry and international rail crossings at which image technicians are stationed or from which image technicians review images, including—

(A) throughput increases or decreases at such ports of entry and international rail crossings;

(B) increases or decreases in waiting times at such ports of entry and international rail crossings;

(C) average wait times at such ports of entry and international rail crossings; and

(D) increases or decreases of seizures of contraband, persons seeking to unlawfully enter or exit the United States, or illicitly concealed merchandise, such as illicit drugs or terrorist weapons, broken down by type of seizure and port of entry or international rail crossing;

(7) the impact of image technicians on U.S. Customs and Border Protection's capability to review non-intrusive inspection images of conveyances and containers entering or exiting the United States through a land, sea, or air port of entry or international rail crossing;

(8) an assessment of the effectiveness with which image technicians carry out the duties described in subparagraphs (A)(iii) and (B)(iii) of section 411(g)(6) of the Homeland Security Act of 2002, as added by section 2(a), compared to any U.S. Customs and Border Protection officers who are assigned such duties.

(9) the progress made in establishing command centers under the pilot program established by such section;

(10) any infrastructure or resource needs required to establish such command centers; and

(11) the ports of entry and international rail crossing, as applicable, that are supported by such a command center.

(e) BIANNUAL BRIEFINGS.—The Executive Assistant Commissioner of the Office of Field Operations shall provide biannual briefings to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding the information described in the latest report submitted pursuant to subsection (d).

SA 2833. Mr. LANKFORD 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 705, in the new section 1074p, strike subsection (b) and insert the following:

''(b) FERTILITY TREATMENT DEFINED.—In this section, the term 'fertility treatment'—

''(1) includes—

''(A) in vitro fertilization or other treatments or procedures in which human oocytes, embryos, or sperm are handled when clinically appropriate;

''(B) Sperm retrieval;

''(C) Egg retrieval;

''(D) Preservation of human oocytes, embryos, or sperm for later reproductive use;

''(E) Artificial insemination, including intravaginal insemination, intracervical insemination, and intrauterine insemination;

''(F) Transfer of reproductive genetic material;

''(G) Medications as prescribed or necessary for fertility;

''(H) Fertility treatment coordination; and

''(I) Such other information, referrals, treatments, procedures, testing, medications, laboratory services, technologies, and services facilitating reproduction as determined appropriate by the Secretary of Defense; and

''(2) excludes human cloning, artificial womb technology, international surrogacy, or any treatments involving the use of preimplantation genetic testing, or another form of genetic diagnosis, to select an embryo based on its sex, physical features, potential intelligence quotient (IQ) level, or genetic profile.''.

SA 2834. Mr. LANKFORD 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 end of subtitle B of title III, add the following:

SEC. 318. MODIFICATIONS TO SALE OF ROYALTIES FOR ENERGY RESILIENCE PURPOSES.

Section 36 of the Mineral Leasing Act (30 U.S.C. 192) is amended by striking the period at the end and inserting '': Provided, however, At the request of the Secretary of Defense, the Secretary of the Interior shall sell royalties at or below market price to the Department of Defense for use only on military installations, and only for energy resilience purposes, and only to the extent that such royalties do not exceed the oil and gas needs of the installation: And provided further, That the Secretary of Defense may not store or sale any royalties received in excess of such needs.''.

SA 2835. Mr. LANKFORD 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 end of subtitle B of title III, add the following:

SEC. 318. MODIFICATIONS TO SALE OF ROYALTIES FOR ENERGY RESILIENCE PURPOSES.

Section 36 of the Mineral Leasing Act (30 U.S.C. 192) is amended by striking the period at the end and inserting '': Provided, however, At the request of the Secretary of Defense, only for the purposes of a Department of Defense energy resilience pilot program, the Secretary of the Interior shall sell royalties at or below market price to the Department of Defense for use only on military installations, and only for energy resilience purposes, and only to the extent that such royalties do not exceed the oil and gas needs of the installation: And provided further, That the Secretary of Defense may not store or sale any royalties received in excess of such needs.''.

SA 2836. Mr. LANKFORD 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. _____. EXTENSION AND MODIFICATION OF DIRECT HIRE AUTHORITY FOR DOMESTIC INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

(a) EXTENSION.—Section 1125(a) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.; Public Law 114–328) is amended by striking ''through 2028'' and inserting ''through 2035''.

(b) DEFINITION OF DEFENSE INDUSTRIAL BASE FACILITY.—Section 1125(c) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.; Public Law 114–328) is amended by inserting ''and includes supporting units of a facility at an installation or base'' after ''United States''.

(c) BRIEFING.—Section 1102(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1628), as amended by section 1107(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1597), is further amended—

(1) in the matter preceding paragraph (1), by striking ''through 2025'' and inserting ''through 2035''; and

(2) in paragraph (1), by striking ''(as amended by subsection (a))''.

SA 2837. Mr. LANKFORD 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. _____. MODIFICATION OF DEFINITION RELATING TO DIRECT HIRE AUTHORITY FOR DOMESTIC INDUSTRIAL BASE FACILITIES.

Section 1125(c) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.; Public Law 114–328) is amended by inserting ''and includes supporting units of a facility at an installation or base'' after ''United States''.

SA 2838. Mr. LANKFORD (for himself, Mr. CORNYN, Mr. WARNOCK, Mr. CRUZ, Ms. ROSEN, Mr. LEE, and Mr. OSSOFF) 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. ___. LIMITATION ON APPOINTMENT OF RETIRED MEMBERS OF THE ARMED FORCES TO CERTAIN POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 3326 of title 5, United States Code, is amended—

(1) in the section heading, by inserting ''**certain**'' before ''**positions**''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''appointed'' and all that follows through ''Defense'' and inserting ''appointed to a position in the excepted or competitive service classified at or above GS–14 of the General Schedule (or equivalent) in or under the Department of Defense''; and

(B) in paragraph (1), by striking ''for the purpose'' and all that follows through ''Management''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of such title is amended by striking the item relating to section 3326 and inserting the following new item:

''3326. Appointments of retired members of the armed forces to certain positions in the Department of Defense.''.

SA 2839. Mr. LANKFORD 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. SUBMISSION OF REQUESTS FOR ASSISTANCE ALONG THE SOUTHERN BORDER.

(a) IN GENERAL.—The Secretary of Homeland Security shall make every effort to submit to the Secretary of Defense a request for assistance for personnel or capabilities along the southern border of the United States not later than 250 days before the requested deployment of such personnel or capabilities.

(b) CONTENTS.—A request for assistance submitted in accordance with subsection (a) shall specify the capabilities necessary to assist the Secretary of Homeland Security and the Commissioner for U.S. Customs and Border Protection in fulfilling the relevant mission along the southern border, rather than specifying the requested number of troops.

(c) WAIVER.—The Secretary of Homeland Security, with the concurrence of the Secretary of Defense, may waive the 250-day period referred to in subsection (a) if the Secretary of Homeland Security—

(1) determines that doing so is in the national security interest of the United States due to exigent circumstances; and

(2) notifies and provides reasoning for requesting a waiver to the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives not later than 24 hours after such request.

SA 2840. Mr. LANKFORD 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. _____. SUBMISSION OF REQUESTS FOR ASSISTANCE ALONG THE SOUTHERN BORDER.

(a) IN GENERAL.—The Secretary of Homeland Security shall make every effort to submit a request for assistance for personnel or capabilities along the southern border of the United States not later than 180 days before the requested deployment of such personnel or capabilities.

(b) CONTENTS.— A request for assistance submitted in accordance with subsection (a) shall specify the capabilities necessary to assist the Secretary of Homeland Security and the Commissioner of U.S. Customs and Border Protection in fulfilling the relevant mission along the southern border.

(c) NOTIFICATION REQUIREMENTS.—

(1) ONGOING NOTIFICATIONS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate a notification describing—

(A) efforts by the Department of Homeland Security to develop and transmit to the Department of Defense requests for assistance along the southern border of the United States; and

(B) progress toward ensuring that such requests for assistance are submitted to the Department of Defense not later than 180 days before the requested deployment of such personnel or capabilities.

(2) NOTIFICATION OF TRANSMITTAL.— Upon transmitting a request for assistance to the Department of Defense, the Secretary of Homeland Security shall submit to the appropriate congressional committees a notification of the transmission, which shall include—

(A) a copy of the request for assistance; and

(B) a description of the number of days prior to the requested deployment of such personnel or capabilities the request for assistance was transmitted.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate; and

(2) the Committee on Homeland Security and the Committee on Armed Services of the House of Representatives.

SA 2841. Mr. LANKFORD (for himself, Mr. BENNET, 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. _____. SOIL ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Security and Oversight for International Landholdings Act of 2024'' or the ''SOIL Act of 2024''.

(b) REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF CERTAIN AGRICULTURAL REAL ESTATE TRANSACTIONS.—Section 721(a)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ''; and'' and inserting a semicolon;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) any transaction described in clause (vi) or (vii) of subparagraph (B) proposed or pending on or after the date of the enactment of this clause.''; and

(2) in subparagraph (B), by adding at the end the following:

''(vi) Any acquisition or transfer of an interest, other than a security, in agricultural land held by a person that is a national of, or is organized under the laws or otherwise subject to the jurisdiction of, a country—

''(I) designated as a nonmarket economy country pursuant to section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)); or

''(II) identified as a country that poses as risk to the national security of the United States in the most recent annual report on worldwide threats issued by the Director of National Intelligence pursuant to section 108B of the National Security Act of 1947 (50 U.S.C. 3043b)(commonly known as the 'Annual Threat Assessment').''.

(c) REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF REAL ESTATE TRANSACTIONS NEAR MILITARY INSTALLATIONS.—Section 721(a)(4)(B) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)(B)), as amended by section 2, is amended by adding at the end the following:

''(vii) Any acquisition or transfer of an interest, other than a security, in any form of real estate that is located not more than 50 miles from a site listed in Appendix A to part 802 of title 31, Code of Federal Regulations or other military installation (as that term is defined in section 802.227 of title 31, Code of Federal Regulations) other than residential property held by a person that is a national of, or is organized under the laws or otherwise subject to the jurisdiction of, a country—

''(I) designated as a nonmarket economy country pursuant to section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)); or

''(II) identified as a country that poses as risk to the national security of the United States in the most recent annual report on worldwide threats issued by the Director of National Intelligence pursuant to section 108B of the National Security Act of 1947 (50 U.S.C. 3043b)(commonly known as the 'Annual Threat Assessment').''.

(d) PROHIBITION ON USE OF FUNDS FOR CERTAIN AGRICULTURAL REAL ESTATE HOLDINGS.—No assistance, including subsidies, may be provided by any Federal agency to a person for an agricultural real estate holding wholly or partly owned by a person that is a national of, or is organized under the laws or otherwise subject to the jurisdiction of, a country—

(1) designated as a nonmarket economy country pursuant to section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)); or

(2) identified as a country that poses as risk to the national security of the United States in the most recent annual report on worldwide threats issued by the Director of National Intelligence pursuant to section 108B of the National Security Act of 1947 (50 U.S.C. 3043b)(commonly known as the ''Annual Threat Assessment'').

SA 2842. Mr. CARDIN 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, insert the following:

SEC. 1095. GRANT PROGRAM SUPPORTING TRAUMA CENTER VIOLENCE INTERVENTION AND VIOLENCE PREVENTION PROGRAMS.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following new section:

''SEC. 399V–8. GRANT PROGRAM SUPPORTING TRAUMA CENTER VIOLENCE INTERVENTION AND VIOLENCE PREVENTION PROGRAMS.

''(a) AUTHORITY ESTABLISHED.—

''(1) IN GENERAL.—The Secretary shall award grants to eligible entities to establish or expand violence intervention or prevention programs for services and research designed to reduce the incidence of reinjury and reincarceration caused by intentional violent trauma, excluding intimate partner violence.

''(2) FIRST AWARD.—Not later than 9 months after the date of enactment of this section, the Secretary shall make the first award under paragraph (1).

''(3) GRANT DURATION.—Each grant awarded under paragraph (1) shall be for a period of 3 years.

''(4) GRANT AMOUNT.—The total amount of each grant awarded under paragraph (1) for the 3-year grant period shall be not less than $250,000 and not more than $500,000.

''(5) SUPPLEMENT NOT SUPPLANT.—A grant awarded under paragraph (1) to an eligible entity with an existing program described in paragraph (1) shall be used to supplement, and not supplant, any other funds provided to such entity for such program.

''(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant under subsection (a)(1), an entity shall—

''(1) either be—

''(A) a State-designated trauma center, or a trauma center verified by the American College of Surgeons, that conducts or seeks to conduct a violence intervention or violence prevention program; or

''(B) a nonprofit entity that conducts or seeks to conduct a program described in subparagraph (A) in cooperation with a trauma center described in such subparagraph;

''(2) serve a community in which at least 100 incidents of intentional violent trauma occur annually; and

''(3) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(c) SELECTION OF GRANT RECIPIENTS.—

''(1) GEOGRAPHIC DIVERSITY.—In selecting grant recipients under subsection (a)(1), the Secretary shall ensure that, collectively, grantees represent a diversity of geographic areas.

''(2) PRIORITY.—In selecting grant recipients under subsection (a)(1), the Secretary shall prioritize applicants that serve one or more communities with high absolute numbers or high rates of intentional violent trauma.

''(3) HEALTH PROFESSIONAL SHORTAGE AREAS.—

''(A) ENCOURAGEMENT.—The Secretary shall encourage entities described in paragraphs (1) and (2) that are located in or serve a health professional shortage area to apply for grants under subsection (a)(1).

''(B) DEFINITION.—In subparagraph (A), the term 'health professional shortage area' means a health professional shortage area designated under section 332.

''(d) REPORTS.—

''(1) REPORTS TO SECRETARY.—

''(A) IN GENERAL.—An entity that receives a grant under subsection (a)(1) shall submit reports on the use of the grant funds to the Secretary, including progress reports, as required by the Secretary. Such reports shall include—

''(i) any findings of the program established, or expanded, by the entity through the grant; and

''(ii) if applicable, the manner in which the entity has incorporated such findings in the violence intervention or violence prevention program conducted by such entity.

''(B) OPTION FOR JOINT REPORT.—To the extent feasible and appropriate, an entity that receives a grant under subsection (a)(1) may elect to coordinate with one or more other entities that have received such a grant to submit a joint report that meets the requirements of subparagraph (A).

''(2) REPORT TO CONGRESS.—Not later than 6 years after the date of enactment of this section, the Secretary shall submit to Congress a report—

''(A) on any findings resulting from reports submitted to the Secretary under paragraph (1);

''(B) on best practices developed by the Secretary under subsection (e); and

''(C) with recommendations for legislative action relating to intentional violent trauma prevention that the Secretary determines appropriate.

''(e) BEST PRACTICES.—Not later than 6 years after the date of enactment of this section, the Secretary shall—

''(1) develop, and post on a public website of the Department of Health and Human Services, best practices for intentional violent trauma prevention, based on any findings reported to the Secretary under subsection (d)(1); and

''(2) disseminate such best practices to stakeholders, as determined appropriate by the Secretary.

''(f) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $10,000,000 for the period of fiscal years 2025 through 2028.''.

SA 2843. Mr. CARDIN 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, insert the following:

SEC. 1095. DRUG SHORTAGES PREVENTION AND QUALITY IMPROVEMENT.

(a) SHORT TITLE.—This section may be cited as the ''Drug Shortages Prevention and Quality Improvement Act''.

(b) LENGTHEN EXPIRATION DATES TO MITIGATE CRITICAL DRUG SHORTAGES.—

(1) IN GENERAL.—The Federal Food, Drug, and Cosmetic Act is amended by inserting after section 506C–1 (21 U.S.C. 356c–1) the following:

''SEC. 506C–2. EXTENDED EXPIRATION DATES FOR LIFE-SAVING DRUGS.

''(a) IN GENERAL.—A manufacturer of a life-saving drug shall—

''(1) submit to the Secretary data and information as required by subsection (b)(1);

''(2) conduct and submit the results, data, and information of any studies required under subsection (b)(2); and

''(3) make any labeling change described in subsection (c) by the date specified by the Secretary pursuant to such subsection.

''(b) NOTIFICATION.—

''(1) IN GENERAL.—The Secretary may issue an order requiring the manufacturer of any life-saving drug to submit, in such manner as the Secretary may prescribe, data and information from any stage of development of the drug that are adequate to assess the stability of the drug to determine the longest supported expiration date.

''(2) UNAVAILABLE OR INSUFFICIENT DATA AND INFORMATION.—If the data and information required pursuant to an order issued under paragraph (1) are not available or are insufficient, the Secretary may require the manufacturer of the drug to—

''(A) conduct studies adequate to provide the data and information in accordance with section 211.166 of title 21, Code of Federal Regulations (or any successor regulations); and

''(B) submit to the Secretary the results, data, and information generated by such studies when available.

''(c) LABELING.—The Secretary may issue an order requiring the manufacturer of a life-saving drug to, by a specified date, make any labeling change regarding the expiration date that the Secretary determines to be appropriate based on the data and information required to be submitted under this section in accordance with labeling requirements under subparts F and G of part 211 of title 21, Code of Federal Regulations (or any successor regulations) or any other data and information available to the Secretary.

''(d) CONFIDENTIALITY.—Nothing in this section shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

''(e) DEFINITION.—In this section, the term 'life-saving drug' means a drug described in section 506C(a).''.

(2) CIVIL MONETARY PENALTY.—Section 303(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(b)) is amended by adding at the end the following:

''(9)(A) If a manufacturer fails to submit data and information as required under section 506C–2(b)(1), fails to conduct or submit the results, data, and information generated by studies as required under section 506C–2(b)(3), or fails to make a labeling change as required under section 506C–2(c), such manufacturer shall be liable to the United States for a civil penalty in an amount not to exceed $10,000 for each such violation.

''(B) If a violation described in subparagraph (A) is not corrected within the 30-day period following notification by the Secretary of a violation described in subparagraph (A), the manufacturer shall, in addition to any penalty under subparagraph (A), be subject to a civil monetary penalty of not more than $10,000 for each day of the violation after such period until the violation is corrected.''.

(c) REPORTING ON INCREASES IN DEMAND FOR A DRUG.—

(1) IN GENERAL.—Section 506C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c) is amended—

(A) in the section heading, by inserting ''**OR INCREASE IN DEMAND FOR**'' after ''**PRODUCTION OF**'';

(B) in subsection (a), in the matter following paragraph (2), by striking ''drug, and the reasons for such discontinuance or interruption'' and inserting ''drug, or increase in the demand for such drug that is likely to lead to a shortage of the drug, and the reasons for such discontinuance, interruption, or increase in demand'';

(C) in subsection (b)—

(i) in paragraph (1), by striking ''; or'' and inserting a semicolon;

(ii) by redesignating paragraph (2) as paragraph (3);

(iii) by inserting after paragraph (1) the following:

''(2) in the case of an increase in the demand for a drug, not later than 30 days after the manufacture has knowledge of such increase; or''; and

(iv) in paragraph (3), as so redesignated, by striking ''paragraph (1)'' and inserting ''paragraph (1) or (2)''; and

(D) in subsection (c), by inserting '', or increase in demand for,'' after ''the manufacture of''.

(2) PROHIBITED ACT.—

(A) IN GENERAL.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

''(jjj) The failure to notify the Secretary as required under section 506C(a).''.

(B) ENFORCEMENT.—Section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(c)) is amended—

(i) in paragraph (c), by adding before the period at the end the following: ''; or (7) for having violated section 301(jjj) if such person acted in good faith and had a reasonable basis for not notifying as required under section 506C''; and

(ii) by adding at the end the following:

''(h) Notwithstanding subsection (a), any manufacturer who violates section 301(jjj) shall be subject to a civil penalty in an amount not to exceed $50,000 per violation.''.

SA 2844. Mr. BROWN 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. _____. IMPORTANCE OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.

(a) INCREASE.—The amount authorized to be appropriated for fiscal year 2025 by section 201 is hereby increased by $20,000,000, with the amount of the increase to be available for Research, Development, Test, and Evaluation, Defense-wide, Basic Research, for Historically Black Colleges and Universities/Minority Institutions [(PE 0601228D8Z)], as specified in the funding table in section 4201.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2025 by section 301 is hereby reduced by $20,000,000, with the amount of the reduction to be derived from Operation and Maintenance, Defense-wide, Administration and Service-wide Activities, for the Office of the Secretary of Defense [(line 490)], as specified in the funding table in section 4301.

SA 2845. Mr. CARDIN 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 _____—NEIGHBORHOOD HOMES INVESTMENT ACT

SEC. __1. SHORT TITLE.

This title may be cited as the ''Neighborhood Homes Investment Act''

SEC. __2. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Experts have determined that it could take nearly a decade to address the housing shortage in the United States, in large part due to increasing housing prices and decreased housing inventory.

(2) The housing supply shortage disproportionately impacts low-income and distressed communities.

(3) Homeownership is a primary source of household wealth and neighborhood stability. Many distressed communities have low rates of homeownership and lack quality, affordable starter homes.

(4) Housing revitalization in distressed communities is prevented by the value gap, the difference between the price to rehabilitate a home and the sale value of the home.

(5) The Neighborhood Homes Investment Act can address the value gap to increase housing rehabilitation in distressed communities.

(6) The Neighborhood Homes Investment Act has the potential to generate 500,000 homes over 10 years, $125,000,000,000 of total development activity, over 800,000 jobs in construction and construction-related industries, and over $35,000,000,000 in Federal, state, and local tax revenues.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the neighborhood homes credit (as added under section __3 of this title) should be an activity administered in a manner which—

(1) is consistent with the Fair Housing Act of 1968 (42 U.S.C. 3601 et seq.);

(2) empowers residents in eligible communities; and

(3) revitalizes distressed neighborhoods.

SEC. __3. NEIGHBORHOOD HOMES CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 42 the following new section:

''SEC. 42A. NEIGHBORHOOD HOMES CREDIT.

''(a) ALLOWANCE OF CREDIT.—For purposes of section 38, the neighborhood homes credit determined under this section for the taxable year is, with respect to each qualified residence sold by the taxpayer during such taxable year in an affordable sale, the lesser of—

''(1) an amount equal to—

''(A) the excess (if any) of—

''(i) the reasonable development costs paid or incurred by the taxpayer with respect to such qualified residence, over

''(ii) the sale price of such qualified residence (reduced by any reasonable expenses paid or incurred by the taxpayer in connection with such sale), or

''(B) if the neighborhood homes credit agency determines it is necessary to ensure financial feasibility, an amount not to exceed 120 percent of the amount under subparagraph (A),

''(2) 35 percent of the eligible development costs paid or incurred by the taxpayer with respect to such qualified residence, or

''(3) 28 percent of the national median sale price for new homes (as determined pursuant to the most recent census data available as of the date on which the neighborhood homes credit agency makes an allocation for the qualified project).

''(b) DEVELOPMENT COSTS.—For purposes of this section—

''(1) REASONABLE DEVELOPMENT COSTS.—

''(A) IN GENERAL.—The term 'reasonable development costs' means amounts paid or incurred for the acquisition of buildings and land, construction, substantial rehabilitation, demolition of structures, or environmental remediation, to the extent that the neighborhood homes credit agency determines that such amounts meet the standards specified pursuant to subsection (f)(1)(C) (as of the date on which construction or substantial rehabilitation is substantially complete, as determined by such agency) and are necessary to ensure the financial feasibility of such qualified residence.

''(B) CONSIDERATIONS IN MAKING DETERMINATION.—In making the determination under subparagraph (A), the neighborhood homes credit agency shall consider—

''(i) the sources and uses of funds and the total financing,

''(ii) any proceeds or receipts generated or expected to be generated by reason of tax benefits, and

''(iii) the reasonableness of the developmental costs and fees.

''(2) ELIGIBLE DEVELOPMENT COSTS.—The term 'eligible development costs' means the amount which would be reasonable development costs if the amounts taken into account as paid or incurred for the acquisition of buildings and land did not exceed 75 percent of such costs determined without regard to any amount paid or incurred for the acquisition of buildings and land.

''(3) SUBSTANTIAL REHABILITATION.—The term 'substantial rehabilitation' means amounts paid or incurred for rehabilitation of a qualified residence if such amounts exceed the greater of—

''(A) $20,000, or

''(B) 20 percent of the amounts paid or incurred by the taxpayer for the acquisition of buildings and land with respect to such qualified residence.

''(4) CONSTRUCTION AND REHABILITATION ONLY AFTER ALLOCATION TAKEN INTO ACCOUNT.—

''(A) IN GENERAL.—The terms 'reasonable development costs' and 'eligible development costs' shall not include any amount paid or incurred before the date on which an allocation is made to the taxpayer under subsection (e) with respect to the qualified project of which the qualified residence is part unless such amount is paid or incurred for the acquisition of buildings or land.

''(B) LAND AND BUILDING ACQUISITION COSTS.—Amounts paid or incurred for the acquisition of buildings or land shall be included under paragraph (A) only if paid or incurred not more than 3 years before the date on which the allocation referred to in subparagraph (A) is made. If the taxpayer acquired any building or land from an entity (or any related party to such entity) that holds an ownership interest in the taxpayer, then such entity must also have acquired such property within such 3-year period, and the acquisition cost included under subparagraph (A) with respect to the taxpayer shall not exceed the amount such entity paid or incurred to acquire such property.

''(c) QUALIFIED RESIDENCE.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified residence' means a residence that—

''(A) is real property affixed on a permanent foundation,

''(B) is—

''(i) a house which is comprised of 4 or fewer residential units,

''(ii) a condominium unit, or

''(iii) a house or an apartment owned by a cooperative housing corporation (as defined in section 216(b)),

''(C) is part of a qualified project with respect to which the neighborhood homes credit agency has made an allocation under subsection (e), and

''(D) is located in a qualified census tract (determined as of the date of such allocation).

''(2) QUALIFIED CENSUS TRACT.—

''(A) IN GENERAL.—The term 'qualified census tract' means a census tract—

''(i) which—

''(I) has a median family income which does not exceed 80 percent of the median family income for the applicable area,

''(II) has a poverty rate that is not less than 130 percent of the poverty rate of the applicable area, and

''(III) has a median value for owner-occupied homes that does not exceed the median value for owner-occupied homes in the applicable area,

''(ii) which—

''(I) is located in a city which has a population of not less than 50,000 and such city has a poverty rate that is not less than 150 percent of the poverty rate of the applicable area,

''(II) has a median family income which does not exceed the median family income for the applicable area, and

''(III) has a median value for owner-occupied homes that does not exceed 80 percent of the median value for owner-occupied homes in the applicable area,

''(iii) which—

''(I) is located in a nonmetropolitan county,

''(II) has a median family income which does not exceed the median family income for the applicable area, and

''(III) has been designated by a neighborhood homes credit agency under this clause, or

''(iv) which is not otherwise a qualified census tract and is located in a disaster area (as defined in section 7508A(d)(3)), but only with respect to credits allocated in any period during which the President of the United States has determined that such area warrants individual or individual and public assistance by the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

''(B) APPLICABLE AREA.—The term 'applicable area' means—

''(i) in the case of a metropolitan census tract, the metropolitan area in which such census tract is located, and

''(ii) in the case of a census tract other than a census tract described in clause (i), the State.

''(d) AFFORDABLE SALE.—For purposes of this section—

''(1) IN GENERAL.—The term 'affordable sale' means a sale to a qualified homeowner of a qualified residence that the neighborhood homes credit agency certifies as meeting the standards promulgated under subsection (f)(1)(D) for a price that does not exceed—

''(A) in the case of any qualified residence not described in subparagraph (B), (C), or (D), the amount equal to the product of 4 multiplied by the median family income for the applicable area (as determined pursuant to the most recent census data available as of the date of the contract for such sale),

''(B) in the case of a house comprised of 2 residential units, 125 percent of the amount described in subparagraph (A),

''(C) in the case of a house comprised of 3 residential units, 150 percent of the amount described in subparagraph (A), or

''(D) in the case of a house comprised of 4 residential units, 175 percent of the amount described in subparagraph (A).

''(2) QUALIFIED HOMEOWNER.—The term 'qualified homeowner' means, with respect to a qualified residence, an individual—

''(A) who owns and uses such qualified residence as the principal residence of such individual, and

''(B) whose family income (determined as of the date that a binding contract for the affordable sale of such residence is entered into) is 140 percent or less of the median family income for the applicable area in which the qualified residence is located.

''(e) CREDIT CEILING AND ALLOCATIONS.—

''(1) CREDIT LIMITED BASED ON ALLOCATIONS TO QUALIFIED PROJECTS.—

''(A) IN GENERAL.—The credit allowed under subsection (a) to any taxpayer for any taxable year with respect to one or more qualified residences which are part of the same qualified project shall not exceed the excess (if any) of—

''(i) the amount allocated by the neighborhood homes credit agency under this paragraph to such taxpayer with respect to such qualified project, over

''(ii) the aggregate amount of credit allowed under subsection (a) to such taxpayer with respect to qualified residences which are a part of such qualified project for all prior taxable years.

''(B) DEADLINE FOR COMPLETION.—No credit shall be allowed under subsection (a) with respect to any qualified residence unless the affordable sale of such residence is during the 5-year period beginning on the date of the allocation to the qualified project of which such residence is a part (or, in the case of a qualified residence to which subsection (i) applies, the rehabilitation of such residence is completed during such 5-year period).

''(2) LIMITATIONS ON ALLOCATIONS TO QUALIFIED PROJECTS.—

''(A) ALLOCATIONS LIMITED BY STATE NEIGHBORHOOD HOMES CREDIT CEILING.—The aggregate amount allocated to taxpayers with respect to qualified projects by the neighborhood homes credit agency of any State for any calendar year shall not exceed the State neighborhood homes credit amount of such State for such calendar year.

''(B) SET-ASIDE FOR CERTAIN PROJECTS INVOLVING QUALIFIED NONPROFIT ORGANIZATIONS.—Rules similar to the rules of section 42(h)(5) shall apply for purposes of this section.

''(3) DETERMINATION OF STATE NEIGHBORHOOD HOMES CREDIT CEILING.—

''(A) IN GENERAL.—The State neighborhood homes credit amount for a State for a calendar year is an amount equal to the sum of—

''(i) the greater of—

''(I) the product of $7, multiplied by the State population (determined in accordance with section 146(j)), or

''(II) $9,000,000, and

''(ii) any amount previously allocated to any taxpayer with respect to any qualified project by the neighborhood homes credit agency of such State which can no longer be allocated to any qualified residence because the 5-year period described in paragraph (1)(B) expires during calendar year.

''(B) 3-YEAR CARRYFORWARD OF UNUSED LIMITATION.—The State neighborhood homes credit amount for a State for a calendar year shall be increased by the excess (if any) of the State neighborhood homes credit amount for such State for the preceding calendar year over the aggregate amount allocated by the neighborhood homes credit agency of such State during such preceding calendar year. Any amount carried forward under the preceding sentence shall not be carried past the third calendar year after the calendar year in which such credit amount originally arose, determined on a first-in, first-out basis.

''(f) RESPONSIBILITIES OF NEIGHBORHOOD HOMES CREDIT AGENCIES.—

''(1) IN GENERAL.—Notwithstanding subsection (e), the State neighborhood homes credit dollar amount shall be zero for a calendar year unless the neighborhood homes credit agency of the State—

''(A) allocates such amount pursuant to a qualified allocation plan of the neighborhood homes credit agency,

''(B) allocates not more than 20 percent of amounts allocated in the previous year (or for allocations made in 2024, not more than 20 percent of the neighborhood homes credit ceiling for such year) to projects with respect to qualified residences which—

''(i) are located in census tracts described in subsection (c)(2)(A)(iii), (c)(2)(A)(iv), (i)(5), or

''(ii) are not located in a qualified census tract but meet the requirements of subsection (i)(8),

''(C) promulgates standards with respect to reasonable qualified development costs and fees,

''(D) promulgates standards with respect to construction quality,

''(E) in the case of any neighborhood homes credit agency which makes an allocation to a qualified project which includes any qualified residence to which subsection (i) applies, promulgates standards with respect to protecting the owners of such residences, including the capacity of such owners to pay rehabilitation costs not covered by the credit provided by this section and providing for the disclosure to such owners of their rights and responsibilities with respect to the rehabilitation of such residences,

''(F) submits to the Secretary (at such time and in such manner as the Secretary may prescribe) an annual report specifying—

''(i) the amount of the neighborhood homes credits allocated to each qualified project for the previous year,

''(ii) with respect to each qualified residence completed in the preceding calendar year—

''(I) the census tract in which such qualified residence is located,

''(II) with respect to the qualified project that includes such qualified residence, the year in which such project received an allocation under this section,

''(III) whether such qualified residence was new, substantially rehabilitated and sold to a qualified homeowner, or substantially rehabilitated pursuant to subsection (i),

''(IV) the eligible development costs of such qualified residence,

''(V) the amount of the neighborhood homes credit with respect to such qualified residence,

''(VI) the sales price of such qualified residence, if applicable, and

''(VII) the family income of the qualified homeowner (expressed as a percentage of the applicable area median family income for the location of the qualified residence), and

''(iii) such other information as the Secretary may require, and

''(G) makes available to the general public a written explanation for any allocation of a neighborhood homes credit dollar amount which is not made in accordance with established priorities and selection criteria of the neighborhood homes credit agency.

Subparagraph (B) shall be applied by substituting '40 percent' for '20 percent' each place it appears in the case of any State in which at least 45 percent of the State population resides outside metropolitan statistical areas (within the meaning of section 143(k)(2)(B)) and less than 20 percent of the census tracts located in the State are described in subsection (c)(2)(A)(i).

''(2) QUALIFIED ALLOCATION PLAN.—For purposes of this subsection, the term 'qualified allocation plan' means any plan which—

''(A) sets forth the selection criteria to be used to prioritize qualified projects for allocations of State neighborhood homes credit dollar amounts, including—

''(i) the need for new or substantially rehabilitated owner-occupied homes in the area addressed by the project,

''(ii) the expected contribution of the project to neighborhood stability and revitalization, including the impact on neighborhood residents,

''(iii) the capability and prior performance of the project sponsor, and

''(iv) the likelihood the project will result in long-term homeownership,

''(B) has been made available for public comment, and

''(C) provides a procedure that the neighborhood homes credit agency (or any agent or contractor of such agency) shall follow for purposes of—

''(i) identifying noncompliance with any provisions of this section, and

''(ii) notifying the Internal Revenue Service of any such noncompliance of which the agency becomes aware.

''(g) REPAYMENT.—

''(1) IN GENERAL.—

''(A) SOLD DURING 5-YEAR PERIOD.—If a qualified residence is sold during the 5-year period beginning immediately after the affordable sale of such qualified residence referred to in subsection (a), the seller shall transfer an amount equal to the repayment amount to the relevant neighborhood homes credit agency.

''(B) USE OF REPAYMENTS.—A neighborhood homes credit agency shall use any amount received pursuant to subparagraph (A) only for purposes of qualified projects.

''(2) REPAYMENT AMOUNT.—For purposes of paragraph (1)(A)—

''(A) IN GENERAL.—The repayment amount is an amount equal to the applicable percentage of the gain from the sale to which the repayment relates.

''(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage is 50 percent, reduced by 10 percentage points for each year of the 5-year period referred to in paragraph (1)(A) which ends before the date of such sale.

''(3) LIEN FOR REPAYMENT AMOUNT.—A neighborhood homes credit agency receiving an allocation under this section shall place a lien on each qualified residence that is built or rehabilitated as part of a qualified project for an amount such agency deems necessary to ensure potential repayment pursuant to paragraph (1)(A).

''(4) WAIVER.—

''(A) IN GENERAL.—The neighborhood homes credit agency may waive the repayment required under paragraph (1)(A) if the agency determines that making a repayment would constitute a hardship to the seller.

''(B) HARDSHIP.—For purposes of subparagraph (A), with respect to the seller, a hardship may include—

''(i) divorce,

''(ii) disability,

''(iii) illness, or

''(iv) any other hardship identified by the neighborhood homes credit agency for purposes of this paragraph.

''(h) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) NEIGHBORHOOD HOMES CREDIT AGENCY.—The term 'neighborhood homes credit agency' means the agency designated by the governor of a State as the neighborhood homes credit agency of the State.

''(2) QUALIFIED PROJECT.—The term 'qualified project' means a project that a neighborhood homes credit agency certifies will build or substantially rehabilitate one or more qualified residences.

''(3) DETERMINATIONS OF FAMILY INCOME.—Rules similar to the rules of section 143(f)(2) shall apply for purposes of this section.

''(4) POSSESSIONS TREATED AS STATES.—The term 'State' includes the District of Columbia and the possessions of the United States.

''(5) SPECIAL RULES RELATED TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS.—

''(A) DETERMINATION OF DEVELOPMENT COSTS.—In the case of a qualified residence described in clause (ii) or (iii) of subsection (c)(1)(A), the reasonable development costs and eligible development costs of such qualified residence shall be an amount equal to such costs, respectively, of the entire condominium or cooperative housing property in which such qualified residence is located, multiplied by a fraction—

''(i) the numerator of which is the total floor space of such qualified residence, and

''(ii) the denominator of which is the total floor space of all residences within such property.

''(B) TENANT-STOCKHOLDERS OF COOPERATIVE HOUSING CORPORATIONS TREATED AS OWNERS.—In the case of a cooperative housing corporation (as such term is defined in section 216(b)), a tenant-stockholder shall be treated as owning the house or apartment which such person is entitled to occupy.

''(6) RELATED PARTY SALES NOT TREATED AS AFFORDABLE SALES.—

''(A) IN GENERAL.—A sale between related persons shall not be treated as an affordable sale.

''(B) RELATED PERSONS.—For purposes of this paragraph, a person (in this subparagraph referred to as the 'related person') is related to any person if the related person bears a relationship to such person specified in section 267(b) or 707(b)(1), or the related person and such person are engaged in trades or businesses under common control (within the meaning of subsections (a) and (b) of section 52). For purposes of the preceding sentence, in applying section 267(b) or 707(b)(1), '10 percent' shall be substituted for '50 percent'.

''(7) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a calendar year after 2024, the dollar amounts in subsections (b)(3)(A), (e)(3)(A)(i)(I), (e)(3)(A)(i)(II), and (i)(2)(C) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2023' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

''(B) ROUNDING.—

''(i) In the case of the dollar amounts in subsections (b)(3)(A) and (i)(2)(C), any increase under paragraph (1) which is not a

multiple of $1,000 shall be rounded to the nearest multiple of $1,000.

''(ii) In the case of the dollar amount in subsection (e)(3)(A)(i)(I), any increase under paragraph (1) which is not a multiple of $0.01 shall be rounded to the nearest multiple of $0.01.

''(iii) In the case of the dollar amount in subsection (e)(3)(A)(i)(II), any increase under paragraph (1) which is not a multiple of $100,000 shall be rounded to the nearest multiple of $100,000.

''(8) REPORT.—

''(A) IN GENERAL.—The Secretary shall annually issue a report, to be made available to the public, which contains the information submitted pursuant to subsection (f)(1)(F).

''(B) DE-IDENTIFICATION.—The Secretary shall ensure that any information made public pursuant to subparagraph (A) excludes any information that would allow for the identification of qualified homeowners.

''(9) LIST OF QUALIFIED CENSUS TRACTS.—The Secretary of Housing and Urban Development shall, for each year, make publicly available a list of qualified census tracts under—

''(A) on a combined basis, clauses (i) and (ii) of subsection (c)(2)(A),

''(B) clause (iii) of such subsection, and

''(C) subsection (i)(5)(A).

''(10) DENIAL OF DEDUCTIONS IF CONVERTED TO RENTAL HOUSING.—If, during the 5-year period beginning immediately after the affordable sale of a qualified residence referred to in subsection (a), an individual who owns a qualified residence (whether or not such individual was the purchaser in such affordable sale) fails to use such qualified residence as such individual's principal residence for any period of time, no deduction shall be allowed for expenses paid or incurred by such individual with respect to renting, during such period of time, such qualified residence.

''(i) APPLICATION OF CREDIT WITH RESPECT TO OWNER-OCCUPIED REHABILITATIONS.—

''(1) IN GENERAL.—In the case of a qualified rehabilitation by the taxpayer of any qualified residence which is owned (as of the date that the written binding contract referred to in paragraph (3) is entered into) by a specified homeowner, the rules of paragraphs (2) through (7) shall apply.

''(2) ALTERNATIVE CREDIT DETERMINATION.—In the case of any qualified residence described in paragraph (1), the neighborhood homes credit determined under subsection (a) with respect to such residence shall (in lieu of any credit otherwise determined under subsection (a) with respect to such residence) be allowed in the taxable year during which the qualified rehabilitation is completed (as determined by the neighborhood homes credit agency) and shall be equal to the least of—

''(A) the excess (if any) of—

''(i) the amounts paid or incurred by the taxpayer for the qualified rehabilitation of the qualified residence to the extent that such amounts are certified by the neighborhood homes credit agency (at the time of the completion of such rehabilitation) as meeting the standards specified pursuant to subsection (f)(1)(C), over

''(ii) any amounts paid to such taxpayer for such rehabilitation,

''(B) 50 percent of the amounts described in subparagraph (A)(i), or

''(C) $50,000.

''(3) QUALIFIED REHABILITATION.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'qualified rehabilitation' means a rehabilitation or reconstruction performed pursuant to a written binding contract between the taxpayer and the specified homeowner if the amount paid or incurred by the taxpayer in the performance of such rehabilitation or reconstruction exceeds the dollar amount in effect under subsection (b)(3)(A).

''(B) APPLICATION OF LIMITATION TO EXPENSES PAID OR INCURRED AFTER ALLOCATION.—A rule similar to the rule of section (b)(4) shall apply for purposes of this subsection.

''(4) SPECIFIED HOMEOWNER.—For purposes of this subsection, the term 'qualified homeowner' means, with respect to a qualified residence, an individual—

''(A) who owns and uses such qualified residence as the principal residence of such individual as of the date that the written binding contract referred to in paragraph (3) is entered into, and

''(B) whose family income (determined as of such date) does not exceed the median family income for the applicable area (with respect to the census tract in which the qualified residence is located).

''(5) ADDITIONAL CENSUS TRACTS IN WHICH OWNER-OCCUPIED RESIDENCES MAY BE LOCATED.—In the case of any qualified residence described in paragraph (1), the term 'qualified census tract' includes any census tract which—

''(A) meets the requirements of subsection (c)(2)(A)(i) without regard to subclause (III) thereof, and

''(B) is designated by the neighborhood homes credit agency for purposes of this paragraph.

''(6) MODIFICATION OF REPAYMENT REQUIREMENT.—In the case of any qualified residence described in paragraph (1), subsection (g) shall be applied by beginning the 5-year period otherwise described therein on the date on which the qualified homeowner acquired such residence.

''(7) RELATED PARTIES.—Paragraph (1) shall not apply if the taxpayer is the owner of the qualified residence described in paragraph (1) or is related (within the meaning of subsection (h)(6)(B)) to such owner.

''(8) PYRRHOTITE REMEDIATION.—The requirement of subsection (c)(1)(C) shall not apply to a qualified rehabilitation under this subsection of a qualified residence that is documented by an engineer's report and core testing to have a foundation that is adversely impacted by pyrrhotite or other iron sulfide minerals.

''(j) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section, including regulations that prevent avoidance of the rules, and abuse of the purposes, of this section.''.

(b) CREDIT ALLOWED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of the Internal Revenue Code of 1986 is amended by striking ''plus'' at the end of paragraph (37), by striking the period at the end of paragraph (38) and inserting '', plus'', and by adding at the end the following new paragraph:

''(39) the neighborhood homes credit determined under section 42A(a).''.

(c) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—Section 38(c)(4)(B) of the Internal Revenue Code of 1986 is amended by redesignating clauses (iv) through (xii) as clauses (v) through (xiii), respectively, and by inserting after clause (iii) the following new clause:

''(iv) the credit determined under section 42A,''.

(d) BASIS ADJUSTMENTS.—

(1) ENERGY EFFICIENT HOME IMPROVEMENT CREDIT.—Section 25C(g) of the Internal Revenue Code of 1986 is amended by adding after the first sentence the following new sentence: ''This subsection shall not apply for purposes of determining the eligible development costs or adjusted basis of any building under section 42A.''.

(2) RESIDENTIAL CLEAN ENERGY CREDIT.—Section 25D(f) of such Code is amended by adding after the first sentence the following new sentence: ''This subsection shall not apply for purposes of determining the eligible development costs or adjusted basis of any building under section 42A.''.

(3) NEW ENERGY EFFICIENT HOME CREDIT.—Section 45L(e) of such Code is amended by inserting ''or for purposes of determining the eligible development costs or adjusted basis of any building under section 42A'' after ''section 42''.

(e) EXCLUSION FROM GROSS INCOME.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before section 140 the following new section:

''SEC. 139J. STATE ENERGY SUBSIDIES FOR QUALIFIED RESIDENCES.

''(a) EXCLUSION FROM GROSS INCOME.—Gross income shall not include the value of any subsidy provided to a taxpayer (whether directly or indirectly) by any State energy office (as defined in section 124(a) of the Energy Policy Act of 2005 (42 U.S.C. 15821(a))) for purposes of any energy improvements made to a qualified residence (as defined in section 42A(c)(1)).''.

(f) CONFORMING AMENDMENTS.—

(1) Subsections (i)(3)(C), (i)(6)(B)(i), and (k)(1) of section 469 of the Internal Revenue Code of 1986 are each amended by inserting ''or 42A'' after ''section 42''.

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 42 the following new item:

''Sec. 42A. Neighborhood homes credit.''.

(3) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting before the item relating to section 140 the following new item:

''Sec. 139J. State energy subsidies for qualified residences.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2024.

SA 2846. Mr. HICKENLOOPER (for himself and Mr. BENNET) 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 515 and insert the following:

SEC. 515. TRANSFER TO THE SPACE FORCE OF COVERED SPACE FUNCTIONS OF THE AIR NATIONAL GUARD OF THE UNITED STATES.

(a) TRANSFER OF COVERED SPACE FUNCTIONS.—

(1) IN GENERAL.—During the transition period, the Secretary of the Air Force shall transfer to the Space Force the covered space functions of the Air National Guard of the United States. The transfer—

(A) shall occur without regard to section 104 of title 32, United States Code, or section 18238 of title 10, United States Code; and

(B) shall be undertaken on a one-time basis based on these specific circumstances and shall not be interpreted as setting a future precedent regarding a waiver of any requirements under title 32, United States Code.

(2) SUSTAINED CONSULTATIONS.—The transfer provided for under paragraph (1) shall only occur after sustained consultation with the Governors of affected States, as well as the covered members of the Air National Guard.

(3) PERSONNEL BILLETS LIMITATIONS.—With regard to personnel billets, the statutory

waiver under paragraph (1) is limited to 578 personnel billets from across the Air National Guard to the Space Force as follows:

(A) 33 personnel from the State of Alaska.

(B) 126 personnel from the State of California.

(C) 119 personnel from the State of Colorado.

(D) 75 personnel from the State of Florida.

(E) 130 personnel from the State of Hawaii.

(F) 69 personnel from the State of Ohio.

(G) 26 personnel assigned to Headquarters, Air National Guard

(b) TRANSFER OF UNITS.—Upon the transfer to the Space Force of the covered space functions of a unit of the Air National Guard of the United States, the Secretary of the Air Force may—

(1) change the status of the unit from a unit of the Air National Guard of the United States to a unit of the United States Space Force;

(2) deactivate the unit; or

(3) assign the unit a new Federal mission.

(c) TRANSFER OF COVERED MEMBERS.—

(1) OFFICERS.—During the transition period, the Secretary of Defense may, with the officer's consent, transfer a covered officer of the Air National Guard of the United States to, and appoint the officer in, the Space Force.

(2) ENLISTED MEMBERS.—During the transition period, the Secretary of the Air Force may transfer each covered enlisted member of the Air National Guard of the United States to the Space Force, other than those members who do not consent to transfer. Upon such a transfer, the transferred member ceases to be a member of the Air National Guard of the United States and is discharged from the member's enlistment as a Reserve of the Air Force.

(3) EFFECTIVE DATE OF TRANSFERS.—Each transfer under this subsection shall be effective on the date specified by the Secretary of Defense, in the case of an officer, or the Secretary of the Air Force, in the case of an enlisted member, but not later than the last day of the transition period.

(4) LIMITATIONS.—For any covered officer or covered enlisted member affected by paragraphs (1) or (2), each officer or member shall have—

(A) not less than one year from the date of the enactment of this Act or the period of time the Secretary concerned considers appropriate, whichever is longer, to elect to transfer to the Space Force; and

(B) to the maximum extent practicable, 3 years of location stability—

(i) in the location where the officer or member is assigned on the date the officer or member elects to transfer to the Space Force; and

(ii) commencing on the first date the officer or member reports as an officer or member of the Space Force.

(d) REGULATIONS.—Transfers under subsection (c) shall be carried out under regulations prescribed by the Secretary of Defense. In the case of an officer, applicable regulations shall include those prescribed pursuant to section 716 of title 10, United States Code.

(e) TERM OF INITIAL ENLISTMENT IN THE SPACE FORCE.—In the case of a covered enlisted member who is transferred to the Space Force in accordance with subsection (c), the Secretary of the Air Force may accept the initial enlistment of the member in the Space Force for a period of less than 2 years, but only if the period of enlistment in the Space Force is not less than the period remaining, as of the date of the transfer, in the member's term of enlistment in a reserve component of the Air Force.

(f) END STRENGTH ADJUSTMENTS UPON TRANSFERS FROM THE AIR NATIONAL GUARD OF THE UNITED STATES.—During the transition period, upon the transfer to the Space Force of a covered space function of the Air National Guard of the United States, the end strength authorized for the Space Force pursuant to section 115(a)(1)(A) of title 10, United States Code, for the fiscal year during which the transfer occurs shall be increased by the number of billets associated with that mission.

(g) DEVELOPMENT OF FOLLOW-ON MISSION FOR AIR NATIONAL GUARD.—The Secretary of Defense shall develop a follow-on mission to replace the loss of the space mission of the Air National Guard effected by this section.

(h) ADMINISTRATIVE PROVISIONS.—For purposes of the transfer of covered members of the Air National Guard of the United States in accordance with subsection (c)—

(1) the Air National Guard of the United States and the Space Force shall be considered to be components of the same Armed Force; and

(2) the Space Force officer list shall be considered to be an active-duty list of an Armed Force.

(i) RETRAINING AND REASSIGNMENT FOR MEMBERS NOT TRANSFERRING.—If a covered member of the Air National Guard of the United States does not consent to transfer to the Space Force in accordance with subsection (c), the Secretary of the Air Force shall, as determined appropriate by the Secretary in the case of the individual member, provide the member retraining and reassignment within the reserve component of the Air Force.

(j) PROTECTION OF RANK AND PAY.—The Secretary of the Air Force shall ensure that any member of the Air National Guard who joins the Space Force as a result of a transfer under subsection (c) will not lose rank or pay upon transferring to the Space Force.

(k) SPACE FORCE UNITS IN AFFECTED STATES.—In order to reduce the cost of transferring to the Space Force the covered space functions of the Air National Guard of the United States, and to reduce the impact of such transfer on the affected State, the following provisions apply:

(1) Except as provided in paragraph (2), after a covered space function is transferred to the Space Force from the Air National Guard of the United States, the Space Force shall continue to perform the covered space function within the affected State for a period of not less than 10 years following the effective date of such transfer.

(2) Except when the Secretary of the Air Force determines that it would not be in the best interests of the United States, the Secretary may not move the Space Force unit, equipment, or billets associated with the covered space function out of the affected State during the 10-year period following the transfer of such unit, equipment, or billets into the Space Force until—

(A) the Secretary of the Air Force has notified the congressional defense committees and the members of Congress from affected States of the details of such move and provided an explanation regarding why the move is necessary to support the National Defense Strategy; and

(B) a period of 120 days has elapsed after the notification has been received by those committees.

(3) Except when the Secretary of the Air Force determines that it would not be in the best interests of the United States, the Secretary shall seek to enter into an agreement with the governor of an affected State, to provide for the Space Force to become a tenant organization on an installation of the National Guard of the affected State at which a covered space function was executed.

(l) DEFINITIONS.—In this section:

(1) AFFECTED STATE.—The term ''affected State'' means the States of Alaska, California, Colorado, Florida, Hawaii, and Ohio;

(2) COVERED MEMBER.—The term ''covered member'', with respect to a member of the Air National Guard of the United States, has the meaning given the term in section 1733(g) of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 676);

(3) COVERED SPACE FUNCTIONS OF THE AIR NATIONAL GUARD OF THE UNITED STATES.—The term ''covered space functions of the Air National Guard of the United States'' means the following units of the Air National Guard of the United States associated with the performance of a space-related function, including their personnel, equipment, and resources:

(A) 213th Space Warning Squadron, Alaska Air National Guard.

(B) 148th Space Operations Squadron, California Air National Guard.

(C) 216th Electromagnetic Warfare Squadron, California Air National Guard.

(D) 137th Space Warning Squadron, Colorado Air National Guard.

(E) 138th Electromagnetic Warfare Squadron, Colorado Air National Guard.

(F) 114th Electromagnetic Warfare Squadron, Florida Air National Guard.

(G) 150th Electromagnetic Warfare Squadron, Hawaii Air National Guard.

(H) 109th Electromagnetic Warfare Squadron, Hawaii Air National Guard.

(I) 126th Intelligence Squadron, Ohio Air National Guard.

(4) TRANSITION PERIOD.—The term ''transition period'' means the period beginning on the date of the enactment of this Act and ending on the later of—

(A) the last day of the eighth fiscal year beginning after the date of the enactment of this Act; or

(B) completion of the consultation process required under subsection (a)(2).

SA 2847. Mr. HICKENLOOPER 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. _____. PERIODIC NATIONAL INTELLIGENCE ESTIMATES ON CERTAIN EFFECTS OF CLIMATE CHANGE.

Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section (and conforming the table of contents at the beginning of such Act accordingly):

''SEC. 1115. PERIODIC NATIONAL INTELLIGENCE ESTIMATES ON CERTAIN EFFECTS OF CLIMATE CHANGE.

''(a) REQUIREMENT.—Not later than the date that is 4 years after the date of the enactment of this section, and on a basis that is not less frequent than once every 4 years thereafter, the Director of National Intelligence, acting through the National Intelligence Council, shall—

''(1) produce a National Intelligence Estimate on the national security and economic security effects of climate change; and

''(2) submit to the congressional intelligence committees such National Intelligence Estimate.

''(b) FORM.—Each National Intelligence Estimate under subsection (a)(2) may be submitted in classified form, but if so submitted, shall include an unclassified executive summary.''.

SA 2848. Mr. HICKENLOOPER (for himself and Mr. BENNET) 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___. REDESIGNATION OF THE MOUNT EVANS WILDERNESS AS THE "MOUNT BLUE SKY WILDERNESS".

(a) REDESIGNATION.—Section 102(a)(10) of Public Law 96–560 (16 U.S.C. 1132 note; 94 Stat. 3267) is amended by striking ''as the Mount Evans Wilderness;'' and inserting ''as the 'Mount Blue Sky Wilderness';''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Mount Evans Wilderness shall be deemed to be a reference to the ''Mount Blue Sky Wilderness''.

SA 2849. Mr. HICKENLOOPER (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 of subtitle H of title X, add the following:

SEC. 10_____. REAUTHORIZATION OF UPPER COLORADO AND SAN JUAN RIVER BASINS ENDANGERED FISH AND THREATENED FISH RECOVERY IMPLEMENTATION PROGRAMS.

(a) PURPOSE.—Section 1 of Public Law 106–392 (114 Stat. 1602) is amended by inserting ''and threatened'' after ''endangered''.

(b) DEFINITIONS.—Section 2 of Public Law 106–392 (114 Stat. 1602; 116 Stat. 3113) is amended—

(1) in paragraph (1), by striking ''to implement the Recovery Implementation Program for the Endangered Fish Species in the Upper Colorado River dated September 29, 1987, and extended by the Extension of the Cooperative Agreement dated December 6, 2001, and the 1992 Cooperative Agreement to implement the San Juan River Recovery Implementation Program dated October 21, 1992, and as they may be amended'' and inserting ''for the Recovery Implementation Program for Endangered Species in the Upper Colorado River Basin dated September 29, 1987, and the 1992 Cooperative Agreement for the San Juan River Basin Recovery Implementation Program dated October 21, 1992, as the agreements may be amended and extended'';

(2) in paragraph (6)—

(A) by inserting ''or threatened'' after ''endangered''; and

(B) by striking ''removal or translocation'' and inserting ''control'';

(3) in paragraph (7), by striking ''long-term'' each place it appears;

(4) in paragraph (8), in the second sentence, by striking ''1988 Cooperative Agreement and the 1992 Cooperative Agreement'' and inserting ''Recovery Implementation Programs'';

(5) in paragraph (9)—

(A) by striking ''leases and agreements'' and inserting ''acquisitions'';

(B) by inserting ''or threatened'' after ''endangered''; and

(C) by inserting '', as approved under the Recovery Implementation Programs'' after ''nonnative fishes''; and

(6) in paragraph (10), by inserting ''pursuant to the Recovery Implementation Program for Endangered Species in the Upper Colorado River Basin'' after ''Service''.

(c) AUTHORIZATION TO FUND RECOVERY PROGRAMS.—Section 3 of Public Law 106–392 (114 Stat. 1603; 116 Stat. 3113; 120 Stat. 290; 123 Stat 1310; 126 Stat. 2444; 133 Stat. 809; 136 Stat. 5572) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''(1) There is hereby authorized to be appropriated to the Secretary, $88,000,000 to undertake capital projects to carry out the purposes of this Act. Such funds'' and inserting the following:

''(1) AUTHORIZATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), there is authorized to be appropriated to the Secretary for use by the Bureau of Reclamation to undertake capital projects to carry out the purposes of this Act $50,000,000 for the period of fiscal years 2024 through 2031.

''(B) ANNUAL ADJUSTMENT.—For each of fiscal years 2025 through 2031, the amount authorized to be appropriated under subparagraph (A) shall be annually adjusted to reflect widely available engineering cost indices applicable to relevant construction activities.

''(C) NONREIMBURSABLE FUNDS.—Amounts made available pursuant to subparagraph (A)'';

(B) in paragraph (2), by striking ''Program for Endangered Fish Species in the Upper Colorado River Basin shall expire in fiscal year 2024'' and inserting ''Programs shall expire in fiscal year 2031''; and

(C) by striking paragraph (3);

(2) by striking subsections (b) and (c) and inserting the following:

''(b) NON-FEDERAL CONTRIBUTIONS TO CAPITAL PROJECTS.—The Secretary, acting through the Bureau of Reclamation, may accept contributed funds, interests in land and water, or other contributions from the Upper Division States, political subdivisions of the Upper Division States, or individuals, entities, or organizations within the Upper Division States, pursuant to agreements that provide for the contributions to be used for capital projects costs.'';

(3) by redesignating subsections (d) through (j) as subsections (c) through (i), respectively;

(4) in subsection (c) (as so redesignated)—

(A) in paragraph (1)(A), by striking ''$10,000,000 for each of fiscal years 2020 through 2024'' and inserting ''$92,040,000 for the period of fiscal years 2024 through 2031'';

(B) in paragraph (2)—

(i) in the first sentence, by striking ''$4,000,000 per year'' and inserting ''$61,100,000 for the period of fiscal years 2024 through 2031'';

(ii) in the second sentence—

(I) by inserting ''Basin'' after ''San Juan River''; and

(II) by striking ''$2,000,000 per year'' and inserting ''$30,940,000 for the period of fiscal years 2024 through 2031''; and

(iii) in the third sentence, by striking ''in fiscal years commencing after the enactment of this Act'' and inserting ''for fiscal year 2024 and each fiscal year thereafter''; and

(C) by striking paragraph (3) and inserting the following:

''(3) FEDERAL CONTRIBUTIONS TO ANNUAL BASE FUNDING.—

''(A) IN GENERAL.—For each of fiscal years 2024 through 2031, the Secretary, acting through the Bureau of Reclamation, may accept funds from other Federal agencies, including power revenues collected pursuant to the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620 et seq.).

''(B) AVAILABILITY OF FUNDS.—Funds made available under subparagraph (A) shall be available for expenditure by the Secretary, as determined by the contributing agency in consultation with the Secretary.

''(C) TREATMENT OF FUNDS.—Funds made available under subparagraph (A) shall be treated as nonreimbursable Federal expenditures.

''(D) TREATMENT OF POWER REVENUES.—Not more than $499,000 in power revenues accepted under subparagraph (A) shall be treated as having been repaid and returned to the general fund of the Treasury.

''(4) NON-FEDERAL CONTRIBUTIONS TO ANNUAL BASE FUNDING.—The Secretary, acting through the Bureau of Reclamation, may accept contributed funds from the Upper Division States, political subdivisions of the Upper Division States, or individuals, entities, or organizations within the Upper Division States, pursuant to agreements that provide for the contributions to be used for annual base funding.

''(5) REPLACEMENT POWER.—Contributions of funds made pursuant to this subsection shall not include the cost of replacement power purchased to offset modifications to the operation of the Colorado River Storage Project to benefit threatened or endangered fish species under the Recovery Implementation Programs.'';

(5) in subsection (f) (as so redesignated), in the first sentence, by inserting ''or threatened'' after ''endangered'';

(6) in subsection (g) (as so redesignated), by striking ''unless the time period for the respective Cooperative Agreement is extended to conform with this Act'' and inserting '', as amended or extended'';

(7) in subsection (h) (as so redesignated), in the first sentence, by striking ''Upper Colorado River Endangered Fish Recovery Program or the San Juan River Basin Recovery Implementation Program'' and inserting ''Recovery Implementation Programs''; and

(8) in subsection (i)(1) (as so redesignated)—

(A) by striking ''2022'' each place it appears and inserting ''2030'';

(B) by striking ''2024'' each place it appears and inserting ''2031''; and

(C) in subparagraph (C)(ii)(III), by striking ''contributions by the States, power customers, Tribes, water users, and environmental organizations'' and inserting ''non-Federal contributions''.

SA 2850. Mr. HICKENLOOPER 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 XV, add the following:

SEC. 1510. REPORT ON COOPERATION EFFORTS BETWEEN THE DEPARTMENT OF DEFENSE AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on cooperation efforts between the Department

of Defense and the National Aeronautics and Space Administration.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed assessment of existing forms of cooperation between the Department of Defense and the National Aeronautics and Space Administration.

(2) An assessment of, and recommendations for improving, future joint engagement between the Department of Defense and the National Aeronautics and Space Administration.

(3) An assessment of the opportunities for exchange of personnel between the Department of Defense and National Aeronautics and Space Administration, and an examination of the feasibility and strategic benefits of establishing—

(A) dedicated joint duty billets for Space Force personnel at the National Aeronautics and Space Administration; and

(B) rotational assignments of National Aeronautics and Space Administration employees in Space Force units and in the United States Space Command.

(4) An identification of potential career incentives for Space Force joint duty at the National Aeronautics and Space Administration and civilian National Aeronautics and Space Administration rotational assignments at Space Force commands.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SA 2851. Mr. HICKENLOOPER 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. STRATEGY AND MEDICAL RESEARCH AND DEVELOPMENT REQUIREMENTS TO DELIVER PRE-HOSPITAL, LIFE-SAVING INTERVENTIONS IN ARCTIC ENVIRONMENTS.

(a) IN GENERAL.—The Assistant Secretary of Defense for Health Affairs shall convene a working group of subject matter experts from the extramural community and the health care system of the Department of Defense to develop a strategy and the medical research and development requirements to deliver pre-hospital, life-saving interventions in Arctic environments.

(b) REPORT.—

(1) IN GENERAL.—Not later than July 1, 2025, the Assistant Secretary of Defense for Health Affairs shall submit to the congressional defense committees a report containing the strategy and medical research and development requirements required under subsection (a).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An overarching plan addressing unique pre-hospital lifesaving and sustainment interventions required in extreme cold weather combat environments and research required to advance medical care in austere extreme cold weather battle spaces.

(B) A review of laboratory and medical product development capabilities of the Department of Defense to conduct research and development and support the transition and fielding of medical products for extreme cold weather environments.

(C) Identification of and recommendations to amend clinical practice guidelines to treat combat casualties in extreme cold weather environments.

(D) Initial capabilities documents identifying gaps and requirements to support pre-hospital, life-saving interventions during Arctic operations.

(E) A recommended investment plan to address clinical and medical research and development capability gaps identified in such initial capabilities documents.

(F) An assessment of engagement by the Department of Defense with academic medical centers and institutions to support public-private partnerships for research and development to address the pre-hospital needs of members of the Armed Forces following injury in extreme cold weather environments.

SA 2852. Mr. HICKENLOOPER (for himself, Mr. BENNET, and 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 A of title VII, add the following:

SEC. 710. GENERAL TEMPORARY MILITARY CONTINGENCY PAYMENT ADJUSTMENT FOR CHILDREN'S HOSPITALS.

(1) IN GENERAL.—The Secretary of Defense shall provide a general temporary military contingency payment adjustment for any children's hospital that—

(A) has 10 percent or more of its revenue come from the TRICARE program for care of members of the Armed Forces on active duty and their dependents;

(B) has 10,000 or more TRICARE program visits paid under the Hospital Outpatient Prospective Payment System for members of the Armed Forces on active duty and their dependents annually; and

(C) is determined by the Secretary to be essential for TRICARE program operations.

(2) CRITERIA FOR DETERMINATION.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall publish a list of criteria that the Secretary shall use to determine whether a children's hospital is essential for TRICARE program operations under paragraph (1)(C).

(3) DEFINITIONS.—In this section:

(A) ACTIVE DUTY.—The term ''active duty'' has the meaning given that term in section 101(18) of title 37, United States Code.

(B) DEPENDENT.—The term ''dependent'' has the meaning given that term in section 1072 of title 10, United States Code.

(C) TRICARE PROGRAM.—The term ''TRICARE program'' has the meaning given that term in section 1072(7) of title 10, United States Code.

SA 2853. Mr. HICKENLOOPER (for himself, Mr. BENNET, Mr. RISCH, Mr. BROWN, Ms. LUMMIS, Mr. CRAPO, Mr. BARRASSO, Mr. VANCE, Ms. MURKOWSKI, Mr. PADILLA, Mr. RICKETTS, Mr. BRAUN, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. MARSHALL, Ms. SMITH, Ms. STABENOW, Mr. MORAN, Mr. ROUNDS, and 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:

In section 515(a), strike paragraph (1) and insert the following:

(1) IN GENERAL.—During the transition period, the Secretary of the Air Force may transfer to the Space Force the covered space functions of the Air National Guard of the United States. Any such transfer shall occur subject to section 104 of title 32, United States Code, and section 18238 of title 10, United States Code.

SA 2854. Mr. MERKLEY (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, insert the following:

SEC. 10___. STOP INSTITUTIONAL CHILD ABUSE ACT.

(a) SHORT TITLE.—This section may be cited as the ''Stop Institutional Child Abuse Act''.

(b) IMPROVING NATIONAL DATA COLLECTION AND REPORTING FOR YOUTH IN YOUTH RESIDENTIAL PROGRAMS.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by inserting after part I (42 U.S.C. 290jj et seq.) the following:

''PART J—IMPROVING NATIONAL DATA COLLECTION AND REPORTING FOR YOUTH IN YOUTH RESIDENTIAL PROGRAMS

''SEC. 596. FEDERAL WORK GROUP ON YOUTH RESIDENTIAL PROGRAMS.

''(a) IN GENERAL.—The Secretary shall establish the Federal Work Group on Youth Residential Programs (referred to in this section as the 'Work Group') to improve the dissemination and implementation of best practices regarding the health and safety (including with respect to the use of seclusion and restraints), care, treatment, and appropriate placement of youth in youth residential programs.

''(b) COMPOSITION.—

''(1) IN GENERAL.—The Secretary shall appoint 9 representatives to the Work Group from the Administration for Children and Families, the Administration for Community Living, the Substance Abuse and Mental Health Services Administration, the Department of Education, the Department of Justice, the Indian Health Service, and the Centers for Medicare & Medicaid Services.

''(2) OTHER FEDERAL AGENCIES.—The Work Group may include representatives from other Federal agencies, as the Secretary determines appropriate, appointed by the head of the relevant agency.

''(c) CONSULTATION.—In carrying out the duties described in subsection (d), the Work Group shall consult with—

''(1) child advocates, including attorneys experienced in working with youth overrepresented in the child welfare system or the juvenile justice system;

''(2) health professionals, including mental health and substance use disorder professionals, nurses, physicians, social workers

and other health care providers who provide services to youth who may be served by residential programs;

''(3) protection and advocacy systems;

''(4) individuals experienced in working with youth with disabilities, including emotional, mental health, and substance use disorders;

''(5) individuals with lived experience as children and youth in youth residential programs, including individuals with intellectual or developmental disabilities and individuals with emotional, mental health, or substance use disorders;

''(6) representatives of State and local child protective services agencies and other relevant public agencies;

''(7) parents or guardians of children and youth with emotional, mental health, or substance use disorder needs;

''(8) experts on issues related to child abuse and neglect in youth residential programs;

''(9) administrators of youth residential programs;

''(10) education professionals who provide services to youth in youth residential programs;

''(11) Indian Tribes and Tribal organizations;

''(12) State legislators;

''(13) State licensing agencies; and

''(14) others, as appropriate.

''(d) DUTIES.—The Work Group shall—

''(1) develop and publish recommendations regarding a national database that aggregates data, including process-oriented data such as length of stay and use of restraints, and seclusion and outcome-oriented data such as discharge setting and ability to be safety maintained in school and community at least 6-months after discharge;

''(2) beginning not later than 2 years after the date of enactment of the Stop Institutional Child Abuse Act, and every 2 years thereafter, submit to the Secretary and the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate, and the Committee on Education and the Workforce, the Committee on Energy and Commerce, and the Committee on Ways and Means of the House of Representatives, a report containing policy recommendations designed to—

''(A) improve the coordination of the dissemination and implementation of best practices regarding the health and safety (including use of seclusion and restraints), care, treatment, and appropriate placement of youth in youth residential programs;

''(B) promote the coordination of the dissemination and implementation of best practices regarding the care and treatment of youth in youth residential programs among State child welfare agencies, State Medicaid agencies, and State mental and behavioral health agencies; and

''(C) promote the adoption and implementation of best practices regarding the care and treatment of youth in youth residential programs among child welfare systems, licensing agencies, accreditation organizations, and other relevant monitoring and enforcement entities;

''(3) develop and utilize risk assessment tools, including projects that provide for the development of research-based strategies for risk assessments relating to the health, safety (including with respect to the use of seclusion and restraints), and well-being of youth in youth residential programs;

''(4) support the development and implementation of education and training resources for professional and paraprofessional personnel in the fields of health care, law enforcement, judiciary, social work, child protection (including the prevention, identification, and treatment of child abuse and neglect), education, child care, and other relevant fields, and individuals such as court appointed special advocates and guardians ad litem, including education and training resources regarding—

''(A) the unique needs, experiences, and outcomes of youth overrepresented in youth residential programs;

''(B) the enhancement of interagency communication among child protective service agencies, protection and advocacy systems, State licensing agencies, State Medicaid agencies, and accreditation agencies;

''(C) best practices to eliminate the usage of physical, mechanical, and chemical restraint and seclusion, and to promote the use of positive behavioral interventions and supports, culturally and linguistically sensitive services, mental health supports, trauma- and grief-informed care, and crisis de-escalation interventions; and

''(D) the legal duties of such professional and paraprofessional personnel and youth residential program personnel and the responsibilities of such professionals and personnel to protect the legal rights of children in youth residential programs, consistent with applicable State and Federal law;

''(5) improve accessibility and development of community-based alternatives to youth residential programs;

''(6) provide recommendations for innovative programs designed to provide community support and resources to at-risk youth, including programs that—

''(A) support continuity of education, including removing barriers to access;

''(B) provide mentorship;

''(C) support the provision of crisis intervention services and in-home or outpatient mental health and substance use disorder treatment; and

''(D) provide other resources to families and parents or guardians that assist in preventing the need for out-of-home placement of youth in youth residential programs;

''(7) perform other activities, such as activities relating to development, dissemination, outreach, engagement, or training associated with advancing least-restrictive, evidence-based, trauma and grief-informed, and developmentally and culturally competent care for youth in youth residential programs and youth at risk of being placed in such programs; and

''(8) provide recommendations on best practices to convey Work Group recommendations to States.

''SEC. 596A. DEFINITIONS.

''In this part:

''(1) CHILD ABUSE OR NEGLECT.—The term 'child abuse or neglect' has the meaning given such term in section 3 of the Child Abuse Prevention and Treatment Act.

''(2) CULTURALLY COMPETENT.—The term 'culturally competent' has the meaning given such term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.

''(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms 'Indian Tribe' and 'Tribal organization' have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act.

''(4) PROTECTION AND ADVOCACY SYSTEMS.—The term 'protection and advocacy system' means a system established by a State or Indian Tribe under section 143 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.

''(5) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(6) YOUTH.—The term 'youth' means an individual who has not attained the age of 22.

''(7) YOUTH RESIDENTIAL PROGRAM.—

''(A) IN GENERAL.—The term 'youth residential program' means each location of a facility or program operated by a public or private entity that, with respect to one or more youth who are unrelated to the owner or operator of the facility or program—

''(i) provides a residential environment, such as—

''(I) a program with a wilderness or outdoor experience, expedition, or intervention;

''(II) a boot camp experience or other experience designed to simulate characteristics of basic military training or correctional regimes;

''(III) an education or therapeutic boarding school;

''(IV) a behavioral modification program;

''(V) a residential treatment center or facility;

''(VI) a qualified residential treatment program (as defined in section 472(k)(4) of the Social Security Act);

''(VII) a psychiatric residential treatment program that meets the requirements of subpart D of part 441 of title 42, Code of Federal Regulations (or any successor regulations);

''(VIII) a group home serving children and youth placed by any placing authority;

''(IX) an intermediate care facility for individuals with intellectual disabilities; or

''(X) any residential program that is utilized as an alternative to incarceration for justice involved youth, adjudicated youth, or youth deemed delinquent; and

''(ii) serves youth who have a history or diagnosis of—

''(I) an emotional, behavioral, or mental health disorder;

''(II) a substance misuse or use disorder, including alcohol misuse or use disorders; or

''(III) an intellectual, developmental, physical, or sensory disability.

''(B) EXCLUSION.—The term 'youth residential program' does not include—

''(i) a hospital licensed by the State; or

''(ii) a foster family home that provides 24-hour substitute care for children placed away from their parents or guardians and for whom the State child welfare services agency has placement and care responsibility and that is licensed and regulated by the State as a foster family home.''.

(c) NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE STUDY.—

(1) IN GENERAL.—Not later than 45 days after the date of enactment of this Act, the Secretary of Health and Human Services shall seek to enter into a contract with the National Academies of Sciences, Engineering, and Medicine (referred to in this section as the ''National Academies'') to conduct a study to examine the state of youth in youth residential programs and make recommendations.

(2) STUDY COMPONENTS.—Pursuant to the contract under paragraph (1), the National Academies shall, not later than 3 years after the date of enactment of this Act, issue a report informed by the study conducted under such subsection that includes—

(A) identification of all Federal and State funding sources for youth residential programs;

(B) identification of Federal data collection sources on youth in youth residential programs;

(C) identification of existing Federal and State regulation of youth residential programs, including alternative licensing standards or licensing exemptions for youth residential programs;

(D) identification of existing standards of care of national accreditation entities that provide accreditation or certification of youth residential programs;

(E) identification of existing barriers in Federal and State policy for blending and

braiding of Federal and State funding sources to serve youth in community-based settings;

(F) recommendations for coordination by Federal and State agencies of data on youth in youth residential programs; and

(G) recommendations for the improvement of Federal and State oversight of youth residential programs receiving Federal funding.

(3) DEFINITION.—In this subsection, the term ''youth residential program'' has the meaning given such term in section 596A of the Public Health Service Act, as added by subsection (b).

SA 2855. Ms. DUCKWORTH 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 K of title V, add the following:

SEC. 599C. ESTABLISHMENT OF PROGRAM TO PROMOTE PARTICIPATION OF FOREIGN STUDENTS IN THE SENIOR RESERVE OFFICERS' TRAINING CORPS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than January 1, 2026, the Secretary of Defense shall establish a program using the authority provided under section 2103(b) of title 10, United States Code, to promote the participation of foreign students in the Senior Reserve Officers' Training Corps (in this section referred to as the ''Program'').

(2) ORGANIZATION.—The Secretary of Defense, in consultation with the Director of the Defense Security Cooperation Agency, the Secretaries of the military departments, the commanders of the combatant commands, the participant institutions in the Senior Reserve Officers' Training Corps program, and any other individual the Secretary of Defense considers appropriate, shall be responsible for, and shall oversee, the Program.

(b) OBJECTIVE.—The objective of the Program is to promote the readiness and interoperability of the United States Armed Forces and the military forces of partner countries by providing a high-quality, cost effective military-based educational experience for foreign students in furtherance of the military-to-military program objectives of the Department of Defense and to enhance the educational experience and preparation of future United States military leaders through increased, extended interaction with highly qualified potential foreign military leaders.

(c) ACTIVITIES.—

(1) IN GENERAL.—Under the Program, the Secretary of Defense shall—

(A) identify to the military services' Senior Reserve Officers' Training Corps program the foreign students who, based on criteria established by the Secretary, the Secretary recommends be considered for admission under the Program;

(B) coordinate with partner countries to evaluate interest in and promote awareness of the Program;

(C) establish a mechanism for tracking an alumni network of foreign students who participate in the Program; and

(D) to the extent practicable, work with the participant institutions in the Senior Reserve Officers' Training Corps program and partner countries to identify academic institutions and programs that—

(i) have specialized academic programs in areas of study of interest to participating countries; or

(ii) have high participation from or significant diaspora populations from participating countries.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than September 30, 2025, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a strategy for the implementation of the Program.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include the following elements:

(A) A governance structure for the Program, including—

(i) the officials tasked to oversee the Program;

(ii) the format of the governing body of the Program;

(iii) the functions and duties of such governing body with respect to establishing and maintaining the Program; and

(iv) mechanisms for coordinating with partner countries whose students are selected to participate in the Program.

(B) A list of additional authorities, appropriations, or other congressional support necessary to ensure the success of the Program.

(C) A description of targeted partner countries and participant institutions in the Senior Reserve Officers' Training Corps for the first three fiscal years of the Program, including a rationale for selecting such initial partners.

(D) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(E) A description of the mechanism for tracking the alumni network of participants of the Program.

(F) Any other information the Secretary of Defense considers appropriate.

(e) REPORT.—

(1) IN GENERAL.—Not later than September 20, 2026, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on the Program.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following elements:

(A) A narrative summary of activities conducted as part of the Program during the preceding fiscal year.

(B) An overview of participant Senior Reserve Officers' Training Corps programs, individuals, and countries, to include a description of the areas of study entered into by the students participating in the Program.

(C) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(D) Any other information the Secretary of Defense considers appropriate.

(f) LIMITATION ON AUTHORITY.—The Secretary of Defense may not use the authority provided under this section to pay for tuition or room and board for foreign students who participate in the Program.

(g) TERMINATION.—The Program shall terminate on December 31, 2030.

SA 2856. Ms. DUCKWORTH 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. ENLISTMENT OF CERTAIN ALIENS AND CLARIFICATION OF NATURALIZATION PROCESS FOR SUCH ALIEN ENLISTEES.

(a) DEFINITIONS.—In this section:

(1) IN GENERAL.—Except as otherwise specifically provided, any term used in this section that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) ARMED FORCES.—The term ''Armed Forces'' has the meaning given the term ''armed forces'' in section 101 of title 10, United States Code.

(3) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(4) MILITARY DEPARTMENT.—The term ''military department'' has the meaning given such term in section 101 of title 10, United States Code.

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' has the meaning given such term in section 101 of title 10, United States Code.

(b) ENLISTMENT IN THE ARMED FORCES FOR CERTAIN ALIENS.—Subsection (b)(1) of section 504 of title 10, United States Code, is amended by adding at the end the following:

''(D)(i) An alien who—

''(I) subject to clause (ii), has been continuously physically present in the United States for five years;

''(II) has completed, to the satisfaction of the Secretary of Defense or the Secretary concerned, the same security or suitability vetting processes as are required of qualified individuals seeking enlistment in an armed force;

''(III) meets all other standards set forth for enlistment in an armed force as are required of qualified individuals; and

''(IV)(aa) has received a grant of deferred action pursuant to the Deferred Action for Childhood Arrivals policy of the Department of Homeland Security, or successor policy, regardless of whether a court order terminates such policy;

''(bb) has been granted temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a); or

''(cc) is the beneficiary of an approved petition for an immigrant visa, but has been unable to adjust status to that of an alien lawfully admitted for permanent residence pursuant to section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) because a visa number has not become available or the beneficiary turned 21 years of age prior to a visa becoming available.

''(ii) An alien described in clause (i) who has departed the United States during the five-year period referred to in subclause (I) of that clause shall be eligible to enlist if the absence of the alien was pursuant to advance approval of travel by the Secretary of Homeland Security and within the scope of such travel authorization.''.

(c) STAY OF REMOVAL PROCEEDINGS.—Section 237 of the Immigration and Nationality Act (8 U.S.C. 1227) is amended by adding at the end the following:

''(e) If an alien described in section 504(b)(1)(D) of title 10, United States Code, who is subject to a ground of removability has served honorably in the Armed Forces, and if separated from such service, was never separated except under honorable conditions, the Secretary of Homeland Security shall grant such alien an administrative stay of

removal under section 241(c)(2) until the earlier of—

''(1) the date on which the head of the military department (as defined in section 101 of title 10, United States Code) under which the alien served determines that the alien did not served honorably in active-duty status, and if separated from such service, that such separation was not under honorable conditions as required by sections 328 and 329; or

''(2) the date on which the alien's application for naturalization under section 328 or 329 has been denied or revoked and all administrative appeals have been exhausted.''.

(d) TIMELY DETERMINATION BY THE SECRETARY OF DEFENSE.—Not later than 90 days after receiving a request by an alien who has enlisted in the Armed Forces pursuant to section 504(b)(1)(D) of title 10, United States Code, for a certification of service in the Armed Forces, the head of the military department under which the alien served shall issue a determination certifying whether the alien has served honorably in an active-duty status, and whether separation from such service was under honorable conditions as required by sections 328 and 329 of the Immigration and Nationality Act (8 U.S.C. 1439, 1440), unless the head of the military department concerned requires additional time to vet national security or counter-intelligence concerns.

(e) MEDICAL EXCEPTION.—An alien who otherwise meets the qualifications for enlistment under section 504(b)(1)(D) of title 10, United States Code, but who, after reporting for initial entry training, has not successfully completed such training primarily for medical reasons shall be considered to have separated from service in the Armed Forces under honorable conditions for purposes of sections 328 and 329 of the Immigration and Nationality Act (8 U.S.C. 1439, 1440), if such medical reasons are certified by the head of the military department under which the individual so served.

(f) GOOD MORAL CHARACTER.—In determining whether an alien who has enlisted in the Armed Forces pursuant to section 504(b)(1)(D) of title 10, United States Code, has good moral character for purposes of section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)), the Secretary of Homeland Security—

(1) shall consider the alien's honorable service in the Armed Forces; and

(2) may make a finding of good moral character notwithstanding—

(A)(i) any single misdemeanor offense, if the alien has not been convicted of any offense during the 5-year period preceding the date on which the alien applies for naturalization; or

(ii) not more than 2 misdemeanor offenses, if the alien has not been convicted of any offense during the 10-year period preceding the date on which the alien applies for naturalization.

(g) CONFIDENTIALITY OF INFORMATION.—

(1) IN GENERAL.—The Secretary of Homeland Security or the Secretary of Defense may not disclose or use for purposes of immigration enforcement information provided in—

(A) documentation filed under this section or an amendment made by this section; or

(B) enlistment applications filed, or inquiries made, under section 504(b)(1)(D) of title 10, United States Code.

(2) TREATMENT OF RECORDS.—

(A) IN GENERAL.—Documentation filed under this section or an amendment made by this section—

(i) shall be collected pursuant to section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''); and

(ii) may not be disclosed under subsection (b)(7) of that section for purposes of immigration enforcement.

(B) DESTRUCTION.—In the case of an alien who attempts to enlist under section 504(b)(1)(D) of title 10, United States Code, but does not successfully do so (except in the case of an alien described in subsection (e)), the Secretary of Homeland Security and the Secretary of Defense shall destroy information provided in documentation filed under this section or an amendment made by this section not later than 60 days after the date on which the alien concerned is denied enlistment or fails to complete basic training, as applicable.

(3) REFERRALS PROHIBITED.—The Secretary of Homeland Security or the Secretary of Defense (or any designee of the Secretary of Homeland Security or the Secretary of Defense), based solely on information provided in an application for naturalization submitted by an alien who has enlisted in the Armed Forces under section 504(b)(1)(D) of title 10, United States Code, or an enlistment application filed or an inquiry made under that section, may not refer the individual concerned to U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection.

(4) LIMITED EXCEPTION.—Notwithstanding paragraphs (1) through (3), information provided in an application for naturalization submitted by an individual who has enlisted in the Armed Forces under section 504(b)(1)(D) of title 10, United States Code, may be shared with Federal security and law enforcement agencies—

(A) for assistance in the consideration of an application for naturalization;

(B) to identify or prevent fraudulent claims;

(C) for national security purposes pursuant to section 6611 of the National Defense Authorization Act for Fiscal Year 2020 (50 U.S.C. 3352f); or

(D) for the investigation or prosecution of any Federal crime, except any offense, other than a fraud or false statement offense, that is—

(i) related to immigration status; or

(ii) a petty offense (as defined in section 19 of title 18, United States Code).

(5) PENALTY.—Any person who knowingly and willfully uses, publishes, or examines, or permits such use, publication, or examination of, any information produced or provided by, or collected from, any source or person under this section or an amendment made by this section, and in violation of this subsection, shall be guilty of a misdemeanor and fined not more than $5,000.

(h) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section may be construed to modify—

(1) except as otherwise specifically provided in this section, the process prescribed by sections 328 and 329A of the Immigration and Nationality Act (8 U.S.C. 1439, 1440–1) by which a person may naturalize, or be granted posthumous United States citizenship, through service in the Armed Forces; or

(2) the qualifications for original enlistment in any component of the Armed Forces otherwise prescribed by law or the Secretary of Defense.

SA 2857. Mr. SCHUMER (for himself 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 appropriate place in title X, insert the following:

SEC. _____. PHYSICAL AND CYBERSECURITY REQUIREMENTS FOR DATACENTERS STORING FRONTIER ARTIFICIAL INTELLIGENCE MODELS.

(a) DEFINITIONS.—In this section:

(1) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' has the meaning given such term in section 238 of the John S. McCain National Defense Authorization Act for Fiscal year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061).

(2) COVERED ARTIFICIAL INTELLIGENCE FIRM.—The term ''covered artificial intelligence firm'' means a person who engages in the development, deployment, or management of artificial intelligence technologies which the President designates as critical to national security, economic stability, or public safety.

(3) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given such term in section 105 of title 5, United States Code.

(b) FINDINGS.—Congress makes the following findings:

(1) Model weights and related technology in the possession of private artificial intelligence firms are an invaluable national resource that would pose a grave threat to United States national security if stolen by a foreign adversary through a cyberoperation or insider threat.

(2) Numerous foreign adversaries have the capacity to engage in cyberoperations to extract important data from private companies absent the most stringent cybersecurity protections.

(c) AUTHORITY FOR MANDATORY REQUIREMENTS.—

(1) IN GENERAL.—The President may develop mandatory cybersecurity and insider threat protocols for all covered artificial intelligence firms to address or mitigate risks relating to national security, economic stability, or public safety, including to protect vital national resources from theft that would do grave damage to the United States.

(2) ADDITIONAL RISKS.—Pursuant to paragraph (1), the President may develop additional protocols for subsets of covered artificial intelligence firms that present additional risks to national security, economic stability, or public safety.

(3) MINIMUM STRINGENCY.—Protocols developed under paragraph (2) shall be no less stringent than ISO/IEC 27001, as in effect on the day before the date of the enactment of this Act.

(d) DELEGATION OF AUTHORITY.—

(1) IN GENERAL.—The President may delegate the authority provided by subsection (c) to an Executive agency as the President considers appropriate.

(2) WAIVER OF CERTAIN ADMINISTRATIVE REQUIREMENTS.—Use of authority under subsection (c) that has been delegated to an Executive agency under paragraph (1) of this subsection shall be exempt from the requirements of section 553 of title 5, United States Code.

SA 2858. Mr. WARNER 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. IMPROVEMENT OF ADMINISTRATION OF MILITARY UNACCOMPANIED HOUSING.

(a) UPDATED GUIDANCE ON SURVEYS.—The Secretary of Defense, in carrying out the satisfaction survey requirement under section 3058 of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 10 U.S.C. 2821 note), shall update guidance to the Secretaries of the military departments to ensure that members of the Armed Forces living in military unaccompanied housing are surveyed in a consistent and comparable manner.

(b) REVIEW ON PROCESSES AND METHODOLOGIES FOR CONDITION SCORES.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a review of the processes and methodologies by which the Secretaries of the military departments calculate condition scores for military unaccompanied housing facilities under the jurisdiction of the Secretary concerned.

(2) ELEMENTS.—The review required under paragraph (1) shall, among other factors—

(A) consider how best to ensure a condition score of a facility reflects—

(i) the physical condition of the facility; and

(ii) the effect of that condition on the quality of life of members of the Armed Forces.

(B) aim to increase methodological consistency between the military departments.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the review conducted under paragraph (1).

(c) ACCOUNTING OF MEMBERS RESIDING IN MILITARY UNACCOMPANIED HOUSING.—

(1) IN GENERAL.—The Secretary of Defense shall include with the submission to Congress by the President of the annual budget of the Department of Defense under section 1105(a) of title 31, United States Code, an accounting of unaccompanied members of the Armed Forces whose rank would require that they live in military unaccompanied housing, but that also receive a basic allowance for housing under section 403 of title 37, United States Code.

(2) ELEMENTS.—The accounting required under paragraph (1) shall include—

(A) the number of members of the Armed Forces described in such paragraph;

(B) the total value of basic allowance for housing payments provided to those members; and

(C) such other information as the Secretary considers appropriate.

(d) CENTRALIZED TRACKING.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall develop a means for centralized tracking, at the service level, of all military construction requirements related to military unaccompanied housing that have been identified at the installation level, regardless of whether or not they are submitted for funding.

(e) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' has the meaning given that term in section 2871 of title 10, United States Code.

SA 2859. Mr. WARNER 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. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS REGARDING MILITARY HOUSING.

(a) BASIC ALLOWANCE FOR HOUSING.—The Secretary of Defense shall ensure that the Military Compensation Policy directorate within the Office of the Deputy Assistant Secretary of Defense for Military Personnel Policy, in coordination with each military department, not later than one year after the date of the enactment of this Act, establishes and implements a process for consistently monitoring anchor points, the interpolation table, external alternative data, and any indications of potential bias by using quality information to set rates for basic allowance for housing under section 403 of title 37, United States Code, and ensuring timely remediation of any identified deficiencies.

(b) WORK ORDER DATA FOR PRIVATIZED MILITARY HOUSING.—The Secretary of Defense shall ensure that the Assistant Secretary of Defense for Sustainment, not later than one year after the date of the enactment of this Act—

(1) requires the military departments to establish a process to validate data collected by privatized military housing partners to better ensure the reliability and validity of work order data and to allow for more effective use of such data for monitoring and tracking purposes; and

(2) provides in future reports to Congress additional explanation of such work order data collected and reported, such as explaining the limitations of available survey data, how resident satisfaction was calculated, and reasons for any missing data.

(c) FINANCES FOR PRIVATIZED MILITARY HOUSING PROJECTS.—The Secretary of Defense shall ensure that the Assistant Secretary of Defense for Energy, Installations, and Environment, not later than one year after the date of the enactment of this Act, takes steps to resume issuing required reports to Congress on the financial condition of privatized military housing in a timely manner.

(d) PRIVATIZED MILITARY HOUSING DEFINED.—In this section, the term ''privatized military housing'' means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

SA 2860. Mr. WARNER 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. STUDY ON FEASIBILITY AND ADVISABILITY OF LOAN FORGIVENESS PROGRAM FOR BEHAVIORAL HEALTH CLINICIANS OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility and advisability of conducting a loan forgiveness program for behavioral health clinicians of the Department of Defense as outlined in recommendation 6.3 of the final report issued by the Suicide Prevention and Response Independent Review Committee.

(b) ELEMENTS.—In conducting the study required under subsection (a), the Secretary shall include an assessment of—

(1) the potential need or demand for a loan forgiveness program for behavioral health clinicians of the Department;

(2) the costs associated with such a program, including actual loan forgiveness amounts per recipient;

(3) other programs that could serve as a model for such a program; and

(4) how the Secretary could best leverage such a program to maximize benefit to the Department.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under subsection (a).

SA 2861. Mr. BROWN (for himself 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 end of subtitle F of title XII, add the following:

SEC. 1291. EXTENSION OF FENTANYL SANCTIONS ACT.

(a) IN GENERAL.—Section 7234 of the Fentanyl Sanctions Act (21 U.S.C. 2334) is amended by striking ''the date that is 7 years after the date of the enactment of this Act'' and inserting ''December 31, 2030''.

(b) REPORTING REQUIREMENT.—Section 7211(c) of the Fentanyl Sanctions Act (22 U.S.C. 2311(c)) is amended by striking ''the date that is 5 years after such date of enactment'' and inserting ''December 31, 2030''.

(c) BRIEFING REQUIREMENT.—Section 7216 of the Fentanyl Sanctions Act (22 U.S.C. 2316) is amended by striking ''the date that is 5 years after such date of enactment'' and inserting ''December 31, 2030''.

SEC. 1292. AMENDMENTS TO THE 21ST CENTURY PEACE THROUGH STRENGTH ACT.

The 21st Century Peace through Strength Act (division D of Public Law 118–50) is amended—

(1) in division G—

(A) in section 1(a)—

(i) by inserting ''and the Committee on Financial Services'' after ''the Committee on Foreign Affairs''; and

(ii) by inserting ''and the Committee on Banking, Housing, and Urban Affairs'' after ''the Committee on Foreign Relations''; and

(B) in section 2(c), by striking paragraphs (1) through (4) and inserting the following:

''(1) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Financial Services of the House of Representatives; and

''(2) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Banking, Housing, and Urban Affairs of the Senate.''; and

(2) in division O, in section 6(f)—

(A) in paragraph (1), by inserting '', the Committee on Financial Services,'' after ''the Committee on Foreign Affairs''; and

(B) in paragraph (2), by inserting '', the Committee on Banking, Housing, and Urban Affairs,'' after ''the Committee on Foreign Relations''.

SA 2862. Mr. SCOTT of South Carolina (for himself and 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. SICKLE CELL DISEASE PREVENTION AND TREATMENT.

(a) IN GENERAL.—Section 1106(b) of the Public Health Service Act (42 U.S.C. 300b–5(b)) is amended—

(1) in paragraph (1)(A)(iii), by striking ''prevention and treatment of sickle cell disease'' and inserting ''treatment of sickle cell disease and the prevention and treatment of complications of sickle cell disease'';

(2) in paragraph (2)(D), by striking ''prevention and treatment of sickle cell disease'' and inserting ''treatment of sickle cell disease and the prevention and treatment of complications of sickle cell disease'';

(3) in paragraph (3)—

(A) in subparagraph (A), by striking ''enter into a contract with'' and inserting ''make a grant to, or enter into a contract or cooperative agreement with,''; and

(B) in subparagraph (B), in each of clauses (ii) and (iii), by striking ''prevention and treatment of sickle cell disease'' and inserting ''treatment of sickle cell disease and the prevention and treatment of complications of sickle cell disease''; and

(4) in paragraph (6), by striking ''$4,455,000 for each of fiscal years 2019 through 2023'' and inserting ''$8,205,000 for each of fiscal years 2024 through 2028''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that further research should be undertaken to expand the understanding of the causes of, and to find cures for, heritable blood disorders, including sickle cell disease.

SA 2863. Mr. YOUNG (for himself 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:

Strike section 236 and insert the following:

SEC. 236. ARTIFICIAL INTELLIGENCE AND BIOTECHNOLOGY SANDBOX PILOT PROGRAM TO DEVELOP NEAR-TERM USE CASES AND DEMONSTRATION OF ARTIFICIAL INTELLIGENCE TOWARD BIOTECHNOLOGY APPLICATIONS FOR NATIONAL SECURITY.

(a) PILOT PROGRAM REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall commence carrying out a pilot program on developing near-term use cases and demonstrations of artificial intelligence toward biotechnology applications for national security.

(b) DURATION.—The pilot program required by subsection (a) shall be carried out during the five-year period beginning on the date of the commencement of the pilot program.

(c) PUBLIC-PRIVATE PARTNERSHIPS.—The Secretary shall carry out the pilot program required by subsection (a) by entering into one or more public-private partnerships.

(d) BIOLOGICAL DATA.—In carrying out the pilot program required in subsection (a), the Secretary shall use artificial intelligence models trained on or applied to biological data or problems.

(e) LABORATORY PARTNERSHIPS.—

(1) IN GENERAL.—In order to facilitate any partnership entered into under subsection (c), the Secretary shall—

(A) develop a set of laboratory partners to perform biological experimentation that would help to validate their artificial intelligence models; and

(B) develop a streamlined partnership model to make it easier for companies and laboratories to work together to better evaluate applications for products for national security purposes.

(2) CONSULTATION.—In carrying out paragraph (1), the Secretary shall ensure sufficient consultation with the following:

(A) The Under Secretary of Defense for Research and Engineering.

(B) The Under Secretary of Defense for Acquisition and Sustainment.

(C) The head of the Air Force Research Laboratory.

(D) The head of the Naval Research Laboratory.

(E) The head of the DEVCOM Army Research Laboratory.

(F) The Chief Digital and Artificial Intelligence Officer.

(G) The Director of the Test Resource Management Center.

(H) The head of the Air Force Artificial Intelligence Accelerator.

(I) The Chief Research and Development Officer for the Department of Veterans Affairs.

(J) The Director of the Defense Advanced Research Projects Agency.

(K) Such others as the Secretary considers appropriate.

(f) INFRASTRUCTURE.—In carrying out the pilot program required by subsection (a), the Secretary shall ensure that such computing and data storage infrastructure as may be necessary for testing and evaluating cases and demonstrations of artificial intelligence towards biotechnology applications is fully operational before the date that is one year after the date of the enactment of this Act.

(g) ELIGIBLE PROJECTS.—Projects eligible for testing in [the Sandbox —*Note: What sandbox? This is the first mention of a sandbox.*] shall be associated with the Department of Defense and involve the use of artificial intelligence models trained on or applied to biological data or problems. Such projects may include—

(1) predicting and producing medical countermeasures;

(2) analysis and development of warfighter diagnostics and treatments;

(3) predicting or producing new or enhanced biological materials;

(4) analyzing and predicting how biology could contribute to the supply chain, especially for national defense; or

(5) any other project as the Secretary considers appropriate.

(h) ANNUAL REPORT.—.

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter for the duration of the pilot program required by subsection (a), the Secretary shall submit to the congressional defense committees an annual report on the pilot program.

(2) CONTENTS.—Each report submitted pursuant to paragraph (1) shall include, for the period covered by the report, the following:

(A) An assessment of existing Department of Defense biological data resources, including those relating to health data, genetic data, and biological surveillance data, and how to leverage such resources in [the sandbox].

(B) [The updated cybersecurity requirements for sandbox users. —*Note: What requirements are you referring to? This is the first mention of anything about cybersecurity requirements.*]

(C) The development of any mechanisms necessary for collaboration among different parties associated with projects in [the Sandbox], including intellectual property agreements, funding agreements, and material transfer agreements.

(D) An assessment of the role that artificial intelligence is playing in developing biotechnology, such as how commercial industry may be using artificial intelligence to develop biotechnologies.

(E) A description of near-term use cases developed under the pilot program for artificial intelligence-enabled biotechnology applications for national security.

(F) A description of planned, ongoing, and complete demonstrations or other pilot programs funded under the pilot program required by subsection (a) or otherwise by the Department of Defense.

(G) An assessment of the viability for transition of technology developed under the pilot program, including assessment of—

(i) the resources needed for further development and scaling of such technology; and

(ii) the potential benefits of such technology.

(3) FORM.—Each report submitted pursuant to paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(i) TRANSITION PLAN.—One year before the end of the pilot program, the Secretary shall submit to the congressional defense committees a plan that outlines what steps the Department could take to turn the pilot program into an operational program if authorized by Congress to do so. This plan shall include the following:

(1) A transition timeline.

(2) Associated annual cost of running the program.

(3) Additional infrastructure that might be needed.

(4) An outlined landscape of jurisdiction, partnerships, and collaboration within the Department and with external stakeholders.

(5) Examples of projects from the pilot phase of the program and their outcomes.

(6) The potential impact to Department capabilities of transitioning the program.

(7) Any other details deemed necessary to include by the Secretary.

SA 2864. Ms. DUCKWORTH (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 end of subtitle H of title X, insert the following:

SEC. 1095. APPLICATION OF LEAVE PROVISIONS FOR MEMBERS OF THE ARMED FORCES TO MEMBERS OF THE PUBLIC HEALTH SERVICE.

(a) IN GENERAL.—Section 221(a) of the Public Health Service Act (42 U.S.C. 213a(a)) is amended by adding at the end the following:

''(22) Chapter 40, Leave, except that, in applying section 701(b) of such chapter 40 for purposes of this section, '120 days' leave' shall be substituted for '60 days' leave'.''.

(b) CONFORMING REPEAL.—Section 219 of the Public Health Service Act (42 U.S.C. 210–1) is repealed.

SA 2865. Mr. CARPER (for Mrs. CAPITO (for herself and Mr. CARPER)) submitted an amendment intended to be proposed by Mr. Carper 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. RECYCLING INFRASTRUCTURE AND ACCESSIBILITY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) CURBSIDE RECYCLING.—The term ''curbside recycling'' means the process by which residential recyclable materials are picked up curbside.

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903));

(B) a unit of local government;

(C) an Indian Tribe; and

(D) a public-private partnership.

(4) 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).

(5) MATERIALS RECOVERY FACILITY.—

(A) IN GENERAL.—The term ''materials recovery facility'' means a recycling facility where primarily residential recyclables, which are diverted from disposal by a generator and collected separately from municipal solid waste, are mechanically or manually sorted into commodities for further processing into specification-grade commodities for sale to end users.

(B) EXCLUSION.—The term ''materials recovery facility'' does not include a solid waste management facility that may process municipal solid waste to remove recyclable materials.

(6) PILOT GRANT PROGRAM.—The term ''pilot grant program'' means the Recycling Infrastructure and Accessibility Program established under subsection (b).

(7) RECYCLABLE MATERIAL.—The term ''recyclable material'' means obsolete, previously used, off-specification, surplus, or incidentally produced material for processing into a specification-grade commodity for which a market exists.

(8) TRANSFER STATION.—The term ''transfer station'' means a facility that—

(A) receives and consolidates recyclable material from curbside recycling or drop-off facilities; and

(B) loads the recyclable material onto tractor trailers, railcars, or barges for transport to a distant materials recovery facility or another recycling-related facility.

(9) UNDERSERVED COMMUNITY.—The term ''underserved community'' means a community, including an unincorporated area, without access to full recycling services because—

(A) transportation, distance, or other reasons render utilization of available processing capacity at an existing materials recovery facility cost prohibitive; or

(B) the processing capacity of an existing materials recovery facility is insufficient to manage the volume of recyclable materials produced by that community.

(b) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall establish a pilot grant program, to be known as the ''Recycling Infrastructure and Accessibility Program'', to award grants, on a competitive basis, to eligible entities to improve recycling accessibility in a community or communities within the same geographic area.

(c) GOAL.—The goal of the pilot grant program is to fund eligible projects that will significantly improve accessibility to recycling systems through investments in infrastructure in underserved communities through the use of a hub-and-spoke model for recycling infrastructure development.

(d) APPLICATIONS.—To be eligible to receive a grant under the pilot grant program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(e) CONSIDERATIONS.—In selecting eligible entities to receive a grant under the pilot grant program, the Administrator shall consider—

(1) whether the community or communities in which the eligible entity is seeking to carry out a proposed project has curbside recycling;

(2) whether the proposed project of the eligible entity will improve accessibility to recycling services in a single underserved community or multiple underserved communities; and

(3) if the eligible entity is a public-private partnership, the financial health of the private entity seeking to enter into that public-private partnership.

(f) PRIORITY.—In selecting eligible entities to receive a grant under the pilot grant program, the Administrator shall give priority to eligible entities seeking to carry out a proposed project in a community in which there is not more than 1 materials recovery facility within a 75-mile radius of that community.

(g) USE OF FUNDS.—An eligible entity awarded a grant under the pilot grant program may use the grant funds for projects to improve recycling accessibility in communities, including in underserved communities, by—

(1) increasing the number of transfer stations;

(2) expanding curbside recycling collection programs where appropriate; and

(3) leveraging public-private partnerships to reduce the costs associated with collecting and transporting recyclable materials in underserved communities.

(h) PROHIBITION ON USE OF FUNDS.—An eligible entity awarded a grant under the pilot grant program may not use the grant funds for projects relating to recycling education programs.

(i) MINIMUM AND MAXIMUM GRANT AMOUNT.—A grant awarded to an eligible entity under the pilot grant program shall be in an amount—

(1) not less than $500,000; and

(2) not more than $15,000,000.

(j) SET-ASIDE.—The Administrator shall set aside not less than 70 percent of the amounts made available to carry out the pilot grant program for each fiscal year to award grants to eligible entities to carry out a proposed project or program in a single underserved community or multiple underserved communities.

(k) FEDERAL SHARE.—The Federal share of the cost of a project or program carried out by an eligible entity using grant funds shall be not more than 95 percent.

(l) REPORT.—Not later than 2 years after the date on which the first grant is awarded under the pilot grant program, the Administrator shall submit to Congress a report describing the implementation of the pilot grant program, which shall include—

(1) a list of eligible entities that have received a grant under the pilot grant program;

(2) the actions taken by each eligible entity that received a grant under the pilot grant program to improve recycling accessibility with grant funds; and

(3) to the extent information is available, a description of how grant funds received under the pilot grant program improved recycling rates in each community in which a project or program was carried out under the pilot grant program.

(m) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out the pilot grant program $30,000,000 for each of fiscal years 2025 through 2029, to remain available until expended.

(2) ADMINISTRATIVE COSTS AND TECHNICAL ASSISTANCE.—Of the amounts made available under paragraph (1), the Administrator may use up to 5 percent—

(A) for administrative costs relating to carrying out the pilot grant program; and

(B) to provide technical assistance to eligible entities applying for a grant under the pilot grant program.

SA 2866. Mr. BOOKER (for himself, Mr. PAUL, 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 end of subtitle H of title X, add the following:

SEC. 1095. CURRENTLY ACCEPTED MEDICAL USE WITH SEVERE RESTRICTIONS.

(a) DEFINITIONS.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by inserting after paragraph (7) the following:

''(7)(A) Subject to subparagraph (B), the term 'currently accepted medical use with severe restrictions', with respect to a drug or other substance, includes a drug or other substance that is an active metabolite, moiety, or ingredient (whether in natural or synthetic form) of an investigational new drug for which a waiver is in effect under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) and that the Secretary—

''(i) designates as a breakthrough therapy under section 506(a) of the Food Drug and Cosmetic Act (21 U.S.C. 356(a)); or

''(ii) authorizes for expanded access under subsection (b) or (c) of section 561 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb), either alone or as part of a therapeutic protocol, to treat patients with serious or life-threatening diseases for which no comparable or satisfactory therapies are available.

''(B) A drug or other substance shall not meet the criteria under subparagraph (A) for having a currently accepted medical use with severe restrictions if—

''(i) in the case of a drug or other substance described in subparagraph (A)(ii)—

''(I) the Secretary places the expanded access or protocol for such drug on clinical hold as described in section 312.42 of title 21, Code of Federal Regulations (or any successor regulations);

''(II) there is no other investigational new drug containing the drug or other substance for which expanded access has been authorized under section 561(a) of the Federal Food,

Drug, and Cosmetic Act (21 U.S.C. 360bbb(a)); and

''(III) the drug or other substance does not meet the requirements of subparagraph (A)(i); or

''(ii) the drug or other substance is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or section 351 of the Public Health Service Act (42 U.S.C. 262).''.

(b) AUTHORITY AND CRITERIA FOR CLASSIFICATION OF SUBSTANCES.—Section 201(j) of the Controlled Substances Act (21 U.S.C. 811(j)) is amended—

(1) in paragraph (1), by inserting ''a drug designated as a breakthrough therapy under section 506(a) of the Food Drug and Cosmetic Act (21 U.S.C. 356(a)), or a drug authorized for expanded access under subsection (b) or (c) of section 561 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb)'' after ''subsection (f),'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(C) the date on which the Attorney General receives notification from the Secretary of Health and Human Services that the Secretary has designated a drug as a breakthrough therapy under section 506(a) of the Food Drug and Cosmetic Act (21 U.S.C. 356(a)) or authorized a drug for expanded access under subsection (b) or (c) of section 561 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb); or

''(D) the date on which the Attorney General receives any written notification demonstrating that the Secretary, before the date of enactment of this subparagraph, designated a drug as a breakthrough therapy under section 506(a) of the Food Drug and Cosmetic Act (21 U.S.C. 356(a)) or authorized a drug for expanded access under subsection (b) or (c) of section 561 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb).'';

(3) in paragraph (3), by inserting ''or paragraph (4)'' after ''paragraph (1)''; and

(4) by adding at the end the following:

''(4) With respect to a drug moved from schedule I to schedule II pursuant to paragraph (1) and the expedited procedures described under this subsection, if the drug no longer has a currently accepted medical use with severe restrictions and the Secretary of Health and Human Services recommends that the Attorney General control the drug in schedule I pursuant to subsections (a) and (b), the Attorney General shall, not later than 90 days after receiving written notification from the Secretary, issue an interim final rule controlling the drug in accordance with such subsections and section 202(b) using the procedures described in paragraph (3) of this subsection.''.

SA 2867. 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 subtitle H of title X, insert the following:

SEC. ___. FLY AMERICA ACT EXCEPTION REGARDING CERTAIN TRANSPORTATION OF DOMESTICATED ANIMALS.

(a) IN GENERAL.—Section 40118 of title 49, United States Code, is amended by adding at the end the following:

''(h) CERTAIN TRANSPORTATION OF DOMESTICATED ANIMALS.—

''(1) IN GENERAL.—Notwithstanding subsections (a) and (c), an appropriation to any department, agency, or instrumentality of the United States Government may be used to pay for the transportation of Federal personnel, dependent of the Federal personnel, and in-cabin or accompanying checked baggage or cargo, by a foreign air carrier when—

''(A) the transportation is from a place—

''(i) outside the United States to a place in the United States;

''(ii) in the United States to a place outside the United States; or

''(iii) between two places outside the United States; and

''(B) no air carrier holding a certificate under section 41102 is willing and able to transport up to three domesticated animals accompanying such Federal personnel or dependent.

''(2) LIMITATION.—An amount paid pursuant to paragraph (1) for transportation by a foreign air carrier may not be greater than the amount that would otherwise have been paid had the transportation been on an air carrier holding a certificate under section 41102 had that carrier been willing and able to provide such transportation. If the amount that would otherwise have been paid to such an air carrier is less than the cost of transportation on the applicable foreign air carrier, the Federal personnel shall pay the difference of such amount.

''(3) DEFINITION.—In this subsection:

''(A) DOMESTICATED ANIMAL.—The term 'domesticated animal' means a dog or a cat, or any other animal the Secretary deems appropriate for reimbursement under this section.

''(B) FEDERAL PERSONNEL.—The term 'Federal personnel' means any officer or employee of the United States Government, including any member of the uniformed services (as that term is defined in section 2101 of title 5), the Foreign Service, and any Peace Corp volunteer.

''(C) PEACE CORPS VOLUNTEER.—The term 'Peace Corps volunteer' means an individual described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)).''.

(b) REPEAL.—Section 6224 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31) is repealed.

SA 2868. 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 III, insert the following:

SEC. 3___. IMPLEMENTATION BY DEPARTMENT OF DEFENSE OF FOOD SERVICE GUIDELINES FOR FEDERAL FACILITIES.

The Secretary of Defense shall, through the Defense Logistics Agency and other applicable contracts for subsistence items, implement the Food Service Guidelines for Federal Facilities issued by the Department of Health and Human Services at all facilities of the Department of Defense, including by ensuring—

(1) the choice of a nutritious, protein-rich, plant-based, full-service entree option at each meal; and

(2) nutritious, protein-rich, plant-based food options in all rations, including meals ready-to-eat (MREs).

SA 2869. Mr. LUJÁN (for himself 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 appropriate place in subtitle H of title X, insert the following:

SEC. 10_____. TECHNICAL CORRECTIONS TO THE NAVAJO NATION WATER RESOURCES DEVELOPMENT TRUST FUND, THE TAOS PUEBLO WATER DEVELOPMENT FUND, AND THE AAMODT SETTLEMENT PUEBLOS' FUND.

(a) AUTHORIZATION OF PAYMENT OF ADJUSTED INTEREST ON THE NAVAJO NATION WATER RESOURCES DEVELOPMENT TRUST FUND.—The Omnibus Public Land Management Act of 2009 (Public Law 111–11) is amended—

(1) in section 10701(e)(1)(A)(vii), by striking ''10702.'' and inserting ''10702, except for deposits made pursuant to section 10702(g).''; and

(2) in section 10702—

(A) in subsection (a)(1), by striking ''subsection (f)'' and inserting ''subsections (f) and (g)''; and

(B) by adding at the end the following:

''(g) ADJUSTED INTEREST PAYMENTS.—In addition to amounts made available under subsection (f), there is authorized to be appropriated for deposit in the Trust Fund $6,357,674.46.''.

(b) AUTHORIZATION OF PAYMENT OF ADJUSTED INTEREST ON THE TAOS PUEBLO WATER DEVELOPMENT FUND.—The Claims Resolution Act of 2010 (Public Law 111–291) is amended by adding after section 513 the following:

''SEC. 514. ADJUSTED INTEREST PAYMENTS.

''In addition to the amounts made available under section 509(c), there is authorized to be appropriated to the Secretary for deposit into the Taos Pueblo Water Development Fund established by section 505(a) $7,794,297.52.''.

(c) AUTHORIZATION OF PAYMENT OF ADJUSTED INTEREST ON THE AAMODT SETTLEMENT PUEBLOS' FUND.—The Claims Resolution Act of 2010 (Public Law 111–291) is amended by adding after section 626 the following:

''SEC. 627. INTEREST PAYMENTS.

''(a) ADJUSTED INTEREST PAYMENTS.—In addition to amounts made available under section 617, there is authorized to be appropriated to the Secretary for deposit into the Aamodt Settlement Pueblos' Fund established by section 615(a) $4,314,709.18 for the Pueblos' share of the costs of operating, maintaining, and replacing the Pueblo Water Facilities and the Regional Water System, as set forth in section 617(c)(1)(B).

''(b) WAIVER OF PAYMENT.—To the extent monies are due or payable to the United States attributable to interest earned on amounts made available under section 617(c)(1)(A) prior to September 15, 2017, the Secretary of the Treasury shall waive payment of such monies.''.

(d) DISCLAIMER.—

(1) SECTION 509 OF CLAIMS RESOLUTION ACT OF 2010.—Nothing in this Act shall be construed to affect the previous satisfaction of

the conditions precedent in section 509(f)(2) of the Claims Resolution Act of 2010 (Public Law 111–291) or to affect the validity of the Secretarial finding published in the Federal Register on October 7, 2016, pursuant to section 509(f)(1) of the Claims Resolution Act of 2010 (Public Law 111–291) that such conditions precedent were fully satisfied.

(2) SECTION 623 OF CLAIMS RESOLUTION ACT OF 2010.—Nothing in this Act shall be construed to affect the previous satisfaction of the conditions precedent in section 623(a)(2) of the Claims Resolution Act of 2010 (Public Law 111–291) or to affect the validity of the Secretarial finding published in the Federal Register on September 15, 2017, pursuant to section 623(a)(1) of the Claims Resolution Act of 2010 (Public Law 111–291) that such conditions precedent were fully satisfied.

SA 2870. Ms. KLOBUCHAR (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:

SEC. ___. RETIRED LAW ENFORCEMENT OFFICERS CONTINUING SERVICE.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended by adding at the end the following:

"PART PP—CIVIL LAW ENFORCEMENT TASK GRANTS

"SEC. 3061. DEFINITIONS.

''In this part:

''(1) CIVILIAN LAW ENFORCEMENT TASK.—The term 'civilian law enforcement task' includes—

''(A) assisting in homicide investigations;

''(B) assisting in carjacking investigations;

''(C) assisting in financial crimes investigations;

''(D) reviewing camera footage;

''(E) crime scene analysis;

''(F) forensics analysis; and

''(G) providing expertise in computers, computer networks, information technology, or the internet.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means a State, local, Tribal, or territorial law enforcement agency.

"SEC. 3062. GRANTS AUTHORIZED.

''The Attorney General may award grants to eligible entities for the purpose of hiring retired personnel from law enforcement agencies to—

''(1) train civilian employees of the eligible entity on civilian law enforcement tasks that can be performed on behalf of a law enforcement agency; and

''(2) perform civilian law enforcement tasks on behalf of the eligible entity.

"SEC. 3063. ACCOUNTABILITY PROVISIONS.

''(a) IN GENERAL.—A grant awarded under this part shall be subject to the accountability requirements of this section.

''(b) AUDIT REQUIREMENT.—

''(1) DEFINITION.—In this subsection, the term 'unresolved audit finding' means a finding in a final audit report of the Inspector General of the Department of Justice that an 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.

''(2) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of the Retired Law Enforcement Officers Continuing Service Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this part 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.

''(3) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in paragraph (1).

''(4) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

''(c) ANNUAL CERTIFICATION.—Beginning in the fiscal year during which audits commence under subsection (b)(2), 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—

''(1) indicating whether—

''(A) all audits issued by the Office of the Inspector General of the Department of Justice under subsection (b) have been completed and reviewed by the appropriate Assistant Attorney General or Director; and

''(B) all mandatory exclusions required under subsection (b)(3) have been issued; and

''(2) that includes a list of any grant recipients excluded under subsection (b)(3) from the previous year.

''(d) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an eligible entity under this part, 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.

''(2) REPORT.—If the Attorney General awards grants to the same applicant for a similar purpose, 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—

''(A) a list of all such grants awarded, including the total dollar amount of any such grants awarded; and

''(B) the reason the Attorney General awarded multiple grants to the same applicant for a similar purpose.''.

SA 2871. Ms. KLOBUCHAR (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:

SEC. _____. FEDERAL TRADE COMMISSION ENFORCEMENT AGAINST SHAM PETITIONS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) COVERED APPLICATION.—The term ''covered application'' means an application filed pursuant to subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)).

(3) COVERED PETITION.—The term ''covered petition'' means a petition, or a supplement to a petition, filed under section 505(q) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(q)).

(4) PERSON.—The term ''person''—

(A) means an individual or entity; and

(B) includes—

(i) a successor or an assign of an entity;

(ii) a joint venture, subsidiary, partnership, division, group, or affiliate controlled by an entity; and

(iii) a successor or an assign of a joint venture, subsidiary, partnership, division, group, or affiliate controlled by an entity.

(5) SERIES OF COVERED PETITIONS.—The term ''series of covered petitions'' means any group of more than 1 covered petition relating to the same covered application.

(6) SHAM.—The term ''sham'' means—

(A) a covered petition that—

(i) is objectively baseless; and

(ii) attempts to use a governmental process, as opposed to the outcome of that process, to interfere with the business of a competitor; or

(B) a series of covered petitions that attempts to use a governmental process, as opposed to the outcome of that process, to interfere with the business of a competitor.

(b) VIOLATION.—A person submitting or causing the submission of a covered petition or a series of covered petitions that is a sham shall be liable for engaging in an unfair method of competition under section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)).

(c) CIVIL ACTION.—

(1) IN GENERAL.—If the Commission has reason to believe that the submission of a covered petition or a series of covered petitions constitutes a violation of section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)), the Commission may commence a civil action to recover a civil penalty and seek other appropriate relief in a district court of the United States against any person that submitted or caused to be submitted such covered petition or such series of covered petitions.

(2) PRESUMPTION.—In a civil action under paragraph (1), a covered petition shall be presumed to be part of a series of covered petitions that is a sham under subsection (b) of this section if—

(A) the Secretary of Health and Human Services—

(i) has determined that the covered petition was submitted with the primary purpose of delaying the approval of a covered application; and

(ii) has referred such determination to the Commission in writing, including a reasoned basis for the determination; and

(B) the covered petition was part of a series of covered petitions.

(3) EXCEPTION.—The presumption in paragraph (2) shall not apply if the defendant establishes, by a preponderance of the evidence, that the series of covered petitions that includes the covered petition referred to the Commission by the Secretary of Health and Human Services is not a sham.

(4) CIVIL PENALTY.—In an action under paragraph (1), any person that has been found liable for a violation of section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)) shall be subject to a civil penalty for each violation of not more than the greater of—

(A) any revenue earned from the sale by such person of any drug product, referenced

in a covered application that was the subject of a covered petition or a series of covered petitions that is a sham, during the period during which the covered petition or series of covered petitions was under review by the Secretary of Health and Human Services; or

(B) $50,000 for each calendar day that each covered petition that is a sham or that was part of a series of covered petitions that is a sham was under review by the Secretary of Health and Human Services.

(5) REVIEW OF REFERRAL.—No referral by the Secretary of Health and Human Services under paragraph (2)(A) shall be subject to judicial review, except as a third-party claim asserted by the defendant under section 706(2)(A) of title 5, United States Code, against the Secretary of Health and Human Services or the Department of Health and Human Services, as part of a civil action commenced under paragraph (1).

(6) ANTITRUST LAWS.—Nothing in this section shall modify, impair, limit, or supersede the applicability of the antitrust laws, as defined in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12), and of section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that it applies to unfair methods of competition.

(7) RULE OF CONSTRUCTION.—The civil penalty provided in this subsection is in addition to, and not in lieu of, any other remedies provided by Federal law, including under section 16 of the Clayton Act (15 U.S.C. 26) or under section 13(b) of the Federal Trade Commission Act (15 U.S.C. 53(b)).

(d) APPLICABILITY.—This section shall apply to any covered petition submitted on or after the date of enactment of this Act.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit any authority of the Commission under any other provision of law.

(f) SEVERABILITY.—If any provision of this section or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this section and the application of the provisions of such section to any person or circumstance shall not be affected.

SA 2872. Ms. KLOBUCHAR (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, insert the following:

SEC. 1095. PRESERVE ACCESS TO AFFORDABLE GENERICS AND BIOSIMILARS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Preserve Access to Affordable Generics and Biosimilars Act''.

(b) CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.—

(1) FINDINGS.—Congress finds the following:

(A) In 1984, the Drug Price Competition and Patent Term Restoration Act (Public Law 98–417) (referred to in this Act as the ''1984 Act''), was enacted with the intent of facilitating the early entry of generic drugs while preserving incentives for innovation.

(B) Prescription drugs make up approximately 10 percent of the national health care spending.

(C) Initially, the 1984 Act was successful in facilitating generic competition to the benefit of consumers and health care payers, although 88 percent of all prescriptions dispensed in the United States are generic drugs, they account for only 28 percent of all expenditures.

(D) Generic drugs cost substantially less than brand name drugs, with discounts off the brand price averaging 80 to 85 percent.

(E) Federal dollars currently account for over 40 percent of the $325,000,000,000 spent on retail prescription drugs, and this share is expected to rise to 47 percent by 2025.

(F)(i) In recent years, the intent of the 1984 Act has been subverted by certain settlement agreements in which brand name companies transfer value to their potential generic competitors to settle claims that the generic company is infringing the branded company's patents.

(ii) These ''reverse payment'' settlement agreements—

(I) allow a branded company to share its monopoly profits with the generic company as a way to protect the branded company's monopoly; and

(II) have unduly delayed the marketing of low-cost generic drugs contrary to free competition, the interests of consumers, and the principles underlying antitrust law.

(iii) Because of the price disparity between brand name and generic drugs, such agreements are more profitable for both the brand and generic manufacturers than competition and will become increasingly common unless prohibited.

(iv) These agreements result in consumers losing the benefits that the 1984 Act was intended to provide.

(G) In 2010, the Biologics Price Competition and Innovation Act (Public Law 111–148) (referred to in this Act as the ''BPCIA''), was enacted with the intent of facilitating the early entry of biosimilar and interchangeable follow-on versions of branded biological products while preserving incentives for innovation.

(H) Biological drugs play an important role in treating many serious illnesses, from cancers to genetic disorders. They are also expensive, representing more than 40 percent of all prescription drug spending.

(I) Competition from biosimilar and interchangeable biological products promises to lower drug costs and increase patient access to biological medicines. But ''reverse payment'' settlement agreements also threaten to delay the entry of biosimilar and interchangeable biological products, which would undermine the goals of BPCIA.

(2) PURPOSES.—The purposes of this section are—

(A) to enhance competition in the pharmaceutical market by stopping anticompetitive agreements between brand name and generic drug and biosimilar biological product manufacturers that limit, delay, or otherwise prevent competition from generic drugs and biosimilar biological products; and

(B) to support the purpose and intent of antitrust law by prohibiting anticompetitive practices in the pharmaceutical industry that harm consumers.

(c) UNLAWFUL COMPENSATION FOR DELAY.—

(1) IN GENERAL.—The Federal Trade Commission Act (15 U.S.C. 44 et seq.) is amended by inserting after section 26 (15 U.S.C. 57c–2) the following:

''SEC. 27. PRESERVING ACCESS TO AFFORDABLE GENERICS AND BIOSIMILARS.

''(a) IN GENERAL.—

''(1) ENFORCEMENT PROCEEDING.—The Commission may initiate a proceeding to enforce the provisions of this section against the parties to any agreement resolving or settling, on a final or interim basis, a patent claim, in connection with the sale of a drug product or biological product.

''(2) PRESUMPTION AND VIOLATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), in such a proceeding, an agreement shall be presumed to have anticompetitive effects and shall be a violation of this section if—

''(i) an ANDA filer or a biosimilar biological product application filer receives anything of value, including an exclusive license; and

''(ii) the ANDA filer or biosimilar biological product application filer agrees to limit or forgo research, development, manufacturing, marketing, or sales of the ANDA product or biosimilar biological product, as applicable, for any period of time.

''(B) EXCEPTION.—Subparagraph (A) shall not apply if the parties to such agreement demonstrate by clear and convincing evidence that—

''(i) the value described in subparagraph (A)(i) is compensation solely for other goods or services that the ANDA filer or biosimilar biological product application filer has promised to provide; or

''(ii) the procompetitive benefits of the agreement outweigh the anticompetitive effects of the agreement.

''(b) EXCLUSIONS.—Nothing in this section shall prohibit a resolution or settlement of a patent infringement claim in which the consideration that the ANDA filer or biosimilar biological product application filer, respectively, receives as part of the resolution or settlement includes only one or more of the following:

''(1) The right to market and secure final approval in the United States for the ANDA product or biosimilar biological product at a date, whether certain or contingent, prior to the expiration of—

''(A) any patent that is the basis for the patent infringement claim; or

''(B) any patent right or other statutory exclusivity that would prevent the marketing of such ANDA product or biosimilar biological product.

''(2) A payment for reasonable litigation expenses not to exceed—

''(A) for calendar year 2024, $7,500,000; or

''(B) for calendar year 2025 and each subsequent calendar year, the amount determined for the preceding calendar year adjusted to reflect the percentage increase (if any) in the Producer Price Index for Legal Services published by the Bureau of Labor Statistics of the Department of Labor for the most recent calendar year.

''(3) A covenant not to sue on any claim that the ANDA product or biosimilar biological product infringes a United States patent.

''(c) ENFORCEMENT.—

''(1) ENFORCEMENT.—A violation of this section shall be treated as an unfair method of competition under section 5(a)(1).

''(2) JUDICIAL REVIEW.—

''(A) IN GENERAL.—Any party that is subject to a final order of the Commission, issued in an administrative adjudicative proceeding under the authority of subsection (a)(1), may, within 30 days of the issuance of such order, petition for review of such order in—

''(i) the United States Court of Appeals for the District of Columbia Circuit;

''(ii) the United States Court of Appeals for the circuit in which the ultimate parent entity, as defined in section 801.1(a)(3) of title 16, Code of Federal Regulations, or any successor thereto, of the NDA holder or biological product license holder is incorporated as of the date that the NDA or biological product license application, as applicable, is filed with the Secretary of Health and Human Services; or

''(iii) the United States Court of Appeals for the circuit in which the ultimate parent entity of the ANDA filer or biosimilar biological product application filer is incorporated as of the date that the ANDA or biosimilar biological product application is filed

with the Secretary of Health and Human Services.

''(B) TREATMENT OF FINDINGS.—In a proceeding for judicial review of a final order of the Commission, the findings of the Commission as to the facts, if supported by evidence, shall be conclusive.

''(d) ANTITRUST LAWS.—Nothing in this section shall modify, impair, limit, or supersede the applicability of the antitrust laws as defined in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), and of section 5 of this Act to the extent that section 5 applies to unfair methods of competition. Nothing in this section shall modify, impair, limit, or supersede the right of an ANDA filer or biosimilar biological product application filer to assert claims or counterclaims against any person, under the antitrust laws or other laws relating to unfair competition.

''(e) PENALTIES.—

''(1) FORFEITURE.—Each party that violates or assists in the violation of this section shall forfeit and pay to the United States a civil penalty sufficient to deter violations of this section, but in no event greater than 3 times the value received by the party that is reasonably attributable to the violation of this section. If no such value has been received by the NDA holder, the biological product license holder, the ANDA filer, or the biosimilar biological product application filer, the penalty to the NDA holder, the biological product license holder, the ANDA filer, or the biosimilar biological product application filer shall be sufficient to deter violations, but in no event shall be greater than 3 times the value given to an ANDA filer or biosimilar biological product application filer reasonably attributable to the violation of this section. Such penalty shall accrue to the United States and may be recovered in a civil action brought by the Commission, in its own name by any of its attorneys designated by it for such purpose, in a district court of the United States against any party that violates this section. In such actions, the United States district courts are empowered to grant mandatory injunctions and such other and further equitable relief as they deem appropriate.

''(2) CEASE AND DESIST.—

''(A) IN GENERAL.—If the Commission has issued a cease and desist order with respect to a party in an administrative adjudicative proceeding under the authority of subsection (a)(1), an action brought pursuant to paragraph (1) may be commenced against such party at any time before the expiration of 1 year after such order becomes final pursuant to section 5(g).

''(B) EXCEPTION.—In an action under subparagraph (A), the findings of the Commission as to the material facts in the administrative adjudicative proceeding with respect to the violation of this section by a party shall be conclusive unless—

''(i) the terms of such cease and desist order expressly provide that the Commission's findings shall not be conclusive; or

''(ii) the order became final by reason of section 5(g)(1), in which case such finding shall be conclusive if supported by evidence.

''(3) CIVIL PENALTY.—In determining the amount of the civil penalty described in this section, the court shall take into account—

''(A) the nature, circumstances, extent, and gravity of the violation;

''(B) with respect to the violator, the degree of culpability, any history of violations, the ability to pay, any effect on the ability to continue doing business, profits earned by the NDA holder, the biological product license holder, the ANDA filer, or the biosimilar biological product application filer, compensation received by the ANDA filer or biosimilar biological product application filer, and the amount of commerce affected; and

''(C) other matters that justice requires.

''(4) REMEDIES IN ADDITION.—Remedies provided in this subsection are in addition to, and not in lieu of, any other remedy provided by Federal law. Nothing in this section shall be construed to limit any authority of the Commission under any other provision of law.

''(f) DEFINITIONS.—In this section:

''(1) AGREEMENT.—The term 'agreement' means anything that would constitute an agreement under section 1 of the Sherman Act (15 U.S.C. 1) or section 5 of this Act.

''(2) AGREEMENT RESOLVING OR SETTLING A PATENT INFRINGEMENT CLAIM.—The term 'agreement resolving or settling a patent infringement claim' includes any agreement that is entered into within 30 days of the resolution or the settlement of the claim, or any other agreement that is contingent upon, provides a contingent condition for, or is otherwise related to the resolution or settlement of the claim.

''(3) ANDA.—The term 'ANDA' means an abbreviated new drug application filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) or a new drug application submitted pursuant to section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(2)).

''(4) ANDA FILER.—The term 'ANDA filer' means a party that owns or controls an ANDA filed with the Secretary of Health and Human Services or has the exclusive rights under such ANDA to distribute the ANDA product.

''(5) ANDA PRODUCT.—The term 'ANDA product' means the product to be manufactured under the ANDA that is the subject of the patent infringement claim.

''(6) BIOLOGICAL PRODUCT.—The term 'biological product' has the meaning given such term in section 351(i)(1) of the Public Health Service Act (42 U.S.C. 262(i)(1)).

''(7) BIOLOGICAL PRODUCT LICENSE APPLICATION.—The term 'biological product license application' means an application under section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)).

''(8) BIOLOGICAL PRODUCT LICENSE HOLDER.—The term 'biological product license holder' means—

''(A) the holder of an approved biological product license application for a biological product;

''(B) a person owning or controlling enforcement of any patents that claim the biological product that is the subject of such approved application; or

''(C) the predecessors, subsidiaries, divisions, groups, and affiliates controlled by, controlling, or under common control with any of the entities described in subparagraphs (A) and (B) (such control to be presumed by direct or indirect share ownership of 50 percent or greater), as well as the licensees, licensors, successors, and assigns of each of the entities.

''(9) BIOSIMILAR BIOLOGICAL PRODUCT.—The term 'biosimilar biological product' means the product to be manufactured under the biosimilar biological product application that is the subject of the patent infringement claim.

''(10) BIOSIMILAR BIOLOGICAL PRODUCT APPLICATION.—The term 'biosimilar biological product application' means an application under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)) for licensure of a biological product as biosimilar to, or interchangeable with, a reference product.

''(11) BIOSIMILAR BIOLOGICAL PRODUCT APPLICATION FILER.—The term 'biosimilar biological product application filer' means a party that owns or controls a biosimilar biological product application filed with the Secretary of Health and Human Services or has the exclusive rights under such application to distribute the biosimilar biological product.

''(12) DRUG PRODUCT.—The term 'drug product' has the meaning given such term in section 314.3(b) of title 21, Code of Federal Regulations (or any successor regulation).

''(13) MARKET.—The term 'market' means the promotion, offering for sale, selling, or distribution of a drug product.

''(14) NDA.—The term 'NDA' means a new drug application filed under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)).

''(15) NDA HOLDER.—The term 'NDA holder' means—

''(A) the holder of an approved NDA application for a drug product;

''(B) a person owning or controlling enforcement of the patent listed in the Approved Drug Products With Therapeutic Equivalence Evaluations (commonly known as the 'FDA Orange Book') in connection with the NDA; or

''(C) the predecessors, subsidiaries, divisions, groups, and affiliates controlled by, controlling, or under common control with any of the entities described in subparagraphs (A) and (B) (such control to be presumed by direct or indirect share ownership of 50 percent or greater), as well as the licensees, licensors, successors, and assigns of each of the entities.

''(16) PARTY.—The term 'party' means any person, partnership, corporation, or other legal entity.

''(17) PATENT INFRINGEMENT.—The term 'patent infringement' means infringement of any patent or of any filed patent application, including any extension, reissue, renewal, division, continuation, continuation in part, reexamination, patent term restoration, patents of addition, and extensions thereof.

''(18) PATENT INFRINGEMENT CLAIM.—The term 'patent infringement claim' means any allegation made to an ANDA filer or biosimilar biological product application filer, whether or not included in a complaint filed with a court of law, that its ANDA or ANDA product, or biosimilar biological product license application or biosimilar biological product, may infringe any patent held by, or exclusively licensed to, the NDA holder or biological product license holder of the drug product or biological product, as applicable.

''(19) STATUTORY EXCLUSIVITY.—The term 'statutory exclusivity' means those prohibitions on the submission or the approval of drug applications under clauses (ii) through (iv) of section 505(c)(3)(E), clauses (ii) through (iv) of section 505(j)(5)(F), section 527, section 505A, or section 505E of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(c)(3)(E), 360cc, 355a, 355f), or on the submission or licensing of biological product applications under section 351(k)(7) or paragraph (2) or (3) of section 351(m) of the Public Health Service Act (42 U.S.C. 262) or under section 527 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360cc).''.

(2) EFFECTIVE DATE.—Section 27 of the Federal Trade Commission Act, as added by this section, shall apply to all agreements described in section 27(a)(1) of that Act entered into on or after the date of enactment of this Act.

(d) CERTIFICATION OF AGREEMENTS.—

(1) NOTICE OF ALL AGREEMENTS.—Section 1111(7) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (21 U.S.C. 355 note) is amended by inserting '', or the owner of a patent for which a claim of infringement could reasonably be asserted against any person for making, using, offering to sell, selling, or importing into the United States a biological product that is

the subject of a biosimilar biological product application'' before the period at the end.

(2) CERTIFICATION OF AGREEMENTS.—Section 1112 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (21 U.S.C. 355 note) is amended by adding at the end the following:

''(d) CERTIFICATION.—The Chief Executive Officer or the company official responsible for negotiating any agreement under subsection (a) or (b) that is required to be filed under subsection (c), within 30 days after such filing, shall execute and file with the Assistant Attorney General and the Commission a certification as follows: 'I declare that the following is true, correct, and complete to the best of my knowledge: The materials filed with the Federal Trade Commission and the Department of Justice under section 1112 of subtitle B of title XI of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, with respect to the agreement referenced in this certification—

''(1) represent the complete, final, and exclusive agreement between the parties;

''(2) include any ancillary agreements that are contingent upon, provide a contingent condition for, or are otherwise related to, the referenced agreement; and

''(3) include written descriptions of any oral agreements, representations, commitments, or promises between the parties that are responsive to subsection (a) or (b) of such section 1112 and have not been reduced to writing.' ''.

(e) NOTIFICATION OF AGREEMENTS.—Section 1112 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (21 U.S.C. 355 note), as amended by subsection (d)(2), is further amended by adding at the end the following:

''(e) RULE OF CONSTRUCTION.—

''(1) IN GENERAL.—An agreement that is required under subsection (a) or (b) shall include agreements resolving any outstanding disputes, including agreements resolving or settling a Patent Trial and Appeal Board proceeding.

''(2) DEFINITION.—For purposes of subparagraph (A), the term 'Patent Trial and Appeal Board proceeding' means a proceeding conducted by the Patent Trial and Appeal Board of the United States Patent and Trademark Office, including an inter partes review instituted under chapter 31 of title 35, United States Code, a post-grant review instituted under chapter 32 of that title (including a proceeding instituted pursuant to the transitional program for covered business method patents, as described in section 18 of the Leahy-Smith America Invents Act (35 U.S.C. 321 note)), and a derivation proceeding instituted under section 135 of that title.''.

(f) FORFEITURE OF 180-DAY EXCLUSIVITY PERIOD.—Section 505(j)(5)(D)(i)(V) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(5)(D)(i)(V)) is amended by inserting ''section 27 of the Federal Trade Commission Act or'' after ''that the agreement has violated''.

(g) COMMISSION LITIGATION AUTHORITY.—Section 16(a)(2) of the Federal Trade Commission Act (15 U.S.C. 56(a)(2)) is amended—

(1) in subparagraph (D), by striking ''or'' after the semicolon;

(2) in subparagraph (E)—

(A) by moving the margin 2 ems to the left; and

(B) by inserting ''or'' after the semicolon; and

(3) inserting after subparagraph (E) the following:

''(F) under section 27,''.

(h) REPORT ON ADDITIONAL EXCLUSION.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Federal Trade Commission shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a recommendation, and the Commission's basis for such recommendation, regarding a potential amendment to include in section 27(b) of the Federal Trade Commission Act (as added by subsection (c)) an additional exclusion for consideration granted by an NDA holder to a ANDA filer or by a biological product license holder to a biosimilar biological product application filer as part of the resolution or settlement, a release, waiver, or limitation of a claim for damages or other monetary relief.

(2) DEFINITIONS.—In this section, the terms ''ANDA filer'', ''biological product license holder'', ''biosimilar biological product application filer'', and ''NDA holder'' have the meanings given such terms in section 27(f) of the Federal Trade Commission Act (as added by subsection (c)).

(i) STATUTE OF LIMITATIONS.—The Federal Trade Commission shall commence any enforcement proceeding described in section 27 of the Federal Trade Commission Act, as added by subsection (c), except for an action described in section 27(e)(2) of the Federal Trade Commission Act, not later than 6 years after the date on which the parties to the agreement file the certification under section 1112(d) of the Medicare Prescription Drug Improvement and Modernization Act of 2003 (21 U.S.C. 355 note).

(j) SEVERABILITY.—If any provision of this section, an amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this section, the amendments made by this section, and the application of the provisions of such section or amendments to any person or circumstance shall not be affected.

SA 2873. Mr. LEE (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 title X, add the following:

Subtitle I—Congressional Approval of National Emergency Declarations

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act'' or the ''ARTICLE ONE Act''.

SEC. 1097. CONGRESSIONAL REVIEW OF NATIONAL EMERGENCIES.

Title II of the National Emergencies Act (50 U.S.C. 1621 et seq.) is amended by striking sections 201 and 202 and inserting the following:

''SEC. 201. DECLARATIONS OF NATIONAL EMERGENCIES.

''(a) AUTHORITY TO DECLARE NATIONAL EMERGENCIES.—With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such a national emergency by proclamation. Such proclamation shall immediately be transmitted to Congress and published in the Federal Register.

''(b) SPECIFICATION OF PROVISIONS OF LAW TO BE EXERCISED.—No powers or authorities made available by statute for use during the period of a national emergency shall be exercised unless and until the President specifies the provisions of law under which the President proposes that the President or other officers will act in—

''(1) a proclamation declaring a national emergency under subsection (a); or

''(2) one or more Executive orders relating to the emergency published in the Federal Register and transmitted to Congress.

''(c) PROHIBITION ON SUBSEQUENT ACTIONS IF EMERGENCIES NOT APPROVED.—

''(1) SUBSEQUENT DECLARATIONS.—If a joint resolution of approval is not enacted under section 203 with respect to a national emergency before the expiration of the 30-day period described in section 202(a), or with respect to a national emergency proposed to be renewed under section 202(b), the President may not, during the remainder of the term of office of that President, declare a subsequent national emergency under subsection (a) with respect to the same circumstances.

''(2) EXERCISE OF AUTHORITIES.—If a joint resolution of approval is not enacted under section 203 with respect to a power or authority specified by the President in a proclamation under subsection (a) or an Executive order under subsection (b)(2) with respect to a national emergency, the President may not, during the remainder of the term of office of that President, exercise that power or authority with respect to that emergency.

''(d) EFFECT OF FUTURE LAWS.—No law enacted after the date of the enactment of this Act shall supersede this title unless it does so in specific terms, referring to this title, and declaring that the new law supersedes the provisions of this title.

''SEC. 202. EFFECTIVE PERIODS OF NATIONAL EMERGENCIES.

''(a) TEMPORARY EFFECTIVE PERIODS.—

''(1) IN GENERAL.—A declaration of a national emergency shall remain in effect for 30 days from the issuance of the proclamation under section 201(a) (not counting the day on which the proclamation was issued) and shall terminate when that 30-day period expires unless there is enacted into law a joint resolution of approval under section 203 with respect to the proclamation.

''(2) EXERCISE OF POWERS AND AUTHORITIES.—Any emergency power or authority made available under a provision of law specified pursuant to section 201(b) may be exercised pursuant to a declaration of a national emergency for 30 days from the issuance of the proclamation or Executive order (not counting the day on which such proclamation or Executive order was issued). That power or authority may not be exercised after that 30-day period expires unless there is enacted into law a joint resolution of approval under section 203 approving—

''(A) the proclamation of the national emergency or the Executive order; and

''(B) the exercise of the power or authority specified by the President in such proclamation or Executive order.

''(3) EXCEPTION IF CONGRESS IS UNABLE TO CONVENE.—If Congress is physically unable to convene as a result of an armed attack upon the United States or another national emergency, the 30-day periods described in paragraphs (1) and (2) shall begin on the first day Congress convenes for the first time after the attack or other emergency.

''(b) RENEWAL OF NATIONAL EMERGENCIES.—A national emergency declared by the President under section 201(a) or previously renewed under this subsection, and not already terminated pursuant to subsection (a) or (c), shall terminate on the date that is one year after the President transmitted to Congress the proclamation declaring the emergency or Congress approved a previous renewal pursuant to this subsection, unless—

''(1) the President publishes in the Federal Register and transmits to Congress an Executive order renewing the emergency; and

''(2) there is enacted into law a joint resolution of approval renewing the emergency pursuant to section 203 before the termination of the emergency or previous renewal of the emergency.

''(c) TERMINATION OF NATIONAL EMERGENCIES.—

''(1) IN GENERAL.—Any national emergency declared by the President under section 201(a) shall terminate on the earliest of—

''(A) the date provided for in subsection (a);

''(B) the date provided for in subsection (b);

''(C) the date specified in an Act of Congress terminating the emergency; or

''(D) the date specified in a proclamation of the President terminating the emergency.

''(2) EFFECT OF TERMINATION.—

''(A) IN GENERAL.—Effective on the date of the termination of a national emergency under paragraph (1)—

''(i) except as provided by subparagraph (B), any powers or authorities exercised by reason of the emergency shall cease to be exercised;

''(ii) any amounts reprogrammed or transferred under any provision of law with respect to the emergency that remain unobligated on that date shall be returned and made available for the purpose for which such amounts were appropriated; and

''(iii) any contracts entered into under any provision of law relating to the emergency shall be terminated.

''(B) SAVINGS PROVISION.—The termination of a national emergency shall not affect—

''(i) any legal action taken or pending legal proceeding not finally concluded or determined on the date of the termination under paragraph (1);

''(ii) any legal action or legal proceeding based on any act committed prior to that date; or

''(iii) any rights or duties that matured or penalties that were incurred prior to that date.

''SEC. 203. REVIEW BY CONGRESS OF NATIONAL EMERGENCIES.

''(a) JOINT RESOLUTION OF APPROVAL DEFINED.—In this section, the term 'joint resolution of approval' means a joint resolution that contains only the following provisions after its resolving clause:

''(1) A provision approving—

''(A) a proclamation of a national emergency made under section 201(a);

''(B) an Executive order issued under section 201(b)(2); or

''(C) an Executive order issued under section 202(b).

''(2) A provision approving a list of all or a portion of the provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution.

''(b) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS OF APPROVAL.—

''(1) INTRODUCTION.—After the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a joint resolution of approval may be introduced in either House of Congress by any member of that House.

''(2) REQUESTS TO CONVENE CONGRESS DURING RECESSES.—If, when the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), Congress has adjourned sine die or has adjourned for any period in excess of 3 calendar days, the majority leader of the Senate and the Speaker of the House of Representatives, or their respective designees, acting jointly after consultation with and with the concurrence of the minority leader of the Senate and the minority leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

''(3) COMMITTEE REFERRAL.—A joint resolution of approval shall be referred in each House of Congress to the committee or committees having jurisdiction over the emergency authorities invoked by the proclamation or Executive order that is the subject of the joint resolution.

''(4) CONSIDERATION IN SENATE.—In the Senate, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval has been referred has not reported it at the end of 10 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar.

''(B) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when the committee to which a joint resolution of approval is referred has reported the resolution, or when that committee is discharged under subparagraph (A) from further consideration of the resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is subject to 4 hours of debate divided equally between those favoring and those opposing the joint resolution of approval. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business.

''(C) FLOOR CONSIDERATION.—A joint resolution of approval shall be subject to 10 hours of consideration, to be divided evenly between the proponents and opponents of the resolution.

''(D) AMENDMENTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), no amendments shall be in order with respect to a joint resolution of approval.

''(ii) AMENDMENTS TO STRIKE OR ADD SPECIFIED PROVISIONS OF LAW.—Clause (i) shall not apply with respect to any amendment—

''(I) to strike a provision or provisions of law from the list required by subsection (a)(2); or

''(II) to add to that list a provision or provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution of approval.

''(E) MOTION TO RECONSIDER FINAL VOTE.—A motion to reconsider a vote on passage of a joint resolution of approval shall not be in order.

''(F) APPEALS.—Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

''(5) CONSIDERATION IN HOUSE OF REPRESENTATIVES .—In the House of Representatives, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If any committee to which a joint resolution of approval has been referred has not reported it to the House within 10 calendar days after the date of referral, such committee shall be discharged from further consideration of the joint resolution.

''(B) PROCEEDING TO CONSIDERATION.—

''(i) IN GENERAL.—Beginning on the third legislative day after each committee to which a joint resolution of approval has been referred reports it to the House or has been discharged from further consideration, and except as provided in clause (ii), it shall be in order to move to proceed to consider the joint resolution in the House. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

''(ii) SUBSEQUENT MOTIONS TO PROCEED TO JOINT RESOLUTION OF APPROVAL.—A motion to proceed to consider a joint resolution of approval shall not be in order after the House has disposed of another motion to proceed on that resolution.

''(C) FLOOR CONSIDERATION.—Upon adoption of the motion to proceed in accordance with subparagraph (B)(i), the joint resolution of approval shall be considered as read. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except two hours of debate, which shall include debate on any amendments, equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

''(D) AMENDMENTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), no amendments shall be in order with respect to a joint resolution of approval.

''(ii) AMENDMENTS TO STRIKE OR ADD SPECIFIED PROVISIONS OF LAW.—Clause (i) shall not apply with respect to any amendment—

''(I) to strike a provision or provisions of law from the list required by subsection (a)(2); or

''(II) to add to that list a provision or provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution.

''(6) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before passing a joint resolution of approval, one House receives from the other a joint resolution of approval from the other House, then—

''(A) the joint resolution of the other House shall not be referred to a committee and shall be deemed to have been discharged from committee on the day it is received; and

''(B) the procedures set forth in paragraphs (3), (4), and (5), as applicable, shall apply in the receiving House to the joint resolution received from the other House to the same extent as such procedures apply to a joint resolution of the receiving House.

''(c) RULE OF CONSTRUCTION.—The enactment of a joint resolution of approval under this section shall not be interpreted to serve as a grant or modification by Congress of statutory authority for the emergency powers of the President.

''(d) RULES OF THE HOUSE AND SENATE.—This section is enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of joint resolutions described in this section, and supersedes other rules only to the extent that it is inconsistent with such other rules; and

''(2) with full recognition of the constitutional right of either House to change the

rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

''SEC. 204. EXCLUSION OF CERTAIN NATIONAL EMERGENCIES INVOKING INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

''(a) IN GENERAL.—In the case of a national emergency described in subsection (b), the provisions of this Act, as in effect on the day before the date of the enactment of the Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act, shall continue to apply on and after such date of enactment.

''(b) NATIONAL EMERGENCY DESCRIBED.—

''(1) IN GENERAL.—A national emergency described in this subsection is a national emergency pursuant to which the President proposes to exercise emergency powers or authorities made available under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), supplemented as necessary by a provision of law specified in paragraph (2).

''(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are—

''(A) the United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.);

''(B) section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)); or

''(C) any provision of law that authorizes the implementation, imposition, or enforcement of economic sanctions with respect to a foreign country.

''(c) EFFECT OF ADDITIONAL POWERS AND AUTHORITIES.—Subsection (a) shall not apply to a national emergency or the exercise of emergency powers and authorities pursuant to the national emergency if, in addition to the exercise of emergency powers and authorities described in subsection (b), the President proposes to exercise, pursuant to the national emergency, any emergency powers and authorities under any other provision of law.''.

SEC. 1098. REPORTING REQUIREMENTS.

Section 401 of the National Emergencies Act (50 U.S.C. 1641) is amended by adding at the end the following:

''(d) REPORT ON EMERGENCIES.—The President shall transmit to Congress, with any proclamation declaring a national emergency under section 201(a) or any Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a report, in writing, that includes the following:

''(1) A description of the circumstances necessitating the declaration of a national emergency, the renewal of such an emergency, or the use of a new emergency authority specified in the Executive order, as the case may be.

''(2) The estimated duration of the national emergency, or a statement that the duration of the national emergency cannot reasonably be estimated at the time of transmission of the report.

''(3) A summary of the actions the President or other officers intend to take, including any reprogramming or transfer of funds, and the statutory authorities the President and such officers expect to rely on in addressing the national emergency.

''(4) In the case of a renewal of a national emergency, a summary of the actions the President or other officers have taken in the preceding one-year period, including any reprogramming or transfer of funds, to address the emergency.

''(e) PROVISION OF INFORMATION TO CONGRESS.—The President shall provide to Congress such other information as Congress may request in connection with any national emergency in effect under title II.

''(f) PERIODIC REPORTS ON STATUS OF EMERGENCIES.—If the President declares a national emergency under section 201(a), the President shall, not less frequently than every 6 months for the duration of the emergency, report to Congress on the status of the emergency and the actions the President or other officers have taken and authorities the President and such officers have relied on in addressing the emergency.''.

SEC. 1099. EXCLUSION OF IMPOSITION OF DUTIES AND IMPORT QUOTAS FROM PRESIDENTIAL AUTHORITIES UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c)(1) The authority granted to the President by this section does not include the authority to impose duties or tariff-rate quotas or (subject to paragraph (2)) other quotas on articles entering the United States.

''(2) The limitation under paragraph (1) does not prohibit the President from excluding all articles imported from a country from entering the United States.''.

SEC. 1099A. CONFORMING AMENDMENTS.

(a) NATIONAL EMERGENCIES ACT.—Title III of the National Emergencies Act (50 U.S.C. 1631) is repealed.

(b) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 207 of the International Emergency Economic Powers Act (50 U.S.C. 1706) is amended—

(1) in subsection (b), by striking ''concurrent resolution'' and inserting ''joint resolution''; and

(2) by adding at the end the following:

''(e) In this section, the term 'National Emergencies Act' means the National Emergencies Act, as in effect on the day before the date of the enactment of the Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act.''.

SEC. 1099B. EFFECTIVE DATE; APPLICABILITY.

(a) IN GENERAL.—This subtitle and the amendments made by this subtitle shall—

(1) take effect on the date of the enactment of this Act; and

(2) except as provided in subsection (b), apply with respect to national emergencies declared under section 201 of the National Emergencies Act on or after that date.

(b) APPLICABILITY TO RENEWALS OF EXISTING EMERGENCIES.—When a national emergency declared under section 201 of the National Emergencies Act before the date of the enactment of this Act would expire or be renewed under section 202(d) of that Act (as in effect on the day before such date of enactment), that national emergency shall be subject to the requirements for renewal under section 202(b) of that Act, as amended by section 1082.

SA 2874. Mr. PETERS (for himself, Ms. COLLINS, and Ms. ROSEN) 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. [____]. UNITED STATES POSTAL SERVICE STOP AND STUDY.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Postal Regulatory Commission.

(2) NETWORK CHANGES.—The term ''network changes''—

(A) means permanent changes to the facilities or network of the Postal Service, including—

(i) consolidation or partial consolidation of processing or logistics facilities;

(ii) aggregation or consolidation of processing, distribution, or delivery operations;

(iii) conversions or construction of facilities in order to centralize operations; or

(iv) the systematic reduction of transportation trips between sorting facilities and delivery units; and

(B) does not include temporary operational changes that are necessary to maintain reliable service between facilities or to alleviate congestion that has caused delays or disruption of service.

(3) POSTAL SERVICE.—The term ''Postal Service'' means the United States Postal Service.

(b) ADVISORY OPINION ON NETWORK CHANGES.—

(1) ADVISORY OPINION.—

(A) PROPOSAL.—Prior to implementing any network changes, the Postal Service shall submit to the Commission a comprehensive proposal with respect to all such network changes using the procedures under section 3661(b) of title 39, United States Code.

(B) OPINION.—Not later than 180 days after the submission of a comprehensive proposal under subparagraph (A), the Commission shall issue an opinion on the comprehensive proposal using the procedures under section 3661(c) of title 39, United States Code.

(C) REVERSAL.—An opinion under subparagraph (B) shall also address the extent to which reversal of any network changes implemented on or after January 1, 2023, is advisable.

(D) ACCESS.—The Postal Service shall provide the Commission any information and records the Commission deems necessary to issue an opinion under subparagraph (B), including any access to Postal Service facilities.

(2) PAUSE.—The Postal Service shall not implement any proposed network changes until—

(A) the Commission issues an opinion on the proposed network changes under paragraph (1)(B); and

(B) the Postal Service—

(i) considers the opinion; and

(ii) submits to Congress and the Commission a response to the opinion that—

(I) addresses the opinion and any recommendations therein; and

(II) explains the decision of the Postal Service to implement or not implement each recommendation contained in the opinion.

(3) PROHIBITION.—The Postal Service shall not implement any network changes if the opinion under paragraph (1)(B) finds that such changes are likely to have a negative impact on service if implemented.

SA 2875. Ms. CANTWELL (for herself, Mr. CRUZ, and Ms. BALDWIN) 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. AUTHORIZATION OF APPROPRIATIONS FOR THE COAST GUARD.

Section 4902 of title 14, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal years 2022 and 2023'' and inserting ''fiscal year 2024'';

(2) in paragraph (1)—

(A) by striking ''(1)(A) For the'' and all that follows through ''2023.'' at the end of clause (ii) and inserting the following:

''(1)(A) For the operation and maintenance of the Coast Guard, not otherwise provided for, $10,054,000,000 for fiscal year 2024.'';

(B) in subparagraph (B)—

(i) by striking ''subparagraph (A)(i)'' and inserting ''subparagraph (A)''; and

(ii) by striking ''$23,456,000'' and inserting ''$24,717,000''; and

(C) by striking subparagraph (C);

(3) by amending paragraph (2) to read as follows:

''(2) For the procurement, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, aircraft, and systems, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, $1,413,950,000 for fiscal year 2024.'';

(4) in paragraph (3), by striking ''equipment—'' and all that follows through the period at the end of subparagraph (B) and inserting ''equipment, $7,476,000 for fiscal year 2024.''; and

(5) in paragraph (4), by striking ''Defense—'' and all that follows through the period at the end and inserting ''Defense, $277,000,000 for fiscal year 2024.''.

SA 2876. Mr. BROWN 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. _____. THRIFT SAVINGS PLAN CONTRIBUTIONS FOR SPOUSES OF MEMBERS OF THE ARMED FORCES OR THE FOREIGN SERVICE.

Section 8432(g) of title 5, United States Code, is amended by adding at the end the following:

''(6) Nothing in paragraph (2) or (3) shall cause the forfeiture of any contributions made for the benefit of an employee, Member, or Congressional employee under subsection (c)(1), or any earnings attributable thereto, if—

''(A) at the time such employee, Member, or Congressional employee separates from Government employment, the spouse of such employee, Member, or Congressional employee is—

''(i) a member of the armed forces, as defined in section 101(a) of title 10; or

''(ii) an individual described in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903), including an individual serving in an agency other than the Department of State that is utilizing the Foreign Service personnel system in accordance with section 202 of that Act (22 U.S.C. 3922); and

''(B) such employee, Member, or Congressional employee separates from Government employment due to—

''(i) a permanent change of duty station of such spouse; or

''(ii) a change in the homeport or permanent duty station of a vessel, ship-based squadron or staff, or mobile unit of such spouse.''.

SA 2877. Ms. HIRONO 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. 10_____. LAHAINA NATIONAL HERITAGE AREA STUDY.

(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 Hawaii.

(3) STUDY AREA.—The term ''study area'' means the census-designated place of Lahaina in Maui County in the State.

(b) STUDY.—The Secretary, in consultation with State and local historic preservation officers, State and local historical societies, State and local tourism offices, and other appropriate organizations and governmental agencies, shall carry out, in accordance with section 120103(a) of title 54, United States Code, a study to assess the suitability and feasibility of designating the study area as a National Heritage Area, to be known as the ''Lahaina National Heritage Area''.

SA 2878. Mr. PETERS (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 end of title VIII, add the following:

Subtitle F—Federal Improvement in Technology Procurement

SEC. 894. SHORT TITLE.

This subtitle may be cited as the ''Federal Improvement in Technology Procurement Act'' or the ''FIT Procurement Act''.

SEC. 895. DEFINITIONS.

In this subtitle:

(1) ACQUISITION WORKFORCE.—The term ''acquisition workforce'' means employees of an executive agency who are responsible for procurement, contracting, program or project management that involves the performance of acquisition-related functions, or others as designated by the Chief Acquisition Officer, senior procurement executive, or head of the contracting activity.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator for Federal Procurement Policy.

(3) CROSS-FUNCTIONAL.—The term ''cross-functional'' means a structure in which individuals with different functional expertise or from different areas of an organization work together as a team.

(4) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(5) EXPERIENTIAL LEARNING.—The term ''experiential learning'' means on-the-job experiences or simulations that serve to enhance workforce professional skills.

(6) INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The term ''information and communications technology''—

(A) has the meaning given the term in section 4713 of title 41, United States Code; and

(B) includes information and communications technologies covered by definitions contained in the Federal Acquisition Regulation, including definitions added after the date of the enactment of this Act by the Federal Acquisition Regulatory Council pursuant to notice and comment.

(7) RELEVANT COMMITTEES OF CONGRESS.—The term ''relevant committees of Congress'' means the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.

(8) SMALL BUSINESS.—The term ''small business'' has the meaning given the term ''small business concern'' in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 896. ACQUISITION WORKFORCE.

(a) EXPERIENTIAL LEARNING.—Not later than 18 months after the date of the enactment of this Act, the Federal Acquisition Institute shall establish a pilot program to consider the incorporation of experiential learning into the Federal Credentials Program, the Federal Acquisition Certification-Contracting Officer's Representative (FAC-COR) Program, and the Federal Acquisition Certification for Program and Project Managers (FAC-P/PM) Program, or any successor programs.

(b) TRAINING ON INFORMATION AND COMMUNICATIONS TECHNOLOGY ACQUISITION.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Federal Acquisition Institute, in coordination with the Administrator, the Administrator of General Services, the Administrator of the Office of Electronic Government, the Chief Information Officers Council, and the United States Digital Service, and in consultation with others as determined to be appropriate by the Director of the Federal Acquisition Institute, shall develop and implement or otherwise provide a cross-functional information and communications technology acquisition training program for acquisition workforce members involved in acquiring information and communications technology. The training shall—

(A) include learning objectives related to market research, communicating with industry and industry perspectives on the procurement process, including how investment decisions are impacted by Government communication and engagement, developing requirements, acquisition planning, best practices for developing and executing outcome-based contracts, and source selection strategy, evaluating proposals, and awarding and administering contracts for information and communications technology;

(B) include learning objectives that provide a basic understanding of key technologies Federal agencies need, such as cloud computing, artificial intelligence and artificial intelligence-enabled applications, and cybersecurity solutions;

(C) include learning objectives that encourage the use of commercial or commercially available off-the-shelf (COTS) technologies to the greatest extent practicable;

(D) include case studies of lessons learned from Federal information and communications technology procurements and contracts, and related matters as deemed relevant by the Director of the Federal Acquisition Institute;

(E) include experiential learning opportunities, and opportunities to practice acquisition teaming involving collaboration of team

members with varied relevant domain expertise to complete acquisition-related tasks, including tasks with accelerated timelines;

(F) include continuous learning recommendations and resources to keep the skills of acquisition workforce members current, including tools that help adopt or adapt the use of innovative acquisition practices or other flexible business practices commonly used in commercial buys;

(G) be made available to acquisition workforce members designated by a Chief Acquisition Officer, senior procurement executive, or head of the contracting activity to participate in the training program; and

(H) inform executive agencies about streamlined and alternative procurement methods for procurement of information and communications technology, including—

(i) simplified procedures for certain commercial products and commercial services in accordance with subpart 13.5 of the Federal Acquisition Regulation, prize competitions under the America COMPETES Reauthorization Act of 2010 (Public Law 111–358), competitive programs that encourage businesses to engage in Federal research or research and development with the potential for commercialization, and joint venture partnerships;

(ii) innovative procurement techniques designed to streamline the procurement process and lower barriers to entry, such as use of oral presentations and product demonstrations instead of lengthy written proposals, appropriately leveraging performance and outcomes-based contracting, and other techniques discussed on the Periodic Table of Acquisition Innovations or other similar successor knowledge management portals; and

(iii) information on appropriate use, examples and templates, and any other information determined relevant by the Administrator to assist contracting officers and other members of the acquisition workforce in using the procedures described in clauses (i) and (ii).

(I) includes ethical procurement practices as a core component of trainings and provides a mechanism for feedback from program participants to ensure trainings cover ethical procurement practices that are aligned with the evolving landscape of technology and procurement;

(J) incorporates learning objectives for workforce members to identify and mitigate wasteful practices and unethical behaviors in procurement processes, with a focus on practical applications rather than theoretical knowledge; and

(K) incorporates learning objectives on privacy protection and civil liberties safeguards, ensuring that all acquisition workforce members understand the importance of integrating these considerations into the procurement process.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Director of the Federal Acquisition Institute shall provide to the relevant committees of Congress, the Chief Acquisition Officers Council, and the Chief Information Officers Council—

(A) a report on the Director's progress in developing and implementing or otherwise providing the information and communications technology acquisition training described in paragraph (1); and

(B) a list of any acquisition training that the Director determines to be outdated or no longer necessary for other reasons.

(3) DURATION.—The training program shall be updated as appropriate as technology advances, but at least every 2 years after implementation, and offered for a minimum of 5 years following the date of implementation of the training program.

(c) ACQUISITION WORKFORCE TRAINING FUND.—Section 1703(i)(3) of title 41, United States Code, is amended by striking ''Five percent'' and inserting ''Seven and a half percent''.

(d) HARMONIZATION OF ACQUISITION WORKFORCE TRAINING REQUIREMENTS.—The responsibility for the requirement in subsection (b)(1) of section 2 of the AI Training Act (Public Law 117–207; 41 U.S.C. 1703 note) is reassigned from the Director of the Office of Management and Budget to the Administrator of General Services.

SEC. 897. INNOVATIVE PROCUREMENT METHODS.

(a) INCREASE IN SIMPLIFIED ACQUISITION THRESHOLD.—Section 134 of title 41, United States Code, is amended by striking ''$250,000'' and inserting ''$500,000''.

(b) ADVANCES FOR COMMERCIAL TECHNOLOGY SUBSCRIPTIONS AND TENANCY.—Section 3324(d) of title 31, United States Code, is amended—

(1) in paragraph (1)(C), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2)—

(A) by inserting ''or commercially available content'' after ''publication''; and

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

(3) by adding at the end the following new paragraph:

''(3) charges for information and communications technology subscriptions, reservations, or tenancy, which means the sharing of computing resources in a private or public environment, including cloud environments, for which the ordering agency defines appropriate access and security standards.''.

SEC. 898. INCREASING COMPETITION IN FEDERAL CONTRACTING.

(a) USE OF PAST PERFORMANCE.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall issue guidance, including examples and templates where appropriate, on—

(A) when a wider range of projects, such as commercial or non-government, as well as Government projects, should be accepted as relevant past performance, in order to have increased competition among eligible firms with capability to perform a requirement, such as a requirement without much precedent;

(B) a means by which an agency may validate non-government past performance references, such as by requiring an official of an entity providing past performance references to attest to their authenticity and by providing verifiable contact information for the references; and

(C) use of alternative evaluation methods other than past performance that may be appropriate for a requirement without much precedent, such as demonstrations and testing of technologies as part of the proposal process.

(2) SUPPLEMENT NOT SUPPLANT.—The guidance issued under paragraph (1) shall supplement, not replace, existing Federal and agency policy and procedures for consideration of past performance and other evaluation factors and methods.

(b) ENHANCING COMPETITION IN FEDERAL PROCUREMENT.—

(1) COUNCIL RECOMMENDATIONS.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall convene the Chief Acquisition Officers' Council (in this section referred to as the ''Council''), to make recommendations to identify and eliminate specific, unnecessary procedural barriers that disproportionately affect the ability of small businesses to compete for Federal contracts, with a focus on streamlining documentation and qualification requirements unrelated to the protection of privacy and civil liberties, and related matters.

(2) CONSULTATION.—The Council shall obtain input from the public, including from the APEX Accelerators program (formerly known as Procurement Technical Assistance Center (PTAC) network) and other contractor representatives, to identify Federal procurement policies and regulations that are obsolete, overly burdensome or restrictive, not adequately harmonized, or otherwise serve to create barriers to small business participation in Federal contracting or unnecessarily increase bid and proposal costs.

(3) EXAMINATION OF ACTIONS.—The Council shall consider the input obtained under paragraph (2) and any other information determined to be relevant by the Council to identify legislative, regulatory, and other actions to increase competition and remove barriers to small business participation in the procurement process.

(4) IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall, in consultation with the Federal Acquisition Regulatory Council, the Chief Acquisition Officers Council, and other agencies as appropriate, implement the regulatory and other non-legislative actions identified under paragraph (3), as determined necessary by the Administrator, to remove barriers to entry for small businesses seeking to participate in Federal Government procurement.

(5) BRIEFING.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall brief the relevant committees of Congress on the legislative actions identified under paragraph (3), and the actions implemented under paragraph (4).

(c) CONSIDERATION OF COST-EFFICIENCY AND QUALITY.—The Administrator shall advocate for and prioritize contracting policies that ensure that cost-efficiency and quality of goods and services are key determining factors in awarding Federal contracts.

SEC. 899. COMPTROLLER GENERAL ASSESSMENT OF SMALL BUSINESS PARTICIPATION IN FEDERAL PROCUREMENT.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress and make publicly available a report that—

(1) assesses the current level of small business participation in Federal procurement, identifying barriers, opportunities, and the impact of existing policies on the ability of small businesses to compete in Federal procurement;

(2) catalogs and evaluates the effectiveness of programs intended to support small business participation in Federal procurement; and

(3) analyzes trends in small business involvement in Federal technology projects, including data on contract awards, the diversity of sectors represented, and the geographic distribution of small business contractors.

SEC. 899A. CONFLICT OF INTEREST PROCEDURES.

The Federal Acquisition Regulatory Council and the Administrator shall update the Federal Acquisition Regulation as necessary to provide additional guidance to Federal agencies to address personal and organizational conflicts of interest involving members of the acquisition workforce.

SEC. 899B. NO ADDITIONAL FUNDING.

No additional funds are authorized to be appropriated for the purpose of carrying out this subtitle.

SA 2879. Mr. CARPER (for himself and Mrs. CAPITO) 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—THOMAS R. CARPER WATER RESOURCES DEVELOPMENT ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Thomas R. Carper Water Resources Development Act of 2024''.

SEC. 5002. DEFINITION OF SECRETARY.

In this division, the term ''Secretary'' means the Secretary of the Army.

TITLE LI—GENERAL PROVISIONS

SEC. 5101. NOTICE TO CONGRESS REGARDING WRDA IMPLEMENTATION.

(a) PLAN OF IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall develop a plan for implementing this division and the amendments made by this division.

(2) REQUIREMENTS.—In developing the plan under paragraph (1), the Secretary shall—

(A) identify each provision of this division (or an amendment made by this division) that will require—

(i) the development and issuance of guidance, including whether that guidance will be significant guidance;

(ii) the development and issuance of a rule; or

(iii) appropriations;

(B) develop timelines for the issuance of—

(i) any guidance described in subparagraph (A)(i); and

(ii) each rule described in subparagraph (A)(ii); and

(C) establish a process to disseminate information about this division and the amendments made by this division to each District and Division Office of the Corps of Engineers.

(3) TRANSMITTAL.—On completion of the plan under paragraph (1), the Secretary shall transmit the plan to—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) IMPLEMENTATION OF PRIOR WATER RESOURCES DEVELOPMENT LAWS.—

(1) DEFINITION OF PRIOR WATER RESOURCES DEVELOPMENT LAW.—In this subsection, the term ''prior water resources development law'' means each of the following (including the amendments made by any of the following):

(A) The Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2572).

(B) The Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1041).

(C) The Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1193).

(D) The Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1628).

(E) The America's Water Infrastructure Act of 2018 (Public Law 115–270; 132 Stat. 3765).

(F) Division AA of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 2615).

(G) Title LXXXI of division H of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3691).

(2) NOTICE.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notice of the status of efforts by the Secretary to implement the prior water resources development laws.

(B) CONTENTS.—

(i) IN GENERAL.—As part of the notice under subparagraph (A), the Secretary shall include a list describing each provision of a prior water resources development law that has not been fully implemented as of the date of submission of the notice.

(ii) ADDITIONAL INFORMATION.—For each provision included on the list under clause (i), the Secretary shall—

(I) establish a timeline for implementing the provision;

(II) provide a description of the status of the provision in the implementation process; and

(III) provide an explanation for the delay in implementing the provision.

(3) BRIEFINGS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and every 90 days thereafter until the Chairs of the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives determine that this division, the amendments made by this division, and prior water resources development laws are fully implemented, the Secretary shall provide to relevant congressional committees a briefing on the implementation of this division, the amendments made by this division, and prior water resources development laws.

(B) INCLUSIONS.—A briefing under subparagraph (A) shall include—

(i) updates to the implementation plan under subsection (a); and

(ii) updates to the written notice under paragraph (2).

(c) ADDITIONAL NOTICE PENDING ISSUANCE.—Not later than 30 days before issuing any guidance, rule, notice in the Federal Register, or other documentation required to implement this division, an amendment made by this division, or a prior water resources development law (as defined in subsection (b)(1)), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notice regarding the pending issuance.

(d) WRDA IMPLEMENTATION TEAM.—

(1) DEFINITIONS.—In this subsection:

(A) PRIOR WATER RESOURCES DEVELOPMENT LAW.—The term ''prior water resources development law'' has the meaning given the term in subsection (b)(1).

(B) TEAM.—The term ''team'' means the Water Resources Development Act implementation team established under paragraph (2).

(2) ESTABLISHMENT.—The Secretary shall establish a Water Resources Development Act implementation team that shall consist of current employees of the Federal Government, including—

(A) not fewer than 2 employees in the Office of the Assistant Secretary of the Army for Civil Works;

(B) not fewer than 2 employees at the headquarters of the Corps of Engineers; and

(C) a representative of each district and division of the Corps of Engineers.

(3) DUTIES.—The team shall be responsible for assisting with the implementation of this division, the amendments made by this division, and prior water resources development laws, including—

(A) performing ongoing outreach to—

(i) Congress; and

(ii) employees and servicemembers stationed in districts and divisions of the Corps of Engineers to ensure that all Corps of Engineers employees are aware of and implementing provisions of this division, the amendments made by this division, and prior water resources development laws, in a manner consistent with congressional intent;

(B) identifying any issues with implementation of a provision of this division, the amendments made by this division, and prior water resources development laws at the district, division, or national level;

(C) resolving the issues identified under subparagraph (B), in consultation with Corps of Engineers leadership and the Secretary; and

(D) ensuring that any interpretation developed as a result of the process under subparagraph (C) is consistent with congressional intent for this division, the amendments made by this division, and prior water resources development laws.

SEC. 5102. PRIOR GUIDANCE.

Not later than 180 days after the date of enactment of this Act, the Secretary shall issue the guidance required pursuant to each of the following provisions:

(1) Section 1043(b)(9) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121).

(2) Section 8136 of the Water Resources Development Act of 2022 (10 U.S.C. 2667 note; Public Law 117–263).

SEC. 5103. ABILITY TO PAY.

(a) IMPLEMENTATION.—The Secretary shall expedite any guidance or rulemaking necessary to the implementation of section 103(m) of the Water Resources Development Act 1986 (33 U.S.C. 2213(m)) to address ability to pay.

(b) ABILITY TO PAY.—Section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) is amended by adding the end the following:

''(5) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives written notification of determinations made by the Secretary of the ability of non-Federal interests to pay under this subsection.

''(B) CONTENTS.—In preparing the written notification under subparagraph (A), the Secretary shall include, for each determination made by the Secretary—

''(i) the name of the non-Federal interest that submitted to the Secretary a request for a determination under this subsection;

''(ii) the name and location of the project; and

''(iii) the determination made by the Secretary and the reasons for the determination, including the adjusted share of the costs of the project of the non-Federal interest, if applicable.''.

(c) TRIBAL PARTNERSHIP PROGRAM.—Section 203(d) of the Water Resources Development Act of 2000 (33 U.S.C. 2269(d)) is amended by adding at the end the following:

''(7) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives written notification of determinations made by the Secretary of the ability of non-Federal interests to pay under this subsection.

''(B) CONTENTS.—In preparing the written notification under subparagraph (A), the

Secretary shall include, for each determination made by the Secretary—

''(i) the name of the non-Federal interest that submitted to the Secretary a request for a determination under paragraph (1)(B)(ii);

''(ii) the name and location of the project; and

''(iii) the determination made by the Secretary and the reasons for the determination, including the adjusted share of the costs of the project of the non-Federal interest, if applicable.''.

SEC. 5104. FEDERAL INTEREST DETERMINATIONS.

Section 905(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) IDENTIFICATION.—As part of the submission of a work plan to Congress pursuant to the joint explanatory statement for an annual appropriations Act or as part of the submission of a spend plan to Congress for a supplemental appropriations Act under which the Corps of Engineers receives funding, the Secretary shall identify the studies in the plan—

''(i) for which the Secretary plans to prepare a feasibility report under subsection (a) that will benefit—

''(I) an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)); or

''(II) a community other than a community described in subclause (I); and

''(ii) that are designated as a new start under the work plan.

''(B) DETERMINATION.—

''(i) IN GENERAL.—After identifying the studies under subparagraph (A) and subject to subparagraph (C), the Secretary shall, with the consent of the applicable non-Federal interest for the study, first determine the Federal interest in carrying out the study and the projects that may be proposed in the study.

''(ii) FEASIBILITY COST SHARE AGREEMENT.—The Secretary may make a determination under clause (i) prior to the execution of a feasibility cost share agreement between the Secretary and the non-Federal interest.

''(C) LIMITATION.—For each fiscal year, the Secretary may not make a determination under subparagraph (B) for more than 20 studies identified under subparagraph (A)(i)(II).

''(D) APPLICATION.—

''(i) IN GENERAL.—Subject to clause (ii) and with the consent of the non-Federal interest, the Secretary may use the authority provided under this subsection for a study in a work plan submitted to Congress prior to the date of enactment of the Thomas R. Carper Water Resources Development Act of 2024 if the study otherwise meets the requirements described in subparagraph (A).

''(ii) LIMITATION.—Subparagraph (C) shall apply to the use of authority under clause (i).'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(C) shall be paid from the funding provided for the study in the applicable work plan described in that paragraph.''; and

(3) by adding at the end the following:

''(6) POST-DETERMINATION WORK.—A study under this section shall continue after a determination under paragraph (1)(B)(i) without a new investment decision.''.

SEC. 5105. ANNUAL REPORT TO CONGRESS.

Section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) is amended—

(1) by redesignating subsection (g) as subsection (i); and

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

''(g) NON-FEDERAL INTEREST NOTIFICATION.—

''(1) IN GENERAL.—After the publication of the annual report under subsection (f), if the proposal of a non-Federal interest submitted under subsection (b) was included by the Secretary in the appendix under subsection (c)(4), the Secretary shall provide written notification to the non-Federal interest of such inclusion.

''(2) DEBRIEF.—

''(A) IN GENERAL.—Not later than 30 days after the date on which a non-Federal interest receives the written notification under paragraph (1), the non-Federal interest shall notify the Secretary that the non-Federal interest is requesting a debrief under this paragraph.

''(B) RESPONSE.—If a non-Federal interest requests a debrief under this paragraph, the Secretary shall provide the debrief to the non-Federal interest by not later than 60 days after the date on which the Secretary receives the request for the debrief.

''(C) INCLUSIONS.—The debrief provided by the Secretary under this paragraph shall include—

''(i) an explanation of the reasons that the proposal was included in the appendix under subsection (c)(4); and

''(ii) a description of—

''(I) any revisions to the proposal that may allow the proposal to be included in a subsequent annual report, to the maximum extent practicable;

''(II) other existing authorities of the Secretary that may be used to address the need that prompted the proposal, if applicable; and

''(III) any other information that the Secretary determines to be appropriate.

''(h) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after the publication of the annual report under subsection (f), for each proposal included in that annual report or appendix, the Secretary shall notify each Member of Congress that represents the State in which that proposal will be located that the proposal was included the annual report or the appendix.''.

SEC. 5106. PROCESSING TIMELINES.

Not later than 30 days after the end of each fiscal year, the Secretary shall ensure that the public website for the ''permit finder'' of the Corps of Engineers accurately reflects the current status of projects for which a permit was, or is being, processed using amounts accepted under section 214 of the Water Resources Development Act of 2000 (33 U.S.C. 2352).

SEC. 5107. SERVICES OF VOLUNTEERS.

The seventeenth paragraph under the heading ''GENERAL PROVISIONS'' under the heading ''CORPS OF ENGINEERS—CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' in chapter IV of title I of the Supplemental Appropriations Act, 1983 (33 U.S.C. 569c), is amended—

(1) in the first sentence, by striking ''The United States Army Chief of Engineers'' and inserting the following:

''SERVICES OF VOLUNTEERS

''SEC. 141. (a) IN GENERAL.—The Chief of Engineers''.

(2) in subsection (a) (as so designated), in the second sentence, by striking ''Such volunteers'' and inserting the following:

''(b) TREATMENT.—Volunteers under subsection (a)''; and

(3) by adding at the end the following:

''(c) RECOGNITION.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Chief of Engineers may recognize through an award or other appropriate means the service of volunteers under subsection (a).

''(2) PROCESS.—The Chief of Engineers shall establish a process to carry out paragraph (1).

''(3) LIMITATION.—The Chief of Engineers shall ensure that the recognition provided to a volunteer under paragraph (1) shall not be in the form of a cash award.''.

SEC. 5108. SUPPORT OF ARMY CIVIL WORKS MISSIONS.

Section 8159 of the Water Resources Development Act of 2022 (136 Stat. 3740) is amended—

(1) in paragraph (3), by striking ''and'' at the end; and

(2) by striking paragraph (4) and inserting the following:

''(4) West Virginia University to conduct academic research on flood resilience planning and risk management, water resource-related emergency management, aquatic ecosystem restoration, water quality, siting and risk management for open- and closed-loop pumped hydropower energy storage, hydropower, and water resource-related recreation and management of resources for recreation in the State of West Virginia;

''(5) Delaware State University to conduct academic research on water resource ecology, water quality, aquatic ecosystem restoration, coastal restoration, and water resource-related emergency management in the State of Delaware, the Delaware River Basin, and the Chesapeake Bay watershed;

''(6) the University of Notre Dame to conduct academic research on hazard mitigation policies and practices in coastal communities, including through the incorporation of data analysis and the use of risk-based analytical frameworks for reviewing flood mitigation and hardening plans and for evaluating the design of new infrastructure; and

''(7) Mississippi State University to conduct academic research on technology to be used in water resources development infrastructure, analyses of the environment before and after a natural disaster, and geospatial data collection.''.

SEC. 5109. INLAND WATERWAY PROJECTS.

(a) IN GENERAL.—Section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''65 percent of the costs'' and inserting ''75 percent of the costs''; and

(2) in the undesignated matter following paragraph (3), in the second sentence, by striking ''35 percent of such costs'' and inserting ''25 percent of such costs''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply beginning on October 1, 2024, to any construction of a project for navigation on the inland waterways that is new or ongoing on or after that date.

(c) EXCEPTION.—In the case of an inland waterways project that receives funds under the heading ''CONSTRUCTION'' under the heading ''CORPS OF ENGINEERS—CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' in title III of division J of the Infrastructure Investment and Jobs Act (135 Stat. 1359) that will not complete construction, replacement, rehabilitation, and expansion with such funds—

(1) section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a)) shall not apply; and

(2) any remaining costs shall be paid only from amounts appropriated from the general fund of the Treasury.

SEC. 5110. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

Section 1118(i) of Water Resources Development Act of 2016 (43 U.S.C. 390b–2(i)) is amended by striking paragraph (2) and inserting the following:

''(2) CONTRIBUTED FUNDS FOR OTHER FEDERAL RESERVOIR PROJECTS.—

''(A) IN GENERAL.—The Secretary is authorized to receive and expend funds from a non-Federal interest or a Federal agency that owns a Federal reservoir project described in subparagraph (B) to formulate, review, or revise operational documents pursuant to a proposal submitted in accordance with subsection (a).

''(B) FEDERAL RESERVOIR PROJECTS DESCRIBED.—A Federal reservoir project referred to in subparagraph (A) is a reservoir for which the Secretary is authorized to prescribe regulations for the use of storage allocated for flood control or navigation pursuant to section 7 of the Act of December 22, 1944 (commonly known as the 'Flood Control Act of 1944') (58 Stat. 890, chapter 665; 33 U.S.C. 709).''.

SEC. 5111. OUTREACH AND ACCESS.

(a) IN GENERAL.—Section 8117(b) of the Water Resources Development Act of 2022 (33 U.S.C. 2281b(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(iii), by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(C) ensuring that a potential non-Federal interest is aware of the roles, responsibilities, and financial commitments associated with a completed water resources development project prior to initiating a feasibility study (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d))), including operations, maintenance, repair, replacement, and rehabilitation responsibilities.'';

(2) in paragraph (2)—

(A) in subparagraph (D), by striking ''and'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) to the maximum extent practicable—

''(i) develop and continue to make publicly available, through a publicly available existing website, information on the projects and studies within the jurisdiction of each district of the Corps of Engineers; and

''(ii) ensure that the information described in clause (i) is consistent and made publicly available in the same manner across all districts of the Corps of Engineers.'';

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

''(3) GUIDANCE.—The Secretary shall develop and issue guidance to ensure that the points of contacts established under paragraph (2)(B) are adequately fulfilling their obligations under that paragraph.''.

(b) BRIEFING.—Not later than 60 days after the date of enactment of this Act, the Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of the implementation of section 8117 of the Water Resources Development Act of 2022 (33 U.S.C. 2281b), including the amendments made to that section by subsection (a), including—

(1) a plan for implementing any requirements under that section; and

(2) any potential barriers to implementing that section.

SEC. 5112. MODEL DEVELOPMENT.

Section 8230 of the Water Resources Development Act of 2022 (136 Stat. 3765) is amended by adding at the end the following:

''(d) MODEL DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary may partner with other Federal agencies, National Laboratories, and institutions of higher education to develop, update, and maintain hydrologic and climate-related models for use in water resources planning, including models to assess compound flooding that arises when 2 or more flood drivers occur simultaneously or in close succession, or are impacting the same region over time.

''(2) USE.—The Secretary may use models developed by the entities described in paragraph (1).''.

SEC. 5113. PLANNING ASSISTANCE FOR STATES.

Section 22(a)(2)(B) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(a)(2)(B)) is amended by inserting ''and title research for abandoned structures'' before the period at the end.

SEC. 5114. CORPS OF ENGINEERS LEVEE OWNERS ADVISORY BOARD.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LEVEE SYSTEM OWNER-OPERATOR.—The term ''Federal levee system owner-operator'' means a non-Federal interest that owns and operates and maintains a levee system that was constructed by the Corps of Engineers.

(2) OWNERS BOARD.—The term ''Owners Board'' means the Levee Owners Advisory Board established under subsection (b).

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a Levee Owners Advisory Board.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Owners Board—

(A) shall be composed of—

(i) 11 members, to be appointed by the Secretary, who shall—

(I) represent various regions of the country, including not less than 1 Federal levee system owner-operator from each of the civil works divisions of the Corps of Engineers; and

(II) have the requisite experiential or technical knowledge to carry out the duties of the Owners Board described in subsection (d); and

(ii) a representative of the Corps of Engineers, to be designated by the Secretary, who shall serve as a nonvoting member; and

(B) may include a representative designated by the head of the Federal agency described in section 9002(1) of the Water Resources Development Act of 2007 (33 U.S.C. 3301(1)), who shall serve as a nonvoting member.

(2) TERMS OF MEMBERS.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), a member of the Owners Board shall be appointed for a term of 3 years.

(B) REAPPOINTMENT.—A member of the Owners Board may be reappointed to the Owners Board, as the Secretary determines to be appropriate.

(C) VACANCIES.—A vacancy on the Owners Board shall be filled in the same manner as the original appointment was made.

(3) CHAIRPERSON.—The members of the Owners Board shall appoint a chairperson from among the members of the Owners Board.

(d) DUTIES.—

(1) RECOMMENDATIONS.—The Owners Board shall provide advice and recommendations to the Secretary and the Chief of Engineers on—

(A) the activities and actions, consistent with applicable statutory authorities, that should be undertaken by the Corps of Engineers and Federal levee system owner-operators to improve flood risk management throughout the United States; and

(B) how to improve cooperation and communication between the Corps of Engineers and Federal levee system owner-operators.

(2) MEETINGS.—The Owners Board shall meet not less frequently than semiannually.

(3) REPORT.—The Secretary, on behalf of the Owners Board, shall—

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the recommendations provided under paragraph (1); and

(B) make those recommendations publicly available, including on a publicly available existing website.

(e) INDEPENDENT JUDGMENT.—Any advice or recommendation made by the Owners Board pursuant to subsection (d)(1) shall reflect the independent judgment of the Owners Board.

(f) ADMINISTRATION.—

(1) COMPENSATION.—Except as provided in paragraph (2), the members of the Owners Board shall serve without compensation.

(2) TRAVEL EXPENSES.—The members of the Owners Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(3) TREATMENT.—The members of the Owners Board shall not be considered to be Federal employees, and the meetings and reports of the Owners Board shall not be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(g) SAVINGS CLAUSE.—The Owners Board shall not supplant the Committee on Levee Safety established by section 9003 of the Water Resources Development Act of 2007 (33 U.S.C. 3302).

SEC. 5115. SILVER JACKETS PROGRAM.

The Secretary shall continue the Silver Jackets program established by the Secretary pursuant to section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) and section 204 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5134).

SEC. 5116. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C)(ii), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) projects that improve emergency response capabilities and provide increased access to infrastructure that may be utilized in the event of a severe weather event or other natural disaster; and''; and

(2) by striking subsection (e) and inserting the following:

''(e) PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a pilot program under which the Secretary shall carry out not more than 5 projects described in paragraph (2).

''(2) PROJECTS DESCRIBED.—Notwithstanding subsection (b)(1)(B), a project referred to in paragraph (1) is a project—

''(A) that is otherwise eligible and meets the requirements under this section; and

''(B) that is located—

''(i) along the Mid-Columbia River, Washington, Taneum Creek, Washington, or Similk Bay, Washington; or

''(ii) at Big Bend, Lake Oahe, Fort Randall, or Gavins Point Reservoirs, South Dakota.

''(3) REQUIREMENT.—The Secretary shall carry out a project described in paragraph (2) in accordance with this section.

''(4) SAVINGS PROVISION.—Nothing in this subsection authorizes—

''(A) a project for the removal of a dam that otherwise is a project described in paragraph (2);

''(B) the study of the removal of a dam; or

''(C) the study of any Federal dam, including the study of power, flood control, or navigation replacement, or the implementation of any functional alteration to that dam, that is located along a body of water described in clause (i) or (ii) of paragraph (2)(B).''.

SEC. 5117. TRIBAL PROJECT IMPLEMENTATION PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PROJECT.—The term ''eligible project'' means a project or activity eligible to be carried out under the Tribal partnership program under section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269).

(2) 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).

(b) AUTHORIZATION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program under which Indian Tribes may directly carry out eligible projects.

(c) PURPOSES.—The purposes of the pilot program under this section are—

(1) to authorize Tribal contracting to advance Tribal self-determination and provide economic opportunities for Indian Tribes; and

(2) to evaluate the technical, financial, and organizational efficiencies of Indian Tribes carrying out the design, execution, management, and construction of 1 or more eligible projects.

(d) ADMINISTRATION.—

(1) IN GENERAL.—In carrying out the pilot program under this section, the Secretary shall—

(A) identify a total of not more than 5 eligible projects that have been authorized for construction;

(B) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the identification of each eligible project under the pilot program under this section;

(C) in collaboration with the Indian Tribe, develop a detailed project management plan for each identified eligible project that outlines the scope, budget, design, and construction resource requirements necessary for the Indian Tribe to execute the project or a separable element of the eligible project;

(D) on the request of the Indian Tribe and in accordance with subsection (f)(2), enter into a project partnership agreement with the Indian Tribe for the Indian Tribe to provide full project management control for construction of the eligible project, or a separable element of the eligible project, in accordance with plans approved by the Secretary;

(E) following execution of the project partnership agreement, transfer to the Indian Tribe to carry out construction of the eligible project, or a separable element of the eligible project—

(i) if applicable, the balance of the unobligated amounts appropriated for the eligible project, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the eligible project and the pilot program under this section; and

(ii) additional amounts, as determined by the Secretary, from amounts made available to carry out this section, except that the total amount transferred to the Indian Tribe shall not exceed the updated estimate of the Federal share of the cost of construction, including any required design; and

(F) regularly monitor and audit each eligible project being constructed by an Indian Tribe under this section to ensure that the construction activities are carried out in compliance with the plans approved by the Secretary and that the construction costs are reasonable.

(2) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under paragraph (1)(D), each Indian Tribe, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on estimated funding levels, that lists all deadlines for each milestone in the construction of the eligible project.

(3) TECHNICAL ASSISTANCE.—On the request of an Indian Tribe, the Secretary may provide technical assistance to the Indian Tribe, if the Indian Tribe contracts with and compensates the Secretary for the technical assistance relating to—

(A) any study, engineering activity, and design activity for construction carried out by the Indian Tribe under this section; and

(B) expeditiously obtaining any permits necessary for the eligible project.

(e) COST SHARE.—Nothing in this section affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to an eligible project carried out under this section.

(f) IMPLEMENTATION GUIDANCE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue guidance for the implementation of the pilot program under this section that, to the extent practicable, identifies—

(A) the metrics for measuring the success of the pilot program;

(B) a process for identifying future eligible projects to participate in the pilot program;

(C) measures to address the risks of an Indian Tribe constructing eligible projects under the pilot program, including which entity bears the risk for eligible projects that fail to meet Corps of Engineers standards for design or quality;

(D) the laws and regulations that an Indian Tribe must follow in carrying out an eligible project under the pilot program; and

(E) which entity bears the risk in the event that an eligible project carried out under the pilot program fails to be carried out in accordance with the project authorization or this section.

(2) NEW PROJECT PARTNERSHIP AGREEMENTS.—The Secretary may not enter into a project partnership agreement under this section until the date on which the Secretary issues the guidance under paragraph (1).

(g) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report detailing the results of the pilot program under this section, including—

(A) a description of the progress of Indian Tribes in meeting milestones in detailed project schedules developed pursuant to subsection (d)(2); and

(B) any recommendations of the Secretary concerning whether the pilot program or any component of the pilot program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update to the report under paragraph (1).

(3) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(h) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the eligible project shall apply to an Indian Tribe carrying out an eligible project under this section.

(i) TERMINATION OF AUTHORITY.—The authority to commence an eligible project under this section terminates on December 31, 2029.

(j) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific eligible project, there is authorized to be appropriated to the Secretary to carry out this section, including the costs of administration of the Secretary, $15,000,000 for each of fiscal years 2024 through 2029.

SEC. 5118. ELIGIBILITY FOR INTER-TRIBAL CONSORTIUMS.

(a) IN GENERAL.—Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting ''and an inter-tribal consortium (as defined in section 403 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3202)))'' after ''5304))''.

(b) TRIBAL PARTNERSHIP PROGRAM.—Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through ''the term'' and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) INDIAN TRIBE.—The term''; and

(B) by adding at the end the following:

''(2) INTER-TRIBAL CONSORTIUM.—The term 'inter-tribal consortium' has the meaning given the term in section 403 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3202).

''(3) 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).''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting '', inter-tribal consortiums, Tribal organizations,'' after ''Indian tribes''; and

(ii) in subparagraph (A), by inserting '', inter-tribal consortiums, or Tribal organizations'' after ''Indian tribes'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''flood hurricane'' and inserting ''flood or hurricane'';

(ii) in subparagraph (C), in the matter preceding clause (i), by inserting '', an inter-tribal consortium, or a Tribal organization'' after ''Indian tribe''; and

(iii) in subparagraph (E) (as redesignated by section 5116(1)(B)), by inserting '', inter-tribal consortiums, Tribal organizations,'' after ''Indian tribes''; and

(C) in paragraph (3)(A), by inserting '', inter-tribal consortium, or Tribal organization'' after ''Indian tribe'' each place it appears.

SEC. 5119. SENSE OF CONGRESS RELATING TO THE MANAGEMENT OF RECREATION FACILITIES.

It is the sense of Congress that—

(1) the Corps of Engineers should have greater access to the revenue collected from the use of Corps of Engineers-managed facilities with recreational purposes;

(2) revenue collected from Corps of Engineers-managed facilities with recreational purposes should be available to the Corps of Engineers for necessary operation, maintenance, and improvement activities at the facility from which the revenue was derived;

(3) the districts of the Corps of Engineers should be provided with more authority to partner with non-Federal public entities and private nonprofit entities for the improvement and management of Corps of Engineers-managed facilities with recreational purposes; and

(4) legislation to address the issues described in paragraphs (1) through (3) should be considered by Congress.

SEC. 5120. EXPEDITED CONSIDERATION.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1374; 132 Stat. 3784) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2026''.

TITLE LII—STUDIES AND REPORTS

SEC. 5201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES.

(a) NEW PROJECTS.—The Secretary is authorized to conduct a feasibility study for the following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress:

(1) YAVAPAI COUNTY, ARIZONA.—Project for flood risk management, Yavapai County, Arizona.

(2) EASTMAN LAKE, CALIFORNIA.—Project for ecosystem restoration and water supply, including for conservation and recharge, Eastman Lake, Merced and Madera Counties, California.

(3) PINE FLAT DAM, CALIFORNIA.—Project for ecosystem restoration, water supply, and recreation, Pine Flat Dam, Fresno County, California.

(4) SAN DIEGO, CALIFORNIA.—Project for flood risk management, including sea level rise, San Diego, California.

(5) SACRAMENTO, CALIFORNIA.—Project for flood risk management and ecosystem restoration, including levee improvement, Sacramento River, Sacramento, California.

(6) SAN MATEO, CALIFORNIA.—Project for flood risk management, City of San Mateo, California.

(7) SACRAMENTO COUNTY, CALIFORNIA.—Project for flood risk management, ecosystem restoration, and water supply, Lower Cosumnes River, Sacramento County, California.

(8) COLORADO SPRINGS, COLORADO.—Project for ecosystem restoration and flood risk management, Fountain Creek, Monument Creek, and T–Gap Levee, Colorado Springs, Colorado.

(9) PLYMOUTH, CONNECTICUT.—Project for ecosystem restoration, Plymouth, Connecticut.

(10) WINDHAM, CONNECTICUT.—Project for ecosystem restoration and recreation, Windham, Connecticut.

(11) ENFIELD, CONNECTICUT.—Project for flood risk management and ecosystem restoration, including restoring freshwater brook floodplain, Enfield, Connecticut.

(12) NEWINGTON, CONNECTICUT.—Project for flood risk management, Newington, Connecticut.

(13) HARTFORD, CONNECTICUT.—Project for hurricane and storm damage risk reduction, Hartford, Connecticut.

(14) FAIRFIELD, CONNECTICUT.—Project for flood risk management, Rooster River, Fairfield, Connecticut.

(15) MILTON, DELAWARE.—Project for flood risk management, Milton, Delaware.

(16) WILMINGTON, DELAWARE.—Project for coastal storm risk management, City of Wilmington, Delaware.

(17) TYBEE ISLAND, GEORGIA.—Project for flood risk management and coastal storm risk management, including the potential for beneficial use of dredged material, Tybee Island, Georgia.

(18) HANAPEPE LEVEE, HAWAII.—Project for ecosystem restoration, flood risk management, and hurricane and storm damage risk reduction, including Hanapepe Levee, Kauai County, Hawaii.

(19) KAUAI COUNTY, HAWAII.—Project for flood risk management and coastal storm risk management, Kauai County, Hawaii.

(20) HAWAI'I KAI, HAWAII.—Project for flood risk management, Hawai'i Kai, Hawaii.

(21) MAUI, HAWAII.—Project for flood risk management and ecosystem restoration, Maui County, Hawaii.

(22) BUTTERFIELD CREEK, ILLINOIS.—Project for flood risk management, Butterfield Creek, Illinois, including the villages of Flossmoor, Matteson, Park Forest, and Richton Park.

(23) ROCKY RIPPLE, INDIANA.—Project for flood risk management, Rocky Ripple, Indiana.

(24) COFFEYVILLE, KANSAS.—Project for flood risk management, Coffeyville, Kansas.

(25) FULTON COUNTY, KENTUCKY.—Project for flood risk management, including bank stabilization, Fulton County, Kentucky.

(26) CUMBERLAND RIVER, CRITTENDEN COUNTY, LYON COUNTY, AND LIVINGSTON COUNTY, KENTUCKY.—Project for ecosystem restoration, including bank stabilization, Cumberland River, Crittenden County, Lyon County, and Livingston County, Kentucky.

(27) SCOTT COUNTY, KENTUCKY.—Project for ecosystem restoration, including water supply, Scott County, Kentucky.

(28) BULLSKIN CREEK AND SHELBY COUNTY, KENTUCKY.—Project for ecosystem restoration, including bank stabilization, Bullskin Creek and Shelby County, Kentucky.

(29) LAKE PONTCHARTRAIN BARRIER, LOUISIANA.—Project for hurricane and storm damage risk reduction, Orleans Parish, St. Tammany Parish, and St. Bernard Parish, Louisiana.

(30) OCEAN CITY, MARYLAND.—Project for flood risk management, Ocean City, Maryland.

(31) BEAVERDAM CREEK, MARYLAND.—Project for flood risk management, Beaverdam Creek, Prince George's County, Maryland.

(32) OAK BLUFFS, MASSACHUSETTS.—Project for flood risk management, coastal storm risk management, recreation, and ecosystem restoration, including shoreline stabilization along East Chop Drive, Oak Bluffs, Massachusetts.

(33) TISBURY, MASSACHUSETTS.—Project for coastal storm risk management, including shoreline stabilization along Beach Road Causeway, Tisbury, Massachusetts.

(34) OAK BLUFFS HARBOR, MASSACHUSETTS.—Project for coastal storm risk management and navigation, Oak Bluffs Harbor north and south jetties, Oak Bluffs, Massachusetts.

(35) CONNECTICUT RIVER, MASSACHUSETTS.—Project for flood risk management along the Connecticut River, Massachusetts.

(36) MARYSVILLE, MICHIGAN.—Project for coastal storm risk management, including shoreline stabilization, City of Marysville, Michigan.

(37) CHEBOYGAN, MICHIGAN.—Project for flood risk management, Little Black River, City of Cheboygan, Michigan.

(38) KALAMAZOO, MICHIGAN.—Project for flood risk management and ecosystem restoration, Kalamazoo River Watershed and tributaries, City of Kalamazoo, Michigan.

(39) DEARBORN AND DEARBORN HEIGHTS, MICHIGAN.—Project for flood risk management, Dearborn and Dearborn Heights, Michigan.

(40) GRAND TRAVERSE BAY, MICHIGAN.—Project for navigation, Grand Traverse Bay, Michigan.

(41) GRAND TRAVERSE COUNTY, MICHIGAN.—Project for flood risk management and ecosystem restoration, Grand Traverse County, Michigan.

(42) BRIGHTON MILL POND, MICHIGAN.—Project for ecosystem restoration, Brighton Mill Pond, Michigan.

(43) LUDINGTON, MICHIGAN.—Project for coastal storm risk management, including feasibility of emergency shoreline protection, Ludington, Michigan.

(44) PAHRUMP, NEVADA.—Project for hurricane and storm damage risk reduction and flood risk management, Pahrump, Nevada.

(45) ALLEGHENY RIVER, NEW YORK.—Project for navigation and ecosystem restoration, Allegheny River, New York.

(46) TURTLE COVE, NEW YORK.—Project for ecosystem restoration, Turtle Cove, Pelham Bay Park, Bronx, New York.

(47) NILES, OHIO.—Project for flood risk management, ecosystem restoration, and recreation, City of Niles, Ohio.

(48) GENEVA-ON-THE-LAKE, OHIO.—Project for flood and coastal storm risk management, ecosystem restoration, recreation, and shoreline erosion protection, Geneva-on-the-Lake, Ohio.

(49) LITTLE KILLBUCK CREEK, OHIO.—Project for ecosystem restoration, including aquatic invasive species management, Little Killbuck Creek, Ohio.

(50) DEFIANCE, OHIO.—Project for flood risk management, ecosystem restoration, recreation, and bank stabilization, Maumee, Auglaize, and Tiffin Rivers, Defiance, Ohio.

(51) DILLON LAKE, MUSKINGUM COUNTY, OHIO.—Project for ecosystem restoration, recreation, and shoreline erosion protection, Dillon Lake, Muskingum and Licking Counties, Ohio.

(52) JERUSALEM TOWNSHIP, OHIO.—Project for flood and coastal storm risk management and shoreline erosion protection, Jerusalem Township, Ohio.

(53) NINE MILE CREEK, CLEVELAND, OHIO.—Project for flood risk management, Nine Mile Creek, Cleveland, Ohio.

(54) COLD CREEK, OHIO.—Project for ecosystem restoration, Cold Creek, Erie County, Ohio.

(55) ALLEGHENY RIVER, PENNSYLVANIA.—Project for navigation and ecosystem restoration, Allegheny River, Pennsylvania.

(56) PHILADELPHIA, PENNSYLVANIA.—Project for ecosystem restoration and recreation, including shoreline stabilization, South Philadelphia Wetlands Park, Philadelphia, Pennsylvania.

(57) GALVESTON BAY, TEXAS.—Project for navigation, Galveston Bay, Texas.

(58) WINOOSKI, VERMONT.—Project for flood risk management, Winooski River and tributaries, Winooski, Vermont.

(59) MT. ST. HELENS, WASHINGTON.—Project for navigation, Mt. St. Helens, Washington.

(60) GRAYS BAY, WASHINGTON.—Project for navigation, flood risk management, and ecosystem restoration, Grays Bay, Wahkiakum County, Washington.

(61) WIND, KLICKITAT, HOOD, DESCHUTES, ROCK CREEK, AND JOHN DAY TRIBUTARIES, WASHINGTON.—Project for ecosystem restoration, Wind, Klickitat, Hood, Deschutes, Rock Creek, and John Day tributaries, Washington.

(62) LA CROSSE, WISCONSIN.—Project for flood risk management, City of La Crosse, Wisconsin.

(b) PROJECT MODIFICATIONS.—The Secretary is authorized to conduct a feasibility study for the following project modifications:

(1) LUXAPALILA CREEK, ALABAMA.—Modifications to the project for flood risk management, Luxapalila Creek, Alabama, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 307).

(2) OSCEOLA HARBOR, ARKANSAS.—Modifications to the project for navigation, Osceola Harbor, Arkansas, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), to evaluate the expansion of the harbor.

(3) SAVANNAH, GEORGIA.—Modifications to the project for navigation, Savannah Harbor Expansion Project, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364) and modified by section 1401(6) of the America's Water Infrastructure Act of 2018 (132 Stat. 3839).

(4) HAGAMAN CHUTE, LOUISIANA.—Modifications to the project for navigation, including sediment management, Hagaman Chute, Louisiana.

(5) CALCASIEU RIVER AND PASS, LOUISIANA.—Modifications to the project for navigation, Calcasieu River and Pass, Louisiana, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 481) and modified by section 3079 of the Water Resources Development Act of 2007 (121 Stat. 1126), including channel deepening and jetty improvements.

(6) MISSISSIPPI RIVER AND TRIBUTARIES, OUACHITA RIVER, LOUISIANA.—Modifications to the project for flood risk management, including bank stabilization, Ouachita River, Monroe to Caldwell Parish, Louisiana, authorized by the first section of the Act of May 15, 1928 (45 Stat. 534, chapter 569).

(7) ST. MARYS RIVER, MICHIGAN.—Modifications to the project for navigation, St. Marys River and tributaries, Michigan, for channel improvements.

(8) MOSQUITO CREEK LAKE, TRUMBULL COUNTY, OHIO.—Modifications to the project for flood risk management and water supply, Mosquito Creek Lake, Trumbull County, Ohio.

(9) LITTLE CONEMAUGH, STONYCREEK, AND CONEMAUGH RIVERS, PENNSYLVANIA.—Modifications to the project for ecosystem restoration, recreation, and flood risk management, Little Conemaugh, Stonycreek, and Conemaugh rivers, Pennsylvania, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1586, chapter 688; 50 Stat. 879; chapter 877).

(10) CHARLESTON, SOUTH CAROLINA.—Modifications to the project for navigation, Charleston Harbor, South Carolina, authorized by section 1401(1) of the Water Resources Development Act of 2016 (130 Stat. 1709), including improvements to address potential or actual changed conditions on that portion of the project that serves the North Charleston Terminal.

(11) ADDICKS AND BARKER RESERVOIRS, TEXAS.—Modifications to the project for flood risk management, Addicks and Barker Reservoirs, Texas.

(12) WESTSIDE CREEK, SAN ANTONIO CHANNEL, TEXAS.—Modifications to the project for ecosystem restoration, Westside Creek, San Antonio Channel, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259) as part of the comprehensive plan for flood protection on the Guadalupe and San Antonio Rivers, Texas, and modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921), section 335 of the Water Resources Development Act of 2000 (114 Stat. 2611), and section 3154 of the Water Resources Development Act of 2007 (121 Stat. 1148).

(13) MONONGAHELA RIVER, WEST VIRGINIA.—Modifications to the project for recreation, Monongahela River, West Virginia.

(c) SPECIAL RULE, ST. MARYS RIVER, MICHIGAN.—The cost of the study under subsection (b)(7) shall be shared in accordance with the cost share applicable to construction of the project for navigation, Sault Sainte Marie, Michigan, authorized by section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254; 121 Stat. 1131).

SEC. 5202. VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.

(a) IN GENERAL.—Section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c) is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively;

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

''(d) DELEGATION.—

''(1) IN GENERAL.—The Secretary shall delegate the determination to grant an extension under subsection (c) to the Commander of the relevant Division if—

''(A) the final feasibility report for the study can be completed with an extension of not more than 1 year beyond the time period described in subsection (a)(1); or

''(B) the feasibility study requires an additional cost of not more than $1,000,000 above the amount described in subsection (a)(2).

''(2) GUIDANCE.—If the Secretary determines that implementation guidance is necessary to implement this subsection, the Secretary shall issue such implementation guidance not later than 180 days after the date of enactment of the Thomas R. Carper Water Resources Development Act of 2024.''; and

(3) by adding at the end the following:

''(h) DEFINITION OF DIVISION.—In this section, the term 'Division' means each of the following Divisions of the Corps of Engineers:

''(1) The Great Lakes and Ohio River Division.

''(2) The Mississippi Valley Division.

''(3) The North Atlantic Division.

''(4) The Northwestern Division.

''(5) The Pacific Ocean Division.

''(6) The South Atlantic Division.

''(7) The South Pacific Division.

''(8) The Southwestern Division.'';

(b) DEADLINE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop and issue implementation guidance that improves the implementation of section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c).

(2) STANDARDIZED FORM.—In carrying out this subsection, the Secretary shall develop and provide to each Division (as defined in subsection (h) of section 1001 of the Water Resources Reform and Development of 2014 (33 U.S.C. 2282c)) a standardized form to assist the Divisions in preparing a written request for an exception under subsection (c) of that section.

(3) NOTIFICATION.—The Secretary shall submit a written copy of the implementation guidance developed under paragraph (1) to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not less than 30 days before the date on which the Secretary makes that guidance publicly available.

SEC. 5203. EXPEDITED COMPLETION.

(a) FEASIBILITY STUDIES.—The Secretary shall expedite the completion of a feasibility study or general reevaluation report (as applicable) for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:

(1) Project for food risk management, Upper Guyandotte River Basin, West Virginia.

(2) Project for flood risk management, Kanawha River Basin, West Virginia, Virginia, and North Carolina.

(3) Project for flood risk management, Cave Buttes Dam, Phoenix, Arizona.

(4) Project for flood risk management, McMicken Dam, Maricopa County, Arizona.

(5) Project for ecosystem restoration, Rio Salado, Phoenix, Arizona.

(6) Project for flood risk management, Lower San Joaquin River, San Joaquin Valley, California.

(7) Project for flood risk management, Stratford, Connecticut.

(8) Project for flood risk management, Waimea River, Kauai County, Hawaii.

(9) Modifications to the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by section 8201(b)(6) of the Water Resources Development Act of 2022 (136 Stat. 3750).

(10) Project for flood risk management, Rahway River, Rahway, New Jersey.

(11) Northeast Levee System portion of the project for flood control and other purposes, Williamsport, Pennsylvania, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1573, chapter 688).

(12) Project for navigation, Menominee River, Menominee, Wisconsin.

(13) General reevaluation report for the project for flood risk management and other purposes, East St. Louis and Vicinity, Illinois.

(14) General reevaluation report for project for flood risk management, Green Brook, New Jersey.

(15) Project for ecosystem restoration, Imperial Streams Salton Sea, California.

(16) Modification of the project for navigation, Honolulu Deep Draft Harbor, Hawaii.

(17) Project for shoreline damage mitigation, Burns Waterway Harbor, Indiana.

(18) Project for hurricane and coastal storm risk management, Dare County Beaches, North Carolina.

(19) Modification of the project for flood protection and recreation, Surry Mountain Lake, New Hampshire, including for consideration of low flow augmentation.

(20) Project for coastal storm risk management, Virginia Beach and vicinity, Virginia.

(21) Project for secondary water source identification, Washington Metropolitan Area, Washington, DC, Maryland, and Virginia.

(b) STUDY REPORTS.—The Secretary shall expedite the completion of a Chief's Report or Director's Report (as applicable) for each of the following projects for the project to be considered for authorization:

(1) Modification of the project for navigation, Norfolk Harbors and Channels, Anchorage F segment, Norfolk, Virginia.

(2) Project for aquatic ecosystem restoration, Biscayne Bay Coastal Wetlands, Florida.

(3) Project for ecosystem restoration, Claiborne and Millers Ferry Locks and Dam Fish Passage, Lower Alabama River, Alabama.

(4) Project for flood and storm damage reduction, Surf City, North Carolina.

(5) Project for flood and storm damage reduction, Nassau County Back Bays, New York.

(6) Project for flood risk management, Tar Pamlico, North Carolina.

(7) Project for ecosystem restoration, Central and South Florida Comprehensive Everglades Restoration Program, Western Everglades Restoration Project, Florida.

(8) Project for flood and storm damage reduction, Ala Wai, Hawaii.

(9) Project for ecosystem restoration, Central and South Florida Comprehensive Everglades Restoration Program, Lake Okeechobee Watershed Restoration, Florida.

(10) Project for flood and coastal storm damage reduction, Miami-Dade County Back Bay, Florida.

(11) Project for navigation, Tampa Harbor, Florida.

(12) Project for flood and storm damage reduction, Akutan Harbor Navigational Improvements, Alaska.

(13) Project for flood and storm damage reduction, Amite River and tributaries, Louisiana.

(14) Project for flood and coastal storm risk management, Puerto Rico Coastal Study, Puerto Rico.

(15) Project for coastal storm risk management, Baltimore, Maryland.

(16) Project for water supply reallocation, Stockton Lake Reallocation Study, Missouri.

(17) Project for ecosystem restoration, Hatchie–Loosahatchie Mississippi River, Tennessee and Arkansas.

(18) Project for ecosystem restoration, Biscayne Bay and Southern Everglades, Florida, authorized by section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680).

(c) PROJECTS.—The Secretary shall, to the maximum extent practicable, expedite completion of the following projects:

(1) Project for flood control, Lower Mud River, Milton, West Virginia, authorized by section 580 of the Water Resources Development Act of 1996 (110 Stat. 3790) and modified by section 340 of the Water Resources Development Act of 2000 (114 Stat. 2612) and section 3170 of the Water Resources Development Act of 2007 (121 Stat. 1154).

(2) Project for dam safety modifications, Bluestone Dam, West Virginia, authorized pursuant to section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1586, chapter 688).

(3) Project for flood risk management, Tulsa and West–Tulsa Levee System, Tulsa County, Oklahoma, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735).

(4) Project for flood risk management, Little Colorado River, Navajo County, Arizona.

(5) Project for flood risk management, Rio de Flag, Flagstaff, Arizona.

(6) Project for ecosystem restoration, Va Shly'AY Akimel, Maricopa Indian Reservation, Arizona.

(7) Project for aquatic ecosystem restoration, Quincy Bay, Illinois, Upper Mississippi River Restoration Program.

(8) Major maintenance on Laupahoehoe Harbor, Hawaii County, Hawaii.

(9) Project for flood risk management, Green Brook, New Jersey.

(10) Water control manual update for water supply and flood control, Theodore Roosevelt Dam, Globe, Arizona.

(11) Water control manual update for Oroville Dam, Butte County, California.

(12) Water control manual update for New Bullards Dam, Yuba County, California.

(13) Project for flood risk management, Morgan City, Louisiana.

(14) Project for hurricane and storm risk reduction, Upper Barataria Basin, Louisiana.

(15) Project for ecosystem restoration, Mid-Chesapeake Bay, Maryland.

(16) Project for navigation, Big Bay Harbor of Refuge, Michigan.

(17) Project for George W. Kuhn Headwaters Outfall, Michigan.

(18) The portion of the project for flood control and other purposes, Williamsport, Pennsylvania, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1573, chapter 688), to bring the Northwest Levee System into compliance with current flood mitigation standards.

(19) Project for navigation, Seattle Harbor, Washington, authorized by section 1401(1) of the Water Resources Development Act of 2018 (132 Stat. 3836), deepening the East Waterway at the Port of Seattle.

(20) Project for shoreline stabilization, Clarksville, Indiana.

(d) CONTINUING AUTHORITIES PROGRAMS.—The Secretary shall, to the maximum extent practicable, expedite completion of the following projects and studies:

(1) Projects for flood control under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) for the following areas:

(A) Ak Chin Levee, Pinal County, Arizona.

(B) McCormick Wash, Globe, Arizona.

(C) Rose and Palm Garden Washes, Douglas, Arizona.

(D) Lower Santa Cruz River, Arizona.

(2) Project for aquatic ecosystem restoration under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), Corazon de los Tres Rios del Norte, Pima County, Arizona.

(3) Project for hurricane and storm damage reduction under section 3 of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g), Stratford, Connecticut.

(4) Project modification for improvements to the environment, Surry Mountain Lake, New Hampshire, under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(e) TRIBAL PARTNERSHIP PROGRAM.—The Secretary shall, to the maximum extent practicable, expedite completion of the following projects and studies under the Tribal partnership program under section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269):

(1) Maricopa (Ak Chin) Indian Reservation, Arizona.

(2) Gila River Indian Reservation, Arizona.

(3) Navajo Nation, Bird Springs, Arizona.

(f) WATERSHED ASSESSMENTS.—The Secretary shall, to the maximum extent practicable, expedite completion of the watershed assessment for flood risk management, Upper Mississippi and Illinois Rivers, authorized by section 1206 of Water Resources Development Act of 2016 (130 Stat. 1686) and section 214 of the Water Resources Development Act of 2020 (134 Stat. 2687).

(g) EXPEDITED PROSPECTUS.—The Secretary shall prioritize the completion of the prospectus for the United States Moorings Facility, Portland, Oregon, required for authorization of funding from the revolving fund established by the first section of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576).

SEC. 5204. EXPEDITED COMPLETION OF OTHER FEASIBILITY STUDIES.

(a) CEDAR PORT NAVIGATION AND IMPROVEMENT DISTRICT CHANNEL DEEPENING PROJECT, BAYTOWN, TEXAS.—The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, Cedar Port Navigation and Improvement District Channel Deepening Project, Baytown, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

(b) LAKE OKEECHOBEE WATERSHED RESTORATION PROJECT, FLORIDA.—The Secretary shall expedite the review and coordination of the feasibility study for the project for ecosystem restoration, Lake Okeechobee Component A Reservoir, Everglades, Florida, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

(c) SABINE–NECHES WATERWAY NAVIGATION IMPROVEMENT PROJECT, TEXAS.—The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, Sabine–Neches Waterway, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

(d) LA QUINTA EXPANSION PROJECT, TEXAS.—The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, La Quinta Ship Channel, Corpus Christi, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

SEC. 5205. ALEXANDRIA TO THE GULF OF MEXICO, LOUISIANA, FEASIBILITY STUDY.

(a) IN GENERAL.—The Secretary is authorized to conduct a feasibility study for the project for flood risk management, navigation and ecosystem restoration, Rapides, Avoyelles, Point Coupee, Allen, Evangeline, St. Landry, Calcasieu, Jefferson Davis, Acadia, Lafayette, St. Martin, Iberville, Cameron, Vermilion, Iberia, and St. Mary Parishes, Louisiana.

(b) SPECIAL RULE.—The study authorized by subsection (a) shall be considered a continuation of the study authorized by the resolution of the Committee on Transportation and Infrastructure of the House of Representatives with respect to the study for flood risk management, Alexandria to the Gulf of Mexico, Louisiana, dated July 23, 1997.

SEC. 5206. CRAIG HARBOR, ALASKA.

The cost of completing a general reevaluation report for the project for navigation, Craig Harbor, Alaska, authorized by section 1401(1) of the Water Resources Development Act of 2016 (130 Stat. 1709) shall be at full Federal expense.

SEC. 5207. SUSSEX COUNTY, DELAWARE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that consistent nourishments of Lewes Beach, Delaware, are important for the safety and economic prosperity of Sussex County, Delaware.

(b) GENERAL REEVALUATION REPORT.—

(1) IN GENERAL.—The Secretary shall carry out a general reevaluation report for the project for Delaware Bay Coastline, Roosevelt Inlet, and Lewes Beach, Delaware.

(2) INCLUSIONS.—The general reevaluation report under paragraph (1) shall include a determination of—

(A) the area that the project should include; and

(B) how section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) should be applied with respect to the project.

SEC. 5208. FORECAST-INFORMED RESERVOIR OPERATIONS IN THE COLORADO RIVER BASIN.

Section 1222 of the America's Water Infrastructure Act of 2018 (132 Stat. 3811; 134 Stat. 2661) is amended by adding at the end the following:

''(d) FORECAST-INFORMED RESERVOIR OPERATIONS IN THE COLORADO RIVER BASIN.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that assesses the viability of forecast-informed reservoir operations at a reservoir in the Colorado River Basin.

''(2) AUTHORIZATION.—If the Secretary determines, and includes in the report under paragraph (1), that forecast-informed reservoir operations are viable at a reservoir in the Colorado River Basin, the Secretary is authorized to carry out forecast-informed reservoir operations at that reservoir, subject to the availability of appropriations.''.

SEC. 5209. BEAVER LAKE, ARKANSAS, REALLOCATION STUDY.

The Secretary shall expedite the completion of a study for the reallocation of water supply storage, carried out in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), for the Beaver Water District, Beaver Lake, Arkansas.

SEC. 5210. GATHRIGHT DAM, VIRGINIA, STUDY.

The Secretary shall conduct a study on the feasibility of modifying the project for flood risk management, Gathright Dam, Virginia, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 645, chapter 596), to include downstream recreation as a project purpose.

SEC. 5211. DELAWARE INLAND BAYS WATERSHED STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study to restore aquatic ecosystems in the Delaware Inland Bays Watershed.

(b) REQUIREMENTS.—

(1) IN GENERAL.—In carrying out the study under subsection (a), the Secretary shall—

(A) conduct a comprehensive analysis of ecosystem restoration needs in the Delaware Inland Bays Watershed, including—

(i) saltmarsh restoration;

(ii) shoreline stabilization;

(iii) stormwater management; and

(iv) an identification of sources for the beneficial use of dredged materials; and

(B) recommend feasibility studies to address the needs identified under subparagraph (A).

(2) NATURAL OR NATURE-BASED FEATURES.—To the maximum extent practicable, a feasibility study that is recommended under paragraph (1)(B) shall consider the use of natural features or nature-based features (as those terms are defined in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a))).

(c) CONSULTATION AND USE OF EXISTING DATA.—

(1) CONSULTATION.—In carrying out the study under subsection (a), the Secretary shall consult with applicable—

(A) Federal, State, and local agencies;

(B) Indian Tribes;

(C) non-Federal interests; and

(D) other stakeholders, as determined appropriate by the Secretary.

(2) USE OF EXISTING DATA.—To the maximum extent practicable, in carrying out the study under subsection (a), the Secretary shall use existing data provided to the Secretary by entities described in paragraph (1).

(d) FEASIBILITY STUDIES.—

(1) IN GENERAL.—The Secretary may carry out a feasibility study for a project recommended under subsection (b)(1)(B).

(2) CONGRESSIONAL AUTHORIZATION.—The Secretary may not begin construction for a project recommended by a feasibility study described in paragraph (1) unless the project has been authorized by Congress.

(e) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes—

(1) the results of the study under subsection (a); and

(2) a description of actions taken under this section, including any feasibility studies under subsection (b)(1)(B).

SEC. 5212. UPPER SUSQUEHANNA RIVER BASIN COMPREHENSIVE FLOOD DAMAGE REDUCTION FEASIBILITY STUDY.

(a) IN GENERAL.—The Secretary shall, at the request of a non-Federal interest, complete a feasibility study for comprehensive flood damage reduction, Upper Susquehanna River Basin, New York.

(b) REQUIREMENTS.—In carrying out the feasibility study under subsection (a), the Secretary shall—

(1) use, for purposes of meeting the requirements of a final feasibility study, information from the feasibility study completion report entitled ''Upper Susquehanna River Basin, New York, Comprehensive Flood Damage Reduction'' and dated January 2020; and

(2) re-evaluate project benefits, as determined using the framework described in the proposed rule of the Corps of Engineers entitled ''Corps of Engineers Agency Specific Procedures To Implement the Principles, Requirements, and Guidelines for Federal Investments in Water Resources'' (89 Fed. Reg. 12066 (February 15, 2024)), including a consideration of economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).

SEC. 5213. KANAWHA RIVER BASIN.

Section 1207 of the Water Resources Development Act of 2016 (130 Stat. 1686) is amended—

(1) by striking ''The Secretary shall'' and inserting the following:

''(a) IN GENERAL.—The Secretary shall''; and

(2) by adding at the end the following:

''(b) PROJECTS AND SEPARABLE ELEMENTS.—Notwithstanding any other provision of law, for an authorized project or a separable element of an authorized project that is recommended as a result of a study carried out by the Secretary under subsection (a) benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) in the State of West Virginia, the non-Federal share of the cost of the project or separable element of a project shall be 10 percent.''.

SEC. 5214. AUTHORIZATION OF FEASIBILITY STUDIES FOR PROJECTS FROM CAP AUTHORITIES.

(a) CEDAR POINT SEAWALL, SCITUATE, MASSACHUSETTS.—

(1) IN GENERAL.—The Secretary may conduct a feasibility study for the project for hurricane and storm damage risk reduction, Cedar Point Seawall, Scituate, Massachusetts.

(2) REQUIREMENT.—In carrying out paragraph (1), the Secretary shall use any relevant information from the project described in that paragraph that was carried out under section 3 of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g).

(b) JONES LEVEE, PIERCE COUNTY, WASHINGTON.—

(1) IN GENERAL.—The Secretary may conduct a feasibility study for the project for flood risk management, Jones Levee, Pierce County, Washington.

(2) REQUIREMENT.—In carrying out paragraph (1), the Secretary shall use any relevant information from the project described in that paragraph that was carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(c) HATCH, NEW MEXICO.—

(1) IN GENERAL.—The Secretary may conduct a feasibility study for the project for flood risk management, Hatch, New Mexico.

(2) REQUIREMENT.—In carrying out paragraph (1), the Secretary shall use any relevant information from the project described in that paragraph that was carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(d) FORT GEORGE INLET, JACKSONVILLE, FLORIDA.—

(1) IN GENERAL.—The Secretary may conduct a feasibility study to modify the project for navigation, Fort George Inlet, Jacksonville, Florida, to include navigation improvements or shoreline erosion prevention or mitigation as a result of the project.

(2) REQUIREMENT.—In carrying out paragraph (1), the Secretary shall use any relevant information from the project described in that paragraph that was carried out under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

SEC. 5215. PORT FOURCHON BELLE PASS CHANNEL, LOUISIANA.

(a) FEASIBILITY STUDY.—

(1) IN GENERAL.—Notwithstanding section 203(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(a)(1)), the non-Federal interest for the project for navigation, Port Fourchon Belle Pass Channel, Louisiana, authorized by section 403(a)(4) of the Water Resources Development Act of 2020 (134 Stat. 2743) may, on written notification to the Secretary, and at the cost of the non-Federal interest, carry out a feasibility study to modify the project for deepening in accordance with section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231).

(2) REQUIREMENT.—A modification recommended by a feasibility study under paragraph (1) shall be approved by the Secretary and authorized by Congress before construction.

(b) PRIOR WRITTEN AGREEMENTS.—

(1) PRIOR WRITTEN AGREEMENTS FOR SECTION 203.—To the maximum extent practicable, the Secretary shall use the previous agreement between the Secretary and the non-Federal interest for the feasibility study carried about under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) that resulted in the project described in subsection (a)(1) in order to expedite the revised agreement between the Secretary and the non-Federal interest for the feasibility study described in that subsection.

(2) PRIOR WRITTEN AGREEMENTS FOR TECHNICAL ASSISTANCE.—On the request of the non-Federal interest described in subsection (a)(1), the Secretary shall use the previous agreement for technical assistance under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) between the Secretary and the non-Federal interest in order to provide technical assistance to the non-Federal interest for the feasibility study under subsection (a)(1).

(c) SUBMISSION TO CONGRESS.—The Secretary shall—

(1) review the feasibility study under subsection (a)(1); and

(2) if the Secretary determines that the proposed modifications are consistent with the authorized purposes of the project and the study meets the same legal and regulatory requirements of a Post Authorization Change Report that would be otherwise undertaken by the Secretary, submit to Congress the study for authorization of the modification.

SEC. 5216. STUDIES FOR MODIFICATION OF PROJECT PURPOSES IN THE COLORADO RIVER BASIN IN ARIZONA.

(a) STUDY.—The Secretary shall carry out a study of a project of the Corps of Engineers in the Colorado River Basin in the State of Arizona to determine whether to include water supply as a project purpose of that project if a request for such a study to modify the project purpose is made to the Secretary by—

(1) the non-Federal interest for the project; or

(2) in the case of a project for which there is no non-Federal interest, the Governor of the State of Arizona.

(b) COORDINATION.—The Secretary, to the maximum extent practicable, shall coordinate with relevant State and local authorities in carrying out this section.

(c) RECOMMENDATIONS.—If, after carrying out a study under subsection (a) with respect to a project described in that subsection, the Secretary determines that water supply should be included as a project purpose for that project, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a recommendation for the modification of the project purpose of that project.

SEC. 5217. NON-FEDERAL INTEREST PREPARATION OF WATER REALLOCATION STUDIES, NORTH DAKOTA.

Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) is amended by adding at the following:

''(f) NON-FEDERAL INTEREST PREPARATION.—

''(1) IN GENERAL.—In accordance with this subsection, a non-Federal interest may carry out a water reallocation study at a reservoir project constructed by the Corps of Engineers and located in the State of North Dakota.

''(2) SUBMISSION.—On completion of the study under paragraph (1), the non-Federal interest shall submit to the Secretary the results of the study.

''(3) GUIDELINES.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue guidelines for the formulation of a water reallocation study carried out by a non-Federal interest under this subsection.

''(B) REQUIREMENTS.—The guidelines under subparagraph (A) shall contain provisions that—

''(i) ensure that any water reallocation study with respect to which the Secretary submits an assessment under paragraph (6) complies with all of the requirements that would apply to a water reallocation study undertaken by the Secretary; and

''(ii) provide sufficient information for the formulation of the water reallocation studies, including processes and procedures related to reviews and assistance under paragraph (7).

''(4) AGREEMENT.—Before carrying out a water reallocation study under paragraph (1), the Secretary and the non-Federal interest shall enter into an agreement.

''(5) REVIEW BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall review each water reallocation study received under paragraph (2) for the purpose of determining whether or not the study, and the process under which the study was developed, comply with Federal laws and regulations applicable to water reallocation studies.

''(B) TIMING.—The Secretary may not submit to Congress an assessment of a water reallocation study under paragraph (1) until such time as the Secretary—

''(i) determines that the study complies with all of the requirements that would apply to a water reallocation study carried out by the Secretary; and

''(ii) completes all of the Federal analyses, reviews, and compliance processes under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), that would be required with respect to the proposed action if the Secretary had carried out the water reallocation study.

''(6) SUBMISSION TO CONGRESS.—Not later than 180 days after the completion of review of a water reallocation study under paragraph (5), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an assessment that—

''(A) describes—

''(i) the results of that review;

''(ii) based on the results of the water allocation study, any structural or operations changes at the reservoir project that would occur if the water reallocation is carried out; and

''(iii) based on the results of the water reallocation study, any effects to the authorized purposes of the reservoir project that would occur if the water reallocation is carried out; and

''(B) includes a determination by the Secretary of whether the modifications recommended under the study are those described in subsection (e).

''(7) REVIEW AND TECHNICAL ASSISTANCE.—

''(A) REVIEW.—The Secretary may accept and expend funds provided by non-Federal interests to carry out the reviews and other activities that are the responsibility of the Secretary in carrying out this subsection.

''(B) TECHNICAL ASSISTANCE.—At the request of the non-Federal interest, the Secretary shall provide to the non-Federal interest technical assistance relating to any aspect of a water reallocation study if the non-Federal interest contracts with the Secretary to pay all costs of providing that technical assistance.

''(C) IMPARTIAL DECISIONMAKING.—In carrying out this subsection, the Secretary shall ensure that the use of funds accepted from a non-Federal interest will not affect the impartial decisionmaking of the Secretary, either substantively or procedurally.

''(D) SAVINGS PROVISION.—The provision of technical assistance by the Secretary under subparagraph (B)—

''(i) shall not be considered to be an approval or endorsement of the water reallocation study; and

''(ii) shall not affect the responsibilities of the Secretary under paragraphs (5) and (6).''.

SEC. 5218. TECHNICAL CORRECTION, WALLA WALLA RIVER.

Section 8201(a) of the Water Resources Development Act of 2022 (136 Stat. 3744) is amended—

(1) by striking paragraph (76) and inserting the following:

''(76) NURSERY REACH, WALLA WALLA RIVER, OREGON.—Project for ecosystem restoration, Nursery Reach, Walla Walla River, Oregon.'';

(2) by redesignating paragraphs (92) through (94) as paragraphs (93) through (95), respectively; and

(3) by inserting after paragraph (91) the following:

''(92) MILL CREEK, WALLA WALLA RIVER BASIN, WASHINGTON.—Project for ecosystem restoration, Mill Creek and Mill Creek Flood Control Zone District Channel, Washington.''.

SEC. 5219. WATERSHED AND RIVER BASIN ASSESSMENTS.

Section 729(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(d)) is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(14) the Walla Walla River Basin; and

''(15) the San Francisco Bay Basin.''.

SEC. 5220. INDEPENDENT PEER REVIEW.

Section 2034(h)(2) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(h)(2)) is amended by striking ''17 years'' and inserting ''22 years''.

SEC. 5221. ICE JAM PREVENTION AND MITIGATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on efforts by the Secretary to prevent and mitigate flood damages associated with ice jams.

(b) INCLUSION.—The Secretary shall include in the report under subsection (a)—

(1) an assessment of the projects carried out pursuant to section 1150 of the Water Resources Development Act of 2016 (33 U.S.C. 701s note; Public Law 114–322), if applicable; and

(2) a description of—

(A) the challenges associated with preventing and mitigating ice jams;

(B) the potential measures that may prevent or mitigate ice jams, including the extent to which additional research and the development and deployment of technologies are necessary; and

(C) actions taken by the Secretary to provide non-Federal interests with technical assistance, guidance, or other information relating to ice jam events; and

(D) how the Secretary plans to conduct outreach and engagement with non-Federal interests and other relevant State and local agencies to facilitate an understanding of the circumstances in which ice jams could occur and the potential impacts to critical public infrastructure from ice jams.

SEC. 5222. REPORT ON HURRICANE AND STORM DAMAGE RISK REDUCTION DESIGN GUIDELINES.

(a) DEFINITIONS.—In this section:

(1) GUIDELINES.—The term ''guidelines'' means the Hurricane and Storm Damage Risk Reduction Design Guidelines of the Corps of Engineers.

(2) LAROSE TO GOLDEN MEADOW HURRICANE PROTECTION SYSTEM.—The term ''Larose to Golden Meadow Hurricane Protection System'' means the project for hurricane-flood protection, Grand Isle and Vicinity, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that compares—

(1) the guidelines; and

(2) the construction methods used by the South Lafourche Levee District for the levees and flood control structures of the Larose to Golden Meadow Hurricane Protection System.

(c) INCLUSIONS.—The report under subsection (b) shall include—

(1) a description of—

(A) the guidelines;

(B) the construction methods used by the South Lafourche Levee District for levees and flood control structures of the Larose to Golden Meadow Hurricane Protection System; and

(C) any deviations identified between the guidelines and the construction methods described in subparagraph (B); and

(2) an analysis by the Secretary of geotechnical and other relevant data from the land adjacent to the levees and flood control structures constructed by the South Lafourche Levee District to determine the effectiveness of those structures.

SEC. 5223. BRIEFING ON STATUS OF CERTAIN ACTIVITIES ON THE MISSOURI RIVER.

(a) IN GENERAL.—Not later than 30 days after the date on which the consultation under section 7 of the Endangered Species

Act of 1973 (16 U.S.C. 1536) that was reinitiated by the Secretary for the operation of the Missouri River Mainstem Reservoir System, the operation and maintenance of the Bank Stabilization and Navigation Project, the operation of the Kansas River Reservoir System, and the implementation of the Missouri River Recovery Management Plan is completed, the Secretary shall brief the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the outcomes of that consultation.

(b) REQUIREMENTS.—The briefing under subsection (a) shall include a discussion of—

(1) any biological opinions that result from the consultation, including any actions that the Secretary is required to undertake pursuant to such biological opinions; and

(2) any forthcoming requests from the Secretary to Congress to provide funding in order carry out the actions described in paragraph (1).

SEC. 5224. REPORT ON MATERIAL CONTAMINATED BY A HAZARDOUS SUBSTANCE AND THE CIVIL WORKS PROGRAM.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the impact of material contaminated by a hazardous substance on the civil works program of the Corps of Engineers.

(b) REQUIREMENTS.—In developing the report under subsection (a), the Secretary shall—

(1) describe—

(A) with respect to water resources development projects—

(i) the applicable statutory authorities that require the removal of material contaminated by a hazardous substance; and

(ii) the roles and responsibilities of the Secretary and non-Federal interests for removing material contaminated by a hazardous substance; and

(B) any regulatory actions or decisions made by another Federal agency that impact—

(i) the removal of material contaminated by a hazardous substance; and

(ii) the ability of the Secretary to carry out the civil works program of the Corps of Engineers;

(2) discuss the impact of material contaminated by a hazardous substance on—

(A) the timely completion of construction of water resources development projects;

(B) the operation and maintenance of water resources development projects, including dredging activities of the Corps of Engineers to maintain authorized Federal depths at ports and along the inland waterways; and

(C) costs associated with carrying out the civil works program of the Corps of Engineers;

(3) include any other information that the Secretary determines to be appropriate to facilitate an understanding of the impact of material contaminated by a hazardous substance on the civil works program of the Corps of Engineers; and

(4) propose any legislative recommendations to address any issues identified in paragraphs (1) through (3).

SEC. 5225. REPORT ON EFFORTS TO MONITOR, CONTROL, AND ERADICATE INVASIVE SPECIES.

(a) DEFINITION OF INVASIVE SPECIES.—In this section, the term ''invasive species'' has the meaning given the term in section 1 of Executive Order 13112 (42 U.S.C. 4321 note; relating to invasive species).

(b) ASSESSMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of, an assessment of the efforts by the Secretary to monitor, control, and eradicate invasive species at water resources development projects across the United States.

(c) REQUIREMENTS.—The report under subsection (b) shall include—

(1) a description of—

(A) the statutory authorities and programs used by the Secretary to monitor, control, and eradicate invasive species; and

(B) a geographically diverse sample of successful projects and activities carried out by the Secretary to monitor, control, and eradicate invasive species;

(2) a discussion of—

(A) the impact of invasive species on the ability of the Secretary to carry out the civil works program of the Corps of Engineers, with a particular emphasis on impact of invasive species to the primary missions of the Corps of Engineers;

(B) the research conducted and techniques and technologies used by the Secretary consistent with the applicable statutory authorities described in paragraph (1)(A) to monitor, control, and eradicate invasive species; and

(C) the extent to which the Secretary has partnered with States and units of local government to monitor, control, and eradicate invasive species within the boundaries of those States or units of local government;

(3) an update on the status of the plan developed by the Secretary pursuant to section 1108(c) of the Water Resources Development Act of 2018 (33 U.S.C. 2263a(c)); and

(4) recommendations, including legislative recommendations, to further the efforts of the Secretary to monitor, control, and eradicate invasive species.

SEC. 5226. J. STROM THURMOND LAKE, GEORGIA.

(a) ENCROACHMENT RESOLUTION PLAN.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall prepare, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, an encroachment resolution plan for a portion of the project for flood control, recreation, and fish and wildlife management, J. Strom Thurmond Lake, Georgia and South Carolina, authorized by section 10 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 894, chapter 665).

(2) LIMITATION.—The encroachment resolution plan under paragraph (1) shall only apply to the portion of the J. Strom Thurmond Lake that is located within the State of Georgia.

(b) CONTENTS.—Subject to subsection (c), the encroachment resolution plan under subsection (a) shall include—

(1) a description of the nature and number of encroachments;

(2) a description of the circumstances that contributed to the development of the encroachments;

(3) an assessment of the impact of the encroachments on operation and maintenance of the project described in subsection (a) for its authorized purposes;

(4) an analysis of alternatives to the removal of encroachments to mitigate any impacts identified in the assessment under paragraph (3);

(5) a description of any actions necessary or advisable to prevent further encroachments; and

(6) an estimate of the cost and timeline to carry out the plan, including actions described under paragraph (5).

(c) RESTRICTION.—To the maximum extent practicable, the encroachment resolution plan under subsection (a) shall minimize adverse impacts to private landowners while maintaining the functioning of the project described in that subsection for its authorized purposes.

(d) NOTICE AND PUBLIC COMMENT.—

(1) TO OWNERS.—In preparing the encroachment resolution plan under subsection (a), not later than 30 days after the Secretary identifies an encroachment, the Secretary shall notify the owner of the encroachment.

(2) TO PUBLIC.—The Secretary shall provide an opportunity for the public to comment on the encroachment resolution plan under subsection (a) before the completion of the plan.

(e) MORATORIUM.—The Secretary shall not take action to compel removal of an encroachment covered by the encroachment resolution plan under subsection (a) unless Congress specifically authorizes such action.

(f) SAVINGS PROVISION.—This section does not—

(1) grant any rights to the owner of an encroachment; or

(2) impose any liability on the United States for operation and maintenance of the project described in subsection (a) for its authorized purposes.

SEC. 5227. STUDY ON LAND VALUATION PROCEDURES FOR THE TRIBAL PARTNERSHIP PROGRAM.

(a) DEFINITION OF TRIBAL PARTNERSHIP PROGRAM.—In this section, the term ''Tribal Partnership Program'' means the Tribal Partnership Program established under section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269).

(b) STUDY REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Secretary shall carry out, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of, a study on appropriate procedures for determining the value of real estate and cost-share contributions for projects under the Tribal Partnership Program.

(c) REQUIREMENTS.—The report required under subsection (b) shall include—

(1) an evaluation of the procedures used for determining the valuation of real estate and contribution of real estate value to cost-share for projects under the Tribal Partnership Program, including consideration of cultural factors that are unique to the Tribal Partnership Program and land valuation;

(2) a description of any existing Federal authorities that the Secretary intends to use to implement policy changes that result from the evaluation under paragraph (1); and

(3) recommendations for any legislation that may be needed to revise land valuation or cost-share procedures for the Tribal Partnership Program pursuant to the evaluation under paragraph (1).

SEC. 5228. REPORT TO CONGRESS ON LEVEE SAFETY GUIDELINES.

(a) DEFINITION OF LEVEE SAFETY GUIDELINES.—In this section, the term ''levee safety guidelines'' means the levee safety guidelines established under section 9005(c) of the Water Resources Development Act of 2007 (33 U.S.C. 3303a(c)).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with other applicable Federal agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the levee safety guidelines.

(c) INCLUSIONS.—The report under subsection (b) shall include—

(1) a description of—

(A) the levee safety guidelines;

(B) the process utilized to develop the levee safety guidelines; and

(C) the extent to which the levee safety guidelines are being used by Federal, State, Tribal, and local agencies;

(2) an assessment of the requirement for the levee safety guidelines to be voluntary and a description of actions taken by the Secretary and other applicable Federal agencies to ensure that the guidelines are voluntary; and

(3) any recommendations of the Secretary, including the extent to which the levee safety guidelines should be revised.

SEC. 5229. PUBLIC-PRIVATE PARTNERSHIP USER'S GUIDE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and make publicly available on an existing website of the Corps of Engineers a guide on the use of public-private partnerships for water resources development projects.

(b) INCLUSIONS.—In developing the guide under subsection (a), the Secretary shall include—

(1) a description of—

(A) applicable authorities and programs of the Secretary that allow for the use of public-private partnerships to carry out water resources development projects; and

(B) opportunities across the civil works program of the Corps of Engineers for the use of public-private partnerships, including at recreational facilities;

(2) a summary of prior public-private partnerships for water resources development projects, including lessons learned and best practices from those partnerships and projects;

(3) a discussion of—

(A) the roles and responsibilities of the Corps of Engineers and non-Federal interests when using a public-private partnership for a water resources development project, including the opportunities for risk-sharing; and

(B) the potential benefits associated with using a public-private partnership for a water resources development project, including the opportunities to accelerate funding as compared to the annual appropriations process; and

(4) a description of the process for executing a project partnership agreement for a water resources development project, including any unique considerations when using a public-private partnership.

(c) FLEXIBILITY.—The Secretary may satisfy the requirements of this section by modifying an existing partnership handbook in accordance with this section.

SEC. 5230. REVIEW OF AUTHORITIES AND PROGRAMS FOR ALTERNATIVE PROJECT DELIVERY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and subject to subsections (b) and (c), the Secretary shall carry out a study of the authorities and programs of the Corps of Engineers that facilitate the use of alternative project delivery methods for water resources development projects, including public-private partnerships.

(b) AUTHORITIES AND PROGRAMS INCLUDED.—In carrying out the study under subsection (a), the authorities and programs that are studied shall include any programs and authorities under—

(1) section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232);

(2) section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b); and

(3) section 5014 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121).

(c) REPORT.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the findings of the study under subsection (a); and

(2) includes—

(A) an assessment of how each authority and program included in the study under subsection (a) has been used by the Secretary;

(B) a list of the water resources development projects that have been carried out pursuant to the authorities and programs included in the study under subsection (a);

(C) a discussion of the implementation challenges, if any, associated with the authorities and programs included in the study under subsection (a);

(D) a description of lessons learned and best practices identified by the Secretary from carrying out the authorities and programs included in the study under subsection (a); and

(E) any recommendations, including legislative recommendations, that result from the study under subsection (a).

SEC. 5231. REPORT TO CONGRESS ON EMERGENCY RESPONSE EXPENDITURES.

(a) IN GENERAL.—The Secretary shall conduct a review of emergency response expenditures from the emergency fund authorized by section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)) (referred to in this section as the ''Flood Control and Coastal Emergencies Account'') and from post-disaster supplemental appropriations Acts during the period of fiscal years 2013 through 2023.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the results of the review under subsection (a), including—

(1) for each of fiscal years 2013 through 2023, a summary of—

(A) annual expenditures from the Flood Control and Coastal Emergencies Account;

(B) annual budget requests for that account; and

(C) any activities, including any reprogramming, that may have been required to cover any annual shortfall in that account;

(2) a description of the contributing factors that resulted in any annual variability in the amounts described in subparagraphs (A) and (B) of paragraph (1) and activities described in subparagraph (C) of that paragraph;

(3) an assessment and a description of future budget needs of the Flood Control and Coastal Emergencies Account based on trends observed and anticipated by the Secretary; and

(4) an assessment and a description of the use and impact of funds from post-disaster supplemental appropriations on emergency response activities.

SEC. 5232. EXCESS LAND REPORT FOR CERTAIN PROJECTS IN NORTH DAKOTA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and subject to subsection (b), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any real property associated with the project of the Corps of Engineers at Lake Oahe, North Dakota, that the Secretary determines—

(1) is not needed to carry out the authorized purposes of the project; and

(2) may be transferred to the Standing Rock Sioux Tribe to support recreation opportunities for the Tribe, including, at a minimum—

(A) Walker Bottom Marina, Lake Oahe;

(B) Fort Yates Boat Ramp, Lake Oahe;

(C) Cannonball District, Lake Oahe; and

(D) any other recreation opportunities identified by the Tribe.

(b) INCLUSION.—If the Secretary determines that there is not any real property that may be transferred to the Standing Rock Sioux Tribe as described in subsection (a), the Secretary shall include in the report required under that subsection—

(1) a list of the real property considered by the Secretary;

(2) an explanation of why the real property identified under paragraph (1) is needed to carry out the authorized purposes of the project described in subsection (a); and

(3) a description of how the Secretary has recently utilized the real property identified under paragraph (1) to carry out the authorized purpose of the project described in subsection (a).

SEC. 5233. GAO STUDIES.

(a) REVIEW OF THE ACCURACY OF PROJECT COST ESTIMATES.—

(1) REVIEW.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States (referred to in this section as the ''Comptroller General'') shall initiate a review of the accuracy of the project cost estimates developed by the Corps of Engineers for completed and ongoing water resources development projects carried out by the Secretary.

(B) REQUIREMENTS.—In carrying out subparagraph (A), the Comptroller General shall determine the factors, if any, that impact the accuracy of the estimates described in that subparagraph, including—

(i) applicable statutory requirements, including—

(I) section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c); and

(II) section 905(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(b))]; and

(ii) applicable guidance, regulations, and policies of the Corps of Engineers.

(C) INCORPORATION OF PREVIOUS REPORT.—In carrying out subparagraph (A), the Comptroller General may incorporate applicable information from the report carried out by the Comptroller General under section 8236(c) of the Water Resources Development Act of 2022 (136 Stat. 3769).

(2) REPORT.—On completion of the review conducted under paragraph (1), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review and any recommendations that result from the review.

(b) REPORT ON PROJECT LIFESPAN AND INDEMNIFICATION CLAUSE IN PROJECT PARTNERSHIP AGREEMENTS.—

(1) DEFINITIONS.—In this subsection:

(A) INDEMNIFICATION CLAUSE.—The term ''indemnification clause'' means the indemnification clause required in project partnership agreements for water resources development projects under sections 101(e)(2) and 103(j)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(e)(2), 2213(j)(1)(A)).

(B) OMRR&R.—The term ''OMRR&R'', with respect to a water resources development project, means operation, maintenance, repair, replacement, and rehabilitation.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) there are significant concerns about whether—

(i) the indemnification clause, which was first applied in 1910 to flood control projects, should still be included in project partnership agreements prepared by the Corps of Engineers for water resources development projects; and

(ii) non-Federal interests for water resources development projects should be required to assume full responsibility for OMRR&R of water resources development projects in perpetuity;

(B) non-Federal interests have reported that the indemnification clause and OMRR&R requirements are a barrier to entering into project partnership agreements with the Corps of Engineers;

(C) critical water resources development projects are being delayed by years, or not pursued at all, due to the barriers described in subparagraph (B); and

(D) legal structures have changed since the indemnification clause was first applied and there may be more suitable tools available to address risk and liability issues.

(3) ANALYSIS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall conduct an analysis of the implications of—

(A) the indemnification clause; and

(B) the assumption of OMRR&R responsibilities by non-Federal interests in perpetuity for water resources development projects.

(4) INCLUSIONS.—The analysis under paragraph (3) shall include—

(A) a review of risk for the Federal Government and non-Federal interests with respect to removing requirements for the indemnification clause;

(B) an assessment of whether the indemnification clause is still necessary given the changes in engineering, legal structures, and water resources development projects since 1910, with a focus on the quantity and types of claims and takings over time;

(C) an identification of States with State laws that prohibit those States from entering into agreements that include an indemnification clause;

(D) a comparison to other Federal agencies with respect to how those agencies approach indemnification and OMRR&R requirements in projects, if applicable;

(E) a review of indemnification and OMRR&R requirements for projects that States require with respect to agreements with cities and localities, if applicable;

(F) an analysis of the useful lifespan of water resources development projects, including any variations in that lifespan for different types of water resources development projects and how changing weather patterns and increased extreme weather events impact that lifespan;

(G) a review of situations in which non-Federal interests have been unable to meet OMRR&R requirements; and

(H) a review of policy alternatives to OMRR&R requirements, such as allowing extension, reevaluation, or deauthorization of water resources development projects.

(5) REPORT.—On completion of the analysis under paragraph (3), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the analysis; and

(B) any recommendations for changes needed to existing law or policy of the Corps of Engineers to address those results.

(c) REVIEW OF CERTAIN PERMITS.—

(1) DEFINITION OF SECTION 408 PROGRAM.—In this subsection, the term ''section 408 program'' means the program administered by the Secretary pursuant to section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Act of 1899'') (30 Stat. 1152, chapter 425; 33 U.S.C. 408).

(2) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate a review of the section 408 program.

(3) REQUIREMENTS.—The review by the Comptroller General under paragraph (2) shall include, at a minimum—

(A) an identification of trends related to the number and types of permits applied for each year under the section 408 program;

(B) an evaluation of—

(i) the materials developed by the Secretary to educate potential applicants about—

(I) the section 408 program; and

(II) the process for applying for a permit under the section 408 program;

(ii) the public website of the Corps of Engineers that tracks the status of permits issued under the section 408 program, including whether the information provided by the website is updated in a timely manner;

(iii) the ability of the districts and divisions of the Corps of Engineers to consistently administer the section 408 program; and

(iv) the extent to which the Secretary carries out the process for issuing a permit under the section 408 program concurrently with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if applicable;

(C) a determination of the factors, if any, that impact the ability of the Secretary to adhere to the timelines required for reviewing and making a decision on an application for a permit under the section 408 program; and

(D) ways to expedite the review of applications for permits under the section 408 program, including the use of categorical permissions.

(4) REPORT.—On completion of the review under paragraph (2), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review and any recommendations that result from the review.

(d) CORPS OF ENGINEERS MODERNIZATION STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate an analysis of opportunities for the Corps of Engineers to modernize the civil works program through the use of technology, where appropriate, and the best available engineering practices.

(2) INCLUSIONS.—In conducting the analysis under paragraph (1), the Comptroller General of the United States shall include an assessment of the extent to which—

(A) existing engineering practices and technologies could be better utilized by the Corps of Engineers—

(i) to improve study, planning, and design efforts of the Corps of Engineers to further the benefits of water resources development projects of the Corps of Engineers;

(ii) to reduce delays of water resources development projects, including through the improvement of environmental review and permitting processes;

(iii) to provide cost savings over the lifecycle of a project, including through improved design processes or a reduction of operation and maintenance costs; and

(iv) to improve data collection and data sharing capabilities; and

(B) the Corps of Engineers—

(i) currently utilizes the engineering practices and technologies identified under subparagraph (A), including any challenges associated with acquisition and application;

(ii) has effective processes to share best practices associated with the engineering practices and technologies identified under subparagraph (A) among the districts, divisions, and headquarters of the Corps of Engineers; and

(iii) partners with National Laboratories, academic institutions, and other Federal agencies.

(3) REPORT.—On completion of the analysis under paragraph (1), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the analysis and any recommendations that result from the analysis.

(e) STUDY ON EASEMENTS RELATED TO WATER RESOURCES DEVELOPMENT PROJECTS.—

(1) DEFINITION OF COVERED EASEMENT.—In this subsection, the term ''covered easement'' has the meaning given the term in section 8235(c) of the Water Resources Development Act of 2022 (136 Stat. 3768).

(2) STUDY ON EASEMENTS RELATED TO WATER RESOURCES DEVELOPMENT PROJECTS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate an analysis of the use of covered easements that may be provided to the Secretary by non-Federal interests in relation to the construction, operation, or maintenance of a project for flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration.

(3) SCOPE.—In carrying out the analysis under paragraph (2), the Comptroller General of the United States shall—

(A) review—

(i) the report submitted by the Secretary under section 8235(b) of the Water Resources Development Act of 2022 (136 Stat. 3768); and

(ii) the existing statutory, regulatory, and policy requirements and procedures relating to the use of covered easements; and

(B) assess—

(i) the minimum rights in property that are necessary to construct, operate, or maintain projects for flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration;

(ii) whether increased use of covered easements in relation to projects described in clause (i) could promote greater participation from cooperating landowners in addressing local flooding or ecosystem restoration challenges;

(iii) whether such increased use could result in cost savings in the implementation of the projects described in clause (i), without any reduction in project benefits; and

(iv) the extent to which the Secretary should expand what is considered by the Secretary to be part of a series of estates deemed standard for construction, operation, or maintenance of a project for flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration.

(4) REPORT.—On completion of the analysis under paragraph (2), the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the

findings of the analysis, including any recommendations, including legislative recommendations, as a result of the analysis.

(f) MODERNIZATION OF ENVIRONMENTAL REVIEWS.—

(1) DEFINITION OF PROJECT STUDY.—In this subsection, the term ''project study'' means a feasibility study for a project carried out pursuant to section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282).

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the efforts of the Secretary to facilitate improved environmental review processes for project studies, including through the consideration of expanded use of categorical exclusions, environmental assessments, or programmatic environmental impact statements.

(3) REQUIREMENTS.—In completing the report under paragraph (2), the Comptroller General of the United States shall—

(A) describe the actions the Secretary is taking or plans to take to implement the amendments to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) made by section 321 of the Fiscal Responsibility Act of 2023 (Public Law 118–5; 137 Stat. 38);

(B) describe the existing categorical exclusions most frequently used by the Secretary to streamline the environmental review of project studies;

(C) consider—

(i) whether the adoption of additional categorical exclusions, including those used by other Federal agencies, would facilitate the environmental review of project studies;

(ii) whether the adoption of new programmatic environmental impact statements would facilitate the environmental review of project studies; and

(iii) whether agreements with other Federal agencies would facilitate a more efficient process for the environmental review of project studies; and

(D) identify—

(i) any discrepancies or conflicts, as applicable, between the amendments to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) made by section 321 of the Fiscal Responsibility Act of 2023 (Public Law 118–5; 137 Stat. 38) and—

(I) section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348); and

(II) section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c); and

(ii) other issues, as applicable, relating to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) that are impeding the implementation of that section consistent with congressional intent.

(g) STUDY ON DREDGED MATERIAL DISPOSAL SITE CONSTRUCTION.—

(1) IN GENERAL.—The Comptroller General shall conduct a study that—

(A) assesses the costs and limitations of the construction of various types of dredged material disposal sites, with a particular focus on aquatic confined placement structures in the Lower Columbia River; and

(B) includes a comparison of—

(i) the operation and maintenance needs and costs associated with the availability of aquatic confined placement structures; and

(ii) the operation and maintenance needs and costs associated with the lack of availability of aquatic confined placement structures.

(2) REPORT.—On completion of the study under paragraph (1), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study, and any recommendations that result from that study.

(h) GAO STUDY ON DISTRIBUTION OF FUNDING FROM THE HARBOR MAINTENANCE TRUST FUND.—

(1) DEFINITION OF HARBOR MAINTENANCE TRUST FUND.—In this subsection, the term ''Harbor Maintenance Trust Fund'' means the Harbor Maintenance Trust Fund established by section 9505(a) of the Internal Revenue Code of 1986.

(2) ANALYSIS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate an analysis of the distribution of funding from the Harbor Maintenance Trust Fund.

(3) REQUIREMENTS.—In conducting the analysis under paragraph (2), the Comptroller General shall assess—

(A) the implementation of provisions related to the Harbor Maintenance Trust Fund in the Water Resources Development Act of 2020 (134 Stat. 2615) and the amendments made by that Act by the Corps of Engineers, including—

(i) changes to the budgetary treatment of funding from the Harbor Maintenance Trust Fund; and

(ii) amendments to the definitions of the terms ''donor ports'', ''medium-sized donor parts'', and ''energy transfer ports'' under section 2106(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c(a)), including—

(I) the reliability of metrics, data for those metrics, and sources for that data used by the Corps of Engineers to determine if a port satisfies the requirements of 1 or more of those definitions; and

(II) the extent of the impact of cyclical dredging cycles for operations and maintenance activities and deep draft navigation construction projects on the ability of ports to meet the requirements of 1 or more of those definitions; and

(B) the amount of Harbor Maintenance Trust Fund funding in the annual appropriations Acts enacted after the date of enactment of the Water Resources Development Act of 2020 (134 Stat. 2615), including an analysis of—

(i) the allocation of funding to donor ports and energy transfer ports (as those terms are defined in section 2106(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c(a))) and the use of that funding by those ports;

(ii) activities funded pursuant to section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238); and

(iii) challenges associated with expending the remaining balance of the Harbor Maintenance Trust Fund.

(4) REPORT.—On completion of the analysis under paragraph (2), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the findings of the analysis and any recommendations that result from that analysis.

(i) STUDY ON ENVIRONMENTAL JUSTICE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(A) the costs and benefits of the environmental justice initiatives of the Secretary with respect to the civil works program; and

(B) the positive and negative effects on the civil works program of those environmental justice initiatives.

(2) INCLUSIONS.—The report under paragraph (1) shall include, at a minimum, a review of projects carried out by the Secretary during fiscal year 2023 and fiscal year 2024 pursuant to the environmental justice initiatives of the Secretary with respect to the civil works program.

SEC. 5234. PRIOR REPORTS.

(a) REPORTS.—The Secretary shall prioritize the completion of the reports required pursuant to the following provisions:

(1) Section 2036(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2283a).

(2) Section 1008(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2321b(c)).

(3) Section 164(c) of the Water Resources Development Act of 2020 (134 Stat. 2668).

(4) Section 226(a) of the Water Resources Development Act of 2020 (134 Stat. 2697).

(5) Section 503(d) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260).

(6) Section 509(a)(7) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260).

(7) Section 8205(a) of the Water Resources Development Act of 2022 (136 Stat. 3754).

(8) Section 8206(c) of the Water Resources Development Act of 2022 (136 Stat. 3756).

(9) Section 8218 of the Water Resources Development Act of 2022 (136 Stat. 3761).

(10) Section 8227(b) of the Water Resources Development Act of 2022 (136 Stat. 3764).

(11) Section 8232(b) of the Water Resources Development Act of 2022 (136 Stat. 3766).

(b) NOTICE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notification of the status of each report described in subsection (a).

(2) CONTENTS.—As part of the notification under paragraph (1), the Secretary shall include for each report described in subsection (a)—

(A) a description of the status of the report; and

(B) if not completed, a timeline for the completion of the report.

SEC. 5235. BRIEFING ON STATUS OF CAPE COD CANAL BRIDGES, MASSACHUSETTS.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall brief the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of the project for the replacement of the Bourne and Sagamore Highway Bridges that cross the Cape Cod Canal Federal Navigation Project.

(b) REQUIREMENTS.—The briefing under subsection (a) shall include discussion of—

(1) the current status of environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and expected timelines for completion;

(2) project timelines and relevant paths to move the project described in that subsection toward completion; and

(3) any issues that are impacting the delivery of the project described in that subsection.

SEC. 5236. VIRGINIA PENINSULA COASTAL STORM RISK MANAGEMENT, VIRGINIA.

(a) IN GENERAL.—In carrying out the feasibility study for flood risk management, ecosystem restoration, and navigation, Coastal Virginia, authorized by section 1201(9) of the Water Resources Development Act of 2018

(132 Stat. 3802), the Secretary is authorized to use funds made available to the Secretary for water resources development investigations to analyze, at full Federal expense, a measure benefitting Federal land under the administrative jurisdiction of another Federal agency.

(b) SAVINGS PROVISIONS.—Nothing in this section—

(1) precludes—

(A) a Federal agency with administrative jurisdiction over Federal land in the study area from contributing funds for any portion of the cost of analyzing a measure as part of the study described in subsection (a) that benefits that land; or

(B) the Secretary, at the request of the non-Federal interest for the study described in subsection (a), from using funds made available to the Secretary for water resources development investigations to formulate measures to reduce risk to a military installation, if the non-Federal interest shares in the cost to formulate those measures to the same extent that the non-Federal interest is required to share in the cost of the study; or

(2) waives the cost-sharing requirements of a Federal agency for the construction of an authorized water resources development project or a separable element of that project that results from the study described in subsection (a).

SEC. 5237. ALLEGHENY RIVER, PENNSYLVANIA.

It is the sense of Congress that—

(1) the Allegheny River is an important waterway that can be utilized more to support recreational, environmental, and navigation needs in Pennsylvania;

(2) ongoing efforts to increase utilization of the Allegheny River will require consistent hours of service at key locks and dams; and

(3) to the maximum extent practicable, the lockage levels of service at locks and dams along the Allegheny River should be preserved until after the completion of the study authorized by section 201(a)(55).

SEC. 5238. NEW YORK AND NEW JERSEY HARBOR AND TRIBUTARIES FOCUS AREA FEASIBILITY STUDY.

The Secretary shall expedite the completion of the feasibility study for coastal storm risk management, New York and New Jersey, including evaluation of comprehensive flood risk in accordance with section 8106 of the Water Resources and Development Act of 2022 (33 U.S.C. 2282g), as applicable.

SEC. 5239. MATAGORDA SHIP CHANNEL, TEXAS.

The Federal share of the costs of the planning, design, and construction of the Recommended Corrective Action identified by the Corps of Engineers in the Project Deficiency Report completed in 2020 for the project for navigation, Matagorda Ship Channel, Texas, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 298), shall be 90 percent.

SEC. 5240. MATAGORDA SHIP CHANNEL IMPROVEMENT PROJECT, TEXAS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should provide the necessary resources to expedite the completion of the required documentation for the Matagorda Ship Channel Improvement Project in order to ensure that the project is not further delayed.

(b) EXPEDITE.—The Secretary shall, to the maximum extent practicable, expedite the completion of the required documentation for the Matagorda Ship Channel Improvement Project, including—

(1) the supplemental environmental impact statement and the associated record of decision;

(2) the dredged material management plan; and

(3) a post authorization change report, if applicable.

(c) PRECONSTRUCTION PLANNING, ENGINEERING, AND DESIGN.—If the Secretary determines that the Matagorda Ship Channel Improvement Project is justified in a completed report and if the project requires an additional authorization from Congress pursuant to that report, the Secretary shall proceed directly to preconstruction planning, engineering, and design on the project.

(d) DEFINITION OF MATAGORDA SHIP CHANNEL IMPROVEMENT PROJECT.—In this section, the term ''Matagorda Ship Channel Improvement Project'' means the project for navigation, Matagorda Ship Channel Improvement Project, Port Lavaca, Texas, authorized by section 401(1) of the Water Resources Development Act of 2020 (134 Stat. 2734).

SEC. 5241. ASSESSMENT OF IMPACTS FROM CHANGING CONSTRUCTION RESPONSIBILITIES.

(a) IN GENERAL.—The Secretary shall carry out an assessment of the impacts of amending section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) to authorize the construction of navigation projects for harbors or inland harbors , or any separable element thereof, constructed by the Secretary at 75 percent Federal cost to a depth of 55 feet.

(b) CONTENTS.—In carrying out the assessment under subsection (a), the Secretary shall—

(1) describe all existing Federal navigation projects that are authorized or constructed to a depth of 50 feet or greater;

(2) describe any Federal navigation project that is likely to seek authorization or modification to a depth of 55 feet or greater during the 10-year period beginning on the date of enactment of this Act;

(3) assess the potential effect of authorizing construction of a navigation project to a depth of 55 feet at 75 percent Federal cost on other Federal navigation construction activities, including estimates of port by port impacts over the next 5, 10, and 20 years;

(4) estimate the potential increase in Federal costs that would result from authorizing the construction of the projects described in paragraph (2), including estimates of port by port impacts over the next 5, 10, and 20 years; and

(5) subject to subsection (c), describe the potential budgetary impact to the civil works program of the Corps of Engineers from authorizing the construction of a navigation project to a depth of 55 feet at 75 percent Federal cost and authorizing operation and maintenance of a navigation project to a depth of 55 feet at Federal expense, including estimates of port by port impacts over the next 5, 10, and 20 years.

(c) PRIOR REPORT.—The Secretary may use information from the assessment and the report of the Secretary under section 8206 of the Water Resources Development Act of 2022 (136 Stat. 3756) in carrying out subsection (b)(5).

(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, and make publicly available (including on an existing publicly available website), a report that describes the results of the assessment carried out under subsection (a).

SEC. 5242. DEADLINE FOR PREVIOUSLY REQUIRED LIST OF COVERED PROJECTS.

Notwithstanding the deadline in paragraph (1) of section 8236(c) of the Water Resources Development Act of 2022 (136 Stat. 3769), the Secretary shall submit the list of covered projects under that paragraph by not later than 30 days after the date of enactment of this Act.

SEC. 5243. COOPERATION AUTHORITY.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall carry out an assessment of the extent to which the existing authorities and programs of the Secretary allow the Corps of Engineers to construct water resources development projects abroad.

(2) REPORT.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(A) describes—

(i) the findings of the assessment under paragraph (1);

(ii) how each authority and program assessed under paragraph (1) has been used by the Secretary to construct water resources development projects abroad, if applicable; and

(iii) the extent to which the Secretary partners with other Federal agencies when carrying out such projects; and

(B) includes any recommendations that result from the assessment under paragraph (1).

(b) INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.—Section 234 of the Water Resources Development Act of 1996 (33 U.S.C. 2323a) is amended—

(1) in subsection (c), by inserting '', including the planning and design expertise,'' after ''expertise''; and

(2) in subsection (d)(1), by striking ''$1,000,000'' and inserting ''$2,500,000''.

TITLE LIII—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

SEC. 5301. DEAUTHORIZATIONS.

(a) TRUCKEE MEADOWS, NEVADA.—The project for flood control, Truckee Meadows, Nevada, authorized by section 3(a)(10) of the Water Resources Development Act of 1988 (102 Stat. 4014) and section 7002(2) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(b) SEATTLE HARBOR, WASHINGTON.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, the portion of the project for navigation, Seattle Harbor, Washington, described in paragraph (2) is no longer authorized.

(2) PORTION DESCRIBED.—The portion of the project referred to in paragraph (1) is the approximately 74,490 square foot area of the Federal channel within the East Waterway—

(A) starting at a point on the United States pierhead line in the southwest corner of block 386 of plat of Seattle Tidelands, T. 24 N., R. 4. E, sec.18, Willamette Meridian;

(B) thence running N90°00'00''W along the projection of the south line of block 386, 206.58 feet to the centerline of the East Waterway;

(C) thence running N14°30'00''E along the centerline and parallel with the northwesterly line of block 386, 64.83 feet;

(D) thence running N33°32'59''E, 235.85 feet;

(E) thence running N39°55'22''E, 128.70 feet;

(F) thence running N14°30'00''E, parallel with the northwesterly line of block 386, 280.45 feet;

(G) thence running N90°00'00''E, 70.00 feet to the pierhead line and the northwesterly line of block 386; and

(H) thence running S14°30'00''W, 650.25 feet along the pierhead line and northwesterly line of block 386 to the point of beginning.

(c) CHERRYFIELD DAM, MAINE.—The project for flood control, Narraguagus River, Cherryfield Dam, Maine, authorized by, and constructed pursuant to, section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is

no longer authorized beginning on the date of enactment of this Act.

(d) EAST SAN PEDRO BAY, CALIFORNIA.—The study for the project for ecosystem restoration, East San Pedro Bay, California, authorized by the resolution of the Committee on Public Works of the Senate, dated June 25, 1969, relating to the report of the Chief of Engineers for Los Angeles and San Gabriel Rivers, Ballona Creek, is no longer authorized beginning on the date of enactment of this Act.

(e) SOURIS RIVER BASIN, NORTH DAKOTA.—The Talbott's Nursery portion, consisting of approximately 2,600 linear feet of levee, of stage 4 of the project for flood control, Souris River Basin, North Dakota, authorized by section 1124 of the Water Resources Development Act of 1986 (100 Stat. 4243; 101 Stat. 1329–111), is no longer authorized beginning on the date of enactment of this Act.

(f) MASARYKTOWN CANAL, FLORIDA.—

(1) IN GENERAL.—The portion of the project for the Four River Basins, Florida, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1183) described in paragraph (2) is no longer authorized beginning on the date of enactment of this Act.

(2) PORTION DESCRIBED.—The portion of the project referred to in paragraph (1) is the Masaryktown Canal C–534, which spans approximately 5.5 miles from Hernando County, between Ayers Road and County Line Road east of United States Route 41, and continues south to Pasco County, discharging into Crews Lake.

SEC. 5302. ENVIRONMENTAL INFRASTRUCTURE.

(a) NEW PROJECTS.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3808) is amended by adding at the end the following:

''(406) GLENDALE, ARIZONA.—$5,200,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Glendale, Arizona.

''(407) TOHONO O'ODHAM NATION, ARIZONA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Tohono O'odham Nation, Arizona.

''(408) FLAGSTAFF, ARIZONA.—$4,800,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Flagstaff, Arizona.

''(409) TUCSON, ARIZONA.—$30,000,000 for environmental infrastructure, including water and wastewater infrastructure (including recycled water systems), Tucson, Arizona.

''(410) BAY-DELTA, CALIFORNIA.—$20,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, San Francisco Bay–Sacramento–San Joaquin River Delta, California.

''(411) INDIAN WELLS VALLEY, CALIFORNIA.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure, Indian Wells Valley, Kern County, California.

''(412) OAKLAND–ALAMEDA ESTUARY, CALIFORNIA.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Oakland–Alameda Estuary, Oakland and Alameda Counties, California.

''(413) TIJUANA RIVER VALLEY WATERSHED, CALIFORNIA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure, Tijuana River Valley Watershed, San Diego County, California.

''(414) EL PASO COUNTY, COLORADO.—$20,000,000 for environmental infrastructure, including water and wastewater infrastructure and stormwater management, El Paso County, Colorado.

''(415) REHOBOTH BEACH, LEWES, DEWEY, BETHANY, SOUTH BETHANY, FENWICK ISLAND, DELAWARE.—$25,000,000 for environmental infrastructure, including water and wastewater infrastructure, Rehoboth Beach, Lewes, Dewey, Bethany, South Bethany, and Fenwick Island, Delaware.

''(416) WILMINGTON, DELAWARE.—$25,000,000 for environmental infrastructure, including water and wastewater infrastructure, Wilmington, Delaware.

''(417) PICKERING BEACH, KITTS HUMMOCK, BOWERS BEACH, SOUTH BOWERS BEACH, SLAUGHTER BEACH, PRIME HOOK BEACH, MILTON, MILFORD, DELAWARE.—$25,000,000 for environmental infrastructure, including water and wastewater infrastructure, Pickering Beach, Kitts Hummock, Bowers Beach, South Bowers Beach, Slaughter Beach, Prime Hook Beach, Milton, and Milford, Delaware.

''(418) COASTAL GEORGIA.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), Glynn County, Chatham County, Bryan County, Effingham County, McIntosh County, and Camden County, Georgia.

''(419) COLUMBUS, HENRY, AND CLAYTON COUNTIES, GEORGIA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), Columbus, Henry, and Clayton Counties, Georgia.

''(420) COBB COUNTY, GEORGIA.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure, Cobb County, Georgia.

''(421) CALUMET CITY, ILLINOIS.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure, Calumet City, Illinois.

''(422) WYANDOTTE COUNTY AND KANSAS CITY, KANSAS.—$35,000,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), Wyandotte County and Kansas City, Kansas.

''(423) EASTHAMPTON, MASSACHUSETTS.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including wastewater treatment plant outfalls), Easthampton, Massachusetts.

''(424) BYRAM, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Byram, Mississippi.

''(425) DIAMONDHEAD, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure and drainage systems, Diamondhead, Mississippi.

''(426) HANCOCK COUNTY, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Hancock County, Mississippi.

''(427) MADISON, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Madison, Mississippi.

''(428) PEARL, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Pearl, Mississippi.

''(429) NEW HAMPSHIRE.—$20,000,000 for environmental infrastructure, including water and wastewater infrastructure, New Hampshire.

''(430) CAPE MAY COUNTY, NEW JERSEY.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Cape May County, New Jersey.

''(431) NYE COUNTY, NEVADA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including water wellfield and pipeline in the Pahrump Valley), Nye County, Nevada.

''(432) STOREY COUNTY, NEVADA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Storey County, Nevada.

''(433) NEW ROCHELLE, NEW YORK.—$20,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), New Rochelle, New York.

''(434) CUYAHOGA COUNTY, OHIO.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure (including combined sewer overflows), Cuyahoga County, Ohio.

''(435) BLOOMINGBURG, OHIO.—$6,500,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Bloomingburg, Ohio.

''(436) CITY OF AKRON, OHIO.—$5,500,000 for environmental infrastructure, including water and wastewater infrastructure (including drainage systems), City of Akron, Ohio.

''(437) EAST CLEVELAND, OHIO.—$13,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), East Cleveland, Ohio.

''(438) ASHTABULA COUNTY, OHIO.—$1,500,000 for environmental infrastructure, including water and wastewater infrastructure (including water supply and water quality enhancement), Ashtabula County, Ohio.

''(439) STRUTHERS, OHIO.—$500,000 for environmental infrastructure, including water and wastewater infrastructure (including wastewater infrastructure, stormwater management, and sewer improvements), Struthers, Ohio.

''(440) STILLWATER, OKLAHOMA.—$30,000,000 for environmental infrastructure, including water and wastewater infrastructure and water supply infrastructure (including facilities for withdrawal, treatment, and distribution), Stillwater, Oklahoma.

''(441) PENNSYLVANIA.—$38,600,000 for environmental infrastructure, including water and wastewater infrastructure, Pennsylvania.

''(442) CHESTERFIELD COUNTY, SOUTH CAROLINA.—$3,000,000 for water and wastewater infrastructure and other environmental infrastructure (including stormwater management), Chesterfield County, South Carolina.

''(443) TIPTON COUNTY, TENNESSEE.—$35,000,000 for wastewater infrastructure and water supply infrastructure, including facilities for withdrawal, treatment, and distribution, Tipton County, Tennessee.

''(444) OTHELLO, WASHINGTON.—$14,000,000 for environmental infrastructure, including water supply and storage treatment, Othello, Washington.

''(445) COLLEGE PLACE, WASHINGTON.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure, College Place, Washington.''.

(b) PROJECT MODIFICATIONS.—

(1) CONSISTENCY WITH REPORTS.—Congress finds that the project modifications described in this subsection are in accordance with the reports submitted to Congress by the Secretary under section 7001 of the Water Resources Reform and Development Act of

2014 (33 U.S.C. 2282d), titled ''Report to Congress on Future Water Resources Development'', or have otherwise been reviewed by Congress.

(2) MODIFICATIONS.—

(A) ALABAMA.—Section 219(f)(274) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3808) is amended by striking ''$50,000,000'' and inserting ''$85,000,000''.

(B) LOS ANGELES COUNTY, CALIFORNIA.—Section 219(f)(93) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1259; 136 Stat. 3816) is amended by striking ''Santa Clarity Valley'' and inserting ''Santa Clarita Valley''.

(C) KENT, DELAWARE.—Section 219(f)(313) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3810) is amended by striking ''$35,000,000'' and inserting ''$40,000,000''.

(D) NEW CASTLE, DELAWARE.—Section 219(f)(314) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3810) is amended by striking ''$35,000,000'' and inserting ''$40,000,000''.

(E) SUSSEX, DELAWARE.—Section 219(f)(315) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3810) is amended by striking ''$35,000,000'' and inserting ''$40,000,000''.

(F) EAST POINT, GEORGIA.—Section 219(f)(136) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1261; 136 Stat. 3817) is amended by striking ''$15,000,000'' and inserting ''$20,000,000''.

(G) MADISON COUNTY AND ST. CLAIR COUNTY, ILLINOIS.—Section 219(f)(55) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–221; 136 Stat. 3817) is amended—

(i) by striking ''$100,000,000'' and inserting ''$110,000,000''; and

(ii) by inserting ''(including stormwater management)'' after ''wastewater assistance''.

(H) MONTGOMERY COUNTY AND CHRISTIAN COUNTY, ILLINOIS.—Section 219(f)(333) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3812) is amended—

(i) in the paragraph heading, by striking ''MONTGOMERY AND CHRISTIAN COUNTIES'' and inserting ''MONTGOMERY, CHRISTIAN, FAYETTE, SHELBY, JASPER, RICHLAND, CRAWFORD, AND LAWRENCE COUNTIES''; and

(ii) by striking ''Montgomery County and Christian County'' and inserting ''Montgomery County, Christian County, Fayette County, Shelby County, Jasper County, Richland County, Crawford County, and Lawrence County''.

(I) WILL COUNTY, ILLINOIS.—Section 219(f)(334) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3812) is amended—

(i) in the paragraph heading, by striking ''WILL COUNTY'' and inserting ''WILL AND GRUNDY COUNTIES''; and

(ii) by striking ''Will County'' and inserting ''Will County and Grundy County''.

(J) LOWELL, MASSACHUSETTS.—Section 219(f)(339) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3812) is amended by striking ''$20,000,000'' and inserting ''$30,000,000''.

(K) MICHIGAN.—Section 219(f)(157) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1262) is amended, in the paragraph heading, by striking ''COMBINED SEWER OVERFLOWS''.

(L) DESOTO COUNTY, MISSISSIPPI.—Section 219(f)(30) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 134 Stat. 2718) is amended by striking ''$130,000,000'' and inserting ''$144,000,000''.

(M) JACKSON, MISSISSIPPI.—Section 219(f)(167) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1263; 136 Stat. 3818) is amended by striking ''$125,000,000'' and inserting ''$139,000,000''.

(N) MADISON COUNTY, MISSISSIPPI.—Section 219(f)(351) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3813) is amended by striking ''$10,000,000'' and inserting ''$24,000,000''.

(O) MERIDIAN, MISSISSIPPI.—Section 219(f)(352) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3813) is amended by striking ''$10,000,000'' and inserting ''$24,000,000''.

(P) RANKIN COUNTY, MISSISSIPPI.—Section 219(f)(354) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3813) is amended by striking ''$10,000,000'' and inserting ''$24,000,000''.

(Q) CINCINNATI, OHIO.—Section 219(f)(206) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1265) is amended by striking ''$1,000,000'' and inserting ''$9,000,000''.

(R) MIDWEST CITY, OKLAHOMA.—Section 219(f)(231) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1266; 134 Stat. 2719) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

(S) PHILADELPHIA, PENNSYLVANIA.—Section 219(f)(243) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1266) is amended—

(i) by striking ''$1,600,000'' and inserting ''$3,000,000''; and

(ii) by inserting ''water supply and'' before ''wastewater''.

(T) LAKES MARION AND MOULTRIE, SOUTH CAROLINA.—Section 219(f)(25) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 136 Stat. 3818) is amended by striking ''$165,000,000'' and inserting ''$232,000,000''.

(U) MILWAUKEE, WISCONSIN.—Section 219(f)(405) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3816) is amended by striking ''$4,500,000'' and inserting ''$10,500,000''.

(c) NON-FEDERAL SHARE.—Section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835) is amended by striking subsection (b) and inserting the following:

''(b) NON-FEDERAL SHARE.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the non-Federal share of the cost of a project for which assistance is provided under this section shall be not less than 25 percent.

''(2) ECONOMICALLY DISADVANTAGED COMMUNITIES.—The non-Federal share of the cost of a project for which assistance is provided under this section benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.

''(3) ABILITY TO PAY.—

''(A) IN GENERAL.—The non-Federal share of the cost of a project for which assistance is provided under this section shall be subject to the ability of the non-Federal interest to pay.

''(B) DETERMINATION.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with procedures established by the Secretary.

''(C) DEADLINE.—Not later than 60 days after the date of enactment of the Thomas R. Carper Water Resources Development Act of 2024, the Secretary shall issue guidance on the procedures described in subparagraph (B).

''(4) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notification of determinations made by the Secretary of the ability of non-Federal interests to pay under this section.

''(B) CONTENTS.—In preparing the written notification under subparagraph (A), the Secretary shall include, for each determination made by the Secretary—

''(i) the name of the non-Federal interest that submitted to the Secretary a request for a determination under paragraph (3)(B);

''(ii) the name and location of the project; and

''(iii) the determination made by the Secretary and the reasons for the determination, including the adjusted share of the costs of the project of the non-Federal interest, if applicable.''.

SEC. 5303. PENNSYLVANIA ENVIRONMENTAL INFRASTRUCTURE.

Section 313 of the Water Resources Development Act of 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat. 3723; 113 Stat. 310; 117 Stat. 142; 121 Stat. 1146; 134 Stat. 2719; 136 Stat. 3821) is amended—

(1) in the section heading, by striking ''**SOUTH CENTRAL**'';

(2) by striking ''south central'' each place it appears;

(3) by striking subsections (c) and (h);

(4) by redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively; and

(5) in paragraph (2)(A) of subsection (c) (as redesignated), by striking ''the SARCD Council and other''.

SEC. 5304. ACEQUIAS IRRIGATION SYSTEMS.

Section 1113 of the Water Resources Development Act of 1986 (100 Stat. 4232; 110 Stat. 3719; 136 Stat. 3782) is amended—

(1) in subsection (d)—

(A) by striking ''costs,'' and all that follows through ''except that'' and inserting ''costs, shall be as described in the second sentence of subsection (b) (as in effect on the day before the date of enactment of the Water Resources Development Act of 2022 (136 Stat. 3691)), except that''; and

(B) by striking ''measure benefitting'' and inserting ''measure (other than a reconnaissance study) benefitting''; and

(2) in subsection (e), by striking ''$80,000,000'' and inserting ''$100,000,000''.

SEC. 5305. OREGON ENVIRONMENTAL INFRASTRUCTURE.

(a) IN GENERAL.—Section 8359 of the Water Resources Development Act of 2022 (136 Stat. 3802) is amended—

(1) in the section heading, by striking ''**SOUTHWESTERN**'';

(2) in each of subsections (a) and (b), by striking ''southwestern'' each place it appears;

(3) in subsection (e)(1), by striking ''$50,000,000'' and inserting ''$90,000,000''; and

(4) by striking subsection (f).

(b) CLERICAL AMENDMENTS.—

(1) NDAA.—The table of contents in section 2(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (136 Stat. 2430) is amended by striking the item relating to section 8359 and inserting the following:

''Sec. 8359. Oregon.''.

(2) WRDA.—The table of contents in section 8001(b) of the Water Resources Development Act of 2022 (136 Stat. 3694) is amended by striking the item relating to section 8359 and inserting the following:

''Sec. 8359. Oregon.''.

SEC. 5306. KENTUCKY AND WEST VIRGINIA ENVIRONMENTAL INFRASTRUCTURE.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide

environmental assistance to non-Federal interests in Kentucky and West Virginia.

(b) FORM OF ASSISTANCE.—Assistance provided under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Kentucky and West Virginia, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(c) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) LOCAL COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with such assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the cost of a project carried out under this section—

(i) shall be 75 percent; and

(ii) may be provided in the form of grants or reimbursements of project costs.

(B) CREDIT FOR INTEREST.—In case of a delay in the funding of the Federal share of a project that is the subject of a local cooperation agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project cost.

(C) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but such credit may not exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $75,000,000 to carry out this section, to be divided between the States described in subsection (a).

(2) CORPS OF ENGINEERS EXPENSES.—Not more than 10 percent of the amounts made available to carry out this section may be used by the Corps of Engineers to administer projects under this section.

SEC. 5307. LAKE CHAMPLAIN WATERSHED, VERMONT AND NEW YORK.

Section 542(e)(1)(A) of the Water Resources Development Act of 2000 (114 Stat. 2672) is amended by inserting '', or in the case of a critical restoration project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), 10 percent of the total costs of the project'' after ''project''.

SEC. 5308. OHIO AND NORTH DAKOTA.

Section 594(d)(3)(A) of the Water Resources Development Act of 1999 (113 Stat. 382) is amended—

(1) in the second sentence, by striking ''The Federal share may'' and inserting the following:

''(iii) FORM.—The Federal share may'';

(2) by striking the subparagraph designation and heading and all that follows through ''The Federal share of'' in the first sentence and inserting the following:

''(A) PROJECT COSTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Federal share of''; and

(3) by inserting after clause (i) (as so designated) the following:

''(ii) EXCEPTION.—The non-Federal share of the cost of a project under this section benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.''.

SEC. 5309. SOUTHERN WEST VIRGINIA.

Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856; 136 Stat. 3807) is amended—

(1) in subsection (c)(3)—

(A) in the first sentence, by striking ''Total project costs'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), total project costs''; and

(B) by adding at the end the following:

''(B) EXCEPTION.—In the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the Federal share of the total project costs under the applicable local cooperation agreement entered into under this subsection shall be 90 percent.

''(C) FEDERAL SHARE.—The Federal share of the total project costs under this paragraph may be provided in the same form as described in section 571(e)(3)(A) of the Water Resources Development Act of 1999 (113 Stat. 371).'';

(2) by striking subsection (e);

(3) by redesignating subsections (f), (g), (h), and (i) as subsections (e), (f), (g), and (h), respectively; and

(4) in subsection (f) (as so redesignated), in the first sentence, by striking ''$140,000,000'' and inserting ''$170,000,000''.

SEC. 5310. NORTHERN WEST VIRGINIA.

Section 571 of the Water Resources Development Act of 1999 (113 Stat. 371; 121 Stat. 1257; 136 Stat. 3807) is amended—

(1) in subsection (e)(3)—

(A) in subparagraph (A), in the first sentence, by striking ''The Federal share'' and inserting ''Except as provided in subparagraph (B), the Federal share'';

(B) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (C), (D), (E), and (F), respectively; and

(C) by inserting after subparagraph (A) the following:

''(B) EXCEPTION.—In the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the Federal share of the project costs under the applicable local cooperation agreement entered into under this subsection shall be 90 percent.'';

(2) by striking subsection (g);

(3) by redesignating subsections (h), (i), and (j) as sections (g), (h), and (i), respectively; and

(4) in subsection (g) (as so redesignated), by striking ''$120,000,000'' and inserting ''$150,000,000''.

SEC. 5311. OHIO, PENNSYLVANIA, AND WEST VIRGINIA.

(a) DEFINITIONS.—In this section:

(1) IMPAIRED WATER.—

(A) IN GENERAL.—The term ''impaired water'' means a stream of a watershed that is not, as of the date of an application under this section, achieving the designated use of the stream.

(B) INCLUSION.—The term ''impaired water'' includes any stream identified by a State under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

(2) RESTORATION.—

(A) IN GENERAL.—The term ''restoration'', with respect to impaired water, means the restoration of the impaired water to such an extent that the stream could achieve its designated use over the greatest practical number of stream-miles, as determined using, if available, State-designated or Tribal-designated criteria.

(B) INCLUSION.—The term ''restoration'' includes the removal of covered pollutants.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests for the restoration of impaired water impacted by acid mine drainage in Ohio, Pennsylvania, and West Virginia.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of technical assistance and design and construction assistance for water-related environmental infrastructure to address acid mine drainage, including projects for centralized water treatment and related facilities.

(d) PRIORITIZATION.—The Secretary shall prioritize assistance under this section to a project that—

(1) addresses acid mine drainage from multiple sources impacting impaired waters; or

(2) includes a centralized water treatment system to reduce the acid mine drainage load in impaired waters.

(e) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(f) COORDINATION.—The Secretary shall, to the maximum extent practicable, work with States, units of local government, and other relevant Federal agencies to secure any permits, variances, or approvals necessary to facilitate the completion of projects receiving assistance under this section.

(g) COST-SHARE.—The non-Federal share of the cost of a project carried out under this section shall be 25 percent, including provision of all land, easements, rights-of-way, and necessary relocations.

(h) AGREEMENTS.—Construction of a project under this section shall be initiated only after the non-Federal interest has entered into a binding agreement with the Secretary to pay—

(1) the non-Federal share of the costs of construction of a project carried out under this section; and

(2) 100 percent of any operation, maintenance, and replacement and rehabilitation costs of a project carried out under this section.

(i) CONTRIBUTED FUNDS.—The Secretary, with the consent of the non-Federal interest for a project carried out under this section, may receive or expend funds contributed by a nonprofit entity for the project.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000, to remain available until expended.

SEC. 5312. WESTERN RURAL WATER.

Section 595 of the Water Resources Development Act of 1999 (113 Stat. 383; 117 Stat. 1836) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

''(1) NON-FEDERAL INTEREST.—The term 'non-Federal interest' includes an entity declared to be a political subdivision of the State of New Mexico.''; and

(2) in subsection (e)(3)(A)—

(A) in the second sentence, by striking ''The Federal share may'' and inserting the following:

''(iii) FORM.—The Federal share may'';

(B) by striking the subparagraph designation and heading and all that follows through ''The Federal share of'' in the first sentence and inserting the following:

''(A) PROJECT COSTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Federal share of''; and

(C) by inserting after clause (i) (as so designated) the following:

''(ii) EXCEPTION.—The non-Federal share of the cost of a project under this section benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.''.

SEC. 5313. CONTINUING AUTHORITIES PROGRAMS.

(a) REMOVAL OF OBSTRUCTIONS; CLEARING CHANNELS.—Section 2 of the Act of August 28, 1937 (50 Stat. 877, chapter 877; 33 U.S.C. 701g), is amended—

(1) by striking ''$7,500,000'' and inserting ''$15,000,000'';

(2) by inserting ''for preventing and mitigating flood damages associated with ice jams,'' after ''other debris,''; and

(3) by striking ''$500,000'' and inserting ''$1,000,000''.

(b) EMERGENCY STREAMBANK AND SHORELINE PROTECTION.—Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended—

(1) by striking ''$25,000,000'' and inserting ''$40,000,000''; and

(2) by striking ''$10,000,000'' and inserting ''$15,000,000''.

(c) STORM AND HURRICANE RESTORATION AND IMPACT MINIMIZATION PROGRAM.—Section 3(c) of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g(c)), is amended—

(1) in paragraph (1), by striking ''$37,500,000'' and inserting ''$45,000,000''; and

(2) in paragraph (2)(B), by striking ''$10,000,000'' and inserting ''$15,000,000''.

(d) SMALL FLOOD CONTROL PROJECTS.—Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended—

(1) in the first sentence, by striking ''$68,750,000'' and inserting ''$85,000,000''; and

(2) in the third sentence, by striking ''$10,000,000'' and inserting ''$15,000,000''.

(e) AQUATIC ECOSYSTEM RESTORATION.—Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended—

(1) in subsection (a), by adding at the end the following:

''(4) DROUGHT RESILIENCE.—A project under this section may include measures that enhance drought resilience through the restoration of wetlands or the removal of invasive species.'';

(2) in subsection (d), by striking ''$10,000,000'' and inserting ''$15,000,000''; and

(3) in subsection (f), by striking ''$62,500,000'' and inserting ''$75,000,000''.

(f) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) is amended—

(1) in subsection (d), in the third sentence, by striking ''$10,000,000'' and inserting ''$15,000,000''; and

(2) in subsection (h), by striking ''$50,000,000'' and inserting ''$60,000,000''.

(g) SHORE DAMAGE PREVENTION OR MITIGATION.—Section 111(c) of the River and Harbor Act of 1968 (33 U.S.C. 426i(c)) is amended by striking ''$12,500,000'' and inserting ''$15,000,000''.

(h) SMALL RIVER AND HARBOR IMPROVEMENT PROJECTS.—Section 107(b) of the River and Harbor Act of 1960 (33 U.S.C. 577(b)) is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

(i) REGIONAL SEDIMENT MANAGEMENT.—Section 204(c)(1)(C) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(c)(1)(C)) is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

SEC. 5314. SMALL PROJECT ASSISTANCE.

Section 165(b) of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260) is amended by striking ''2024'' each place it appears and inserting ''2029''.

SEC. 5315. GREAT LAKES AND MISSISSIPPI RIVER INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY, ILLINOIS.

After completion of construction of the project for ecosystem restoration, Great Lakes and Mississippi River Interbasin project, Brandon Road, Will County, Illinois, authorized by section 401(5) of the Water Resources Development Act of 2020 (134 Stat. 2740) and modified by section 402(a) of that Act (134 Stat. 2742) and section 8337 of the Water Resources Development Act of 2022 (136 Stat. 3793), the Federal share of operation and maintenance costs of the project shall be 90 percent.

SEC. 5316. MAMARONECK-SHELDRAKE RIVERS, NEW YORK.

The non-Federal share of the cost of features of the project for flood risk management, Mamaroneck-Sheldrake Rivers, New York, authorized by section 1401(2) of the Water Resources Development Act of 2018 (132 Stat. 3837), benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.

SEC. 5317. LOWELL CREEK TUNNEL, ALASKA.

Section 5032(a)(2) of the Water Resources Development Act of 2007 (121 Stat. 1205; 134 Stat. 2719) is amended by striking ''20'' and inserting ''25''.

SEC. 5318. SELMA FLOOD RISK MANAGEMENT AND BANK STABILIZATION.

(a) REPAYMENT.—

(1) IN GENERAL.—The Secretary shall expedite the review of, and give due consideration to, the request from the City of Selma, Alabama, that the Secretary apply section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)) to the project for flood risk management, Selma Flood Risk Management and Bank Stabilization, Alabama, authorized by section 8401(2) of the Water Resources Development Act of 2022 (136 Stat. 3839).

(2) DURATION.—If the Secretary determines that the application of section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)) to the project described in paragraph (1) is justified, the Secretary shall, to the maximum extent practicable and consistent with that section, permit the City of Selma, Alabama, to repay the full non-Federal contribution with interest for that project during a period of 30 years that shall begin after the date of completion of that project.

(b) COST-SHARE.—The non-Federal share of the cost of the project for flood risk management, Selma Flood Risk Management and Bank Stabilization, Alabama, authorized by section 8401(2) of the Water Resources Development Act of 2022 (136 Stat. 3839), shall be 10 percent.

SEC. 5319. ILLINOIS RIVER BASIN RESTORATION.

Section 519(c)(2) of the Water Resources Development Act of 2000 (114 Stat. 2654; 121 Stat. 1221) is amended by striking ''2010'' and inserting ''2029''.

SEC. 5320. HAWAII ENVIRONMENTAL RESTORATION.

Section 444 of the Water Resources Development Act of 1996 (110 Stat. 3747; 113 Stat. 286) is amended—

(1) by striking ''and environmental restoration'' and inserting ''environmental restoration, and coastal storm risk management''; and

(2) by inserting ''Hawaii,'' after ''Guam,''.

SEC. 5321. CONNECTICUT RIVER BASIN INVASIVE SPECIES PARTNERSHIPS.

Section 104(g)(2)(A) of the River and Harbor Act of 1958 (33 U.S.C. 610(g)(2)(A)) is amended by inserting ''the Connecticut River Basin,'' after ''the Ohio River Basin,''.

SEC. 5322. EXPENSES FOR CONTROL OF AQUATIC PLANT GROWTHS AND INVASIVE SPECIES.

Section 104(d)(2)(A) of the River and Harbor Act of 1958 (33 U.S.C. 610(d)(2)(A)) is amended by striking ''50 percent'' and inserting ''35 percent''.

SEC. 5323. CORPS OF ENGINEERS ASIAN CARP PREVENTION PILOT PROGRAM.

Section 509(a)(2)(C)(ii) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended by striking ''2024'' and inserting ''2029''.

SEC. 5324. EXTENSION FOR CERTAIN INVASIVE SPECIES PROGRAMS.

Section 104(b)(2)(A) of the River and Harbor Act of 1958 (33 U.S.C. 610(b)(2)(A)) is amended—

(1) in clause (i), by striking ''each of fiscal years 2021 through 2024'' and inserting ''each of fiscal years 2025 through 2029''; and

(2) in clause (ii), by striking ''2028'' and inserting ''2029''.

SEC. 5325. STORM DAMAGE PREVENTION AND REDUCTION, COASTAL EROSION, RIVERINE EROSION, AND ICE AND GLACIAL DAMAGE, ALASKA.

(a) IN GENERAL.—Section 8315 of the Water Resources Development Act of 2022 (136 Stat. 3783) is amended—

(1) in the section heading, by inserting ''**RIVERINE EROSION,**'' after ''**COASTAL EROSION,**''; and

(2) in subsection (a), in the matter preceding paragraph (1), by inserting ''riverine erosion,'' after ''coastal erosion,''.

(b) CLERICAL AMENDMENTS.—

(1) The table of contents in section 2(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (136 Stat. 2429) is amended by striking the item relating to section 8315 and inserting the following:

''Sec. 8315. Storm damage prevention and reduction, coastal erosion, riverine erosion, and ice and glacial damage, Alaska.''.

(2) The table of contents in section 8001(b) of the Water Resources Development Act of 2022 (136 Stat. 3693) is amended by striking the item relating to section 8315 and inserting the following:

''Sec. 8315. Storm damage prevention and reduction, coastal erosion, riverine erosion, and ice and glacial damage, Alaska.''.

SEC. 5326. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED DAMS.

Section 1177 of the Water Resources Development Act of 2016 (33 U.S.C. 467f–2 note; Public Law 114–322) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) COST SHARING.—The non-Federal share of the cost of a project for rehabilitation of a dam under this section, including the cost of any required study, shall be the same share assigned to the non-Federal interest for the cost of initial construction of that

dam, including provision of all land, easements, rights-of-way, and necessary relocations.'';

(2) in subsection (e)—

(A) by striking the subsection designation and heading and all that follows through ''The Secretary'' and inserting the following:

''(e) COST LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary''; and

(B) by adding at the end the following:

''(2) CERTAIN DAMS.—The Secretary shall not expend more than $100,000,000 under this section for the Waterbury Dam Spillway Project, Vermont.'';

(3) in subsection (f), by striking ''fiscal years 2017 through 2026'' and inserting ''fiscal years 2025 through 2029''; and

(4) by striking subsection (g).

SEC. 5327. EDIZ HOOK BEACH EROSION CONTROL PROJECT, PORT ANGELES, WASHINGTON.

The cost-share for operation and maintenance costs for the project for beach erosion control, Ediz Hook, Port Angeles, Washington, authorized by section 4 of the Water Resources Development Act of 1974 (88 Stat. 15), shall be in accordance with the cost-share described in section 101(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)(1)).

SEC. 5328. SENSE OF CONGRESS RELATING TO CERTAIN LOUISIANA HURRICANE AND COASTAL STORM DAMAGE RISK REDUCTION PROJECTS.

It is the sense of Congress that all efforts should be made to extend the scope of the project for hurricane and storm damage risk reduction, Morganza to the Gulf, Louisiana, authorized by section 7002(3) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1368), and the project for hurricane and storm damage risk reduction, Upper Barataria Basin, Louisiana, authorized by section 8401(3) of the Water Resources Development Act of 2022 (136 Stat. 3841), in order to connect the two projects and realize the benefits of continuous hurricane and coastal storm damage risk reduction from west of Houma in Gibson, Louisiana, to the connection with the Hurricane Storm Damage Risk Reduction System around New Orleans, Louisiana.

SEC. 5329. CHESAPEAKE BAY OYSTER RECOVERY PROGRAM.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263 note; Public Law 99–662) is amended, in the second sentence, by striking ''$100,000,000'' and inserting ''$120,000,000''.

SEC. 5330. BOSQUE WILDLIFE RESTORATION PROJECT.

(a) IN GENERAL.—The Secretary shall establish a program to carry out appropriate planning, design, and construction measures for wildfire prevention and restoration in the Middle Rio Grande Bosque, including the removal of jetty jacks.

(b) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the non-Federal share of the cost of a project carried out under this section shall be in accordance with sections 103 and 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2213, 2215).

(2) EXCEPTION.—The non-Federal share of the cost of a project carried out under this section benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.

(c) REPEAL.—Section 116 of the Energy and Water Development Appropriations Act, 2004 (117 Stat. 1836), is repealed.

(d) TREATMENT.—The program authorized under subsection (a) shall be considered a continuation of the program authorized by section 116 of the Energy and Water Development Appropriations Act, 2004 (117 Stat. 1836) (as in effect on the day before the date of enactment of this Act).

SEC. 5331. EXPANSION OF TEMPORARY RELOCATION ASSISTANCE PILOT PROGRAM.

Section 8154(g)(1) of the Water Resources Development Act of 2022 (136 Stat. 3735) is amended by adding at the end the following:

''(F) Project for hurricane and storm damage risk reduction, Norfolk, Virginia, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2738).''.

SEC. 5332. WILSON LOCK FLOATING GUIDE WALL.

On the request of the relevant Federal entity, the Secretary shall, to the maximum extent practicable, use all relevant authorities to expeditiously provide technical assistance, including engineering and design assistance, and cost estimation assistance to the relevant Federal entity in order to address the impacts to navigation along the Tennessee River at the Wilson Lock and Dam, Alabama.

SEC. 5333. DELAWARE INLAND BAYS AND DELAWARE BAY COAST COASTAL STORM RISK MANAGEMENT STUDY.

(a) DEFINITIONS.—In this section:

(1) ECONOMICALLY DISADVANTAGED COMMUNITY.—The term ''economically disadvantaged community'' has the meaning given the term pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).

(2) STUDY.—The term ''study'' means the Delaware Inland Bays and Delaware Bay Coast Coastal Storm Risk Management Study, authorized by the resolution of the Committee on Public Works and Transportation of the House of Representatives dated October 1, 1986, and the resolution of the Committee on Environment and Public Works of the Senate dated June 23, 1988.

(b) STUDY, PROJECTS, AND SEPARABLE ELEMENTS.—Notwithstanding any other provision of law, if the Secretary determines that the study will benefit 1 or more economically disadvantaged communities, the non-Federal share of the costs of carrying out the study, or project construction or a separable element of a project authorized based on the study, shall be 10 percent.

(c) COST SHARING AGREEMENT.—The Secretary shall seek to expedite any amendments to any existing cost-share agreement for the study in accordance with this section.

SEC. 5334. UPPER MISSISSIPPI RIVER PLAN.

Section 1103(e)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(4)) is amended by striking ''$15,000,000'' and inserting ''$25,000,000''.

SEC. 5335. REHABILITATION OF PUMP STATIONS.

Notwithstanding the requirements of section 133 of the Water Resources Development Act of 2020 (33 U.S.C. 2327a), for purposes of that section, each of the following shall be considered to be an eligible pump station (as defined in subsection (a) of that section) that meets the requirements described in subsection (b) of that section:

(1) The flood control pump station, Hockanum Road, Northampton, Massachusetts.

(2) Pointe Celeste Pump Station, Plaquemines Parish, Louisiana.

SEC. 5336. NAVIGATION ALONG THE TENNESSEE–TOMBIGBEE WATERWAY.

The Secretary shall, consistent with applicable statutory authorities—

(1) coordinate with the relevant stakeholders and communities in the State of Alabama and the State of Mississippi to address the dredging needs of the Tennessee–Tombigbee Waterway in those States; and

(2) ensure continued navigation at the locks and dams owned and operated by the Corps of Engineers located along the Tennessee–Tombigbee Waterway.

SEC. 5337. GARRISON DAM, NORTH DAKOTA.

The Secretary shall expedite the review of, and give due consideration to, the request from the relevant Federal power marketing administration that the Secretary apply section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n) to the project for dam safety at Garrison Dam, North Dakota.

SEC. 5338. SENSE OF CONGRESS RELATING TO MISSOURI RIVER PRIORITIES.

It is the sense of Congress that the Secretary should make publicly available, where appropriate, any data used and any decisions made by the Corps of Engineers relating to the operations of civil works projects within the Missouri River Basin in order to ensure transparency for the communities in that Basin.

SEC. 5339. SOIL MOISTURE AND SNOWPACK MONITORING.

Section 511(a)(3) of the Water Resources Development Act of 2020 (134 Stat. 2753) is amended by striking ''2025'' and inserting ''2029''.

SEC. 5340. CONTRACTS FOR WATER SUPPLY.

(a) COPAN LAKE, OKLAHOMA.—Section 8358(b)(2) of the Water Resources Development Act of 2022 (136 Stat. 3802) is amended by striking ''shall not pay more than 110 percent of the initial project investment cost per acre-foot of storage for the acre-feet of storage space sought under an agreement under paragraph (1)'' and inserting '', for the acre-feet of storage space being sought under an agreement under paragraph (1), shall pay 110 percent of the contractual rate per acre-foot of storage in the most recent agreement of the City for water supply storage space at the project''.

(b) STATE OF KANSAS.—

(1) IN GENERAL.—The Secretary shall amend the contracts described in paragraph (2) between the United States and the State of Kansas, relating to storage space for water supply, to change the method of calculation of the interest charges that began accruing on February 1, 1977, on the investment costs for the 198,350 acre-feet of future use storage space and on April 1, 1979, on 125,000 acre-feet of future use storage from compounding interest annually to charging simple interest annually on the principal amount, until—

(A) the State of Kansas informs the Secretary of the desire to convert the future use storage space to present use; and

(B) the principal amount plus the accumulated interest becomes payable pursuant to the terms of the contracts.

(2) CONTRACTS DESCRIBED.—The contracts referred to in paragraph (1) are the following contracts between the United States and the State of Kansas:

(A) Contract DACW41–74–C–0081, entered into on March 8, 1974, for the use by the State of Kansas of storage space for water supply in Milford Lake, Kansas.

(B) Contract DACW41–77–C–0003, entered into on December 10, 1976, for the use by the State of Kansas for water supply in Perry Lake, Kansas.

SEC. 5341. REND LAKE, CARLYLE LAKE, AND LAKE SHELBYVILLE, ILLINOIS.

(a) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a request from the Governor of Illinois to terminate a contract described in subsection (c), the Secretary shall amend the contract to release to the United States all rights of the State of Illinois to utilize water storage space in the reservoir project to which the contract applies.

(b) RELIEF OF CERTAIN OBLIGATIONS.—On execution of an amendment described in subsection (a), the State of Illinois shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract for the reservoir project to which the contract applies.

(c) CONTRACTS.—Subsection (a) applies to the following contracts between the United States and the State of Illinois:

(1) Contract DACW43–88–C–0088, entered into on September 23, 1988, for utilization of storage space for water supply in Rend Lake, Illinois.

(2) Contract DA–23–065–CIVENG–65–493, entered into on April 28, 1965, for utilization of storage space for water supply in Rend Lake, Illinois.

(3) Contract DACW43–83–C–0008, entered into on July 6, 1983, for utilization of storage space in Carlyle Lake, Illinois.

(4) Contract DACW43–83–C–0009, entered into on July 6, 1983, for utilization of storage space in Lake Shelbyville, Illinois.

SEC. 5342. DELAWARE COASTAL SYSTEM PROGRAM.

(a) PURPOSE.—The purpose of this section is to provide for the collective planning and implementation of coastal storm risk management and hurricane and storm risk reduction projects in Delaware to provide greater efficiency and a more comprehensive approach to life safety and economic growth.

(b) DESIGNATION.—The following projects for coastal storm risk management and hurricane and storm risk reduction shall be known and designated as the ''Delaware Coastal System Program'' (referred to in this section as the ''Program''):

(1) Delaware Bay Coastline, Roosevelt Inlet and Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (113 Stat. 276).

(2) Delaware Coast, Bethany Beach and South Bethany, Delaware, authorized by section 101(a)(15) of the Water Resources Development Act of 1999 (113 Stat. 276).

(3) Delaware Coast from Cape Henlopen to Fenwick Island, Delaware, authorized by section 101(b)(11) of the Water Resources Development Act of 2000 (114 Stat. 2577).

(4) Rehoboth Beach and Dewey Beach, Delaware, authorized by section 101(b)(6) of the Water Resources Development Act of 1996 (110 Stat. 3667).

(5) Indian River Inlet, Delaware.

(6) The project for hurricane and storm damage risk reduction, Delaware Beneficial Use of Dredged Material for the Delaware River, Delaware, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2736) and modified by section 8327(a) of the Water Resources Development Act of 2022 (136 Stat. 3788) and subsection (e).

(c) MANAGEMENT.—The Secretary shall manage the projects described in subsection (b) as components of a single, comprehensive system, recognizing the interdependence of the projects.

(d) COST-SHARE.—Notwithstanding any other provision of law, the Federal share of the cost of each of the projects described in paragraphs (1) through (4) of subsection (b) shall be 80 percent.

(e) BROADKILL BEACH, DELAWARE.—The project for hurricane and storm damage risk reduction, Delaware Beneficial Use of Dredged Material for the Delaware River, Delaware, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2736) and modified by section 8327(a) of the Water Resources Development Act of 2022 (136 Stat. 3788), is modified to include the project for hurricane and storm damage reduction, Delaware Bay coastline, Delaware and New Jersey–Broadkill Beach, Delaware, authorized by section 101(a)(11) of the Water Resources Development Act of 1999 (113 Stat. 275).

SEC. 5343. MAINTENANCE OF PILE DIKE SYSTEM.

The Secretary shall continue to maintain the pile dike system constructed by the Corps of Engineers for the purpose of navigation along the Lower Columbia River and Willamette River, Washington, at Federal expense.

SEC. 5344. CONVEYANCES.

(a) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(4) LIABILITY.—

(A) HOLD HARMLESS.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed.

(B) FEDERAL RESPONSIBILITY.—The United States shall remain responsible for any liability with respect to activities carried out before the date of conveyance on the real property conveyed.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

(b) DILLARD ROAD, INDIANA.—

(1) CONVEYANCE AUTHORIZED.—The Secretary shall convey to the State of Indiana all right, title, and interest of the United States, together with any improvements on the land, in and to the property described in paragraph (2).

(2) PROPERTY.—The property to be conveyed under this subsection is the approximately 11.85 acres of land and road easements associated with Dillard Road, including improvements on that land, located in Patoka Township, Crawford County, Indiana.

(3) DEED.—The Secretary shall convey the property under this subsection by quitclaim deed under such terms and conditions as the Secretary determines appropriate to protect the interests of the United States.

(4) REVERSION.—If the Secretary determines that the property conveyed under this subsection is not used for a public purpose, all right, title, and interest in and to the property shall revert, at the discretion of the Secretary, to the United States.

(c) PORT OF SKAMANIA, WASHINGTON.—

(1) CONVEYANCE AUTHORIZED.—The Secretary shall convey to the Port of Skamania, Washington, all right, title, and interest of the United States, together with any improvements on the land, in and to the property described in paragraph (2).

(2) PROPERTY.—The property to be conveyed under this subsection is the approximately 1.6 acres of land designated as ''Lot I-2'', including any improvements on the land, located in North Bonneville, Washington, T. 2 N., R. 7 E., sec. 19, Willamette Meridian.

(3) CONSIDERATION.—The Port of Skamania, Washington, shall pay to the Secretary an amount that is not less than the fair market value of the property conveyed under this subsection, as determined by the Secretary.

SEC. 5345. EMERGENCY DROUGHT OPERATIONS PILOT PROGRAM.

(a) DEFINITION OF COVERED PROJECT.—In this section, the term ''covered project'' means a project—

(1) that is located in the State of California or the State of Arizona; and

(2)(A) of the Corps of Engineers for which water supply is an authorized purpose; or

(B) for which the Secretary develops a water control manual under section 7 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 890, chapter 665; 33 U.S.C. 709).

(b) EMERGENCY OPERATION DURING DROUGHT.—Consistent with other authorized project purposes and in coordination with the non-Federal interest, in operating a covered project during a drought emergency in the project area, the Secretary may carry out a pilot program to operate the covered project with water supply as the primary project purpose.

(c) UPDATES.—In carrying out this section, the Secretary may update the water control manual for a covered project to include drought operations and contingency plans.

(d) REQUIREMENTS.—In carrying out subsection (b), the Secretary shall ensure that—

(1) operations described in that subsection—

(A) are consistent with water management deviations and drought contingency plans in the water control manual for the covered project;

(B) impact only the flood pool managed by the Secretary; and

(C) shall not be carried out in the event of a forecast or anticipated flood or weather event that would require flood risk management to take precedence;

(2) to the maximum extent practicable, the Secretary uses forecast-informed reservoir operations; and

(3) the covered project returns to the operations that were in place prior to the use of the authority provided under that subsection at a time determined by the Secretary, in coordination with the non-Federal interest.

(e) CONTRIBUTED FUNDS.—The Secretary may receive and expend funds contributed by a non-Federal interest to carry out activities under this section.

(f) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the pilot program carried out under this section.

(2) INCLUSIONS.—The Secretary shall include in the report under paragraph (1) a description of the activities of the Secretary that were carried out for each covered project and any lessons learned from carrying out those activities.

(g) LIMITATIONS.—Nothing in this section—

(1) affects, modifies, or changes the authorized purposes of a covered project;

(2) affects existing Corps of Engineers authorities, including authorities with respect to navigation, flood damage reduction, and environmental protection and restoration;

(3) affects the ability of the Corps of Engineers to provide for temporary deviations;

(4) affects the application of a cost-share requirement under section 101, 102, or 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2212, 2213);

(5) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(6) supersedes or modifies any amendment to an existing multistate water control plan for the Colorado River Basin, if applicable;

(7) affects any water right in existence on the date of enactment of this Act;

(8) preempts or affects any State water law or interstate compact governing water;

(9) affects existing water supply agreements between the Secretary and the non-Federal interest; or

(10) affects any obligation to comply with the provisions of any Federal or State environmental law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(C) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 5346. REHABILITATION OF EXISTING LEVEES.

Section 3017(e) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended by striking ''2028'' and inserting ''2029''.

SEC. 5347. NON-FEDERAL IMPLEMENTATION PILOT PROGRAM.

(a) IN GENERAL.—Section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended—

(1) in paragraph (3)(A)(i)—

(A) in the matter preceding subclause (I), by striking ''20'' and inserting ''30''; and

(B) in subclause (III), by striking ''5'' and inserting ''15''; and

(2) in paragraph (8), by striking ''each of fiscal years 2019 through 2026'' and inserting ''each of fiscal years 2025 through 2029''.

(b) LOUISIANA COASTAL AREA RESTORATION PROJECTS.—

(1) IN GENERAL.—In carrying out the pilot program under section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121), the Secretary may include in the pilot program a project authorized to be implemented under, or in accordance with, title VII of the Water Resources Development Act of 2007 (121 Stat. 1270).

(2) ELIGIBILITY.—In the case of a project described in paragraph (1) for which the non-Federal interest has initiated construction in accordance with authorities governing the provision of in-kind contributions for the project, the Secretary shall take into account the value of any in-kind contributions provided by the non-Federal interest for the project prior to the date of execution of the project partnership agreement under section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) for purposes of determining the non-Federal share of the costs to complete construction of the project.

SEC. 5348. HARMFUL ALGAL BLOOM DEMONSTRATION PROGRAM.

Section 128(c) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended—

(1) in paragraph (13), by striking ''and'' at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(15) Lake Elsinore, California; and

''(16) Willamette River, Oregon.''.

SEC. 5349. SENSE OF CONGRESS RELATING TO MOBILE HARBOR, ALABAMA.

It is sense of Congress that the Secretary should, consistent with applicable statutory authorities, coordinate with relevant stakeholders in the State of Alabama to address the dredging and dredging material placement needs associated with the project for navigation, Mobile Harbor, Alabama, authorized by section 201 of the Flood Control Act of 1965 (42 U.S.C. 1962d–5) and modified by section 309 of the Water Resources Development Act of 2020 (134 Stat. 2704).

SEC. 5350. SENSE OF CONGRESS RELATING TO PORT OF PORTLAND, OREGON.

It is sense of Congress that—

(1) the Port of Portland, Oregon, is the sole dredging operator of the federally authorized navigation channel in the Columbia River, which was authorized by section 101 of the River and Harbors Act of 1962 (76 Stat. 1177);

(2) the Corps of Engineers should continue to provide operation and maintenance support for the Port of Portland, Oregon, including for dredging equipment;

(3) the pipeline dredge of the Port of Portland, known as the ''Dredge Oregon'', was built in 1965, 58 years ago, while the average age of a dredging vessel in the United States is 25 years; and

(4) Congress commits to ensuring continued dredging for the Port of Portland.

SEC. 5351. CHATTAHOOCHEE RIVER PROGRAM.

Section 8144 of the Water Resources Development Act of 2022 (136 Stat. 3724) is amended—

(1) by striking ''comprehensive plan'' each place it appears and inserting ''plans'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''COMPREHENSIVE PLAN'' and inserting ''IMPLEMENTATION PLANS''; and

(B) in paragraph (1)—

(i) by striking ''2 years'' and inserting ''4 years''; and

(ii) by striking ''a comprehensive Chattahoochee River Basin restoration plan to guide the implementation of projects'' and inserting ''plans to guide implementation of Chattahoochee River Basin restoration projects''; and

(3) in subsection (j), by striking ''3 years'' and inserting ''5 years''.

SEC. 5352. ADDITIONAL PROJECTS FOR UNDERSERVED COMMUNITY HARBORS.

Section 8132 of the Water Resources Development Act of 2022 (33 U.S.C. 2238e) is amended—

(1) in subsection (a), by inserting ''and for purposes of contributing to ecosystem restoration'' before the period at the end; and

(2) in subsection (h)(1), by striking ''2026'' and inserting ''2029''.

SEC. 5353. WINOOSKI RIVER TRIBUTARY WATERSHED.

Section 212(e)(2) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e)(2)) is amended by adding at the end the following:

''(L) Winooski River tributary watershed, Vermont.''.

SEC. 5354. WACO LAKE, TEXAS.

The Secretary shall, to the maximum extent practicable, expedite the review of, and give due consideration to, the request from the City of Waco, Texas, that the Secretary apply section 147 of the Water Resources Development Act of 2020 (33 U.S.C. 701q–1) to the embankment adjacent to Waco Lake in Waco, Texas.

SEC. 5355. SEMINOLE TRIBAL CLAIM EXTENSION.

Section 349 of the Water Resources Development Act of 2020 (134 Stat. 2716) is amended in the matter preceding paragraph (1) by striking ''2022'' and inserting ''2027''.

SEC. 5356. COASTAL EROSION PROJECT, BARROW, ALASKA.

For purposes of implementing the coastal erosion project, Barrow, Alaska, the Secretary may consider the North Slope Borough to be in compliance with section 402(a) of the Water Resources Development Act of 1986 (33 U.S.C. 701b–12(a)) on adoption by the North Slope Borough Assembly of a floodplain management plan to reduce the impacts of future flood events in the immediate floodplain area of the project if that plan—

(1) is approved by the relevant Federal agency; and

(2) was developed in consultation with the relevant Federal agency and the Secretary.

SEC. 5357. COLEBROOK RIVER RESERVOIR, CONNECTICUT.

(a) CONTRACT TERMINATION REQUEST.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a request from the Metropolitan District of Hartford County, Connecticut, to terminate the contract described in paragraph (2), the Secretary shall offer to amend the contract to release to the United States all rights of the Metropolitan District of Hartford, Connecticut, to utilize water storage space in the reservoir project to which the contract applies.

(2) CONTRACT DESCRIBED.—The contract referred to in paragraph (1) and subsection (b) is the contract between the United States and the Metropolitan District of Hartford County, Connecticut, numbered DA-19-016-CIVENG-65-203, with respect to the Colebrook River Reservoir in Connecticut.

(b) RELIEF OF CERTAIN OBLIGATIONS.—On execution of the amendment described in subsection (a)(1), the Metropolitan District of Hartford County, Connecticut, shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract described in subsection (a)(2) for the reservoir project to which the contract applies.

SEC. 5358. SENSE OF CONGRESS RELATING TO SHALLOW DRAFT DREDGING IN THE CHESAPEAKE BAY.

It is the sense of Congress that—

(1) shallow draft dredging in the Chesapeake Bay is critical for tourism, recreation, and the fishing industry and that additional dredging is needed; and

(2) the Secretary should, to the maximum extent practicable, use existing statutory authorities to address the dredging needs at small harbors and channels in the Chesapeake Bay.

SEC. 5359. REPLACEMENT OF CAPE COD CANAL BRIDGES.

(a) AUTHORITY.—The Secretary is authorized to allow the Commonwealth of Massachusetts to construct the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts.

(b) REQUIREMENTS.—

(1) IN GENERAL.—The authority provided under subsection (a) shall be—

(A) carried out in accordance with a memorandum of understanding entered into by the Secretary and the Commonwealth of Massachusetts;

(B) subject to the same legal and technical requirements as if the construction of the replacement of the bridges were carried about by the Secretary, and any other conditions that the Secretary determines to be appropriate; and

(C) on the condition that the bridges shall be conveyed to the Commonwealth of Massachusetts on completion of the replacement of the bridges pursuant to section 109 of the River and Harbor Act of 1950 (33 U.S.C. 534).

(c) CONDITIONS.—Before carrying out the construction of the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, under this section, the Commonwealth of Massachusetts shall—

(1) obtain any permit or approval required in connection with that replacement under Federal or State law; and

(2) ensure that the environmental impact statement or environmental assessment, as appropriate, for that replacement is complete.

(d) REIMBURSEMENT.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3) and subsection (e), the Secretary is authorized to reimburse the Commonwealth of Massachusetts for the Corps of Engineers

contribution of the construction costs for the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, or a portion of the replacement of the bridges, except that the total reimbursement for the replacement of the bridges shall not exceed $250,000,000.

(2) AVAILABILITY OF APPROPRIATIONS.—The total amount of reimbursement described in paragraph (1)—

(A) shall be subject to the availability of appropriations; and

(B) shall not be derived from the previous funding provided to the Secretary under title I of division D of the Consolidated Appropriations Act, 2024 (Public Law 118–42), for the Corps of Engineers for the purpose of replacing the Bourne Bridge and Sagamore Bridge, Massachusetts.

(3) CERTIFICATION.—Prior to providing a reimbursement under this subsection, the Secretary shall certify that the Commonwealth of Massachusetts has carried out the construction of the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, or a portion of the replacement of the bridges in accordance with—

(A) all applicable permits and approvals; and

(B) this section.

(e) TOTAL FUNDING.—The total amount of funding expended by the Secretary for the construction of the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, shall not exceed $600,000,000.

SEC. 5360. UPPER ST. ANTHONY FALLS LOCK AND DAM.

(a) IN GENERAL.—The portion of the project for navigation, Mississippi River, between the Missouri River and Minneapolis, Minnesota, authorized by the first section of the Act of August 26, 1937 (50 Stat. 848, chapter 832), consisting of Upper St. Anthony Falls Lock and Dam located at Mississippi River Mile 853.9 in Minneapolis, Minnesota, is modified to remove the requirement to pass navigation traffic.

(b) IMPLEMENTATION.—To carry out this section, the Secretary shall modify operation and maintenance requirements for the Upper St. Anthony Falls Lock and Dam to those required—

(1) to mitigate flood damage;

(2) for dam safety; and

(3) for structural maintenance.

(c) SAVINGS CLAUSE.—Nothing in this section prevents the Secretary from carrying out lock operations if those operations are—

(1) to mitigate flood damage; and

(2) in the public interest.

(d) CONSIDERATIONS.—Section 356(f) of the Water Resources Development Act of 2020 (134 Stat. 2724) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) CONSIDERATIONS.—In carrying out paragraph (1), as expeditiously as possible and to the maximum extent practicable, the Secretary shall take all possible measures to reduce the physical footprint required for easements described in subparagraph (A) of that paragraph, including an examination of the use of crane barges on the Mississippi River.''.

SEC. 5361. FLEXIBILITIES FOR CERTAIN HURRICANE AND STORM DAMAGE RISK REDUCTION PROJECTS.

(a) FINDINGS.—Congress finds that—

(1) the Corps of Engineers incorrectly applied the nationwide statutory requirements and the policies of the agency related to easements for communities within the boundaries of the Jacksonville District;

(2) this incorrect application created inconsistencies, confusion, and challenges with carrying out 18 critical hurricane and storm damage risk reduction projects in Florida, and in order to remedy the situation, the Assistant Secretary of the Army for Civil Works issued a memorandum that provided flexibilities for the easements of those projects; and

(3) those projects need additional assistance going forward, and as such, this section provides additional flexibilities and allows the projects to transition, on the date of their expiration, to the nationwide policies and statutory requirements for easements of the Corps of Engineers.

(b) FLEXIBILITIES PROVIDED.—Notwithstanding any other provision of law, but maintaining any existing easement agreement or executed project partnership agreement for a project described in subsection (c), the Secretary may proceed to construction of a project described in that subsection with an easement of not less than 25 years, in lieu of the perpetual beach storm damage reduction easement standard estate if—

(1) the report of the Chief of Engineers, the accompanying reports of the District Engineer and the Division Engineer, and the executed project partnership agreement for the project do not specify that the perpetual beach storm damage reduction easement standard estate is required;

(2) the project complies with all other applicable laws and Corps of Engineers policies during the term of the easement, including the guarantee of a public beach, public access, public use, and access for any work necessary and incident to the construction of the project, periodic nourishment, and operation, maintenance, repair, replacement, and rehabilitation of the project; and

(3) the non-Federal interest agrees to pay the costs of acquiring easements for periodic nourishment of the project after the expiration of the initial easements, for which the non-Federal interest may not receive credit toward the non-Federal share of the costs of the project.

(c) PROJECTS DESCRIBED.—A project referred to in subsection (b) is any of the following projects for hurricane and storm damage risk reduction:

(1) Brevard County, Canaveral Harbor, Florida – North Reach.

(2) Brevard County, Canaveral Harbor, Florida – South Reach.

(3) Broward County, Florida – Segment II.

(4) Lee County, Florida – Captiva.

(5) Lee County, Florida – Gasparilla.

(6) Manatee County, Florida.

(7) Martin County, Florida.

(8) Nassau County, Florida.

(9) Palm Beach County, Florida – Jupiter/Carlin Segment.

(10) Palm Beach County, Florida – Mid Town.

(11) Palm Beach County, Florida – Ocean Ridge.

(12) Pinellas County, Florida – Long Key.

(13) Pinellas County, Florida – Sand Key Segment.

(14) Pinellas County, Florida – Treasure Island.

(15) Sarasota County, Florida – Venice Beach.

(16) St. Johns County, Florida – St. Augustine Beach.

(17) St. Johns County, Florida – Vilano Segment.

(18) St. Lucie County, Florida – Hutchinson Island.

(d) PROHIBITION.—The Secretary shall not carry out an additional economic justification for a project described in subsection (c) on the basis that the project has easements for a period of less than 50 years pursuant to this section.

(e) WRITTEN NOTICE.—Not less than 5 years before the date of expiration of an easement for a project described in subsection (c), the Secretary shall provide to the non-Federal interest for the project written notice that if the easement expires and is not extended under subsection (f)—

(1) the Secretary will not be able—

(A) to renourish the project under the existing project authorization; or

(B) to restore the project to pre-storm conditions under section 5 of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n); and

(2) the non-Federal interest or the applicable State will have the responsibility to renourish or restore the project.

(f) EXTENSION.—With respect to a project described in subsection (c), before the expiration of an easement that has a term of less than 50 years and is subject to subsection (b), the Secretary may allow the non-Federal interest for the project to extend the easement, subject to the condition that the easement and any extensions do not exceed 50 years in total.

(g) TEMPORARY EASEMENTS.—In the case of a project described in subsection (c) that received funding under section 5 of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n), made available by a supplemental appropriations Act, or is eligible to receive such funding as a result of storm damage incurred during fiscal year 2022, 2023, 2024, 2025, or 2026, the project may use 1 or more temporary easements, subject to the conditions that—

(1) the easement lasts for the duration of the applicable renourishment agreement; and

(2) the work shall be carried out by not later than 2 years after the date of enactment of this Act.

(h) TERMINATION.—The authority provided under this section shall terminate, with respect to a project described in subsection (c), on the date on which the operations and maintenance activities for that project expire.

TITLE LIV—PROJECT AUTHORIZATIONS

SEC. 5401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. MD	Baltimore Harbor Anchorages and Channels, Sea Girt Loop	June 22, 2023	Federal: $47,956,500 Non-Federal: $15,985,500 Total: $63,942,000
2. CA	Oakland Harbor Turning Basins Widening	May 30, 2024	Federal: $408,164,600 Non-Federal: $200,780,400 Total: $608,945,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. KS	Manhattan Levees	May 6, 2024	Federal: $29,455,000 Non-Federal: $15,860,000 Total: $45,315,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. RI	Rhode Island Coastline Storm Risk Management	September 28, 2023	Federal: $188,353,750 Non-Federal: $101,421,250 Total: $289,775,000
2. FL	St. Johns County, Ponte Vedra Beach, Coastal Storm Risk Management	April 18, 2024	Federal: $49,223,000 Non-Federal: $89,097,000 Total: $138,320,000
3. LA	St. Tammany Parish, Louisiana Coastal Storm and Flood Risk Management	May 28, 2024	Federal: $3,653,346,450 Non-Federal: $2,240,881,550 Total: $5,894,229,000
4. DC	Metropolitan Washington, District of Columbia, Coastal Storm Risk Management	June 17, 2024	Federal: $9,899,500 Non-Federal: $5,330,500 Total: $15,230,000

(4) NAVIGATION AND HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Gulf Intracoastal Waterway, Brazoria and Matagorda Counties	June 2, 2023	Federal: $204,244,000 Inland Waterways Trust Fund: $109,977,000 Total: $314,221,000

(5) FLOOD RISK MANAGEMENT AND AQUATIC ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. MS	Memphis Metropolitan Stormwater–North DeSoto County	December 18, 2023	Federal: $44,295,000 Non-Federal: $23,851,000 Total: $68,146,000

(6) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. NY	South Shore Staten Island, Fort Wadsworth to Oakwood Beach Coastal Storm Risk Management	February 6, 2024	Federal: $1,730,973,900 Non-Federal: $363,228,100 Total: $2,094,202,000
2. MO	University City Branch, River Des Peres	February 9, 2024	Federal: $9,094,000 Non-Federal: $4,897,000 Total: $13,990,000
3. AZ	Tres Rios, Arizona Ecosystem Restoration Project	May 28, 2024	Federal: $213,433,000 Non-Federal: $118,629,000 Total: $332,062,000

SEC. 5402. FACILITY INVESTMENT.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by the first section of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576), and not otherwise obligated, the Secretary may—

(1) design and construct an Operations and Maintenance Building in Galveston, Texas, described in the prospectus submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on May 22, 2024, pursuant to subsection (c) of that section of that Act (33 U.S.C. 576(c)), substantially in accordance with the prospectus;

(2) design and construct a warehouse facility at the Longview Lake Project, Lee's Summit, Missouri, described in the prospectus submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on May 22, 2024, pursuant to subsection (c) of that section of that Act (33 U.S.C. 576(c)), substantially in accordance with the prospectus;

(3) design and construct facilities, including a joint administration building, a maintenance building, and a covered boat house, at the Corpus Christi Resident Office (Construction) and the Corpus Christi Regulatory Field Office, Naval Air Station, Corpus Christi, Texas, described in the prospectus submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on June 6, 2024, pursuant to subsection (c) of that section of that Act (33 U.S.C. 576(c)), substantially in accordance with the prospectus; and

(4) carry out such construction and infrastructure improvements as are required to support the facilities described in paragraphs (1) through (3), including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by the first section of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576), is appropriately reimbursed from funds appropriated for Corps of Engineers programs that benefit from the facilities constructed under this section.

SA 2880. Mr. MULLIN 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 III, add the following:

SEC. 318. PROHIBITION ON USE OF FUNDS TO IMPLEMENT CLEAN ENERGY RULE.

None of the funds authorized to be appropriated by this Act for the Department of Defense may be used to implement the final rule prescribed by the Department of Energy relating to ''Clean Energy for New Federal Buildings and Major Renovations of Federal Buildings'' (89 Fed. Reg. 35384; published May 1, 2024), on property owned or leased by the Department of Defense or property utilized for purposes of national defense.

SA 2881. 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 end of title XII, add the following:

Subtitle G—Western Hemisphere Partnership Act

SEC. 1294. SHORT TITLE.

This subtitle may be cited as the ''Western Hemisphere Partnership Act''.

SEC. 1295. UNITED STATES POLICY IN THE WESTERN HEMISPHERE.

It is the policy of the United States to promote economic competitiveness, democratic governance, and security in the Western Hemisphere by—

(1) encouraging stronger economic relations, respect for property rights, the rule of law, and enforceable investment rules and labor and environmental standards;

(2) advancing the principles and practices expressed in the Charter of the Organization of American States, the American Declaration on the Rights and Duties of Man, and the Inter-American Democratic Charter; and

(3) enhancing the capacity and technical capabilities of democratic partner nation government institutions, including civilian law enforcement, the judiciary, attorneys general, and security forces.

SEC. 1296. PROMOTING SECURITY AND THE RULE OF LAW IN THE WESTERN HEMISPHERE.

(a) IN GENERAL.—The Secretary of State, in coordination with the heads of other relevant Federal agencies, should support the improvement of security conditions and the

rule of law in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) enhance the institutional capacity and technical capabilities of defense and security institutions in democratic partner nations to conduct national or regional security missions, including through regular bilateral and multilateral engagements, foreign military sales and financing, international military education and training programs, expanding the National Guard State Partnership Programs, and other means;

(2) provide technical assistance and material support (including, as appropriate, radars, vessels, and communications equipment) to relevant security forces to disrupt, degrade, and dismantle organizations involved in the illicit trafficking of narcotics and precursor chemicals, transnational criminal activities, illicit mining, and illegal, unreported, and unregulated fishing, and other illicit activities;

(3) enhance the institutional capacity, legitimacy, and technical capabilities of relevant civilian law enforcement, attorneys general, and judicial institutions to—

(A) strengthen the rule of law and transparent governance;

(B) combat corruption and kleptocracy in the region; and

(C) improve regional cooperation to disrupt, degrade, and dismantle transnational organized criminal networks and terrorist organizations, including through training, anticorruption initiatives, anti-money laundering programs, and strengthening cyber capabilities and resources;

(4) enhance port management and maritime security partnerships and airport management and aviation security partnerships to disrupt, degrade, and dismantle transnational criminal networks and facilitate the legitimate flow of people, goods, and services;

(5) strengthen cooperation to improve border security across the Western Hemisphere, dismantle human smuggling and trafficking networks, and increase cooperation to demonstrably strengthen migration management systems;

(6) counter the malign influence of state and non-state actors and disinformation campaigns;

(7) disrupt illicit domestic and transnational financial networks;

(8) foster mechanisms for cooperation on emergency preparedness and rapid recovery from natural disasters, including by—

(A) supporting regional preparedness, recovery, and emergency management centers to facilitate rapid response to survey and help maintain planning on regional disaster anticipated needs and possible resources;

(B) training disaster recovery officials on latest techniques and lessons learned from United States experiences;

(C) making available, preparing, and transferring on-hand nonlethal supplies, and providing training on the use of such supplies, for humanitarian or health purposes to respond to unforeseen emergencies; and

(D) conducting medical support operations and medical humanitarian missions, such as hospital ship deployments and base-operating services, to the extent required by the operation;

(9) foster regional mechanisms for early warning and response to pandemics in the Western Hemisphere, including through—

(A) improved cooperation with and research by the United States Centers for Disease Control and Prevention through regional pandemic response centers;

(B) personnel exchanges for technology transfer and skills development; and

(C) surveying and mapping of health networks to build local health capacity;

(10) promote the meaningful participation of women across all political processes, including conflict prevention and conflict resolution and post-conflict relief and recovery efforts; and

(11) hold accountable actors that violate political and civil rights.

(b) LIMITATIONS ON USE OF TECHNOLOGIES.—Operational technologies transferred pursuant to subsection (a) to partner governments for intelligence, defense, or law enforcement purposes shall be used solely for the purposes for which the technology was intended. The United States shall take steps to ensure that the use of such operational technologies is consistent with United States law, including protections of freedom of expression, freedom of movement, and freedom of association.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days 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 to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a 5-year strategy to promote security and the rule of law in the Western Hemisphere in accordance to this section.

(2) ELEMENTS.—The strategy required under paragraph (1) shall include the following elements:

(A) A detailed assessment of the resources required to carry out such collaborative efforts.

(B) Annual benchmarks to track progress and obstacles in undertaking such collaborative efforts.

(C) A public diplomacy component to engage the people of the Western Hemisphere with the purpose of demonstrating that the security of their countries is enhanced to a greater extent through alignment with the United States and democratic values rather than with authoritarian countries such as the People's Republic of China, the Russian Federation, and the Islamic Republic of Iran.

(3) BRIEFING.—Not later than 1 year after submission of the strategy required under paragraph (1), and annually thereafter, the Secretary of State shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a briefing on the implementation of the strategy.

SEC. 1297. PROMOTING DIGITALIZATION AND CYBERSECURITY IN THE WESTERN HEMISPHERE.

The Secretary of State, in coordination with the heads of other relevant Federal agencies, should promote digitalization and cybersecurity in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) promote digital connectivity and facilitate e-commerce by expanding access to information and communications technology (ICT) supply chains that adhere to high-quality security and reliability standards, including—

(A) to open market access on a national treatment, nondiscriminatory basis; and

(B) to strengthen the cybersecurity and cyber resilience of partner countries;

(2) advance the provision of digital government services (e-government) that, to the greatest extent possible, promote transparency, lower business costs, and expand citizens' access to public services and public information; and

(3) develop robust cybersecurity partnerships to—

(A) promote the inclusion of components and architectures in information and communications technology (ICT) supply chains from participants in initiatives that adhere to high-quality security and reliability standards;

(B) share best practices to mitigate cyber threats to critical infrastructure from ICT architectures from foreign countries of concern as defined in section 10612(a)(1) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19221(a)(1)), foreign entities of concern as defined in section 10612(a)(2) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19221(a)(2)), and by technology providers that supply equipment and services covered under section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601);

(C) effectively respond to cybersecurity threats, including state-sponsored threats; and

(D) to strengthen resilience against cyberattacks and cybercrime.

SEC. 1298. PROMOTING ECONOMIC AND COMMERCIAL PARTNERSHIPS IN THE WESTERN HEMISPHERE.

The Secretary of State, in consultation with the heads of other relevant Federal agencies, should support the improvement of economic conditions in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) facilitate a more open, transparent, and competitive environment for United States businesses and promote robust and comprehensive trade capacity-building and trade facilitation by—

(A) reducing trade and nontariff barriers between the countries in the region, establishing a mechanism for pursuing Mutual Recognition Agreements and Formalized Regulatory Cooperation Agreements in priority sectors of the economy;

(B) building relationships and exchanges between relevant regulatory bodies in the United States and democratic partners in the Western Hemisphere to promote best practices and transparency in rulemaking, implementation, and enforcement, and provide training and assistance to help improve supply chain management in the Western Hemisphere;

(C) establishing regional fora for identifying, raising, and addressing supply chain management issues, including infrastructure needs and strengthening of investment rules and regulatory frameworks;

(D) establishing a dedicated program of trade missions and reverse trade missions to increase commercial contacts and ties between the United States and Western Hemisphere partner countries; and

(E) strengthening labor and environmental standards in the region;

(2) establish frameworks or mechanisms to review and address the long-term financial sustainability and national security implications of foreign investments in strategic sectors or services;

(3) establish competitive and transparent infrastructure project selection and procurement processes that promote transparency, open competition, financial sustainability, and robust adherence to global standards and norms;

(4) advance robust and comprehensive energy production and integration, including through a more open, transparent, and competitive environment for United States companies competing in the Western Hemisphere; and

(5) explore opportunities to partner with the private sector and multilateral institutions, such as the World Bank and the Inter-American Development Bank, to promote universal access to reliable and affordable electricity in the Western Hemisphere.

SEC. 1299. PROMOTING TRANSPARENCY AND DEMOCRATIC GOVERNANCE IN THE WESTERN HEMISPHERE.

The Secretary of State, in coordination with the Administrator of the United States Agency for International Development and heads of other relevant Federal agencies, should support transparent, accountable, and democratic governance in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) strengthen the capacity of national electoral institutions to ensure free, fair, and transparent electoral processes, including through pre-election assessment missions, technical assistance, and independent local and international election monitoring and observation missions;

(2) enhance the capabilities of democratically elected national legislatures, parliamentary bodies, and autonomous regulatory institutions to conduct oversight;

(3) strengthen the capacity of subnational government institutions to govern in a transparent, accountable, and democratic manner, including through training and technical assistance;

(4) combat corruption at local and national levels, including through trainings, cooperation agreements, initiatives aimed at dismantling corrupt networks, and political support for bilateral or multilateral anticorruption mechanisms that strengthen attorneys general and prosecutors' offices;

(5) strengthen the capacity of civil society to conduct oversight of government institutions, build the capacity of independent professional journalism, facilitate substantive dialogue with government and the private sector to generate issue-based policies, and mobilize local resources to carry out such activities;

(6) promote the meaningful and significant participation of women in democratic processes, including in national and subnational government and civil society; and

(7) support the creation of procedures for the Organization of American States (OAS) to create an annual forum for democratically elected national legislatures from OAS member States to discuss issues of hemispheric importance, as expressed in section 4 of the Organization of American States Legislative Engagement Act of 2020 (Public Law 116–343).

SEC. 1299A. SENSE OF CONGRESS ON PRIORITIZING NOMINATION AND CONFIRMATION OF QUALIFIED AMBASSADORS.

It is the sense of Congress that it is critically important that both the President and the Senate play their respective roles to nominate and confirm qualified ambassadors as quickly as possible.

SEC. 1299B. WESTERN HEMISPHERE DEFINED.

In this subtitle, the term ''Western Hemisphere'' does not include Cuba, Nicaragua, or Venezuela.

SEC. 1299C. REPORT ON EFFORTS TO CAPTURE AND DETAIN UNITED STATES CITIZENS AS HOSTAGES.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on efforts by the Maduro regime of Venezuela to detain United States citizens and lawful permanent residents.

(b) ELEMENTS.—The report required by subsection (a) shall include, regarding the arrest, capture, detainment, and imprisonment of United States citizens and lawful permanent residents—

(1) the names, positions, and institutional affiliation of Venezuelan individuals, or those acting on their behalf, who have engaged in such activities;

(2) a description of any role played by transnational criminal organizations, and an identification of such organizations; and

(3) where relevant, an assessment of whether and how United States citizens and lawful permanent residents have been lured to Venezuela.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but shall include a classified annex, which shall include a list of the total number of United States citizens and lawful permanent residents detained or imprisoned in Venezuela as of the date on which the report is submitted.

SA 2882. Mr. BARRASSO (for himself and Mr. MANCHIN) 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—Mining Schools Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Technology Grants to Strengthen Domestic Mining Education Act of 2024'' or the ''Mining Schools Act of 2024''.

SEC. 1097. 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. 1098. 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.

SA 2883. 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 D of title XII, add the following:

SEC. 1266. REPORT ON VETTING OF STUDENTS FROM NATIONAL DEFENSE UNIVERSITIES AND OTHER ACADEMIC INSTITUTIONS OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report that includes—

(1) an evaluation of the screening process for nationals of the People's Republic of China applying for visas who attend or have attended—

(A) a university administered by the Ministry of Industry and Information Technology of the People's Republic of China; or

(B) an academic institution of the People's Republic of China identified on the list required under section 1286(c)(9)(A) of the John S. McCain National Defense Authorization Act of 2019 (Public Law 115–232; 10 U.S.C. 4001 note);

(2) an assessment of any vulnerabilities in the screening process, and recommendations for legal, regulatory, or other changes or steps to address such vulnerabilities; and

(3) to the extent possible, for the 5-year period ending on such date of enactment, the number of F visas or J visas approved and denied by the Department of State for nationals of the People's Republic of China in the fields of study listed in the Department of Homeland Security STEM Designated Degree Program List referred to in the notice of the Department of Homeland Security entitled ''Update to the Department of Homeland Security STEM Designated Degree Program List'' (88 Fed. Reg. 132 (July 12, 2023)), including the number of such nationals who applied for such visas to pursue an advanced degree or repeat a degree in such fields.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations and the Committee on Homeland Security and Governmental Affairs; and

(2) the Committee on Foreign Affairs and the Committee on Homeland Security of the House of Representatives.

SA 2884. 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 E of title VII, add the following:

SEC. 750. REVIEW ON USE OF MONOCLONAL ANTIBODIES FOR THE PREVENTION, TREATMENT, OR MITIGATION OF SYMPTOMS RELATED TO MILD COGNITIVE IMPAIRMENT OR ALZHEIMER'S DISEASE.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) There are multiple treatments for Alzheimer's disease that are approved by the Food and Drug Administration and are shown to reduce the rate of disease progression and to slow cognitive and functional decline.

(B) Alzheimer's disease is a progressive disease affecting almost 7,000,000 people in the United States, and approved treatment options for such disease are most effective when administered early in the disease course.

(C) Following traditional approval by the Food and Drug Administration, the Centers for Medicare & Medicaid Services announced broader coverage of monoclonal antibodies directed against amyloid for the treatment of Alzheimer's disease and the Department of Veterans Affairs has also established a criteria for use of such treatments.

(D) The TRICARE program has a role in facilitating timely and equitable beneficiary access to novel therapeutics, including monoclonal antibodies approved by the Food and Drug Administration for the treatment of Alzheimer's disease.

(2) SENSE OF CONGRESS.—It is the sense of Congress that Congress encourages continued collaboration between the Department of Defense, the Centers for Medicare & Medicaid Services, and other Federal agencies to reduce coverage gaps and ensure that all people in the United States, including members of the Armed Forces and their dependents, with Alzheimer's disease and related dementias have access to effective treatments.

(b) REVIEW AND REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall review the policy manual for the TRICARE program relating to the exclusion of the use of monoclonal antibodies for the prevention, treatment, or mitigation of symptoms related to mild cognitive impairment or Alzheimer's disease, and submit to the Committees on Armed Services of the Senate and the House of Representatives a report that—

(1) outlines the review process of the Department of Defense for including or excluding the use of monoclonal antibodies;

(2) assesses whether the policy of the Department aligns with current science;

(3) indicates whether the Secretary has or is currently restricting access by beneficiaries under the TRICARE program to therapies for the treatment of Alzheimer's disease that are approved by the Food and Drug Administration; and

(4) indicates whether there are any disparities in treatment for Alzheimer's disease under the TRICARE program in different care delivery settings.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

SA 2885. 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 A of title VII, add the following:

SEC. 710. MODIFICATION OF POLICY ON USE OF MONOCLONAL ANTIBODIES FOR THE PREVENTION, TREATMENT, OR MITIGATION OF SYMPTOMS RELATED TO MILD COGNITIVE IMPAIRMENT OR ALZHEIMER'S DISEASE.

The Secretary of Defense shall modify the policy of the Department of Defense to permit the use of monoclonal antibodies for the prevention, treatment, or mitigation of symptoms related to mild cognitive impairment or Alzheimer's disease under the TRICARE program (as defined in section 1072 of title 10, United States Code).

SA 2886. 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:

At the end of subtitle H of title X, add the following:

SEC. 1095. ROYALTY TRANSPARENCY ACT.

(a) SHORT TITLE.—This section may be cited as the ''Royalty Transparency Act''.

(b) FINANCIAL DISCLOSURE REPORTS OF EXECUTIVE BRANCH EMPLOYEES.—

(1) INDIVIDUALS REQUIRED TO FILE.—

(A) IN GENERAL.—Section 13103 of title 5, United States Code, is amended—

(i) in subsection (f)—

(I) in paragraph (11), by striking ''; and'' and inserting a semicolon;

(II) in paragraph (12), by striking the period and inserting ''; and''; and

(III) by adding at the end the following:

''(13) any member of—

''(A) the National Science Advisory Board for Biosecurity;

''(B) the Advisory Committee on Immunization Practices;

''(C) the Advisory Commission on Childhood Vaccines;

''(D) the National Vaccine Advisory Committee;

''(E) the Vaccines and Related Biological Products Advisory Committee;

''(F) the Defense Science Board;

''(G) the Board of Scientific Advisors of the National Cancer Institute;

''(H) the Homeland Security Science and Technology Advisory Committee;

''(I) the Medical Review Board Advisory Committee;

''(J) the President's Council of Advisors on Science and Technology; or

''(K) any other advisory committee, as defined in section 1001, including a successor to a committee described in this paragraph, that the Government Accountability Office determines, in accordance with subsection (j)—

''(i) makes recommendations relating to public health to an agency or the President; and

''(ii) has had any recommendation fully or partially implemented during the 10 years preceding the determination.''; and

(ii) by adding at the end the following:

''(j) DETERMINATION REGARDING ADVISORY COMMITTEES.—Not later than 180 days after the date of enactment of the Royalty Transparency Act, and annually thereafter, the Government Accountability Office shall publish a list of each advisory committee that the Government Accountability Office determines—

''(1) makes recommendations relating to public health to an agency or the President; and

''(2) has had any recommendation fully or partially implemented during the 10 years preceding the determination.''.

(B) SUNSET.—Effective on the date that is 5 years after the date of enactment of this section, section 13103 of title 5, United States Code, as amended by this section, is amended—

(i) in subsection (f)(13), by striking subparagraph (K) and inserting the following:

''(K) a successor to a committee described in subparagraphs (A) through (J) of this paragraph.''; and

(ii) by striking subsection (j).

(2) NOTIFICATION OF WAIVER.—

(A) TITLE 5.—Section 13103(i) of title 5, United States Code, is amended—

(i) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and adjusting the margins accordingly;

(ii) in the matter preceding subparagraph (A), as so redesignated, by striking ''the supervising ethics office determines'' and inserting ''the supervising ethics office—

''(1) determines'';

(iii) in subparagraph (D), as so redesignated, by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(2) provides notification of such waiver to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.''.

(B) TITLE 18.—Section 208 of title 18, United States Code, is amended by adding at the end the following:

''(e) Any exemption—

''(1) granted under paragraph (1) or (3) of subsection (b) shall be immediately reported to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, including a detailed justification for granting the waiver; or

''(2) granted under subpart (C) of part 2640 of title 5 of the Code of Federal Regulations, or any successor regulation, shall be immediately reported to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, including a detailed justification for granting the waiver.''.

(3) CONTENTS OF REPORTS.—Section 13104(a)(1) of title 5, United States Code, is amended—

(A) in subparagraph (A), by inserting '', subject to subparagraph (C)'' after ''employment by the United States Government''; and

(B) by inserting after subparagraph (B) the following:

''(C) ROYALTIES RECEIVED BY GOVERNMENT EMPLOYEES AND COMMITTEE FILERS.—Notwithstanding section 12(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)) and section 209 of title 35, if the reporting individual is an officer or employee in the executive branch (including a special Government employee, as defined in section 202 of title 18), or an individual described in section 13103(f)(13), the original source and amount or value of any royalties received by the reporting individual, the spouse of the reporting individual, or a dependent child of the reporting individual during the reporting period described in subsection (d) or (e) of section 13103, as applicable, that were received as a result of an invention developed by the reporting individual in the course of employment of the reporting individual with the United States Government, including any royalty interest payment made under the Federal Technology Transfer Act of 1986 (Public Law 99–502; 100 Stat. 1785), an amendment made by such Act, or any other applicable authority.''.

(4) REVIEW OF REPORTS.—Section 13107(b) of title 5, United States Code, is amended—

(A) in paragraph (1)—

(i) in the first sentence, by inserting ''and shall, in the case of an agency or office and notwithstanding section 12 of the Stevenson-Wydler Technology Act of 1980 (15 U.S.C. 3710a) and section 209 of title 35, publish such report on the internet website of the agency or office, as the case may be'' after ''to any person requesting such inspection or copy''; and

(ii) in the second sentence—

(I) by inserting '', notwithstanding section 12 of the Stevenson-Wydler Technology Act of 1980 (15 U.S.C. 3710a) and section 209 of title 35,'' after ''such report shall''; and

(II) by inserting ''and, in the case of an agency or office, published on the internet website of the agency or office, as the case may be,'' after ''made available for public inspection'';

(B) by striking paragraph (2) and the matter following paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) by adding at the end the following:

''(3) PROCEDURE FOR RELEASING REPORTS TO MEMBERS OF CONGRESS.—Notwithstanding any other provision of law, not later than 30 days after receiving a request from a Member of Congress, any agency or supervising ethics office in the executive branch shall furnish to the Member of Congress a copy of any report submitted under subsection (b), which shall be unredacted, except with respect to social security numbers.''.

(5) CONFIDENTIAL REPORTS AND OTHER ADDITIONAL REQUIREMENTS.—Section 13109 of title 5, United States Code, is amended—

(A) by redesignating subsections (b) and (c) as subsections (f) and (g), respectively; and

(B) by inserting after subsection (a) the following:

''(b) ROYALTIES RECEIVED BY CONFIDENTIAL FILERS.—Notwithstanding section 12(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)) and section 209 of title 35, the information required to be reported under this section shall include the original source and amount or value of any royalties received by the reporting individual, or the spouse or any dependent child of the reporting individual, that were received as a result of an invention, including any royalty interest payment made under the Federal Technology Transfer Act of 1986 (Public Law 99–502; 100 Stat. 1785), an amendment made by such Act, or any other applicable authority.

''(c) PROCEDURE FOR RELEASING REPORTS TO MEMBERS OF CONGRESS.—Notwithstanding any other provision of law, not later than 30 days after receiving a request from a Member of Congress, any agency or supervising ethics office in the executive branch shall furnish to the Member of Congress a copy of any report submitted under subsection (a), which shall be unredacted, except with respect to social security numbers, home addresses, phone numbers, email addresses, and the personally identifiable information of dependents.

''(d) REPORTS.—Not later than 60 days after the date of enactment of the Royalty Transparency Act, and each year thereafter, the head of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report relating to confidential financial disclosures of officers and employees under the jurisdiction of such agency for the preceding fiscal year, which shall include—

''(1) the number of individuals who filed such disclosures with the agency under this section, including, if applicable, the subcomponent of the agency that has jurisdiction over the individual and the reason for filing confidentially;

''(2) the number of special Government employees, as defined in section 202 of title 18, that are required to file confidential financial disclosure reports with the agency under this section; and

''(3) any additional information determined to be relevant by the Director of the Office of Government Ethics after consultation with the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.

''(e) PUBLIC DISCLOSURE OF ROYALTIES RECEIVED BY CERTAIN FEDERAL EMPLOYEES.—

''(1) DEFINITION.—For the purposes of this subsection, the term 'covered individual' means an individual who—

''(A) is required to file a confidential financial disclosure report under this section; and

''(B) reports receiving a royalty interest under subsection (b).

''(2) REQUIREMENT.—Not later than 180 days after the date of enactment of the Royalty Transparency Act, and annually thereafter,

each agency shall publish a report on the internet website of the agency, listing—

''(A) the names of all covered individuals; and

''(B) the original source and amount or value of any royalties reported under this section by each covered individual.''.

(c) PREVENTING ORGANIZATIONAL CONFLICTS OF INTEREST IN FEDERAL ACQUISITION.—

(1) IN GENERAL.—The Federal Acquisition Regulatory Council and the Office of Management and Budget shall, as appropriate, enact or update any regulation necessary to ensure that conflict of interest reviews for prospective contractors or grantees include reviews of royalties paid to prospective contractors or grantees in the preceding calendar year.

(2) ONGOING REVIEWS.—Not later than 1 year after the date of enactment of this section, and each year thereafter, each agency conducting any conflict of interest review described in subsection (a) shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives on the number of identified cases of potential conflict of interest related to royalty payments and the steps taken to mitigate those cases.

(d) SEVERABILITY.—If any provision of this section, an amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this section and the amendments made by this section, and the application of the provision or the amendment to any other person or circumstance, shall not be affected.

SA 2887. 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:

At the end of subtitle H of title X, add the following:

SEC. 1095. ROYALTY TRANSPARENCY ACT.

(a) SHORT TITLE.—This section may be cited as the ''Royalty Transparency Act''.

(b) FINANCIAL DISCLOSURE REPORTS OF EXECUTIVE BRANCH EMPLOYEES.—

(1) INDIVIDUALS REQUIRED TO FILE.—

(A) IN GENERAL.—Section 13103 of title 5, United States Code, is amended—

(i) in subsection (f)—

(I) in paragraph (11), by striking ''; and'' and inserting a semicolon;

(II) in paragraph (12), by striking the period and inserting ''; and''; and

(III) by adding at the end the following:

''(13) any member of—

''(A) the National Science Advisory Board for Biosecurity;

''(B) the Advisory Committee on Immunization Practices;

''(C) the Advisory Commission on Childhood Vaccines;

''(D) the National Vaccine Advisory Committee;

''(E) the Vaccines and Related Biological Products Advisory Committee;

''(F) the Defense Science Board;

''(G) the Board of Scientific Advisors of the National Cancer Institute;

''(H) the Homeland Security Science and Technology Advisory Committee;

''(I) the Medical Review Board Advisory Committee;

''(J) the President's Council of Advisors on Science and Technology; or

''(K) any other advisory committee, as defined in section 1001, including a successor to a committee described in this paragraph, that the Government Accountability Office determines, in accordance with subsection (j)—

''(i) makes recommendations relating to public health to an agency or the President; and

''(ii) has had any recommendation fully or partially implemented during the 10 years preceding the determination.''; and

(ii) by adding at the end the following:

''(j) DETERMINATION REGARDING ADVISORY COMMITTEES.—Not later than 180 days after the date of enactment of the Royalty Transparency Act, and annually thereafter, the Government Accountability Office shall publish a list of each advisory committee that the Government Accountability Office determines—

''(1) makes recommendations relating to public health to an agency or the President; and

''(2) has had any recommendation fully or partially implemented during the 10 years preceding the determination.''.

(B) SUNSET.—Effective on the date that is 5 years after the date of enactment of this section, section 13103 of title 5, United States Code, as amended by this section, is amended—

(i) in subsection (f)(13), by striking subparagraph (K) and inserting the following:

''(K) a successor to a committee described in subparagraphs (A) through (J) of this paragraph.''; and

(ii) by striking subsection (j).

(2) NOTIFICATION OF WAIVER.—

(A) TITLE 5.—Section 13103(i) of title 5, United States Code, is amended—

(i) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and adjusting the margins accordingly;

(ii) in the matter preceding subparagraph (A), as so redesignated, by striking ''the supervising ethics office determines'' and inserting ''the supervising ethics office—

''(1) determines'';

(iii) in subparagraph (D), as so redesignated, by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(2) provides notification of such waiver to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.''.

(B) TITLE 18.—Section 208 of title 18, United States Code, is amended by adding at the end the following:

''(e) Any exemption—

''(1) granted under paragraph (1) or (3) of subsection (b) shall be immediately reported to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, including a detailed justification for granting the waiver; or

''(2) granted under subpart (C) of part 2640 of title 5 of the Code of Federal Regulations, or any successor regulation, shall be immediately reported to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, including a detailed justification for granting the waiver.''.

(3) CONTENTS OF REPORTS.—Section 13104(a)(1) of title 5, United States Code, is amended—

(A) in subparagraph (A), by inserting '', subject to subparagraph (C)'' after ''employment by the United States Government''; and

(B) by inserting after subparagraph (B) the following:

''(C) ROYALTIES RECEIVED BY GOVERNMENT EMPLOYEES AND COMMITTEE FILERS.—Notwithstanding section 12(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)) and section 209 of title 35, if the reporting individual is an officer or employee in the executive branch (including a special Government employee, as defined in section 202 of title 18), or an individual described in section 13103(f)(13), the original source and amount or value of any royalties received by the reporting individual, the spouse of the reporting individual, or a dependent child of the reporting individual during the reporting period described in subsection (d) or (e) of section 13103, as applicable, that were received as a result of an invention developed by the reporting individual in the course of employment of the reporting individual with the United States Government, including any royalty interest payment made under the Federal Technology Transfer Act of 1986 (Public Law 99–502; 100 Stat. 1785), an amendment made by such Act, or any other applicable authority.''.

(4) REVIEW OF REPORTS.—Section 13107(b) of title 5, United States Code, is amended—

(A) in paragraph (1)—

(i) in the first sentence, by inserting ''and shall, in the case of an agency or office and notwithstanding section 12 of the Stevenson-Wydler Technology Act of 1980 (15 U.S.C. 3710a) and section 209 of title 35, publish such report on the internet website of the agency or office, as the case may be'' after ''to any person requesting such inspection or copy''; and

(ii) in the second sentence—

(I) by inserting '', notwithstanding section 12 of the Stevenson-Wydler Technology Act of 1980 (15 U.S.C. 3710a) and section 209 of title 35,'' after ''such report shall''; and

(II) by inserting ''and, in the case of an agency or office, published on the internet website of the agency or office, as the case may be,'' after ''made available for public inspection'';

(B) by striking paragraph (2) and the matter following paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) by adding at the end the following:

''(3) PROCEDURE FOR RELEASING REPORTS TO MEMBERS OF CONGRESS.—Notwithstanding any other provision of law, not later than 30 days after receiving a request from a Member of Congress, any agency or supervising ethics office in the executive branch shall furnish to the Member of Congress a copy of any report submitted under subsection (b), which shall be unredacted, except with respect to social security numbers.''.

(5) CONFIDENTIAL REPORTS AND OTHER ADDITIONAL REQUIREMENTS.—Section 13109 of title 5, United States Code, is amended—

(A) by redesignating subsections (b) and (c) as subsections (f) and (g), respectively; and

(B) by inserting after subsection (a) the following:

''(b) ROYALTIES RECEIVED BY CONFIDENTIAL FILERS.—Notwithstanding section 12(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)) and section 209 of title 35, the information required to be reported under this section shall include the original source and amount or value of any royalties received by the reporting individual, or the spouse or any dependent child of the reporting individual, that were received as a result of an invention, including any royalty interest payment made under the Federal Technology Transfer Act of 1986 (Public Law 99–502; 100 Stat. 1785), an amendment made by such Act, or any other applicable authority.

''(c) PROCEDURE FOR RELEASING REPORTS TO MEMBERS OF CONGRESS.—Notwithstanding any other provision of law, not later than 30 days after receiving a request from a Member of Congress, any agency or supervising ethics office in the executive branch shall furnish to the Member of Congress a copy of any report submitted under subsection (a), which shall be unredacted, except with respect to social security numbers, home addresses, phone numbers, email addresses, and the personally identifiable information of dependents.

''(d) REPORTS.—Not later than 60 days after the date of enactment of the Royalty Transparency Act, and each year thereafter, the head of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report relating to confidential financial disclosures of officers and employees under the jurisdiction of such agency for the preceding fiscal year, which shall include—

''(1) the number of individuals who filed such disclosures with the agency under this section, including, if applicable, the subcomponent of the agency that has jurisdiction over the individual and the reason for filing confidentially;

''(2) the number of special Government employees, as defined in section 202 of title 18, that are required to file confidential financial disclosure reports with the agency under this section; and

''(3) any additional information determined to be relevant by the Director of the Office of Government Ethics after consultation with the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.

''(e) PUBLIC DISCLOSURE OF ROYALTIES RECEIVED BY CERTAIN FEDERAL EMPLOYEES.—

''(1) DEFINITION.—For the purposes of this subsection, the term 'covered individual' means an individual who—

''(A) is required to file a confidential financial disclosure report under this section; and

''(B) reports receiving a royalty interest under subsection (b).

''(2) REQUIREMENT.—Not later than 180 days after the date of enactment of the Royalty Transparency Act, and annually thereafter, each agency shall publish a report on the internet website of the agency, listing—

''(A) the names of all covered individuals; and

''(B) the original source and amount or value of any royalties reported under this section by each covered individual.''.

(c) PREVENTING ORGANIZATIONAL CONFLICTS OF INTEREST IN FEDERAL ACQUISITION.—

(1) IN GENERAL.—The Federal Acquisition Regulatory Council and the Office of Management and Budget shall, as appropriate, enact or update any regulation necessary to ensure that conflict of interest reviews for prospective contractors or grantees include reviews of royalties paid to prospective contractors or grantees in the preceding calendar year.

(2) ONGOING REVIEWS.—Not later than 1 year after the date of enactment of this section, and each year thereafter, each agency conducting any conflict of interest review described in subsection (a) shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives on the number of identified cases of potential conflict of interest related to royalty payments and the steps taken to mitigate those cases.

(d) SEVERABILITY.—If any provision of this section, an amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this section and the amendments made by this section, and the application of the provision or the amendment to any other person or circumstance, shall not be affected.

SA 2888. Mr. KELLY (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:

Beginning on page 602, strike line 20 and all that follows through page 603, line 2, and insert the following:

(2) REFERRAL FOR INVESTIGATION AND PROSECUTION.—The Secretary of Defense, in consultation with the Attorney General and the Director of National Intelligence, shall establish a process for referring for investigation and prosecution—

(A) a UAS offense with respect to which the Secretary of Defense may take an action described in section 130i(b)(1) of title 10, United States Code; or

(B) an offense under section 40B of title 18, United States Code, as added by subsection (d) of this section.

On page 605, between lines 10 and 11, insert the following:

(d) DRONE OFFENSES.—Part I of title 18, United States Code, is amended—

(1) by inserting after section 40A the following:

''§ 40B. Operation of unauthorized aircraft to interfere with a military installation or military facility

''(a) DEFINITIONS.—In this section—

''(1) the term 'aircraft,' notwithstanding section 31(a)(1), means any device, craft, vehicle, or contrivance that is—

''(A) invented, used, or designed to navigate, fly, or travel in the air; or

''(B) used or intended to be used for flight in the air;

''(2) the term 'Federal law' includes any form of Federal law, including any Federal statute, rule, regulation, or order;

''(3) the term 'military facility' means a facility, as defined in section 2801 of title 10, that is under the jurisdiction of the Secretary of a military department (as defined in section 101 of title 10);

''(4) the term 'military installation' has the meaning given the term in section 2801 of title 10; and

''(5) the term 'unmanned aircraft' has the meaning given the term in section 44801 of title 49.

''(b) OFFENSES.—

''(1) INTERFERENCE WITH MILITARY INSTALLATION OR MILITARY FACILITY AND RELATED OFFENSES.—Except as provided in subsection (c), it shall be unlawful to operate an unmanned aircraft and—

''(A) knowingly or recklessly cause the unmanned aircraft to enter the airspace of, or knowingly or recklessly cause the takeoff or landing of the unmanned aircraft in, a military installation or military facility in violation of Federal law, including all applicable rules, regulations, and orders of the Federal Aviation Administration;

''(B) knowingly or recklessly use the unmanned aircraft to interfere with activities at a military installation or military facility located in the United States, including to interfere with—

''(i) the duties of a member of the armed forces (as defined in section 101(a) of title 10) or an official or civilian employee of the Department of Defense working therein;

''(ii) a military operation therein; or

''(iii) the use of military equipment located therein; or

''(C) knowingly or recklessly use the unmanned aircraft to cause damage to a military installation or military facility located in the United States, including damage to equipment located therein, in an amount that exceeds $5,000.

''(2) IMPAIRMENT OF IDENTIFICATION OR LIGHTING.—It shall be unlawful to operate an unmanned aircraft in violation of paragraph (1) and, in violation of Federal law, knowingly and willfully—

''(A) remove, obliterate, tamper with, or alter the identification number of the unmanned aircraft;

''(B) disable or fail to effect any required identification transmission or signaling of the unmanned aircraft; or

''(C) disable or obscure any required anti-collision lighting of the unmanned aircraft or fail to have or illuminate such lighting as required.

''(c) EXCEPTIONS.—

''(1) GOVERNMENT ACTIVITY.—Subsection (b) shall not apply to the operation of an unmanned aircraft conducted by a unit or agency of the United States Government or of a State, Tribal, or local government (including any individual conducting such operation pursuant to a contract or other agreement entered into with the unit or agency) if the operation is for the purpose of protecting the public safety and welfare, including firefighting, law enforcement, or emergency response.

''(2) AUTHORIZED PROPERTY DAMAGE.—Subsection (b)(1)(C) shall not apply to conduct consisting of injury to property, if engaged in by or with the authorization or consent of the Department of Defense.

''(d) PENALTIES.—Any person who violates subsection (b)—

''(1) in the case of a violation of paragraph (1)(A) of that subsection, shall be fined under this title, imprisoned for not more than 5 years, or both;

''(2) in the case of a violation of paragraph (1)(B) of that subsection, shall be fined under this title, imprisoned for not more than 5 years, or both;

''(3) in the case of a violation of paragraph (1)(C) of that subsection, shall be fined under this title, imprisoned for not more than 20 years, or both; and

''(4) in the case of a violation of paragraph (2) of that subsection, shall be fined under this title, imprisoned for not more than 5 years, or both.

''(e) INCHOATE OFFENSES.—Any person who threatens, attempts, or conspires to commit an offense under subsection (b) shall be subject to the same penalty as for a completed offense.'';

(2) in the chapter analysis for chapter 2, by inserting after the item relating to section 40A the following:

''40B. Operation of unauthorized aircraft to interfere with a military installation or military facility.'';

(3) in section 982(a)(6)(A), by inserting ''40B (relating to operation of unauthorized aircraft to interfere with a military installation or military facility),'' before ''555''; and

(4) in section 2516(1)(c), by inserting ''section 40B (relating to operation of unauthorized aircraft to interfere with a military installation or military facility),'' before ''section 43''.

SA 2889. 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 E of title X, add the following:

SEC. 1049. WAIVER OF UNITED STATES RESIDENCY REQUIREMENT FOR CHILDREN OF RADIO FREE EUROPE/RADIO LIBERTY EMPLOYEES.

Section 320(c) of the Immigration and Nationality Act (8 U.S.C. 1431(c)) is amended—

(1) in paragraph (1)(B), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) the child is residing in the legal and physical custody of a citizen parent who is residing abroad as an employee of Radio Free Europe/Radio Liberty.''.

SA 2890. Mrs. SHAHEEN (for herself and Mr. ROUNDS) 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 VI, insert the following:

SEC. 6___. RECEIPT OF PAY AND ALLOWANCES BY MEMBERS WHILE DETAILED AS FULL-TIME STUDENTS.

Section 502(b) of title 37, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following new subsection (b):

''(b) A member who is absent for a period that begins on or after August 1, 2023, and is longer than the leave authorized by section 701 of title 10 because the member is detailed or assigned by the Secretary concerned, or the Secretary's designated representative, as a full-time student to a civilian institution to pursue a program of education that is substantially the same as programs of education offered to civilians, is entitled to the basic allowance for housing under section 403 of this title to the same extent to which the member would be entitled to that allowance if the member were not absent as described in this subsection.''; and

(3) in subsection (c), as redesignated by paragraph (1), is amended by striking ''subsection (a)'' and inserting ''subsections (a) and (b)''.

SA 2891. 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 defacto 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 2892. Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. PADILLA, Ms. SMITH, and Mr. MERKLEY) 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 V, add the following:

SEC. 594. RESCISSION OF MEDALS OF HONOR AWARDED FOR ACTS AT WOUNDED KNEE CREEK ON DECEMBER 29, 1890.

(a) FINDINGS.—Congress finds as follows:

(1) The Medal of Honor is the highest military award of the United States.

(2) Congress found that to earn the Medal of Honor ''the deed of the person . . . must be so outstanding that it clearly distinguishes his gallantry beyond the call of duty from lesser forms of bravery''.

(3) The actions of Medal of Honor recipients inspire bravery in those currently serving in the Armed Forces and those who will come to serve in the future.

(4) Those listed on the Medal of Honor Roll have come to exemplify the best traits of members of the Armed Forces, a long and proud lineage of those who went beyond the call of service to the United States of America.

(5) To date the Medal of Honor has been awarded only 3,522 times, including only 145 times for the Korean War, 126 times in World War I, 23 times during the Global War on Terror, and 20 times for the massacre at Wounded Knee.

(6) The Medal of Honor is awarded in the name of Congress.

(7) As found in Senate Concurring Resolution 153 of the 101st Congress, on December 29, 1890, the 7th Cavalry of the United States engaged a tribal community ''resulting in the tragic death and injury of approximately 350–375 Indian men, women, and children'' led by Lakota Chief Spotted Elk of the Miniconjou band at ''Cankpe' Opi Wakpa'' or ''Wounded Knee Creek''.

(8) This engagement became known as the ''Wounded Knee Massacre'', and took place between unarmed Native Americans and soldiers, heavily armed with standard issue army rifles as well as four ''Hotchkiss guns'' with five 37 mm barrels capable of firing 43 rounds per minute.

(9) Nearly two-thirds of the Native Americans killed during the Massacre were unarmed women and children who were participating in a ceremony to restore their traditional homelands prior to the arrival of European settlers.

(10) Poor tactical emplacement of the soldiers meant that most of the casualties suffered by the United States troops were inflicted by friendly fire.

(11) On January 1, 1891, Major General Nelson A. Miles, Commander of the Division of Missouri, telegraphed Major General John M. Schofield, Commander-in-Chief of the Army notifying him that ''[I]t is stated that the disposition of four hundred soldiers and four pieces of artillery was fatally defective and large number of soldiers were killed and wounded by the fire from their own ranks and a very large number of women and children were killed in addition to the Indian men''.

(12) The United States awarded 20 Medals of Honor to soldiers of the U.S. 7th Cavalry following their participation in the Wounded Knee Massacre.

(13) In 2001, the Cheyenne River Sioux Tribe, a member Tribe of the Great Sioux Nation, upon information provided by Lakota elders and by veterans, passed Tribal Council Resolution No. 132–01, requesting that the Federal Government revoke the Medals of Honor from the soldiers of the United States Army, 7th Cavalry issued following the massacre of unarmed men, women, children, and elderly of the Great Sioux Nation on December 29, 1890, on Tribal Lands near Wounded Knee Creek.

(14) The National Congress of American Indians requested in a 2007 Resolution that the Congress ''renounce the issuance of said medals, and/or to proclaim that the medals are null and void, given the atrocities committed upon unarmed men, women, children and elderly of the Great Sioux Nation''.

(15) General Miles contemporaneously stated that a ''[w]holesale massacre occurred and I have never heard of a more brutal, coldblooded massacre than that at Wounded Knee''.

(16) Allowing any Medal of Honor, the United States highest and most prestigious military decoration, to recognize a member of the Armed Forces for distinguished service for participating in the massacre of hundreds of unarmed Native Americans is a disservice to the integrity of the United States and its citizens, and impinges on the integrity of the award and those who have earned the Medal since.

(b) IN GENERAL.—Each Medal of Honor awarded for acts at Wounded Knee Creek, Lakota Pine Ridge Indian Reservation, South Dakota, on December 29, 1890, is rescinded.

(c) MEDAL OF HONOR ROLL.—The Secretary concerned shall remove the name of each individual awarded a Medal of Honor for acts described in subsection (a) from the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll maintained under section 1134a of title 10, United States Code.

(d) RETURN OF MEDAL NOT REQUIRED.—No person may be required to return to the Federal Government a Medal of Honor rescinded under subsection (b).

(e) NO DENIAL OF BENEFITS.—This Act shall not be construed to deny any individual any benefit from the Federal Government.

SA 2893. Ms. WARREN (for herself, Ms. STABENOW, Mr. MARKEY, Mr. PADILLA, Mr. BLUMENTHAL, Mr. LUJAN, Ms. DUCKWORTH, and Mr. VAN HOLLEN) 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. PRESIDENTIAL CONFLICTS OF INTEREST ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Presidential Conflicts of Interest Act of 2024''.

(b) DIVESTITURE OF PERSONAL FINANCIAL INTERESTS OF THE PRESIDENT AND VICE PRESIDENT THAT POSE A POTENTIAL CONFLICT OF INTEREST.—

(1) DEFINITIONS.—

(A) IN GENERAL.—In this subsection—

(i) the term ''conflict-free holding'' means an interest in a widely held investment fund (whether such fund is a mutual fund, regulated investment company, pension or deferred compensation plan, or other investment fund) that—

(I) is diversified (as defined in section 2640.102 of title 5, Code of Federal Regulations, as in effect on the date of enactment of this Act); and

(II) is—

(aa) publicly traded;

(bb) registered as a management company under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.); or

(cc) a unit investment trust (as defined in section 4 of the Investment Company Act of 1940 15 U.S.C. 80a–4) that is a regulated investment company under section 851 of the Internal Revenue Code of 1986;

(ii) the term ''financial interest posing a potential conflict of interest'' means a financial interest of the President, the Vice President, the spouse of the President or Vice President, or a minor child of the President or Vice President, as applicable, that—

(I) would constitute a financial interest described in subsection (a) of section 208 of title 18, United States Code—

(aa) if—

(AA) for purposes of such section 208, the terms ''officer'' and ''employee'' included the President and the Vice President; and

(BB) the President or Vice President, as applicable, participated in a particular matter affecting such financial interest; and

(bb) determined without regard to any exception under subsection (b)(1) of such section 208; or

(II) constitutes a present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state (including from an entity owned or controlled by a foreign government), within the meaning of article I, section 9 of the Constitution of the United States;

(iii) the term ''qualified blind trust'' has the meaning given that term in section 13104(f)(3) of title 5, United States Code; and

(iv) the term ''tax return''—

(I) means any Federal income tax return and any amendment or supplement thereto, including supporting schedules, attachments, or lists which are supplemental to, or part of, the return for the taxable year; and

(II) includes any information return that reports information that does or may affect the liability for tax for the taxable year.

(B) APPLICABILITY OF ETHICS IN GOVERNMENT REQUIREMENTS.—For purposes of the definition of ''qualified blind trust'' in this subsection, the term ''supervising ethics officer'' in section 13104(f)(3) of title 5, United States Code, means the Director of the Office of Government Ethics.

(2) INITIAL FINANCIAL DISCLOSURE.—

(A) SUBMISSION OF DISCLOSURE.—

(i) IN GENERAL.—Not later than 30 days after assuming the office of President or Vice President, respectively, the President and Vice President shall submit to Congress and the Director of the Office of Government Ethics a disclosure of financial interests.

(ii) APPLICATION TO SITTING PRESIDENT AND VICE PRESIDENT.—For any individual who is serving as the President or Vice President on the date of enactment of this Act, the disclosure of financial interests shall be submitted to Congress and the Director of the Office of Government Ethics not later than 30 days after the date of enactment of this Act.

(B) CONTENTS.—

(i) PRESIDENT.—The disclosure of financial interests submitted under subparagraph (A) by the President shall—

(I) describe in detail each financial interest of the President, the spouse of the President, or a minor child of the President that is required to be disclosed under regulations of the Office of Government Ethics in addition to the financial interests required to be disclosed under section 13104 of title 5, United States Code; and

(II) include the tax returns filed by or on behalf of the President for—

(aa) the 3 most recent taxable years; and

(bb) each taxable year for which an audit of the return by the Internal Revenue Service is pending on the date the report is filed.

(ii) VICE PRESIDENT.—The disclosure of financial interests submitted under subparagraph (A) by the Vice President shall—

(I) describe in detail each financial interest of the Vice President, the spouse of the Vice President, or a minor child of the Vice President that is required to be disclosed under regulations of the Office of Government Ethics in addition to the financial interests required to be disclosed under section 13104 of title 5, United States Code; and

(II) include the tax returns filed by or on behalf of the Vice President for—

(aa) the 3 most recent taxable years; and

(bb) each taxable year for which an audit of the return by the Internal Revenue Service is pending on the date the report is filed.

(3) DIVESTITURE OF FINANCIAL INTERESTS POSING A POTENTIAL CONFLICT OF INTEREST.—

(A) IN GENERAL.—The President, the Vice President, the spouse of the President or Vice President, and any minor child of the President or Vice President shall divest of any financial interest posing a potential conflict of interest by—

(i) converting each such interest to cash or another investment that meets the criteria established by the Director of the Office of Government Ethics through regulation as being an interest so remote or inconsequential as not to pose a conflict; or

(ii) transferring such interest to a qualified blind trust.

(B) TRUSTEE DUTIES.—Within a reasonable period of time after the date a financial interest is transferred to a qualified blind trust under subparagraph (A)(ii), the trustee of the qualified blind trust shall—

(i) sell the financial interest; and

(ii) use the proceeds of the sale of the financial interest to purchase conflict-free holdings.

(C) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Government Ethics shall promulgate regulations to define the criteria described in subparagraph (A)(ii).

(4) REVIEW BY OFFICE OF GOVERNMENT ETHICS.—

(A) IN GENERAL.—The Director of the Office of Government Ethics shall submit to Congress, the President, and the Vice President an annual report regarding the financial interests of the President, the Vice President, the spouse of the President or Vice President, and any minor child of the President or Vice President.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall—

(i) indicate whether any financial interest of the President, the Vice President, the spouse of the President or Vice President, or a minor child of the President or Vice President is a financial interest posing a potential conflict of interest;

(ii) evaluate whether any previously held financial interest of the President, the Vice President, the spouse of the President or Vice President, or a minor child of the President or Vice President that was a financial interest posing a potential conflict of interest was divested in accordance with paragraph (3); and

(iii) redact such information as the Director of the Office of Government Ethics determines necessary for preventing identity theft, such as social security numbers or taxpayer identification numbers.

(C) TRUSTEE RESPONSIBILITY.—If the President, the Vice President, the spouse of the President or Vice President, or any minor child of the President or Vice President transfers 1 or more interests to a qualified blind trust under paragraph (3)(A)(ii), the trustee for the qualified blind trust shall assist the Director in complying with subparagraph (B)(ii) of this paragraph by notifying the Director of the Office of Government Ethics when all initial property of the qualified blind trust has been sold and furnishing such other information as the Director may require.

(5) ENFORCEMENT.—

(A) IN GENERAL.—The Attorney General, the attorney general of any State, or any person aggrieved by any violation paragraph (3) may seek declaratory or injunctive relief in a court of competent jurisdiction if—

(i) the Director of the Office of Government Ethics is unable to issue a report indicating whether the President or the Vice President is in substantial compliance with paragraph (3); or

(ii) there is probable cause to believe that the President or the Vice President has not complied with paragraph (3).

(B) FAIR MARKET VALUE.—In granting injunctive relief to the plaintiff, the court shall ensure that any divestment procedure is reasonably calculated to ensure the fair market return for any asset that is liquidated.

(c) RECUSAL OF APPOINTEES.—Section 208 of title 18, United States Code, is amended by adding at the end the following:

''(e)(1) Any officer or employee appointed by the President shall recuse himself or herself from any particular matter involving specific parties in which a party to that matter is—

''(A) the President who appointed the officer or employee, which shall include any entity in which the President has a substantial interest; or

''(B) the spouse of the President who appointed the officer or employee, which shall include any entity in which the spouse of the President has a substantial interest.

''(2)(A) Subject to subparagraph (B), if an officer or employee is recused under paragraph (1), a career appointee in the agency of the officer or employee shall perform the functions and duties of the officer or employee with respect to the matter.

''(B)(i) In this subparagraph, the term 'Commission' means a board, commission, or other agency for which the authority of the agency is vested in more than 1 member.

''(ii) If the recusal of a member of a Commission from a matter under paragraph (1) would result in there not being a statutorily required quorum of members of the Commission available to participate in the matter, notwithstanding such statute or any other provision of law, the members of the Commission not recused under paragraph (1) may—

''(I) consider the matter without regard to the quorum requirement under such statute;

''(II) delegate the authorities and responsibilities of the Commission with respect to the matter to a subcommittee of the Commission; or

''(III) designate an officer or employee of the Commission who was not appointed by the President who appointed the member of the Commission recused from the matter to exercise the authorities and duties of the recused member with respect to the matter.

''(3) Any officer or employee who knowingly and willfully violates paragraph (1) shall be subject to the penalties set forth in section 216.

''(4) For purposes of this section, the term 'particular matter' shall have the meaning given the term in section 207(i).''.

(d) CONTRACTS BY THE PRESIDENT OR VICE PRESIDENT.—

(1) AMENDMENT.—Section 431 of title 18, United States Code, is amended—

(A) in the section heading, by inserting ''**the President, Vice President, or a**'' after ''**Contracts by**''; and

(B) in the first undesignated paragraph, by inserting ''the President or Vice President,'' after ''Whoever, being''.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 23 of title 18, United States Code, is amended by striking the item relating to section 431 and inserting the following:

''431. Contracts by the President, Vice President, or a Member of Congress.''.

(e) PRESIDENTIAL TAX TRANSPARENCY.—

(1) DISCLOSURE REQUIREMENT.—

(A) IN GENERAL.—Chapter 131 of title 5, United States Code, is amended—

(i) by inserting after section 13104 the following:

"§ 13104A. Disclosure of tax returns

''(a) DEFINITIONS.—In this section—

''(1) the term 'covered candidate' means an individual—

''(A) required to file a report under section 13103(c); and

''(B) who is nominated by a major party as a candidate for the office of President; and

''(2) the term 'covered individual' means—

''(A) a President required to file a report under subsection (a) or (d) of section 13103; and

''(B) an individual who occupies the office of the President required to file a report under section 13103(e);

''(3) the term 'income tax return' means, with respect to any covered candidate or covered individual, any return (within the meaning of section 6103(b) of the Internal Revenue Code of 1986) related to Federal income taxes, but does not include—

''(A) information returns issued to persons other than such covered candidate or covered individual, and

''(B) declarations of estimated tax; and

''(4) the term 'major party' has the meaning given the term in section 9002 of the Internal Revenue Code of 1986.

''(b) DISCLOSURE.—

''(1) COVERED INDIVIDUALS.—

''(A) IN GENERAL.—In addition to the information described in subsections (a) and (b) of section 13104, a covered individual shall include in each report required to be filed under this subchapter a copy of the income tax returns of the covered individual for the 3 most recent taxable years for which a return have been filed with the Internal Revenue Service as of the date on which the report is filed.

''(B) FAILURE TO DISCLOSE.—If an income tax return is not disclosed under subparagraph (A), the Director of the Office of Government Ethics shall submit to the Secretary of the Treasury a request that the Secretary of the Treasury provide the Director of the Office of Government Ethics with a copy of the income tax return.

''(C) PUBLICLY AVAILABLE.—Each income tax return submitted under this paragraph shall be filed with the Director of the Office of Government Ethics and made publicly available in the same manner as the information described in subsections (a) and (b) of section 13104.

''(D) REDACTION OF CERTAIN INFORMATION.—Before making any income tax return submitted under this paragraph available to the public, the Director of the Office of Government Ethics shall redact such information as the Director of the Office of Government Ethics, in consultation with the Secretary of the Treasury (or a delegate of the Secretary), determines appropriate.

''(2) CANDIDATES.—

''(A) IN GENERAL.—Not later than 15 days after the date on which a covered candidate is nominated, the covered candidate shall amend the report filed by the covered candidate under section 13103(c) with the Federal Election Commission to include a copy of the income tax returns of the covered candidate for the 3 most recent taxable years for which a return has been filed with the Internal Revenue Service.

''(B) FAILURE TO DISCLOSE.—If an income tax return is not disclosed under subparagraph (A), the Federal Election Commission shall submit to the Secretary of the Treasury a request that the Secretary of the Treasury provide the Federal Election Commission with the income tax return.

''(C) PUBLICLY AVAILABLE.—Each income tax return submitted under this paragraph shall be filed with the Federal Election Commission and made publicly available in the same manner as the information described in section 13104(b).

''(D) REDACTION OF CERTAIN INFORMATION.—Before making any income tax return submitted under this paragraph available to the public, the Federal Election Commission shall redact such information as the Federal Election Commission, in consultation with the Secretary of the Treasury (or a delegate of the Secretary) and the Director of the Office of Government Ethics, determines appropriate.

''(3) SPECIAL RULE FOR SITTING PRESIDENTS.—Not later than 30 days after the date of enactment of this section, the President shall submit to the Director of the Office of Government Ethics a copy of the income tax returns described in paragraph (1)(A).''; and

(ii) in section 13106—

(I) in subsection (a)—

(aa) in paragraph (1), in the first sentence, by inserting ''or any individual who knowingly and willfully falsifies or who knowingly and willfully fails to file an income tax return that such individual is required to disclose pursuant to section 13104A'' before the period; and

(bb) in paragraph (2)(A)—

(AA) in clause (i), by inserting ''or falsify any income tax return that such person is required to disclose under section 13104A'' before the semicolon; and

(BB) in clause (ii), by inserting ''or fail to file any income tax return that such person is required to disclosed under section 13104A'' before the period;

(II) in subsection (b), in the first sentence by inserting ''or willfully failed to file or has willfully falsified an income tax return required to be disclosed under section 13104A'' before the period;

(III) in subsection (c), by inserting ''or failing to file or falsifying an income tax return required to be disclosed under section 13104A'' before the period; and

(IV) in subsection (d)(1)—

(aa) in the matter preceding subparagraph (A), by inserting ''or files an income tax return required to be disclosed under section 13104A'' after ''subchapter''; and

(bb) in subparagraph (A), by inserting ''or such income tax return, as applicable,'' after ''report''.

(B) CONFORMING AMENDMENT.—The table of sections for chapter 131 of title 5, United States Code, is amended by inserting after the item relating to section 13104 the following:

''13104A. Disclosure of tax returns.''.

(2) AUTHORITY TO DISCLOSE INFORMATION.—

(A) IN GENERAL.—Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION OF PRESIDENTS AND CERTAIN PRESIDENTIAL CANDIDATES.—

''(A) DISCLOSURE OF RETURNS OF PRESIDENTS.—

''(i) IN GENERAL.—The Secretary shall, upon written request from the Director of the Office of Government Ethics pursuant to section 13104A(b)(1)(B) of title 5, United States Code, provide to officers and employees of the Office of Government Ethics a copy of any income tax return of the President which is required to be filed under section 13104A of such title.

''(ii) DISCLOSURE TO PUBLIC.—The Director of the Office of Government Ethics may disclose to the public the income tax return of any President which is required to be filed with the Director pursuant to section 13104A of title 5, United States Code.

''(B) DISCLOSURE OF RETURNS OF CERTAIN CANDIDATES FOR PRESIDENT.—

''(i) IN GENERAL.—The Secretary shall, upon written request from the Chairman of the Federal Election Commission pursuant to section 13104A(b)(2)(B) of title 5, United States Code, provide to officers and employees of the Federal Election Commission copies of the applicable returns of any person who has been nominated as a candidate of a major party (as defined in section 9002(a)) for the office of President.

''(ii) DISCLOSURE TO PUBLIC.—The Federal Election Commission may disclose to the public applicable returns of any person who has been nominated as a candidate of a major party (as defined in section 9002(6)) for the office of President and which is required to be filed with the Commission pursuant to section 13104A of title 5, United States Code.

''(C) APPLICABLE RETURNS.—For purposes of this paragraph, the term 'applicable returns' means, with respect to any candidate for the office of President, income tax returns for the 3 most recent taxable years for which a return has been filed as of the date of the nomination.''.

(B) CONFORMING AMENDMENTS.—Section 6103(p)(4) of such Code, in the matter preceding subparagraph (A) and in subparagraph (F)(ii), is amended by striking ''or (22)'' and inserting ''(22), or (23)'' each place it appears.

(f) SENSE OF CONGRESS REGARDING VIOLATIONS.—It is the sense of Congress that a violation of subsection (b) or chapter 131 of title 5, United States Code, by the President or the Vice President would constitute a high crime or misdemeanor under article II, section 4 of the Constitution of the United States.

(g) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall be construed to violate the Constitution of the United States.

(h) SEVERABILITY.—If any provision of this section or any amendment made by this section, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this section and the amendments made by this section, and the application of the provision or amendment to any other person or circumstance, shall not be affected.

SA 2894. Ms. WARREN 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. RESTRICTIONS RELATING TO FOREIGN ENTITIES.

Section 207 of title 18, United States Code, is amended by striking subsection (f) and inserting the following:

''(f) RESTRICTIONS RELATING TO FOREIGN ENTITIES.—

''(1) RESTRICTIONS.—Except as provided in paragraph (2), any person who is subject to the restrictions under subsection (c), (d), or (e) and who knowingly, within 5 years after leaving the position, office, or employment referred to in such subsection—

''(A) represents a foreign entity before any officer or employee of any department or agency of the United States with the intent to influence a decision of such officer or employee in carrying out his or her official duties, or

''(B) aids or advises a foreign entity with the intent to influence a decision of any officer or employee of any department or agency of the United States, in carrying out his or her official duties,

shall be punished as provided in section 216 of this title.

''(2) SPECIAL RULE FOR MEMBERS OF CONGRESS AND PRESIDENTIALLY APPOINTED SENATE-CONFIRMED PERSONNEL.—With respect to a Member of either House of Congress and to any presidentially appointed Senate-confirmed officers and employees of the executive branch, the restrictions described in paragraph (1) shall apply to representing, aiding, or advising foreign entities at any time after the termination of the service of that individual in such position.

''(3) DEFINITION.—For purposes of this subsection, the term 'foreign entity' means the government of a foreign country as defined in section 1(e) of the Foreign Agents Registration Act of 1938, as amended, or a foreign political party as defined in section 1(f) of that Act.''.

SA 2895. Ms. WARREN 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. _____. PROHIBITION ON MEMBERS OF THE UNIFORMED SERVICES FROM ENGAGING IN CERTAIN POLITICAL ACTIVITIES.

(a) IN GENERAL.—Subchapter III of chapter 73 of title 5, United States Code, is amended—

(1) in section 7322, by amending paragraph (1) to read as follows:

''(1) 'employee'—

''(A) means any individual, other than the President and the Vice President, employed or holding office in—

''(i) an Executive agency other than the Government Accountability Office; or

''(ii) a position within the competitive service which is not in an Executive agency;

''(B) includes a member of the uniformed services; and

''(C) does not include an individual employed or holding office in the government of the District of Columbia;''; and

(2) in section 7323(b)(2)(B)—

(A) in clause (i)(XIV), by striking ''or'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''or''; and

(C) by adding at the end the following:

''(iii) a member of the uniformed services.''.

(b) APPLICABILITY OF DOD DIRECTIVE 1344.10.—Department of Defense Directive 1344.10, including subparagraph 4.6.4 of such directive, as in effect on the date of the enactment of this Act, shall remain in effect until a law is enacted that amends or repeals such directive.

SA 2896. Ms. WARREN 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 A of title VII, insert the following:

SEC. 710. ENSURING PBM TRANSPARENCY UNDER THE TRICARE PHARMACY BENEFITS PROGRAM.

Section 1074g(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11)(A) Beginning on January 1, 2025, the Secretary may not contract with a pharmacy benefit manager under the pharmacy benefits program unless the pharmacy benefit manager meets the following requirements:

''(i) Not later than 1 year after the date of enactment of this paragraph, and annually thereafter, the pharmacy benefit manager (or an affiliate, subsidiary, or agent of the pharmacy benefit manager) shall submit to the Secretary information regarding any differences in reimbursement rates or practices, direct and indirect remuneration fees or other price concessions, and clawbacks between—

''(I) pharmacies that are affiliates of the pharmacy benefit manager; and

''(II) pharmacies that are not affiliates of the pharmacy benefit manager.

''(ii) The pharmacy benefit manager shall disclose to the Secretary (in a form and manner specified by the Secretary) the amount of any administrative fee they receive for each prescription the pharmacy benefit manager processes under the pharmacy benefits program.

''(B) In this paragraph:

''(i) The term 'affiliate' means any entity that is owned by, controlled by, or related under a common ownership structure with, a pharmacy benefit manager, or that acts as a contractor or agent to such pharmacy benefit manager, if such contractor or agent performs any of the functions described in clause (ii).

''(ii) The term 'pharmacy benefit manager' means any person or entity that, either directly or through an intermediary, acts as a price negotiator or group purchaser on behalf of the pharmacy benefits program, or manages the prescription drug benefits provided under such program, including the processing and payment of claims for prescription drugs, the performance of drug utilization review, the processing of drug prior authorization requests, the adjudication of appeals or grievances related to the pharmacy benefits program, contracting with network pharmacies, controlling the cost of prescription drugs, or the provision of related services. Such term includes any person or entity that carries out one or more of the activities described in the preceding sentence, irrespective of whether such person or entity identifies itself as a 'pharmacy benefit manager'.''.

SA 2897. Ms. WARREN 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 A of title VII, insert the following:

SEC. 710. REQUIRING ANY PHARMACY BENEFIT MANAGER THAT CONTRACTS WITH TRICARE TO MEET MINIMUM NETWORK ADEQUACY, REASONABLE PHARMACY REIMBURSEMENT, AND TRANSPARENCY REQUIREMENTS.

Section 1074g(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11)(A) Beginning on January 1, 2025, the Secretary may not contract with a pharmacy benefit manager under the pharmacy benefits program unless the pharmacy benefit manager meets the following requirements:

''(i) The pharmacy benefit manager shall contract with, as a TRICARE network retail pharmacy provider, at least—

''(I) 80 percent of essential retail pharmacies (as defined in subparagraph (B)) that are independent community pharmacies (as defined in such subparagraph); and

''(II) 50 percent of essential retail pharmacies not described in subclause (I).

''(ii) The pharmacy benefit manager shall reimburse pharmacies for the ingredient costs of prescription drugs and dispensing fees at rates that are not less than the rates that would apply under the State Medicaid rebate agreement in effect under section 1927 of the Social Security Act (42 U.S.C. 1396r–8); and

''(iii) The pharmacy benefit manager shall not reimburse any pharmacy that is an affiliate of the pharmacy benefit manager at a higher rate than the rate at which the pharmacy benefit manager reimburses pharmacies that are not affiliates of the pharmacy benefit manager.

''(iv) Not later than 1 year after the date of enactment of this paragraph, and annually thereafter, the pharmacy benefit manager (or an affiliate, subsidiary, or agent of the pharmacy benefit manager) shall submit to the Secretary information regarding any differences in reimbursement rates or practices, direct and indirect remuneration fees or other price concessions, and clawbacks between—

''(I) pharmacies that are affiliates of the pharmacy benefit manager; and

''(II) pharmacies that are not affiliates of the pharmacy benefit manager.

''(v) The pharmacy benefit manager shall disclose to the Secretary (in a form and manner specified by the Secretary) the amount of any administrative fee they receive for each prescription the pharmacy benefit manager processes under the pharmacy benefits program.

''(B) In this paragraph:

''(i) The term 'affiliate' means any entity that is owned by, controlled by, or related under a common ownership structure with, a pharmacy benefit manager, or that acts as a contractor or agent to such pharmacy benefit manager, if such contractor or agent performs any of the functions described in clause (iv).

''(ii) The term 'essential retail pharmacy' means a pharmacy that—

''(I) is not an affiliate of a pharmacy benefit manager;

''(II) is located in a medically underserved area (as designated pursuant to section 330(b)(3)(A) of the Public Health Service Act); and

''(III) is designated as an essential retail pharmacy by the Secretary [*is this designation by the Secretary of Defense or the Secretary of Health and Human Services?*].

''(iii) The term 'independent community pharmacy' means a retail pharmacy that has fewer than 4 locations and is not affiliated with any person or entity other than its owners.

''(iv) The term 'pharmacy benefit manager' means any person or entity that, either directly or through an intermediary, acts as a

price negotiator or group purchaser on behalf of the pharmacy benefits program, or manages the prescription drug benefits provided under such program, including the processing and payment of claims for prescription drugs, the performance of drug utilization review, the processing of drug prior authorization requests, the adjudication of appeals or grievances related to the pharmacy benefits program, contracting with network pharmacies, controlling the cost of prescription drugs, or the provision of related services. Such term includes any person or entity that carries out one or more of the activities described in the preceding sentence, irrespective of whether such person or entity identifies itself as a 'pharmacy benefit manager'.''.

SA 2898. Mr. SCOTT of South Carolina (for himself and Mr. GRAHAM) 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 III, add the following:

SEC. 358. PLAN ON FUNDING THE ESTABLISHMENT AND MAINTENANCE OF F–16 SIMULATOR TRAINING FACILITIES.

(a) REPORT REQUIRED.—Not later than March 1, 2025, the Secretary of the Air Force shall, in coordination with the Director of the Air National Guard, submit to the congressional defense committees a report containing a plan to fully fund the establishment and maintenance of F–16 simulator training facilities at all mission training centers that are required to have such facilities but do not currently have such facilities.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) Costs for the operation and maintenance of F–16 simulators at all mission training centers of the Air National Guard that currently possess such simulators.

(2) Projected costs for the establishment of a full complement of F–16 simulators at all facilities of the Air National Guard that are required to have such simulators but do not currently have such simulators.

(3) A description of how the Air Force and the Air National Guard will allocate funding to carry out paragraph (2), to include the proportions of the funding provided by the Air Force and the Air National Guard.

(4) An assessment by each of the Secretary of the Air Force and the Chief of the National Guard Bureau of how the readiness of all Air National Guard units requiring F–16 simulators would be impacted by not placing simulators in the mission training centers for such units.

(c) IMPLEMENTATION.—The Secretary of the Air Force and the Director of the Air National Guard shall begin implementation of the plan described in subsection (a) not later than September 30, 2025.

SA 2899. 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 end of subtitle A of title XII, add the following:

SEC. 1216. ENHANCING THE TRANSPARENCY AND ACCOUNTABILITY OF UNITED STATES FOREIGN ASSISTANCE PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''Foreign Assistance Transparency and Accountability Enhancement Act''.

(b) INFORMATION ON UNITED STATES FOREIGN ASSISTANCE PROGRAM.—Section 4(b)(1) of the Foreign Aid Transparency and Accountability Act of 2016 (22 U.S.C. 2394c(b)(1)) is amended to read as follows:

''(1) IN GENERAL.—The information described in subsection (a)—

''(A) shall be published on a detailed basis, such as by program, activity, or award; and

''(B) shall include, and shall be searchable by—

''(i) country or region, as appropriate;

''(ii) funding agency;

''(iii) managing agency;

''(iv) sector;

''(v) appropriations account;

''(vi) fiscal year; and

''(vii) as determined by the type of activity—

''(I) activity identifier;

''(II) activity name;

''(III) start date;

''(IV) end date; and

''(V) implementing partners, including data, or links to data, as appropriate, on subcontracts valued in excess of $30,000 and subawards valued in excess of $25,000, as required to be reported on the Subaward Reporting System of the General Services Administration in compliance with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282).''.

(c) MODIFICATION TO INCLUSION REQUIREMENTS.—Section 4(b)(3)(A) of the Foreign Aid Transparency and Accountability Act of 2016 (22 U.S.C. 2394c(b)(3)(A)) is amended to read as follows:

''(A) HEALTH OR SECURITY OF IMPLEMENTING PARTNERS.—If the Secretary of State, the Administrator of the United States Agency for International Development or, after consultation with the Secretary of State, the head of any other Federal department or agency determines that the inclusion of a required item of information online would jeopardize the health or security of an implementing partner or program beneficiary or would require the release of proprietary information of an implementing partner or program beneficiary, the head of the Federal department or agency shall submit such determination in writing to the appropriate congressional committees, including the basis for such determination.''.

(d) REPORT.—The Comptroller General of the United States shall conduct annual spot checks to ensure compliance by prime implementers of acquisition and assistance awards relating to covered United States foreign assistance (as defined in section 2(3) of the Foreign Aid Transparency and Accountability Act of 2016 (22 U.S.C. 2394c note)), with the statutory requirement—

(1) to provide quality data regarding subcontracts and subawards on the Subaward Reporting System of the General Services Administration; and

(2) to submit an annual report summarizing such data to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(e) INELIGIBILITY FOR FUTURE AWARDS.—Prime implementers that fail to provide quality data regarding subcontracts and subawards pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282) and section 4 of the Foreign Aid Transparency and Accountability Act of 2016, as amended by this section, for 2 consecutive fiscal years shall be ineligible for acquisition and assistance awards during the following fiscal year and during each fiscal year thereafter until the Secretary of State, the USAID Administrator, or, after consultation with the Secretary of State, the head of any other Federal department or agency determines that the prime implementer has taken appropriate measures to fully comply with such Acts.

SA 2900. 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 end of subtitle F of title XII, add the following:

SEC. 1291. DEVELOPMENT OF ECONOMIC TOOLS AND STRATEGY TO DETER AGGRESSION BY PEOPLE'S REPUBLIC OF CHINA AGAINST TAIWAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States must be prepared to take immediate action to impose sanctions with respect to any military or nonmilitary entities owned, controlled, or acting at the direction of the Government of the PRC or the Chinese Communist Party that are supporting actions by the Government of the PRC or the Chinese Communist Party to—

(1) overthrow or dismantle the governing institutions in Taiwan;

(2) occupy any territory controlled or administered by Taiwan;

(3) violate the territorial integrity of Taiwan; or

(4) take significant action against Taiwan, including—

(A) conducting a naval blockade of Taiwan;

(B) seizing any outlying island of Taiwan; or

(C) perpetrating a significant cyber attack on Taiwan.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Finance of the Senate;

(E) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(F) the Committee on Commerce, Science, and Transportation of the Senate;

(G) the Committee on Foreign Affairs of the House of Representatives;

(H) the Committee on Armed Services of the House of Representatives;

(I) the Committee on Financial Services of the House of Representatives;

(J) the Committee on Energy and Commerce of the House of Representatives; and

(K) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Commerce, Science, and Transportation of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Financial Services of the House of Representatives; and

(F) the Committee on Energy and Commerce of the House of Representatives.

(3) PRC.—The term ''PRC'' means the People's Republic of China.

(c) TASK FORCE.—Not later than 180 days after the date of the enactment of this Act, the Office of Sanctions Coordination of the Department of State and the Office of Foreign Asset Control of the Department of the Treasury, in coordination with the Office of the Director of National Intelligence, shall establish an interagency task force (referred to in this section as the ''Task Force'') to identify military or nonmilitary entities that could be subject to sanctions imposed by the United States immediately following any action or actions taken by the PRC that demonstrate an attempt to achieve, or has the significant effect of achieving, the physical or political control of Taiwan, including by taking any of the actions described in paragraphs (1) through (4) of subsection (a).

(d) STRATEGY.—Not later than 180 days after the establishment of the Task Force, the Task Force shall submit a strategy to the appropriate congressional committees for identifying targets under this section, which shall include—

(1) an assessment of how existing sanctions regimes could be used to impose sanctions with respect to entities identified pursuant to subsection (c);

(2) a strategy for developing or proposing, as appropriate, new sanctions authorities that might be required to impose sanctions with respect to such entities;

(3) an analysis of the potential economic consequences to the United States, and to allies and partners of the United States, of imposing various types of sanctions with respect to those entities and assess measures that could be taken to mitigate those consequences, including through the use of licenses, exemptions, carve-outs, and other forms of relief;

(4) a strategy for working with allies and partners of the United States—

(A) to leverage sanctions and other economic tools to deter or respond to aggression against Taiwan;

(B) to identify and resolve potential impediments to coordinating sanctions-related efforts with respect to responding to or deterring aggression against Taiwan; and

(C) to identify industries, sectors, or goods and services with respect to which the United States and allies and partners of the United States can take coordinated action through sanctions or other economic tools that will have a significant negative impact on the economy of the PRC;

(5) an assessment of the resource gaps and needs at the Department of State, the Department of the Treasury, and other Federal agencies, as appropriate, to most effectively use sanctions and other economic tools to respond to the threat posed by the PRC;

(6) recommendations on how best to target sanctions and other economic tools against individuals, entities, and economic sectors in the PRC, taking into account the role of those targets in supporting policies and activities of the Government of the PRC or the Chinese Communist Party that pose a threat to the national security or foreign policy interests of the United States, the negative economic implications of those sanctions and tools for that government, including its ability to achieve its objectives with respect to Taiwan, and the potential impact of those sanctions and tools on the stability of the global financial system, including with respect to—

(A) state-owned enterprises;

(B) officials of the Government of the PRC;

(C) financial institutions associated with the Government of the PRC;

(D) companies in the PRC that are not formally designated by the Government of the PRC as state-owned enterprises; and

(7) the identification of any foreign military or non-military entities that would likely be used to achieve the outcomes specified in subsection (a)(1), including entities in the shipping, logistics, energy (including oil and gas), aviation, ground transportation, and technology sectors.

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the submission of the strategy required under subsection (d), and semiannually thereafter, the Task Force shall submit a report to the appropriate congressional committees that includes information regarding—

(A) any entities identified pursuant to subsection (c) or (d)(7);

(B) any new authorities needed to impose sanctions with respect to such entities;

(C) potential economic impacts on the PRC, the United States, and allies and partners of the United States of imposing sanctions with respect to those entities, as well as mitigation measures that could be employed to limit deleterious impacts on the United States and allies and partners of the United States;

(D) the status of coordination with allies and partners of the United States on sanctions and other economic tools identified under this section;

(E) resource gaps and recommendations to enable the Department of State and the Department of the Treasury to use sanctions to more effectively respond to the malign activities of the Government of the PRC; and

(F) any additional resources that may be necessary to carry out the strategy.

(2) FORM.—Each report required under paragraph (1) shall be submitted in classified form.

(f) IDENTIFICATION OF VULNERABILITIES AND LEVERAGE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense, in consultation with the Secretary of Commerce, the Secretary of the Treasury, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, shall jointly submit a report to the appropriate committees of Congress that identifies—

(1) goods and services from the United States that are relied on by the PRC such that reliance presents a strategic opportunity and source of leverage against the PRC, including during a conflict; and

(2) procurement practices of the United States Government that are reliant on trade with the PRC and other inputs from the PRC, such that reliance presents a strategic vulnerability and source of leverage that the Chinese Communist Party could exploit, including during a conflict.

(g) STRATEGY TO RESPOND TO COERCIVE ACTION.—

(1) IN GENERAL.—Not later than 180 days after the submission of the report required under subsection (f), the Secretary of the Treasury, in coordination with the Secretary of State and in consultation with the Secretary of the Defense, the Secretary of Commerce, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, shall submit to the appropriate committees of Congress a report, utilizing the findings of the report required under subsection (f), that describes a comprehensive sanctions strategy to advise policymakers on policies the United States and allies and partners of the United States could adopt with respect to the PRC in response to any coercive action, including an invasion, by the PRC that infringes upon the territorial sovereignty of Taiwan by preventing access to international waterways, airspace, or telecommunications networks.

(2) ELEMENTS.—The strategy required under paragraph (1) shall include policies that—

(A) restrict the access of the People's Liberation Army to oil, natural gas, munitions, and other supplies needed to conduct military operations against Taiwan, United States facilities in the Pacific and Indian Oceans, and allies and partners of the United States in the region;

(B) diminish the capacity of the industrial base of the PRC to manufacture and deliver defense articles to replace those lost in operations of the People's Liberation Army against Taiwan, the United States, and allies and partners of the United States;

(C) inhibit the ability of the PRC to evade United States and multilateral sanctions through third parties, including through secondary sanctions;

(D) identify specific sanctions-related tools that may be effective in responding to coercive action described in paragraph (1) and assess the feasibility of the use and impact of the use of such tools;

(E) identify and resolve potential impediments to coordinating sanctions-related efforts with respect to responding to or deterring aggression against Taiwan with allies and partners of the United States;

(F) identify industries, sectors, or goods and services with respect to which the United States, working with allies and partners of the United States, can take coordinated action through sanctions or other economic tools that will have a significant negative impact on the economy of the PRC; and

(G) identify tactics used by the Government of the PRC to influence the public in the United States and Taiwan through propaganda and disinformation campaigns, including such campaigns focused on delegitimizing Taiwan or legitimizing a forceful action by the PRC against Taiwan.

(h) RECOMMENDATIONS FOR REDUCTION OF VULNERABILITIES AND LEVERAGE.—Not later than 180 days after the submission of the report required under subsection (g), the Secretary of State and the Secretary of Defense, in consultation with the Secretary of Commerce, the Secretary of the Treasury, the Director of the Office of Federal Procurement Policy, and the Director of the Office of Science and Technology Policy, shall jointly submit to the appropriate committees of Congress a report that—

(1) identifies critical sectors within the United States economy that rely on trade with the PRC and other inputs from the PRC (including active pharmaceutical ingredients, rare earth minerals, munitions energetics, and metallurgical inputs) that present a strategic vulnerability and source of leverage that the Chinese Communist Party or the People's Republic of China could exploit; and

(2) includes recommendations to Congress regarding the steps that could be taken to reduce the sources of leverage described in paragraph (1) and subsection (f)(1), including through—

(A) providing economic incentives and making other trade and contracting reforms to support United States industry and job growth in critical sectors and to indigenize production of critical resources; and

(B) policies for facilitating ''near-shoring or friend-shoring'' or otherwise developing strategies to facilitate that process with allies and partners of the United States, in other sectors for which domestic reshoring would prove infeasible for any reason.

(i) FORM.—The reports required under subsections (f), (g), and (h) shall be submitted in unclassified form, but may include a classified annex.

(j) RULES OF CONSTRUCTION.—Nothing in this section may be construed as—

(1) a change to the One China Policy of the United States, which is guided by the Taiwan Relations Act (22 U.S.C. 3301 et seq.), the three United States-People's Republic of China Joint Communiqués, and the Six Assurances; or

(2) authorizing the use of military force.

SA 2901. Mr. BARRASSO 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. ____. OPERATIONAL ENERGY CAPABILITY IMPROVEMENT PROGRAM.

(a) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2025 by section 201 for research, development, test, and evaluation for the Operational Energy Capability Improvement Program (PE 0604055D8Z), as specified in the funding table in section 4201, is hereby increase by $2,500,000, with the amount of the increase to be available for development of interoperable, field-ready, hybrid power systems deployable for multiple-use applications with the sole intention of improving military readiness.

(b) OFFSET.—Of the amount authorized to be appropriated for fiscal year 2025 by section 201 for research, development, test, and evaluation, the amount available for Strategic Environmental Research Program (PE 0603716D8Z), as specified in the funding table in section 4201, is hereby reduced by $2,500,000.

SA 2902. Ms. WARREN 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 A of title VII, insert the following:

SEC. 710. REQUIRING ANY PHARMACY BENEFIT MANAGER THAT CONTRACTS WITH TRICARE TO DISCLOSE ANY REBATES, PRICE CONCESSIONS, ALTERNATIVE DISCOUNTS, OR OTHER REMUNERATION, AND ANY ADMINISTRATIVE OR OTHER FEES, RECEIVED FROM DRUG MANUFACTURERS.

Section 1074g(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11)(A) Beginning on January 1, 2025, the Secretary may not contract with a pharmacy benefit manager under the pharmacy benefits program unless the pharmacy benefit manager discloses to the Secretary (in a form and manner specified by the Secretary)—

''(i) for each category or class of drugs for which a claim was filed, a breakdown of the total gross spending on drugs in such category or class before rebates, price concessions, alternative discounts, or other remuneration from drug manufacturers, and the net spending after such rebates, price concessions, alternative discounts, or other remuneration from drug manufacturers; and

''(ii) any administrative or other fees received from drug manufacturers.

''(B) In this paragraph, the term 'pharmacy benefit manager' means any person or entity that, either directly or through an intermediary, acts as a price negotiator or group purchaser on behalf of the pharmacy benefits program, or manages the prescription drug benefits provided under such program, including the processing and payment of claims for prescription drugs, the performance of drug utilization review, the processing of drug prior authorization requests, the adjudication of appeals or grievances related to the pharmacy benefits program, contracting with network pharmacies, controlling the cost of prescription drugs, or the provision of related services. Such term includes any person or entity that carries out one or more of the activities described in the preceding sentence, irrespective of whether such person or entity identifies itself as a 'pharmacy benefit manager'.''.

SA 2903. Mr. SCHATZ (for himself and Ms. HIRONO) 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. RED HILL HEALTH REGISTRY.

(a) REGISTRY FOR IMPACTED INDIVIDUALS OF THE RED HILL INCIDENT.—

(1) ESTABLISHMENT OF REGISTRY.—The Secretary of Defense, in consultation with the Secretary of Health and Human Services, shall establish within the Department of Defense or through an award of a grant or contract, as the Secretary determines appropriate, a Red Hill Incident exposure registry to collect data on health implications of petroleum-contaminated water for impacted individuals and potentially impacted individuals on a voluntary basis.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees and publish on the website of the Department of Defense a report on—

(A) the number of impacted and potentially impacted individuals enrolled in the registry established under paragraph (1);

(B) measures and frequency of follow-up to collect data and specimens related to exposure, health, and developmental milestones as appropriate; and

(C) a summary of data and analyses on exposure, health, and developmental milestones for impacted individuals.

(3) CONTRACTS.—The Secretary of Defense may contract with independent research institutes or consultants, nonprofit or public entities, laboratories, or medical schools, as the Secretary considers appropriate, that are not part of the Federal Government to assist with the registry established under paragraph (1).

(4) CONSULTATION.—In carrying out paragraph (1), the Secretary of Defense shall consult with non-Federal experts, including individuals with certification in epidemiology, toxicology, mental health, pediatrics, and environmental health, and members of the impacted community.

(b) USE OF EXISTING FUNDS.—The Secretary of Defense shall carry out activities under this section using amounts previously appropriated for the Defense Health Agency for such activities.

(c) DEFINITIONS.—In this section:

(1) IMPACTED INDIVIDUAL.—The term ''impacted individual'' means an individual who, at the time of the Red Hill Incident, lived or worked in a building or residence served by the community water system at Joint Base Pearl Harbor-Hickam, Oahu, Hawaii.

(2) POTENTIALLY IMPACTED INDIVIDUAL.—The term ''potentially impacted individual'' means an individual who, after the Red Hill Incident, lived or worked in a building or residence served by the community water system at Joint Base Pearl Harbor-Hickam, Oahu, Hawaii, including an individual who is not a beneficiary of the military health system.

(3) RED HILL INCIDENT.—The term ''Red Hill Incident'' means the release of fuel from the Red Hill Bulk Fuel Storage Facility, Oahu, Hawaii, into the sole-source basal aquifer located 100 feet below the facility, contaminating the community water system at Joint Base Pearl Harbor-Hickam on November 20, 2021.

SA 2904. Ms. ROSEN 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. RETURNING SKILLED WORKERS TO THE STEM WORKFORCE.

(a) SHORT TITLE.—This section may be cited as the ''STEM Restoring Employment Skills through Targeted Assistance, Reentry, and Training Act'' or the ''STEM RESTART Act''.

(b) IN GENERAL.—Subtitle D of title I of the Workforce Innovation and Opportunity Act is amended—

(1) by redesignating section 172 (29 U.S.C. 3227) as section 173; and

(2) by inserting after section 171 the following:

''SEC. 172. GRANTS TO SUPPORT SKILLED WORKERS IN RETURNING OR TRANSITIONING TO THE STEM WORKFORCE.

''(a) FINDINGS.—Congress finds the following:

''(1) The Brookings Institution expects the coronavirus pandemic will have lasting effects on the labor market and could change the composition of available jobs indefinitely, with the ensuing economic decline ushering in a new era of automation. Employers will likely shed less skilled workers and replace them with higher-skilled technology workers, which increases labor productivity as a recession tapers off.

''(2) The current pipeline of engineering talent does not include many college graduates from large cohorts of the population.

Women represent over 57 percent of college graduates but only 22 percent of the engineers entering the workforce. Within the workforce, only 14 percent of engineers are women. Women also leave the engineering profession in greater numbers than men do.

''(3) A 2018 Pew Research Center study showed there are wide racial gaps among current STEM workers regarding reasons why so few Black and Hispanic people work in STEM. For example, over 70 percent of Black STEM workers view lack of access to education and discriminatory hiring and promotion practices as reasons there are so few Black men and women in the STEM fields. By comparison, less than 30 percent of White and Asian STEM workers view that lack of access and those practices as barriers to Black people entering the fields. Additionally, 62 percent of Black STEM workers say they have faced discrimination in their jobs compared to just 13 percent of White STEM workers.

''(4) Among the 25,300,000 United States women ages 25 through 54 with a bachelor's degree or higher degree in 2017, 4,200,000 were out of the labor force. While some of those women were disabled or retired, the remaining 3,600,000 women may be candidates to return to work.

''(5) The Center for Talent Innovation's research shows that while 93 percent of women who left the workforce want to resume their careers, only 74 percent manage to get any kind of job at all and just 40 percent successfully return to work full-time.

''(6) Mid-career internship and other returnship programs are an effective way to address the difficulties of former STEM employees seeking to return to work, as the programs provide a probationary period and also an opportunity to obtain mentorship, professional development, and support as the participants transition back to work. Even more important, returnship programs allow an employer to base a hiring decision on an actual work sample instead of a series of interviews. At the same time, the programs give participants an opportunity to return to work together, in a cohort of similarly situated returners.

''(7) Fortune 500 companies like Apple, Honeywell, Northrop Grumman, Ingersoll Rand, and The Procter & Gamble Company have taken the initiative to try to close the gender gap among STEM professionals by providing mid-career internships for returning technical professionals. However, a 2008 study by Anthony Breitzman and Diana Hicks for the Office of Advocacy of the Small Business Administration, entitled 'An Analysis of Small Business Patents by Industry and Firm Size', found that 'Small firms are much more likely to develop emerging technologies than are large firms. This is perhaps intuitively reasonable given theories on small firms effecting technological change, but the quantitative data here support this assertion. Specifically, although small firms account for only 8 percent of patents granted, they account for 24 percent of the patents in the top 100 emerging clusters.'.

''(b) PURPOSES.—The purposes of this section are to—

''(1) prioritize expanding opportunities, through high-quality internships or other returnships in STEM fields for unemployed or underemployed workers, particularly workers from underrepresented populations and workers from rural areas, who are mid-career skilled workers seeking to return or transition to in-demand industry sectors or occupations within the STEM workforce, at positions and compensation above entry level; and

''(2) establish grant funding and other incentives for small-sized and medium-sized companies in in-demand industry sectors or occupations to establish programs that provide on-the-job evaluation, education, and training for mid-career skilled workers described in paragraph (1).

''(c) DEFINITIONS.—In this section:

''(1) MEDIUM-SIZED ENTERPRISE.—The term 'medium-sized', used with respect to an enterprise, means an entity that employs more than 499 and fewer than 10,000 employees.

''(2) RESTART GRANT.—The term 'RESTART grant' means a grant made under subsection (d).

''(3) RETURNSHIP.—The term 'returnship' shall mean any internship, apprenticeship, re-entry opportunity, direct hiring opportunity with support, or other similar opportunity designed to provide workers seeking to return or transition to the STEM workforce with positions that—

''(A) are above entry level;

''(B) provide salaries, stipends, or other payments, and benefits, that are above entry level; and

''(C) provide training that leads workers toward full-time careers and provides pathways toward advancement and leadership.

''(4) RURAL AREA.—The term 'rural area' means an area that is not an urban area (within the meaning of the notice of final program criteria entitled 'Urban Area Criteria for the 2010 Census' (76 Fed. Reg. 53030 (August 24, 2011))).

''(5) SMALL-SIZED ENTERPRISE.—The term 'small-sized', used with respect to an enterprise, means an entity that employs more than 49 and fewer than 500 individuals.

''(6) STEM.—The term 'STEM' has the meaning given the term in section 2 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621 note).

''(7) UNDERREPRESENTED POPULATION.—The term 'underrepresented population' means a group that is underrepresented in science and engineering, as determined by the Secretary of Education under section 637.4(b) of title 34, Code of Federal Regulations (as in effect on the date of enactment of the STEM RESTART Act).

''(8) UNEMPLOYED OR UNDEREMPLOYED INDIVIDUAL.—The term 'unemployed or underemployed individual' means—

''(A) an unemployed or underemployed individual as defined by the Bureau of Labor Statistics; and

''(B) a displaced or furloughed worker.

''(d) GRANT.—

''(1) IN GENERAL.—From the amounts made available to carry out this section, the Secretary shall award grants, on a competitive basis, to eligible entities, to carry out returnship programs that provide opportunities above entry level in STEM fields for mid-career skilled workers, and achieve the purposes described in subsection (b).

''(2) PERIODS.—The Secretary shall award the grants for an initial period of not less than 3 years and not more than 5 years.

''(3) AMOUNTS.—In awarding grants under this subsection, the Secretary shall award a grant—

''(A) for a small-sized enterprise, in an amount so that each annual payment for the grant is not less than $100,000 or more than $1,000,000; and

''(B) for a medium-sized enterprise or consortium, in an amount so that each annual payment for the grant is not less than $500,000 or more than $5,000,000.

''(e) ELIGIBILITY.—

''(1) ELIGIBLE ENTITIES.—To be eligible to receive a RESTART grant under this section, an entity shall—

''(A)(i) be located in the United States and have significant operations and employees within the United States;

''(ii) not be a debtor in a bankruptcy proceeding, within the meaning of section 4003(c)(3)(D)(i)(V) of the CARES Act (15 U.S.C. 9042(c)(3)(D)(i)(V)) or under a State bankruptcy law; and

''(iii) be within an in-demand industry sector or occupation in a STEM field; and

''(B) be—

''(i) a small-sized enterprise;

''(ii) a medium-sized enterprise; or

''(iii) a consortium of small-sized or medium-sized enterprises.

''(2) ELIGIBLE PROVIDERS.—

''(A) IN GENERAL.—An eligible entity that desires to partner with a provider in order to carry out a returnship program under this section shall enter into an arrangement with an eligible provider.

''(B) PROVIDER.—To be eligible to enter into such an arrangement, a provider—

''(i) may or may not directly employ skilled workers in STEM fields but—

''(I) shall have expertise in human resources-related activities, such as identifying or carrying out staffing with skilled workers or underrepresented populations; and

''(II) shall be capable of providing high-quality education and training services; and

''(ii) may be—

''(I)(aa) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

''(bb) a non-degree-granting institution that is governed by the same body that governs an institutions of higher education described in item (aa);

''(II) a public, private for-profit, or private nonprofit service provider, approved by the local board;

''(III) a joint labor-management organization;

''(IV) an eligible provider of adult education and literacy activities under title II; or

''(V) an established nonprofit organization that conducts research or provides training on technical, social and emotional, and employability skills and knowledge aligned to the needs of adult learners and workers.

''(f) APPLICATIONS.—

''(1) IN GENERAL.—To be eligible to receive a RESTART grant to carry out a returnship program, an entity shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.

''(2) CONTENTS.—Such an application shall include—

''(A) a description of the demand for skilled workers in STEM fields and how the RESTART grant will be used to help meet that demand;

''(B) a description of how the program will lead to employment of unemployed or underemployed individuals, particularly workers from underrepresented populations or from rural areas, who seek to return or transition to the STEM workforce;

''(C) if the entity has entered into or plans to enter into an arrangement with an eligible provider as described in subsection (e)(2) to carry out a returnship program, information identifying the eligible provider, and a description of how the arrangement will help the entity build the knowledge and skills of skilled workers participating in the program;

''(D) a description of how the eligible entity will develop and establish, or expand, a returnship program that adds to the number of full-time employees employed by the entity, but does not displace full-time employees currently (as of the date of submission of the application) employed by the entity;

''(E) an assurance that any new or existing returnship program developed and established, or expanded, with the grant funds will last for at least 10 weeks and provide compensation to participants in the form of a

salary, stipend, or other payment, and benefits, that are offered to full-time employees with equivalent experience and expertise, such as health care or child care benefits; and

''(F) if the returnship program leads to a recognized postsecondary credential, information on the quality of the program that leads to the credential.

''(3) PRIORITY.—In making grants under this section, the Secretary shall give priority to entities who are proposing programs that prioritize returnships for workers from underrepresented populations or from rural areas.

''(g) USE OF FUNDS.—

''(1) IN GENERAL.—An entity that receives a grant under this section shall use the grant funds to carry out a returnship program, of not less than 10 weeks, through which the entity provides for—

''(A) the education and training of returnship participants; and

''(B) the services of existing employees (as of the date the program begins) of the entity who are working with returnship participants in an educational, training, or managerial role, to maximize the retention rate and effectiveness of the returnship program.

''(2) SPECIFIC USES.—The grant funds may be used—

''(A) to pay for the evaluation, and entry into the program, and education and training of returnship participants, including payment for the duration of the program for the participants for—

''(i) equipment, travel, and (as necessary) housing;

''(ii) mentorship and career counseling; and

''(iii) salaries, stipends, or payments, and benefits, described in subsection (f)(2)(E);

''(B) to supplement, and not supplant, the compensation of those existing employees of the entity who are directly supporting a returnship program through the work described in paragraph (1)(B); and

''(C) to enter into an arrangement with an eligible provider to carry out a returnship program.

''(3) EXISTING EMPLOYEES.—Not more than 20 percent of the grant funds may be used to provide compensation for the existing employees performing the work described in paragraph (1)(B).

''(4) COORDINATION WITH STATE WORKFORCE BOARDS.—An entity that receives a grant under this section shall coordinate activities with the State workforce development board established under section 101, to ensure collaboration and alignment of workforce programs.

''(h) REPORTING AND EVALUATION REQUIREMENTS.—

''(1) REPORT TO THE SECRETARY.—An entity that receives a grant under this section for a returnship program shall prepare, certify the contents of, and submit to the Secretary an annual report containing data regarding—

''(A) the total number of the participants, and the number of such participants disaggregated by sex, race, and ethnicity;

''(B) the total number of the participants transitioned into full-time employment, and the number of such transitioned participants disaggregated by sex, race, and ethnicity; and

''(C) if the returnship program includes participants in an internship, the conversion rate of the internship participants to employees, for the total number of those participants and the conversion rate of those participants disaggregated by sex, race, and ethnicity.

''(2) EVALUATION AND REPORT BY THE SECRETARY.—Not later than 180 days after receiving the annual reports from grant recipients under paragraph (1), the Secretary shall—

''(A)(i) prepare a report that presents the data collected through the reports, including data disaggregated by sex, race, and ethnicity, and an evaluation based on that data of the best practices for effectively implementing returnship (including internship) programs; and

''(ii) submit the report to the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate; and

''(B) post information on a website on best practices described in subparagraph (A)(i).

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $50,000,000 for each of fiscal years 2025 through 2029.''.

(c) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Workforce Innovation and Opportunity Act is amended—

(1) by redesignating the item relating to section 172 as the item relating to section 173; and

(2) by inserting after the item relating to section 171 the following:

''Sec. 172. Grants to support skilled workers in returning or transitioning to the STEM workforce.''.

SA 2905. Mr. KAINE (for himself and Mr. WARNER) 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 XV, add the following:

SEC. 1510. DRINKING WATER WELL REPLACEMENT FOR CHINCOTEAGUE, VIRGINIA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the National Aeronautics and Space Administration may enter into an agreement, as appropriate, with the Town of Chincoteague, Virginia, for a period of up to five years, for reimbursement of the Town of Chincoteague's costs directly associated with—

(1) the development of a plan for removal of drinking water wells currently situated on property administered by the National Aeronautics and Space Administration; and

(2) the establishment of alternative drinking water wells on property under the administrative control, through lease, ownership, or easement, of the Town of Chincoteague.

(b) ELEMENTS.—An agreement under subsection (a) shall include, to the extent practicable—

(1) a provision for the removal and relocation of the three remaining wells described in that subsection;

(2) a description of the location of the site to which such wells will be relocated or are planned to be relocated; and

(3) a current estimated cost of such relocation, including for the purchase, lease, or use of additional property, engineering, design, permitting, and construction.

(c) SUBMISSION TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Administrator of the National Aeronautics and Space Administration, in coordination with the heads or other appropriate representatives of relevant entities, shall submit to the appropriate committees of Congress any agreement entered into under subsection (a).

SA 2906. 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:

Add at the end of subtitle C of title VII of division A the following:

SEC. ___. FUNDING FOR DEFENSE HEALTH PROGRAMS FOR EDUCATION AND TRAINING.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, (1) the amount authorized to be appropriated in section 1405 for Defense Health Program specified in the corresponding funding table in section 4501, for Education and Training is hereby increased by $25,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for Defense Health Programs, as specified in the corresponding funding table in section 4501, for Base Operations/Communications is hereby reduced by $25,000,000.

SA 2907. Ms. SMITH (for herself and Mr. ROUNDS) 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:

Subtitle I—Rural Housing Service Reform

SEC. 1095. SHORT TITLE.

This subtitle may be cited as the ''Rural Housing Service Reform Act of 2024''.

SEC. 1096. APPLICATION OF MULTIFAMILY MORTGAGE FORECLOSURE PROCEDURES TO MULTIFAMILY MORTGAGES HELD BY THE SECRETARY OF AGRICULTURE AND PRESERVATION OF THE RENTAL ASSISTANCE CONTRACT UPON FORECLOSURE.

(a) MULTIFAMILY MORTGAGE PROCEDURES.—Section 363 of the Multifamily Mortgage Foreclosure Act of 1981 (12 U.S.C. 3702) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D), by striking ''and'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(F) section 514, 515, or 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1490p).''; and

(2) in paragraph (10)—

(A) by striking ''means the Secretary'' and inserting the following: ''means—

''(A) the Secretary'';

(B) in subparagraph (A), as so designated, by striking the period at the end and inserting '', with respect to a multifamily mortgage described in subparagraph (A), (B), (C), (D), or (E) of paragraph (2); and''; and

(C) by adding at the end the following:

''(B) the Secretary of Agriculture, with respect to a multifamily mortgage described in paragraph (2)(F).''.

(b) PRESERVATION OF CONTRACT.—Section 521(d) of the Housing Act of 1949 (42 U.S.C. 1490a(d)) is amended by adding at the end the following:

''(3) Notwithstanding any other provision of law in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary, and during the process of foreclosure on any property with a contract for rental assistance under this section—

''(A) the Secretary shall maintain any rental assistance payments that are attached to any dwelling units in the property; and

''(B) the rental assistance contract may be used to provide further assistance to existing projects under 514, 515, or 516.''.

SEC. 1097. STUDY ON RURAL HOUSING LOANS FOR HOUSING FOR LOW- AND MODERATE-INCOME FAMILIES.

Not later than 6 months after the date of enactment of this Act, the Secretary of Agriculture shall conduct a study and submit to Congress a publicly available report on the loan program under section 521 of the Housing Act of 1949 (42 U.S.C. 1490a), including—

(1) the total amount provided by the Secretary in subsidies under such section 521 to borrowers with loans made pursuant to section 502 of such Act (42 U.S.C. 1472);

(2) how much of the subsidies described in paragraph (1) are being recaptured; and

(3) the amount of time and costs associated with recapturing those subsidies.

SEC. 1098. AUTHORIZATION OF APPROPRIATIONS FOR STAFFING NEEDS AND INFORMATION TECHNOLOGY UPGRADES.

There is authorized to be appropriated to the Secretary of Agriculture for each of fiscal years 2024 through 2028 such sums as may be necessary for increased staffing needs and information technology upgrades to support all Rural Housing Service programs.

SEC. 1099. PERMANENT ESTABLISHMENT OF HOUSING PRESERVATION AND REVITALIZATION PROGRAM.

Title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.) is amended by adding at the end the following:

''SEC. 545. HOUSING PRESERVATION AND REVITALIZATION PROGRAM.

''(a) ESTABLISHMENT.—The Secretary shall carry out a program under this section for the preservation and revitalization of multifamily rental housing projects financed under section 514, 515, or 516.

''(b) NOTICE OF MATURING LOANS.—

''(1) TO OWNERS.—On an annual basis, the Secretary shall provide written notice to each owner of a property financed under section 514, 515, or 516 that will mature within the 4-year period beginning upon the provision of the notice, setting forth the options and financial incentives that are available to facilitate the extension of the loan term or the option to decouple a rental assistance contract pursuant to subsection (f).

''(2) TO TENANTS.—

''(A) IN GENERAL.—On an annual basis, for each property financed under section 514, 515, or 516, not later than the date that is 2 years before the date that the loan will mature, the Secretary shall provide written notice to each household residing in the property that informs them of—

''(i) the date of the loan maturity;

''(ii) the possible actions that may happen with respect to the property upon that maturity; and

''(iii) how to protect their right to reside in federally assisted housing, or how to secure housing voucher, after that maturity.

''(B) LANGUAGE.—Notice under this paragraph shall be provided in plain English and shall be translated to other languages in the case of any property located in an area in which a significant number of residents speak such other languages.

''(c) LOAN RESTRUCTURING.—Under the program under this section, in any circumstance in which the Secretary proposes a restructuring to an owner or an owner proposes a restructuring to the Secretary, the Secretary may restructure such existing housing loans, as the Secretary considers appropriate, for the purpose of ensuring that those projects have sufficient resources to preserve the projects to provide safe and affordable housing for low-income residents and farm laborers, by—

''(1) reducing or eliminating interest;

''(2) deferring loan payments;

''(3) subordinating, reducing, or reamortizing loan debt;

''(4) providing other financial assistance, including advances, payments, and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary; and

''(5) permanently removing a portion of the housing units from income restrictions when sustained vacancies have occurred.

''(d) RENEWAL OF RENTAL ASSISTANCE.—

''(1) IN GENERAL.—When the Secretary proposes to restructure a loan or agrees to the proposal of an owner to restructure a loan pursuant to subsection (c), the Secretary shall offer to renew the rental assistance contract under section 521(a)(2) for a 20-year term that is subject to annual appropriations, provided that the owner agrees to bring the property up to such standards that will ensure maintenance of the property as decent, safe, and sanitary housing for the full term of the rental assistance contract.

''(2) ADDITIONAL RENTAL ASSISTANCE.—With respect to a project described in paragraph (1), if rental assistance is not available for all households in the project for which the loan is being restructured pursuant to subsection (c), the Secretary may extend such additional rental assistance to unassisted households at that project as is necessary to make the project safe and affordable to low-income households.

''(e) RESTRICTIVE USE AGREEMENTS.—

''(1) REQUIREMENT.—As part of the preservation and revitalization agreement for a project, the Secretary shall obtain a restrictive use agreement that is recorded and obligates the owner to operate the project in accordance with this title.

''(2) TERM.—

''(A) NO EXTENSION OF RENTAL ASSISTANCE CONTRACT.—Except when the Secretary enters into a 20-year extension of the rental assistance contract for a project, the term of the restrictive use agreement for the project shall be consistent with the term of the restructured loan for the project.

''(B) EXTENSION OF RENTAL ASSISTANCE CONTRACT.—If the Secretary enters into a 20-year extension of the rental assistance contract for a project, the term of the restrictive use agreement for the project shall be for the longer of—

''(i) 20 years; or

''(ii) the remaining term of the loan for that project.

''(C) TERMINATION.—The Secretary may terminate the 20-year use restrictive use agreement for a project before the end of the term of the agreement if the 20-year rental assistance contract for the project with the owner is terminated at any time for reasons outside the control of the owner.

''(f) DECOUPLING OF RENTAL ASSISTANCE.—

''(1) RENEWAL OF RENTAL ASSISTANCE CONTRACT.—If the Secretary determines that a maturing loan for a project cannot reasonably be restructured in accordance with subsection (c) because it is not financially feasible or the owner does not agree with the proposed restructuring, and the project was operating with rental assistance under section 521 and the recipient is a borrower under section 514 or 515, the Secretary may renew the rental assistance contract, notwithstanding any provision of section 521, for a term, subject to annual appropriations, of 20 years.

''(2) ADDITIONAL RENTAL ASSISTANCE.—With respect to a project described in paragraph (1), if rental assistance is not available for all households in the project for which the loan is being restructured pursuant to subsection (c), the Secretary may extend such additional rental assistance to unassisted households at that project as is necessary to make the project safe and affordable to low-income households.

''(3) RENTS.—Any agreement to extend the term of the rental assistance contract under section 521 for a project shall obligate the owner to continue to maintain the project as decent, safe and sanitary housing and to operate the development as affordable housing in a manner that meets the goals of this title, except that the Secretary shall establish standards for the setting of rents.

''(4) CONDITIONS FOR APPROVAL.—

''(A) PLAN.—Before the approval of a rental assistance contract authorized under this section, the Secretary shall require the owner to submit to the Secretary a plan that identifies financing sources and a timetable for renovations and improvements determined to be necessary by the Secretary to maintain and preserve the project.

''(B) AUTOMATIC APPROVAL.—If a plan submitted under subparagraph (A) is not acted upon by the Secretary within 30 days of the submission, the rental assistance contract is automatically approved for not more than a 1-year period.

''(g) MULTIFAMILY HOUSING TRANSFER TECHNICAL ASSISTANCE.—Under the program under this section, the Secretary may provide grants to qualified nonprofit organizations and public housing agencies to provide technical assistance, including financial and legal services, to borrowers under loans under this title for multifamily housing to facilitate the acquisition or preservation of such multifamily housing properties in areas where the Secretary determines there is a risk of loss of affordable housing.

''(h) ADMINISTRATIVE EXPENSES.—Of any amounts made available for the program under this section for any fiscal year, the Secretary may use not more than $1,000,000 for administrative expenses for carrying out such program.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the program under this section $200,000,000 for each of fiscal years 2024 through 2028.

''(j) RULEMAKING.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Rural Housing Service Reform Act of 2024, the Secretary shall—

''(A) publish an advance notice of proposed rulemaking; and

''(B) consult with appropriate stakeholders.

''(2) INTERIM FINAL RULE.—Not later than 1 year after the date of enactment of the Rural Housing Service Reform Act of 2024, the Secretary shall publish an interim final rule to carry out this section.''.

SEC. 1099A. ELIGIBILITY FOR RURAL HOUSING VOUCHERS.

Section 542 of the Housing Act of 1949 (42 U.S.C. 1490r) is amended by adding at the end the following:

''(c) ELIGIBILITY OF HOUSEHOLDS IN SECTIONS 514, 515, AND 516 PROJECTS.—The Secretary may provide rural housing vouchers under this section for any low-income household (including those not receiving rental assistance) residing for a term longer than the remaining term of their lease that is in effect on the date of mortgage maturity, in a property financed with a loan under section 514 or 515 or a grant under section 516 that has—

''(1) been prepaid with or without restrictions imposed by the Secretary pursuant to section 502(c)(5)(G)(ii)(I);

''(2) been foreclosed; or

''(3) matured after September 30, 2005.''.

SEC. 1099B. AMOUNT OF VOUCHER ASSISTANCE.

Notwithstanding any other provision of law, in the case of any rural housing voucher provided pursuant to section 542 of the Housing Act of 1949 (42 U.S.C. 1490r), the amount of the monthly assistance payment for the household on whose behalf the assistance is provided shall be determined as provided in subsection (a) of such section 542, including providing for interim and annual review of the voucher amount in the event of a change in household composition or income or rental rate.

SEC. 1099C. RENTAL ASSISTANCE CONTRACT AUTHORITY.

Section 521(d) of the Housing Act of 1949 (42 U.S.C. 1490a(d)), as amended by section 101(b), is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(B) by inserting after subparagraph (A) the following:

''(B) upon request of an owner of a project financed under section 514 or 515, the Secretary is authorized to enter into renewal of such agreements for a period of 20 years or the term of the loan, whichever is shorter, subject to amounts made available in appropriations Acts;'';

(C) in subparagraph (C), as so redesignated, by striking ''subparagraph (A)'' and inserting ''subparagraphs (A) and (B)''; and

(D) in subparagraph (D), as so redesignated, by striking ''subparagraphs (A) and (B)'' and inserting ''subparagraphs (A), (B), and (C)'';

(2) in paragraph (2), by striking ''shall'' and inserting ''may''; and

(3) by adding at the end the following:

''(4) In the case of any rental assistance contract authority that becomes available because of the termination of assistance on behalf of an assisted family—

''(A) at the option of the owner of the rental project, the Secretary shall provide the owner a period of not more than 6 months before unused assistance is made available pursuant to subparagraph (B) during which the owner may use such assistance authority to provide assistance on behalf of an eligible unassisted family that—

''(i) is residing in the same rental project that the assisted family resided before the termination; or

''(ii) newly occupies a dwelling unit in the rental project during that 6-month period; and

''(B) except for assistance used as provided in subparagraph (A), the Secretary shall use such remaining authority to provide assistance on behalf of eligible families residing in other rental projects originally financed under section 514, 515, or 516.''.

SEC. 1099D. FUNDING FOR TECHNICAL IMPROVEMENTS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture such sums as may be necessary for fiscal year 2024 for improving the technology of the Department of Agriculture used to process and manage housing loans.

(b) TIMELINE.—The improvements required under subsection (a) shall be made within the 5-year period beginning upon the appropriation of amounts under subsection (a), and those amounts shall remain available until the expiration of that 5-year period.

SEC. 1099E. NATIVE CDFI RELENDING PROGRAM.

Section 502 of the Housing Act of 1949 (42 U.S.C. 1472) is amended by adding at the end the following:

''(j) SET ASIDE FOR NATIVE COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'Alaska Native' has the meaning given the term 'Native' in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b));

''(B) the term 'appropriate congressional committees' means—

''(i) the Committee on Agriculture of the Senate;

''(ii) the Committee on Indian Affairs of the Senate;

''(iii) the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(iv) the Committee on Agriculture of the House of Representatives;

''(v) the Committee on Natural Resources of the House of Representatives; and

''(vi) the Committee on Financial Services of the House of Representatives;

''(C) the term 'community development financial institution' has the meaning given the term in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702);

''(D) the term 'Indian Tribe' has the meaning given the term 'Indian tribe' in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103);

''(E) the term 'Native community development financial institution' means an entity—

''(i) that has been certified as a community development financial institution by the Secretary of the Treasury;

''(ii) that is not less than 51 percent owned or controlled by members of Indian Tribes, Alaska Native communities, or Native Hawaiian communities; and

''(iii) for which not less than 51 percent of the activities of the entity serve Indian Tribes, Alaska Native communities, or Native Hawaiian communities;

''(F) the term 'Native Hawaiian' has the meaning given the term in section 801 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221); and

''(G) the term 'priority Tribal land' means—

''(i) any land located within the boundaries of—

''(I) an Indian reservation, pueblo, or rancheria; or

''(II) a former reservation within Oklahoma;

''(ii) any land not located within the boundaries of an Indian reservation, pueblo, or rancheria, the title to which is held—

''(I) in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

''(II) by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

''(III) by a dependent Indian community;

''(iii) any land located within a region established pursuant to section 7(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(a));

''(iv) Hawaiian Home Lands, as defined in section 801 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221); or

''(v) those areas or communities designated by the Assistant Secretary of Indian Affairs of the Department of the Interior that are near, adjacent, or contiguous to reservations where financial assistance and social service programs are provided to Indians because of their status as Indians.

''(2) PURPOSE.—The purpose of this subsection is to—

''(A) increase homeownership opportunities for Indian Tribes, Alaska Native Communities, and Native Hawaiian communities in rural areas; and

''(B) provide capital to Native community development financial institutions to increase the number of mortgage transactions carried out by those institutions.

''(3) SET ASIDE FOR NATIVE CDFIS.—Of amounts appropriated to make direct loans under this section for each fiscal year, the Secretary may use not more than $50,000,000 to make direct loans to Native community development financial institutions in accordance with this subsection.

''(4) APPLICATION REQUIREMENTS.—A Native community development financial institution desiring a loan under this subsection shall demonstrate that the institution—

''(A) can provide the non-Federal cost share required under paragraph (6); and

''(B) is able to originate and service loans for single family homes.

''(5) LENDING REQUIREMENTS.—A Native community development financial institution that receives a loan pursuant to this subsection shall—

''(A) use those amounts to make loans to borrowers—

''(i) who otherwise meet the requirements for a loan under this section; and

''(ii) who—

''(I) are members of an Indian Tribe, an Alaska Native community, or a Native Hawaiian community; or

''(II) maintain a household in which not less 1 member is a member of an Indian Tribe, an Alaska Native community, or a Native Hawaiian community; and

''(B) in making loans under subparagraph (A), give priority to borrowers described in that subparagraph who are residing on priority Tribal land.

''(6) NON-FEDERAL COST SHARE.—

''(A) IN GENERAL.—A Native community development financial institution that receives a loan under this section shall be required to match not less than 20 percent of the amount received.

''(B) WAIVER.—In the case of a loan for which amounts are used to make loans to borrowers described in paragraph (5)(B), the Secretary shall waive the non-Federal cost share requirement described in subparagraph (A) with respect to those loan amounts.

''(7) REPORTING.—

''(A) ANNUAL REPORT BY NATIVE CDFIS.—Each Native community development financial institution that receives a loan pursuant to this subsection shall submit an annual report to the Secretary on the lending activities of the institution using the loan amounts, which shall include—

''(i) a description of the outreach efforts of the institution in local communities to identify eligible borrowers;

''(ii) a description of how the institution leveraged additional capital to reach prospective borrowers;

''(iii) the number of loan applications received, approved, and deployed;

''(iv) the average loan amount;

''(v) the number of finalized loans that were made on Tribal trust lands and not on Tribal trust lands; and

''(vi) the number of finalized loans that were made on priority Tribal land and not priority Tribal land.

''(B) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this subsection, and every year thereafter, the Secretary shall submit to the appropriate congressional communities a report that includes—

''(i) a list of loans made to Native community development financial institutions pursuant to this subsection, including the name of the institution and the loan amount;

''(ii) the percentage of loans made under this section to members of Indian Tribes, Alaska Native communities, and Native Hawaiian communities, respectively, including a breakdown of loans made to households residing on and not on Tribal trust lands; and

''(iii) the average loan amount made by Native community development financial institutions pursuant to this subsection.

''(C) EVALUATION OF PROGRAM.—Not later than 3 years after the date of enactment of this subsection, the Secretary and the Secretary of the Treasury shall conduct an evaluation of and submit to the appropriate congressional committees a report on the program under this subsection, which shall—

''(i) evaluate the effectiveness of the program, including an evaluation of the demand for loans under the program; and

''(ii) include recommendations relating to the program, including whether—

''(I) the program should be expanded to such that all community development financial institutions may make loans under the program to the borrowers described in paragraph (5); and

''(II) the set aside amount paragraph (3) should be modified in order to match demand under the program.

''(8) GRANTS FOR OPERATIONAL SUPPORT.—

''(A) IN GENERAL.—The Secretary shall make grants to Native community development financial institutions that receive a loan under this section to provide operational support and other related services to those institutions, subject to—

''(i) to the satisfactory performance, as determined by the Secretary, of a Native community development financial institution in carrying out this section; and

''(ii) the availability of funding.

''(B) AMOUNT.—A Native community development financial institution that receives a loan under this section shall be eligible to receive a grant described in subparagraph (A) in an amount equal to 20 percent of the direct loan amount received by the Native community development financial institution under the program under this section as of the date on which the direct loan is awarded.

''(9) OUTREACH AND TECHNICAL ASSISTANCE.—There is authorized to be appropriated to the Secretary $1,000,000 for each of fiscal years 2024, 2025, and 2026—

''(A) to provide technical assistance to Native community development financial institutions—

''(i) relating to homeownership and other housing-related assistance provided by the Secretary; and

''(ii) to assist those institutions to perform outreach to eligible homebuyers relating to the loan program under this section; or

''(B) to provide funding to a national organization representing Native American housing interests to perform outreach and provide technical assistance as described in clauses (i) and (ii), respectively, of subparagraph (A).

''(10) ADMINISTRATIVE COSTS.—In addition to other available funds, the Secretary may use not more than 3 percent of the amounts made available to carry out this subsection for administration of the programs established under this subsection.''.

SEC. 1099F. MODIFICATIONS TO LOANS AND GRANTS FOR MINOR IMPROVEMENTS TO FARM HOUSING AND BUILDINGS.

Section 504(a) of the Housing Act of 1949 (42 U.S.C. 1474) is amended by striking ''$7,500'' and inserting ''$15,000''.

SEC. 1099G. RURAL COMMUNITY DEVELOPMENT INITIATIVE.

Subtitle E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009 et seq.) is amended by adding at the end the following:

''SEC. 381O. RURAL COMMUNITY DEVELOPMENT INITIATIVE.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a private, nonprofit community-based housing or community development organization;

''(B) a rural community; or

''(C) a federally recognized Indian Tribe.

''(2) ELIGIBLE INTERMEDIARY.—The term 'eligible intermediary' means a qualified—

''(A) private, nonprofit organization; or

''(B) public organization.

''(b) ESTABLISHMENT.—The Secretary shall establish a Rural Community Development Initiative, under which the Secretary shall provide grants to eligible intermediaries to carry out programs to provide financial and technical assistance to eligible entities to develop the capacity and ability of eligible entities to carry out projects to improve housing, community facilities, and community and economic development projects in rural areas.

''(c) AMOUNT OF GRANTS.—The amount of a grant provided to an eligible intermediary under this section shall be not more than $250,000.

''(d) MATCHING FUNDS.—

''(1) IN GENERAL.—An eligible intermediary receiving a grant under this section shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than the amount of the grant.

''(2) WAIVER.—The Secretary may waive paragraph (1) with respect to a project that would be carried out in a persistently poor rural region, as determined by the Secretary.''.

SEC. 1099H. ANNUAL REPORT ON RURAL HOUSING PROGRAMS.

Title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.), as amended by this subtitle, is amended by adding at the end the following:

''SEC. 546. ANNUAL REPORT.

''(a) IN GENERAL.—The Secretary shall submit to the appropriate committees of Congress and publish on the website of the Department of Agriculture an annual report on rural housing programs carried out under this title, which shall include significant details on the health of Rural Housing Service programs, including—

''(1) raw data sortable by programs and by region regarding loan performance;

''(2) the housing stock of those programs, including information on why properties end participation in those programs, such as for maturation, prepayment, foreclosure, or other servicing issues; and

''(3) risk ratings for properties assisted under those programs.

''(b) PROTECTION OF INFORMATION.—The data included in each report required under subsection (a) may be aggregated or anonymized to protect participant financial or personal information.''.

SEC. 1099I. GAO REPORT ON RURAL HOUSING SERVICE TECHNOLOGY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes—

(1) an analysis of how the outdated technology used by the Rural Housing Service impacts participants in the programs of the Rural Housing Service;

(2) an estimate of the amount of funding that is needed to modernize the technology used by the Rural Housing Service; and

(3) an estimate of the number and type of new employees the Rural Housing Service needs to modernize the technology used by the Rural Housing Service.

SEC. 1099J. ADJUSTMENT TO RURAL DEVELOPMENT VOUCHER AMOUNT.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture shall issue regulations to establish a process for adjusting the voucher amount provided under section 542 of the Housing Act of 1949 (42 U.S.C. 1490r) after the issuance of the voucher following an interim or annual review of the amount of the voucher.

(b) INTERIM REVIEW.—The interim review described in subsection (a) shall, at the request of a tenant, allow for a recalculation of the voucher amount when the tenant experiences a reduction in income, change in family composition, or change in rental rate.

(c) ANNUAL REVIEW.—

(1) IN GENERAL.—The annual review described in subsection (a) shall require tenants to annually recertify the family composition of the household and that the family income of the household does not exceed 80 percent of the area median income at a time determined by the Secretary.

(2) CONSIDERATIONS.—If a tenant does not recertify the family composition and family income of the household within the time frame required under paragraph (1), the Secretary of Agriculture—

(A) shall consider whether extenuating circumstances caused the delay in recertification; and

(B) may alter associated consequences for the failure to recertify based on those circumstances.

(3) EFFECTIVE DATE.—Following the annual review of a voucher under subsection (a), the updated voucher amount shall be effective on the 1st day of the month following the expiration of the voucher.

(d) DEADLINE.—The process established under subsection (a) shall require the Secretary of Agriculture to review and update the voucher amount described in subsection (a) for a tenant not later than 60 days before the end of the voucher term.

SEC. 1099K. TRANSFER OF MULTIFAMILY RURAL HOUSING PROJECTS.

Section 515 of the Housing Act of 1949 (42 U.S.C. 1485) is amended—

(1) in subsection (h), by adding at the end the following:

''(3) TRANSFER TO NONPROFIT ORGANIZATIONS.—A nonprofit or public body purchaser, including a limited partnership with a general partner that is a nonprofit or is controlled by a nonprofit, may purchase a property for which a loan is made or insured under this section that has received a market value appraisal, without addressing rehabilitation needs at the time of purchase, if the purchaser—

''(A) makes a commitment to address rehabilitation needs during ownership and long-term use restrictions on the property; and

''(B) at the time of purchase, accepts long-term use restrictions on the property.''; and

(2) in subsection (w)(1), in the first sentence in the matter preceding subparagraph (A), by striking ''9 percent'' and inserting ''50 percent''.

SEC. 1099L. EXTENSION OF LOAN TERM.

(a) IN GENERAL.—Section 502(a)(2) of the Housing Act of 1949 (42 U.S.C. 1472(a)(2)) is amended—

(1) by inserting ''(A)'' before ''The Secretary'';

(2) in subparagraph (A), as so designated, by striking ''paragraph'' and inserting ''subparagraph''; and

(3) by adding at the end the following:

''(B) The Secretary may extend the period of any loan made under this section in accordance with terms and conditions as the Secretary shall prescribe, but in no event shall the total term of the loan exceed 40 years.''.

(b) APPLICATION.—The amendment made under subsection (a) shall apply with respect to loans made under section 502 of the Housing Act of 1949 (42 U.S.C. 1472) before, on, or after the date of enactment of this Act.

SA 2908. 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 of subtitle H of title X, add the following:

SEC. 1095. INDIAN BUFFALO MANAGEMENT.

(a) FINDINGS; PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) buffalo sustained a majority of Indian Tribes in North America for many centuries before buffalo were nearly exterminated by non-Indian hunters in the mid-1800s;

(B) the historical, cultural, and spiritual connection between buffalo and Indian Tribes has not diminished over time;

(C) Indian Tribes have long desired the reestablishment of buffalo throughout Indian country for cultural, spiritual, and subsistence purposes; and

(D) the successful restoration of buffalo would allow an Indian Tribe to benefit from—

(i) the reintroduction of buffalo into the diets of the members of the Indian Tribe;

(ii) the rekindling of the spiritual and cultural relationship between buffalo and the Indian Tribe; and

(iii) the use of buffalo for economic development, in the case of an Indian Tribe that chooses to use buffalo for economic development.

(2) PURPOSES.—The purposes of this section are—

(A) to fulfill the government-to-government relationship between Tribal governments and the United States in the management of buffalo and buffalo habitat;

(B) to promote and develop the capacity of Indian Tribes and Tribal organizations to manage buffalo and buffalo habitat;

(C) to protect, conserve, and enhance buffalo, which are important to the subsistence, culture, and economic development of many Indian Tribes;

(D) to promote the development and use of buffalo and buffalo habitat for the maximum practicable benefit of Indian Tribes and Tribal organizations, through management of buffalo and buffalo habitats in accordance with integrated resource management plans developed by Indian Tribes and Tribal organizations;

(E) to develop buffalo herds and increase production of buffalo in order to meet Tribal subsistence, health, cultural, and economic development needs; and

(F) to promote the inclusion of Indian Tribes and Tribal organizations in Department of the Interior, local, regional, national, or international—

(i) decision-making processes; and

(ii) forums.

(b) DEFINITIONS.—In this section:

(1) BUFFALO.—The term ''buffalo'' means an animal of the genus: Bison, species: bison, subspecies: bison.

(2) BUFFALO HABITAT.—The term ''buffalo habitat'' means Indian land that is managed for buffalo.

(3) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(4) INDIAN LAND.—The term ''Indian land'' has the meaning given the term in paragraph (2) of section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501), except that, in that paragraph, the term ''Indian reservation'' shall be considered to have the meaning given the term ''Indian reservation'' in paragraph (3) of that section, without regard to the date specified in paragraph (3) of that section.

(5) 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).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) TRIBAL ORGANIZATION.—The term ''Tribal organization'' means any legally established organization of Indians that—

(A)(i) is chartered under section 17 of the Act of June 18, 1934, (commonly known as the ''Indian Reorganization Act''; 25 U.S.C. 5124) and recognized by the governing body of one or more Indian Tribes; or

(ii) is a Tribal corporation federally chartered under section 3 of the Oklahoma Indian Welfare Act (25 U.S.C. 5203); and

(B) has demonstrable experience in the restoration of buffalo and buffalo habitat on Indian land.

(c) BUFFALO RESOURCE MANAGEMENT.—

(1) PROGRAM ESTABLISHED.—The Secretary shall establish a permanent program within the Department for the purposes of—

(A) promoting and developing the capacity of Indian Tribes and Tribal organizations to manage buffalo and buffalo habitat;

(B) promoting the ability of Indian Tribes and Tribal organizations to protect, conserve, and enhance populations of buffalo that are owned by Indian Tribes or Tribal organizations;

(C) promoting the development and use of buffalo and buffalo habitat for the maximum practicable benefit of Indian Tribes and Tribal organizations; and

(D) promoting the inclusion of Indian Tribes and Tribal organizations in Department, international, national, regional, and local decision making and forums regarding buffalo and buffalo habitat.

(2) CONTRACTS AND GRANTS AUTHORIZED.—

(A) IN GENERAL.—The Secretary shall enter into contracts and cooperative agreements with, and award grants to, Indian Tribes and Tribal organizations to enable the Indian Tribes and Tribal organizations—

(i) to plan, conduct, or implement a buffalo restoration or management program;

(ii) to plan and execute commercial activities related to buffalo or buffalo products; or

(iii) to carry out other activities relating to buffalo restoration and management.

(B) NO DIMINISHMENT OF LAWS AND REGULATIONS.—Nothing in this paragraph diminishes any Federal or State law (including regulations) regarding diseased buffalo or buffalo that escape from Indian land.

(3) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to an Indian Tribe or Tribal organization that enters into a contract or cooperative agreement or receives a grant under this subsection to assist the Indian Tribe or Tribal organization in—

(A) carrying out the activities of a buffalo or buffalo habitat restoration or management program; and

(B) implementing the activities described in clauses (i) through (iii) of paragraph (2)(A).

(d) CONSULTATION; COORDINATION.—

(1) CONSULTATION.—Not later than 1 year after the date of enactment of this Act, and not less frequently than once every year thereafter, the Secretary shall consult with Indian Tribes and Tribal organizations on initiatives of the Department that affect buffalo or buffalo habitat, including efforts of the Department to contain or eradicate diseased buffalo.

(2) COORDINATION.—The Secretary shall develop a policy relating to buffalo and buffalo habitat management activities on Indian land, in accordance with—

(A) the goals and objectives described in buffalo management programs approved by Indian Tribes and Tribal organizations; and

(B) Tribal laws and ordinances.

(e) PROTECTION OF INFORMATION.—Notwithstanding any other provision of law, the Secretary shall not disclose or cause to be disclosed any information provided to the Secretary by an Indian Tribe or Tribal organization that is identified by the Indian Tribe or Tribal organization as culturally sensitive, proprietary, or otherwise confidential.

(f) BUFFALO FROM FEDERAL LAND.—

(1) IN GENERAL.—The Secretary may enter into an agreement with an Indian Tribe or Tribal organization to dispose of surplus buffalo on Federal land administered by the Department, as applicable, by transporting such buffalo onto Indian land.

(2) APPLICATION.—An Indian Tribe or Tribal organization may submit to the Secretary an application to receive buffalo described in paragraph (1) at such time, in such manner, and containing such information as the Secretary may require.

(3) WAIVER OF CHARGES.—The Secretary may waive any charges for the buffalo described in paragraph (1), including any deposit or payment for services as described in section 10.2 of title 36, Code of Federal Regulations (or any successor regulation).

(g) TREATY RIGHTS RETAINED.—Nothing in this section alters, modifies, diminishes, or extinguishes the treaty rights of any Indian Tribe.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $14,000,000 for fiscal year 2025 and each fiscal year thereafter.

SA 2909. Mr. BROWN 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. PROHIBITION ON CERTAIN CONNECTED VEHICLES NEAR MILITARY INSTALLATIONS, CERTAIN FACILITIES OF THE FEDERAL GOVERNMENT, AND SENSITIVE INFRASTRUCTURE.

(a) FINDINGS.—Congress finds the following:

(1) Information and communications technology and services integral to connected vehicles generally enable safer and more fuel-efficient travel for drivers and passengers.

(2) Such technology and services that are designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries can offer a direct entry point to sensitive technology and data and bypass measures intended to protect the safety and security of United States persons,

posing an unacceptable risk to the national security of the United States.

(b) PROHIBITION.—The President shall prohibit the operation of covered technology within 25 miles of a military installation, a facility of the Federal Government (excluding a facility of the United States Postal Service), or sensitive infrastructure.

(c) ENFORCEMENT.—The President may direct the Attorney General, and the heads of other Federal agencies as the President determines appropriate, to prescribe regulations necessary to enforce the prohibition under subsection (b).

(d) STUDY.—

(1) IN GENERAL.—The Secretary of Homeland Security, the Director of National Intelligence, the Attorney General, and the Secretary of Defense shall jointly conduct a study on the national security concerns that covered technology presents to the United States.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, the Director of National Intelligence, the Attorney General, and the Secretary of Defense shall jointly submit to Congress a report on the study conducted under paragraph (1).

(e) DEFINITIONS.—In this section:

(1) COVERED TECHNOLOGY.—The term ''covered technology'' means connected vehicles manufactured in a country that is a foreign adversary.

(2) FOREIGN ADVERSARY.—The term ''foreign adversary'' has the meaning given that term in section 7.4 of title 15, Code of Federal Regulations, or successor regulations.

(3) MILITARY INSTALLATION.—The term ''military installation'' has the meaning given that term in section 2801(c)(4) of title 10, United States Code.

(4) SENSITIVE INFRASTRUCTURE.—The term ''sensitive infrastructure'' has the meaning given that term through regulations prescribed jointly by the Secretary of Homeland Security, the Secretary of Transportation, the Secretary of Commerce, the Director of National Intelligence, the Attorney General, the Secretary of Energy, and the Secretary of Defense.

SA 2910. Mr. REED (for himself and Ms. LUMMIS) 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:

Subtitle _____—Property Improvement and Manufactured Housing Loan Modernization

SEC. _____01. SHORT TITLE.

This subtitle may be cited as the ''Property Improvement and Manufactured Housing Loan Modernization Act of 2024''.

SEC. _____02. NATIONAL HOUSING ACT AMENDMENTS.

(a) IN GENERAL.—Section 2 of the National Housing Act (12 U.S.C. 1703) is amended—

(1) in subsection (a), by inserting ''construction of additional or accessory dwelling units, as defined by the Secretary,'' after ''improvements,''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) $75,000 if made for the purpose of financing alterations, repairs and improvements upon or in connection with an existing single-family structure, including a manufactured home;'';

(ii) in subparagraph (B)—

(I) by striking ''$60,000'' and inserting ''$150,000'';

(II) by striking ''$12,000'' and inserting ''$37,500''; and

(III) by striking ''an apartment house or'';

(iii) by striking subparagraphs (C) and (D) and inserting the following:

''(C)(i) $106,405 if made for the purpose of financing the purchase of a single-section manufactured home; and

''(ii) $195,322 if made for the purpose of financing the purchase of a multi-section manufactured home;

''(D)(i) $149,782 if made for the purpose of financing the purchase of a single-section manufactured home and a suitably developed lot on which to place the home; and

''(ii) $238,699 if made for the purpose of financing the purchase of a multi-section manufactured home and a suitably developed lot on which to place the home;'';

(iv) in subparagraph (E)—

(I) by striking ''$23,226'' and inserting ''$43,377''; and

(II) by striking the period at the end and inserting a semicolon;

(v) in subparagraph (F), by striking ''and'' at the end;

(vi) in subparagraph (G), by striking the period at the end and inserting ''; and''; and

(vii) by inserting after subparagraph (G) the following:

''(H) such principal amount as the Secretary may prescribe if made for the purpose of financing the construction of an accessory dwelling unit.''; and

(viii) in the matter preceding paragraph (2)—

(I) by striking ''regulation'' and inserting ''notice'';

(II) by striking ''increase'' and inserting ''set'';

(III) by striking ''(ii), (C), (D), and (E)'' and inserting ''through (H)'';

(IV) by inserting '', or as necessary to achieve the goals of the Federal Housing Administration, periodically reset the dollar amount limitations in subparagraphs (A) through (H) based on justification and methodology set forth in advance by regulation'' before the period at the end; and

(V) by adjusting the margins appropriately;

(B) in paragraph (3), by striking ''exceeds—'' and all that follows through the period at the end and inserting ''exceeds such period of time as determined by the Secretary, not to exceed 30 years.'';

(C) by striking paragraph (9) and inserting the following:

''(9) ANNUAL INDEXING OF CERTAIN DOLLAR AMOUNT LIMITATIONS.—The Secretary shall develop or choose 1 or more methods of indexing in order to annually set the loan limits established in paragraph (1), based on data the Secretary determines is appropriate for purposes of this section.''; and

(D) in paragraph (11), by striking ''lease—'' and all that follows through the period at the end and inserting ''unless such lease meets the terms and conditions established by the Secretary''.

(b) DEADLINE FOR DEVELOPMENT OR CHOICE OF NEW INDEX; INTERIM INDEX.—

(1) DEADLINE FOR DEVELOPMENT OR CHOICE OF NEW INDEX.—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall develop or choose 1 or more methods of indexing as required under section 2(b)(9) of the National Housing Act (12 U.S.C. 1703(b)(9)), as amended by subsection (a) of this section.

(2) INTERIM INDEX.—During the period beginning on the date of enactment of this Act and ending on the date on which the Secretary of Housing and Urban Development develops or chooses 1 or more methods of indexing as required under section 2(b)(9) of the National Housing Act (12 U.S.C. 1703(b)(9)), as amended by subsection (a) of this section, the method of indexing established by the Secretary under that section before the date of enactment of this Act shall apply.

SEC. _____03. GAO STUDY OF FACTORY-BUILT HOUSING.

(a) DEFINITIONS.—In this section:

(1) FACTORY-BUILT HOUSING.—The term ''factory-built housing'' includes manufactured homes and modular homes.

(2) MANUFACTURED HOME.—The term ''manufactured home'' means any home that complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.).

(3) MODULAR HOME.—The term ''modular home'' has the meaning given the term in section 1027(c) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5517(c)).

(b) STUDY.—The Comptroller General shall study and submit to Congress a report on the economic benefits of and regulatory barriers to increasing the supply and availability of factory-built housing, including both manufactured homes and modular homes, to address the critical need for additional housing supply in the United States, including—

(1) an analysis of the efficiencies and other benefits gained from factory-built processes, such as gains from economies of scale, bulk purchase of materials, reduced material waste, reduced environmental impact, improved workplace safety, and steady employment opportunities;

(2) an analysis of homeowner operating costs for new, properly maintained factory-built housing compared to other similarly-priced housing options; and

(3) an analysis of regulatory costs and barriers that may exist at the Federal, State, and local level, such as zoning restrictions for manufactured homes, that may limit the use of factory-built housing for single-family housing, as well as for other applications, including accessory dwelling units, two- to four-unit housing, and large multifamily housing.

SA 2911. Ms. ERNST (for herself and Mr. FETTERMAN) 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. _____. AUTHORITY OF COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES TO REVIEW CERTAIN REAL ESTATE PURCHASES BY FOREIGN ENTITIES OF CONCERN.

(a) DEFINITIONS.—Section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) any transaction described in subparagraph (B)(vi) that is proposed or pending on or after the date of enactment of this clause.''; and

(B) in subparagraph (B), by adding at the end the following:

''(vi) Subject to subparagraph (C), the purchase or lease by, or a concession to, a foreign entity of concern of private or public real estate in the United States if—

''(I)(aa) the value of the purchase, lease, or concession—

''(AA) exceeds $5,000,000; or

''(BB) in combination with the value of other such purchases or leases by, or concessions to, the same foreign entity of concern during the preceding 3 years, exceeds $5,000,000; or

''(bb) the real estate—

''(AA) exceeds 320 acres; or

''(BB) in combination with other private or public real estate in the United States purchased or leased by, or for which a concession is provided to, the same foreign entity of concern during the preceding 3 years, exceeds 320 acres; and

''(II) the real estate is primarily used for—

''(aa) agriculture, including raising of livestock and forestry;

''(bb) the extraction of fossil fuels or natural gas or the purchase or lease of a renewable energy source; or

''(cc) the extraction of critical precursor materials for biological technology industries, information technology components, or national defense technologies.'';

(2) by redesignating paragraphs (7) through (13) as paragraphs (8) through (14), respectively; and

(3) by inserting after paragraph (6) the following:

''(7) FOREIGN ENTITY OF CONCERN.—The term 'foreign entity of concern' has the meaning given that term in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651).''.

(b) INCLUSION OF SECRETARY OF AGRICULTURE AND COMMISSIONER OF FOOD AND DRUGS ON COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—Section 721(k)(2) of the Defense Production Act of 1950 (50 U.S.C. 4565(k)(2)) is amended—

(1) by redesignating subparagraphs (H) through (J) as subparagraphs (J) through (L), respectively; and

(2) by inserting after subparagraph (G) the following:

''(H) The Secretary of Agriculture.

''(I) The Commissioner of Food and Drugs.''.

(c) ANNUAL REPORT.—Section 721(m) of the Defense Production Act of 1950 (50 U.S.C. 4565(m)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) LIST OF REAL ESTATE OWNED BY FOREIGN ENTITIES OF CONCERN.—The President and such agencies as the President shall designate shall include in the annual report submitted under paragraph (1) a list of all real estate in the United States owned by—

''(A) a foreign entity of concern; or

''(B) a person closely associated with a foreign entity of concern.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall—

(1) take effect on the date of enactment of this Act; and

(2) apply with respect to any covered transaction (as defined in section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a))) the review or investigation of which is initiated under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) on or after that date of enactment.

(e) ASSESSMENT AND REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury shall conduct, and submit to Congress a report describing the results of, an assessment of the feasibility of requiring retroactive divestment of real estate owned by foreign entities of concern (as defined in section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a))) (as amended by subsection (a)).

SA 2912. Ms. WARREN 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 A of title VII, insert the following:

SEC. 710. REQUIRING ANY PHARMACY BENEFIT MANAGER THAT CONTRACTS WITH TRICARE TO PASS THROUGH ANY REBATES, PRICE CONCESSIONS, ALTERNATIVE DISCOUNTS, OR OTHER REMUNERATION.

Section 1074g(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11)(A) Beginning on January 1, 2025, the Secretary may not contract with a pharmacy benefit manager under the pharmacy benefits program unless the pharmacy benefit manager meets the following requirements:

''(i) The pharmacy benefit manager shall disclose to the Secretary (in a form and manner specified by the Secretary)—

''(I) for each category or class of drugs for which a claim was filed, a breakdown of the total gross spending on drugs in such category or class before rebates, price concessions, alternative discounts, or other remuneration from drug manufacturers, and the net spending after such rebates, price concessions, alternative discounts, or other remuneration from drug manufacturers; and

''(II) any administrative or other fees received from drug manufacturers.

''(ii)(I) The pharmacy benefit manager shall not accept any remuneration for services provided by the pharmacy benefit manager other than bona fide service fees.

''(II) For purposes of this clause, a 'bona fide service fee'—

''(aa) shall be related to services actually provided by the pharmacy benefit manager;

''(bb) shall reflect the fair market value of such services; and

''(cc) may include an incentive payment if such payment is a flat dollar amount, rather than based or contingent upon the manufacturer list price or other related drug price benchmarks and factors.

''(III) Rebates, price concessions, alternative discounts, or other remuneration from drug manufacturers, even if such price concessions are calculated as a percentage of a drug's price, shall not be considered a violation of the requirements of subclause (I) if they are fully passed through to the pharmacy benefits program and exclusively used to lower costs for prescription drugs under such program.

''(iii) The pharmacy benefit manager shall not engage in any form of spread pricing, whereby any amount charged or claimed by the pharmacy benefit manager exceeds the amount paid to a pharmacy on behalf of the pharmacy benefits program. The amount of payment to a pharmacy benefit manager for covered outpatient drugs under the pharmacy benefits program may not exceed the ingredient costs for the drug and a professional dispensing fee.

''(B) In this paragraph, the term 'pharmacy benefit manager' means any person or entity that, either directly or through an intermediary, acts as a price negotiator or group purchaser on behalf of the pharmacy benefits program, or manages the prescription drug benefits provided under such program, including the processing and payment of claims for prescription drugs, the performance of drug utilization review, the processing of drug prior authorization requests, the adjudication of appeals or grievances related to the pharmacy benefits program, contracting with network pharmacies, controlling the cost of prescription drugs, or the provision of related services. Such term includes any person or entity that carries out one or more of the activities described in the preceding sentence, irrespective of whether such person or entity identifies itself as a 'pharmacy benefit manager'.''.

SA 2913. Ms. WARREN 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 A of title VII, insert the following:

SEC. 710. REQUIRING ANY PHARMACY BENEFIT MANAGER THAT CONTRACTS WITH TRICARE TO MEET REQUIREMENTS RELATING TO FORMULARY INTEGRITY.

Section 1074g(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11)(A) Beginning on January 1, 2025, the Secretary may not contract with a pharmacy benefit manager under the pharmacy benefits program unless the pharmacy benefit manager—

''(i) bases formulary tier placement on list price for drugs that are considered therapeutically competitive (defined as drugs containing the same active ingredient); and

''(ii) places the drug with the lowest list price on a lower, or cheaper, formulary tier than its therapeutic competitors with higher list prices.

''(B) In this paragraph, the term 'pharmacy benefit manager' means any person or entity that, either directly or through an intermediary, acts as a price negotiator or group purchaser on behalf of the pharmacy benefits program, or manages the prescription drug benefits provided under such program, including the processing and payment of claims for prescription drugs, the performance of drug utilization review, the processing of drug prior authorization requests, the adjudication of appeals or grievances related to the pharmacy benefits program, contracting with network pharmacies, controlling the cost of prescription drugs, or the provision of related services. Such term includes any person or entity that carries out one or more of the activities described in the preceding sentence, irrespective of whether such person or entity identifies itself as a 'pharmacy benefit manager'.''.

SA 2914. Mr. CASEY 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, insert the following:

Subtitle I—Antisemitism Awareness

SEC. 1096. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance;

(2) while such title does not cover discrimination based solely on religion, individuals who face discrimination based on actual or perceived shared ancestry or ethnic characteristics do not lose protection under such title for also being members of a group that share a common religion;

(3) discrimination against Jews may give rise to a violation of such title when the discrimination is based on race, color, or national origin, which can include discrimination based on actual or perceived shared ancestry or ethnic characteristics;

(4) it is the policy of the United States to enforce such title against prohibited forms of discrimination rooted in antisemitism as vigorously as against all other forms of discrimination prohibited by such title; and

(5) as noted in the U.S. National Strategy to Counter Antisemitism issued by the White House on May 25, 2023, it is critical to—

(A) increase awareness and understanding of antisemitism, including its threat to America;

(B) improve safety and security for Jewish communities;

(C) reverse the normalization of antisemitism and counter antisemitic discrimination; and

(D) expand communication and collaboration between communities.

SEC. 1096A. FINDINGS.

Congress finds the following:

(1) Antisemitism is on the rise in the United States and is impacting Jewish students in K–12 schools, colleges, and universities.

(2) The International Holocaust Remembrance Alliance (referred to in this subtitle as the ''IHRA'') Working Definition of Antisemitism is a vital tool which helps individuals understand and identify the various manifestations of antisemitism.

(3) On December 11, 2019, Executive Order 13899 extended protections against discrimination under the Civil Rights Act of 1964 to individuals subjected to antisemitism on college and university campuses and tasked Federal agencies to consider the IHRA Working Definition of Antisemitism when enforcing title VI of such Act.

(4) Since 2018, the Department of Education has used the IHRA Working Definition of Antisemitism when investigating violations of that title VI.

(5) The White House released the first-ever United States National Strategy to Counter Antisemitism on May 25, 2023, making clear that the fight against this hate is a national, bipartisan priority that must be successfully conducted through a whole-of-government-and-society approach.

SEC. 1096B. DEFINITIONS.

For purposes of this subtitle, the term ''definition of antisemitism''—

(1) means the definition of antisemitism adopted on May 26, 2016, by the IHRA, of which the United States is a member, which definition has been adopted by the Department of State; and

(2) includes the ''[c]ontemporary examples of antisemitism'' identified in the IHRA definition.

SEC. 1096C. RULE OF CONSTRUCTION FOR TITLE VI OF THE CIVIL RIGHTS ACT OF 1964.

In reviewing, investigating, or deciding whether there has been a violation of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) on the basis of race, color, or national origin, based on an individual's actual or perceived shared Jewish ancestry or Jewish ethnic characteristics, the Department of Education shall take into consideration the definition of antisemitism as part of the Department's assessment of whether the practice was motivated by antisemitic intent.

SEC. 1096D. OTHER RULES OF CONSTRUCTION.

(a) GENERAL RULE OF CONSTRUCTION.—Nothing in this subtitle shall be construed—

(1) to expand the authority of the Secretary of Education;

(2) to alter the standards pursuant to which the Department of Education makes a determination that harassing conduct amounts to actionable discrimination; or

(3) to diminish or infringe upon the rights protected under any other provision of law that is in effect as of the date of enactment of this Act.

(b) CONSTITUTIONAL PROTECTIONS.—Nothing in this subtitle shall be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States.

SA 2915. Mr. HEINRICH (for himself 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 in title X, insert the following:

SEC. _____. COMPTROLLER GENERAL OF THE UNITED STATES REPORT DESCRIBING AN ARTIFICIAL INTELLIGENCE COMPETITIVENESS METHODOLOGY FRAMEWORK.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report that describes a methodology framework to evaluate competitiveness in the field of artificial intelligence and to assess availability of data across selected Federal Government entities.

(b) APPLICABILITY TO OTHER TECHNOLOGIES.—The Comptroller General shall ensure that the methodology framework described in the report required by subsection (a) can also be applied to other critical and emerging technologies in the near future, such as quantum computing, biotechnology, and hypersonics.

(c) CONSIDERATIONS.—In preparing the report required by subsection (a), the Comptroller General—

(1) shall consider relevant technical and other measures that can be historically analyzed but also be projected forward prospectively; and

(2) may consider the adequacy of existing artificial intelligence definitions currently in use by the United States Government in light of recent technological advances in areas such as machine learning techniques, processor designs, and evolving domestic as well as international regulatory structures.

(d) MATTERS ADDRESSED.—The report required by subsection (a) shall address the following matters, in addition to any other lines of inquiry deemed appropriate by the Comptroller General:

(1) What is known about current and projected artificial intelligence capacity and capabilities of the United States, both within the private and public sectors.

(2) What is known about the artificial intelligence competitiveness of the United States relative to our peer nations and adversaries, both within the private and public sectors.

(3) What methodology framework is most appropriate to evaluate relative artificial intelligence competitiveness for both artificial intelligence development and deployment.

(4) What data and measurements are needed to evaluate artificial intelligence competitiveness using such a methodology.

(5) What the availability is of quality data across the Federal Government, and other entities, for such measurements.

(6) What definition of artificial intelligence is most appropriate for characterizing competitiveness.

(7) What steps, if any, would improve sustained evaluation of United States competitiveness on artificial intelligence, and what impediments exist, if any, to taking these steps.

(e) FORM.—The report required by subsection (a) shall be submitted in unclassified form, and may include a classified annex.

SA 2916. 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 end of title X, add the following:

Subtitle ____—DETERRENT ACT

SEC. _____. SHORT TITLE.

This subtitle may be cited as the ''Defending Education Transparency and Ending Rogue Regimes Engaging in Nefarious Transactions Act'' or the ''DETERRENT Act''.

SEC. _____. DISCLOSURES OF FOREIGN GIFTS.

(a) IN GENERAL.—Section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f) is amended to read as follows:

''SEC. 117. DISCLOSURES OF FOREIGN GIFTS.

''(a) DISCLOSURE REPORTS.—

''(1) AGGREGATE GIFTS AND CONTRACT DISCLOSURES.—An institution shall file a disclosure report, in accordance with subsection (b)(1), with the Secretary on July 31 of the calendar year immediately following any calendar year in which—

''(A) the institution receives a gift from, or enters into a contract with, a foreign source (other than a foreign country of concern or foreign entity of concern)—

''(i) the value of which is $50,000 or more, considered alone or in combination with all other gifts from, or contracts with, that foreign source within the calendar year; or

''(ii) the value of which is undetermined; or

''(B) the institution receives a gift from a foreign country of concern or foreign entity of concern, or, upon receiving a waiver under section 117A to enter into a contract with such a country or entity, enters into such contract, without regard to the value of such gift or contract.

''(2) FOREIGN-SOURCE OWNERSHIP OR CONTROL DISCLOSURES.—In the case of an institution that is substantially controlled (as described in section 668.174(c)(3) of title 34,

Code of Federal Regulations) (or successor regulations)) by a foreign source, the institution shall file a disclosure report, in accordance with subsection (b)(2), with the Secretary on July 31 of each year.

''(3) TREATMENT OF AFFILIATED ENTITIES.—For purposes of this section, any gift to, or contract with, an affiliated entity of an institution shall be considered a gift to or contract with, respectively, such institution.

''(b) CONTENTS OF REPORT.—

''(1) GIFTS AND CONTRACTS.—Each report to the Secretary required under subsection (a)(1) shall contain the following:

''(A) With respect to a gift received from, or a contract entered into with, any foreign source—

''(i) the terms of such gift or contract, including—

''(I) the name of the individual, department, or benefactor at the institution receiving the gift or carrying out the contract on behalf of the institution;

''(II) the intended purpose of such gift or contract, as provided to the institution by such foreign source, or if no such purpose is provided by such foreign source, the intended use of such gift or contract, as provided by the institution; and

''(III) in the case of a restricted or conditional gift or contract, a description of the restrictions or conditions of such gift or contract;

''(ii) with respect to a gift—

''(I) the total fair market dollar amount or dollar value of the gift, as of the date of submission of such report; and

''(II) the date on which the institution received such gift;

''(iii) with respect to a contract—

''(I) the total fair market dollar amount or dollar value of the contract, as of the date of submission of such report;

''(II) the date on which such contract commences;

''(III) as applicable, the date on which such contract terminates; and

''(IV) an assurance that the institution will—

''(aa) maintain an unredacted copy of the contract until the latest of—

''(AA) the date that is 5 years after the date on which the contract commences;

''(BB) the date on which the contract terminates; or

''(CC) the last day of any period that applicable State law requires a copy of such contract to be maintained; and

''(bb) upon request of the Secretary during an investigation under section 117D(a)(1), produce such an unredacted copy of the contract; and

''(iv) an assurance that in a case in which information is required to be disclosed under this section with respect to a gift or contract that is not in English, such information is translated into English in compliance with the requirements of subsection (c).

''(B) With respect to a gift received from, or a contract entered into with, a foreign source that is a foreign government (other than the government of a foreign country of concern)—

''(i) the name of such foreign government;

''(ii) the department, agency, office, or division of such foreign government that approved such gift or contract, as applicable; and

''(iii) the physical mailing address of such department, agency, office, or division.

''(C) With respect to a gift received from, or contract entered into with, a foreign source (other than a foreign government subject to the requirements of subparagraph (B))—

''(i) the legal name of the foreign source, or, if such name is not available, a statement certified by the compliance officer, in accordance with subsection (f)(2), that the institution has reasonably attempted to obtain such name;

''(ii) in the case of a foreign source that is a natural person, the country of citizenship of such person, or, if such country is not known, the principal country of residence of such person;

''(iii) in the case of a foreign source that is a legal entity, the country in which such entity is incorporated, or if such information is not available, the principal place of business of such entity;

''(iv) the physical mailing address of such foreign source, or if such address is not available, a statement certified by the compliance officer, in accordance with subsection (f)(2), that the institution has reasonably attempted to obtain such address; and

''(v) any affiliation of the foreign source to an organization that is designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

''(D) With respect to a contract entered into with a foreign source that is a foreign country of concern or a foreign entity of concern—

''(i) a complete and unredacted text of the original contract, and if such original contract is not in English, a translated copy of the text into English in compliance with the requirements of subsection (c);

''(ii) a copy of the waiver received under section 117A for such contract; and

''(iii) the statement submitted by the institution for purposes of receiving such a waiver under section 117A(b)(1).

''(2) FOREIGN SOURCE OWNERSHIP OR CONTROL.—Each report to the Secretary required under subsection (a)(2) shall contain—

''(A) the legal name and address of the foreign source that owns or controls the institution;

''(B) the date on which the foreign source assumed ownership or control; and

''(C) any changes in program or structure resulting from the change in ownership or control.

''(c) TRANSLATION REQUIREMENTS.—Any information required to be disclosed under this section with respect to a gift or contract that is not in English shall be translated, for purposes of such disclosure, by a person that is not an affiliated entity or agent of the foreign source involved with such gift or contract.

''(d) PUBLIC INSPECTION.—

''(1) DATABASE REQUIREMENT.—Beginning not later than 60 days before the July 31 immediately following the date of the enactment of the DETERRENT Act, the Secretary shall—

''(A) establish and maintain a searchable database on a website of the Department, under which all reports submitted under this section (including any report submitted under this section before the date of the enactment of the DETERRENT Act)—

''(i) are made publicly available (in electronic and downloadable format), including any information provided in such reports (other than the information prohibited from being publicly disclosed pursuant to paragraph (2));

''(ii) can be individually identified and compared; and

''(iii) are searchable and sortable by—

''(I) the date the institution filed such report;

''(II) the date on which the institution received the gift, or entered into the contract, which is the subject of the report;

''(III) the attributable country of such gift or contract; and

''(IV) the name of the foreign source (other than a foreign source that is a natural person);

''(B) not later than 30 days after receipt of a disclosure report under this section, include such report in such database;

''(C) indicate, as part of the public record of a report included in such database, whether the report is with respect to a gift received from, or a contract entered into with—

''(i) a foreign source that is a foreign government; or

''(ii) a foreign source that is not a foreign government; and

''(D) with respect to a disclosure report that does not include the name or address of a foreign source, indicate, as part of the public record of such report included in such database, that such report did not include such information.

''(2) NAME AND ADDRESS OF FOREIGN SOURCE.—The Secretary shall not disclose the name or address of a foreign source that is a natural person (other than the attributable country of such foreign source) included in a disclosure report—

''(A) as part of the public record of such disclosure report described in paragraph (1); or

''(B) in response to a request under section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act'), pursuant to subsection (b)(3) of such section.

''(e) INTERAGENCY INFORMATION SHARING.—Not later than 30 days after receiving a disclosure report from an institution in compliance with this section, the Secretary shall transmit an unredacted copy of such report (that includes the name and address of a foreign source disclosed in such report) to the Director of the Federal Bureau of Investigation, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Commerce, the Secretary of Homeland Security, the Secretary of Energy, the Director of the National Science Foundation, and the Director of the National Institutes of Health.

''(f) COMPLIANCE OFFICER.—Any institution that is required to file a disclosure report under subsection (a) shall designate, before the filing deadline for such report, and maintain a compliance officer, who shall—

''(1) be a current employee or legally authorized agent of such institution; and

''(2) be responsible, on behalf of the institution, for personally certifying accurate compliance with the foreign gift reporting requirement under this section.

''(g) DEFINITIONS.—In this section:

''(1) AFFILIATED ENTITY.—The term 'affiliated entity', when used with respect to an institution, means an entity or organization that operates primarily for the benefit of, or under the auspices of, such institution, including a foundation of the institution or a related entity (such as any educational, cultural, or language entity).

''(2) ATTRIBUTABLE COUNTRY.—The term 'attributable country' means—

''(A) the country of citizenship of a foreign source who is a natural person, or, if such country is unknown, the principal residence (as applicable) of such foreign source; or

''(B) the country of incorporation of a foreign source that is a legal entity, or, if such country is unknown, the principal place of business (as applicable) of such foreign source.

''(3) CONTRACT.—The term 'contract'—

''(A) means—

''(i) any agreement for the acquisition by purchase, lease, or barter of property or services by the foreign source;

''(ii) any affiliation, agreement, or similar transaction with a foreign source that involves the use or exchange of an institution's name, likeness, time, services, or resources; and

''(iii) any agreement for the acquisition by purchase, lease, or barter, of property or services from a foreign source (other than an arms-length agreement for such acquisition from a foreign source that is not a foreign country of concern or a foreign entity of concern); and

''(B) does not include an agreement made between an institution and a foreign source regarding any payment of one or more elements of a student's cost of attendance (as such term is defined in section 472), unless such an agreement is made for more than 15 students or is made under a restricted or conditional contract.

''(4) FOREIGN SOURCE.—The term 'foreign source' means—

''(A) a foreign government, including an agency of a foreign government;

''(B) a legal entity, governmental or otherwise, created under the laws of a foreign state or states;

''(C) a legal entity, governmental or otherwise, substantially controlled (as described in section 668.174(c)(3) of title 34, Code of Federal Regulations) (or successor regulations)) by a foreign source;

''(D) a natural person who is not a citizen or a national of the United States or a trust territory or protectorate thereof;

''(E) an agent of a foreign source, including—

''(i) a subsidiary or affiliate of a foreign legal entity, acting on behalf of a foreign source;

''(ii) a person that operates primarily for the benefit of, or under the auspices of, a foreign source, including a foundation or a related entity (such as any educational, cultural, or language entity); and

''(iii) a person who is an agent of a foreign principal (as such term is defined in section 1 of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611); or

''(F) an international organization (as such term is defined in the International Organizations Immunities Act (22 U.S.C. 288)).

''(5) GIFT.—The term 'gift'—

''(A) means any gift of money, property, resources, staff, or services; and

''(B) does not include—

''(i) any payment of one or more elements of a student's cost of attendance (as such term is defined in section 472) to an institution by, or scholarship from, a foreign source who is a natural person, acting in their individual capacity and not as an agent for, at the request or direction of, or on behalf of, any person or entity (except the student), made for not more than 15 students, and that is not made under a restricted or conditional contract with such foreign source; or

''(ii) assignment or license of registered industrial and intellectual property rights, such as patents, utility models, trademarks, or copyrights, or technical assistance, that are not associated with a category listed in the Commerce Control List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 1 to part 774 of title 15, Code of Federal Regulations; or

''(iii) decorations (as such term is defined in section 7342(a) of title 5, United States Code).

''(6) RESTRICTED OR CONDITIONAL GIFT OR CONTRACT.—The term 'restricted or conditional gift or contract' means any endowment, gift, grant, contract, award, present, or property of any kind which includes provisions regarding—

''(A) the employment, assignment, or termination of faculty;

''(B) the establishment of departments, centers, institutes, instructional programs, research or lecture programs, or new faculty positions;

''(C) the selection, admission, or education of students;

''(D) the award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion; or

''(E) any other restriction on the use of a gift or contract.''.

(b) PROHIBITION ON CONTRACTS WITH CERTAIN FOREIGN ENTITIES AND COUNTRIES.—Part B of title I of the Higher Education Act of 1965 (20 U.S.C. 1011 et seq.) is amended by inserting after section 117 the following:

''SEC. 117A. PROHIBITION ON CONTRACTS WITH CERTAIN FOREIGN ENTITIES AND COUNTRIES.

''(a) IN GENERAL.—An institution shall not enter into a contract with a foreign country of concern or a foreign entity of concern.

''(b) WAIVERS.—

''(1) SUBMISSION.—

''(A) FIRST WAIVER REQUESTS.—

''(i) IN GENERAL.—An institution that desires to enter into a contract with a foreign entity of concern or a foreign country of concern may submit to the Secretary, not later than 120 days before the institution enters into such a contract, a request to waive the prohibition under subsection (a) with respect to such contract.

''(ii) CONTENTS OF WAIVER REQUEST.—A waiver request submitted by an institution under clause (i) shall include—

''(I) the complete and unredacted text of the proposed contract for which the waiver is being requested, and if such original contract is not in English, a translated copy of the text into English (in a manner that complies with section 117(c)); and

''(II) a statement that—

''(aa) is signed by the compliance officer of the institution designated in accordance with section 117(f); and

''(bb) includes information that demonstrates that such contract is for the benefit of the institution's mission and students and will promote the security, stability, and economic vitality of the United States.

''(B) RENEWAL WAIVER REQUESTS.—

''(i) IN GENERAL.—An institution that has entered into a contract pursuant to a waiver issued under this section, the term of which is longer than the 1-year waiver period and the terms and conditions of which remain the same as the proposed contract submitted as part of the request for such waiver may submit, not later than 120 days before the expiration of such waiver period, a request for a renewal of such waiver for an additional 1-year period (which shall include any information requested by the Secretary).

''(ii) TERMINATION.—If the institution fails to submit a request under clause (i) or is not granted a renewal under such clause, such institution shall terminate such contract on the last day of the original 1-year waiver period.

''(2) WAIVER ISSUANCE.—The Secretary—

''(A) not later than 60 days before an institution enters into a contract pursuant to a waiver request under paragraph (1)(A), or before a contract described in paragraph (1)(B)(i) is renewed pursuant to a renewal request under such paragraph, shall notify the institution—

''(i) if the waiver or renewal will be issued by the Secretary; and

''(ii) in a case in which the waiver or renewal will be issued, the date on which the 1-year waiver period starts; and

''(B) may only issue a waiver under this section to an institution if the Secretary determines, in consultation with the heads of each agency and department listed in section 117(e), that the contract for which the waiver is being requested is for the benefit of the institution's mission and students and will promote the security, stability, and economic vitality of the United States.

''(3) DISCLOSURE.—Not less than 2 weeks prior to issuing a waiver under paragraph (2), the Secretary shall notify the—

''(A) the Committee on Health, Education, Labor, and Pensions of the Senate, of the intent to issue the waiver, including a justification for the waiver; and

''(B) the Committee on Education and the Workforce of the House of Representatives.

''(4) APPLICATION OF WAIVERS.—A waiver issued under this section to an institution with respect to a contract shall only—

''(A) waive the prohibition under subsection (a) for a 1-year period; and

''(B) apply to the terms and conditions of the proposed contract submitted as part of the request for such waiver.

''(c) DESIGNATION DURING CONTRACT TERM.—In the case of an institution that enters into a contract with a foreign source that is not a foreign country of concern or a foreign entity of concern, but which, during the term of such contract, is designated as a foreign country of concern or foreign entity of concern, such institution shall terminate such contract not later than 60 days after the Secretary notifies the institution of such designation.

''(d) CONTRACTS PRIOR TO DATE OF ENACTMENT.—

''(1) IN GENERAL.—In the case of an institution that has entered into a contract with a foreign country of concern or foreign entity of concern prior to the date of the enactment of the DETERRENT Act—

''(A) the institution shall immediately submit to the Secretary a waiver request, in accordance with subsection (b)(1)(A)(ii); and

''(B) the Secretary shall, upon receipt of the request submitted under subparagraph (A), immediately issue a waiver to the institution for a period beginning on the date on which the waiver is issued and ending on the earlier of—

''(i) the date that is 1 year after the date of the enactment of the DETERRENT Act; or

''(ii) the date on which the contract terminates.

''(2) RENEWAL.—An institution that has entered into a contract described in paragraph (1), the term of which is longer than the waiver period described in subparagraph (B) of such paragraph and the terms and conditions of which remain the same as the contract submitted as part of the request required under subparagraph (A) of such paragraph, may submit a request for renewal of the waiver issued under such paragraph in accordance with subsection (b)(1)(B).

''(e) CONTRACT DEFINED.—The term 'contract' has the meaning given such term in section 117(g).''.

(c) INTERAGENCY INFORMATION SHARING.—Not later than 90 days after the date of enactment of this Act, the Secretary of Education shall transmit to the heads of each agency and department listed in section 117(e) of the Higher Education Act of 1965, as amended by this subtitle—

(1) any report received by the Department of Education under section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f) prior to the date of the enactment of this Act; and

(2) any report, document, or other record generated by the Department of Education in the course of an investigation—

(A) of an institution with respect to the compliance of such institution with such section; and

(B) initiated prior to the date of the enactment of this Act.

SEC. _____. POLICY REGARDING CONFLICTS OF INTEREST FROM FOREIGN GIFTS AND CONTRACTS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by this subtitle, is further amended by inserting after section 117A the following:

"SEC. 117B. INSTITUTIONAL POLICY REGARDING FOREIGN GIFTS AND CONTRACTS TO FACULTY AND STAFF.

''(a) REQUIREMENT TO MAINTAIN POLICY AND DATABASE.—Beginning not later than 90 days after the date of enactment of the DETERRENT Act, each institution described in subsection (b) shall maintain—

''(1) a policy requiring covered individuals employed at the institution to disclose in a report to such institution on July 31 of each calendar year that begins after the year in which such date of enactment occurs—

''(A) any gift received from a foreign source in the previous calendar year, the value of which is greater than the minimal value (as such term is defined in section 7342(a) of title 5, United States Code) or is of undetermined value, and including the date on which the gift was received;

''(B) any contract entered into with a foreign source in the previous calendar year, the value of which is $5,000 or more, considered alone or in combination with all other contracts with that foreign source within the calendar year, and including the date on which such contract commences and, as applicable, the date on which such contract terminates;

''(C) any contract with a foreign source in force during the previous calendar year that has an undetermined monetary value, and including the date on which such contract commences and, as applicable, the date on which such contract terminates; and

''(D) any contract entered into with a foreign country of concern or foreign entity of concern in the previous calendar year, the value of which is $0 or more, and including the beginning and ending dates of such contract and the full text of such contract and any addenda;

''(2) a publicly available and searchable database (in electronic and downloadable format), on a website of the institution, of the information required to be disclosed under paragraph (1) (other than the name or any other personally identifiable information of a covered individual) that—

''(A) makes available the information disclosed under paragraph (1) (other than the name or any other personally identifiable information of a covered individual) beginning on the date that is 30 days after receipt of the report under such paragraph containing such information and until the latest of—

''(i) the date that is 5 years after the date on which—

''(I) a gift referred to in paragraph (1)(A) is received; or

''(II) a contract referred to in subparagraph (B), (C), or (D) of paragraph (1) begins; or

''(ii) the date on which a contract referred to in subparagraph (B), (C), or (D) of paragraph (1) terminates; and

''(B) is searchable and sortable by—

''(i) the date received (if a gift) or the date commenced (if a contract);

''(ii) the attributable country with respect to which information is being disclosed;

''(iii) the narrowest of the department, school, or college of the institution, as applicable, for which the individual making the disclosure works; and

''(iv) the name of the foreign source (other than a foreign source who is a natural person);

''(3) an effective plan to identify and manage potential information gathering by foreign sources through espionage targeting covered individuals that may arise from gifts received from, or contracts entered into with, a foreign source, including through the use of—

''(A) periodic communications;

''(B) accurate reporting under paragraph (2) of the information required to be disclosed under paragraph (1); and

''(C) enforcement of the policy described in paragraph (1); and

''(4) for purposes of investigations under section 117D(a)(1) or responses to requests under section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act'), the names of the individuals making disclosures under paragraph (1).

''(b) INSTITUTIONS.—An institution shall be subject to the requirements of this section if such institution—

''(1) is an eligible institution for the purposes of any program authorized under title IV; and

''(2)(A) received more than $50,000,000 in Federal funds in any of the previous 5 calendar years to support (in whole or in part) research and development (as determined by the institution and measured by the Higher Education Research and Development Survey of the National Center for Science and Engineering Statistics); or

''(B) receives funds under title VI.

''(c) DEFINITIONS.—In this section—

''(1) the terms 'foreign source' and 'gift' have the meanings given such terms in section 117(g);

''(2) the term 'contract'—

''(A) means any—

''(i) agreement for the acquisition, by purchase, lease, or barter of property or services by a foreign source;

''(ii) affiliation, agreement, or similar transaction with a foreign source involving the use or exchange of the name, likeness, time, services, or resources of covered individuals employed at an institution described in subsection (b); or

''(iii) purchase, lease, or barter of property or services from a foreign source that is a foreign country of concern or a foreign entity of concern; and

''(B) does not include any fair-market, arms-length agreement made by covered individuals for the acquisition, by purchase, lease, or barter of property or services from a foreign source other than such a foreign source that is a foreign country of concern or a foreign entity of concern; and

''(3) the term 'covered individual'—

''(A) has the meaning given such term in section 223(d) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (42 U.S.C. 6605); and

''(B) shall be interpreted in accordance with the Guidance for Implementing National Security Presidential Memorandum 33 (NSPM–33) on National Security Strategy for United States Government-supported Research and Development published by the Subcommittee on Research Security and the Joint Committee on the Research Environment in January 2022.''.

SEC. _____. INVESTMENT DISCLOSURE REPORT.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by this subtitle, is further amended by inserting after section 117B the following:

"SEC. 117C. INVESTMENT DISCLOSURE REPORT.

''(a) INVESTMENT DISCLOSURE REPORT.—A specified institution shall file a disclosure report in accordance with subsection (b) with the Secretary on July 31 immediately following any calendar year in which the specified institution purchases, sells, or holds (directly or indirectly through any chain of ownership) one or more investments of concern.

''(b) CONTENTS OF REPORT.—Each report to the Secretary required by subsection (a) with respect to any calendar year shall contain the following:

''(1) A list of the investments of concern purchased, sold, or held during such calendar year.

''(2) The aggregate fair market value of all investments of concern held as of the close of such calendar year.

''(3) The combined value of all investments of concern sold over the course of such calendar year, as measured by the fair market value of such investments at the time of the sale.

''(4) The combined value of all capital gains from such sales of investments of concern.

''(c) INCLUSION OF CERTAIN POOLED FUNDS.—

''(1) IN GENERAL.—An investment of concern acquired through a regulated investment company, exchange traded fund, or any other pooled investment shall be treated as acquired through a chain of ownership referred to in subsection (a), unless such pooled investment is certified by the Secretary as not holding any listed investments in accordance with subparagraph (B) of paragraph (2).

''(2) CERTIFICATIONS OF POOLED FUNDS.—The Secretary, after consultation with the Secretary of the Treasury, shall establish procedures under which certain regulated investment companies, exchange traded funds, and other pooled investments—

''(A) shall be reported in accordance with the requirements under subsection (b); and

''(B) may be certified by the Secretary as not holding any listed investments.

''(d) TREATMENT OF RELATED ORGANIZATIONS.—For purposes of this section, assets held by any related organization (as defined in section 4968(d)(2) of the Internal Revenue Code of 1986) with respect to a specified institution shall be treated as held by such specified institution, except that—

''(1) such assets shall not be taken into account with respect to more than 1 specified institution; and

''(2) unless such organization is controlled by such institution or is described in section 509(a)(3) of the Internal Revenue Code of 1986 with respect to such institution, assets which are not intended or available for the use or benefit of such specified institution shall not be taken into account.

''(e) VALUATION OF DEBT.—For purposes of this section, the fair market value of any debt shall be the principal amount of such debt.

''(f) REGULATIONS.—The Secretary, after consultation with the Secretary of the Treasury, may issue such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including regulations or other guidance providing for the proper application of this section with respect to certain regulated investment companies, exchange traded funds, and pooled investments.

''(g) COMPLIANCE OFFICER.—Any specified institution that is required to submit a report under subsection (a) shall designate, before the submission of such report, and maintain a compliance officer, who shall—

''(1) be a current employee or legally authorized agent of such institution;

''(2) be responsible, on behalf of the institution, for personally certifying accurate compliance with the reporting requirements under this section; and

''(3) certify the institution has, for purposes of filing such report under subsection (a), followed an established institutional policy and conducted good faith efforts and reasonable due diligence to determine the accuracy and valuations of the assets reported.

''(h) DATABASE REQUIREMENT.—Beginning not later than 60 days before the July 31 immediately following the date of the enactment of the DETERRENT Act, the Secretary shall—

''(1) establish and maintain a searchable database on a website of the Department, under which all reports submitted under this section—

''(A) are made publicly available (in electronic and downloadable format), including any information provided in such reports;

''(B) can be individually identified and compared; and

''(C) are searchable and sortable; and

''(2) not later than 30 days after receipt of a disclosure report under this section, include such report in such database.

''(i) DEFINITIONS.—In this section:

''(1) INVESTMENT OF CONCERN.—

''(A) IN GENERAL.—The term 'investment of concern' means any specified interest with respect to any of the following:

''(i) A foreign country of concern.

''(ii) A foreign entity of concern.

''(B) SPECIFIED INTEREST.—The term 'specified interest' means, with respect to any entity—

''(i) stock or any other equity or profits interest of such entity;

''(ii) debt issued by such entity; and

''(iii) any contract or derivative with respect to any property described in clause (i) or (ii).

''(2) SPECIFIED INSTITUTION.—

''(A) IN GENERAL.—The term 'specified institution', as determined with respect to any calendar year, means an institution if—

''(i) such institution is not a public institution; and

''(ii) the aggregate fair market value of—

''(I) the assets held by such institution at the end of such calendar year (other than those assets which are used directly in carrying out the institution's exempt purpose) is in excess of $6,000,000,000; or

''(II) the investments of concern held by such institution at the end of such calendar year is in excess of $250,000,000.

''(B) REFERENCES TO CERTAIN TERMS.—For the purpose of applying the definition under subparagraph (A), the terms 'aggregate fair market value' and 'assets which are used directly in carrying out the institution's exempt purpose' shall be applied in the same manner as such terms are applied for the purposes of section 4968(b)(1)(D) of the Internal Revenue Code of 1986.''.

SEC. _____. ENFORCEMENT AND OTHER GENERAL PROVISIONS.

(a) ENFORCEMENT AND OTHER GENERAL PROVISIONS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by this subtitle, is further amended by inserting after section 117C the following:

''SEC. 117D. ENFORCEMENT; SINGLE POINT-OF-CONTACT.

''(a) ENFORCEMENT.—

''(1) INVESTIGATION.—The Secretary (acting through the General Counsel of the Department) shall conduct investigations of possible violations of sections 117, 117A, 117B, and 117C by institutions and, whenever it appears that an institution has knowingly or willfully failed to comply with a requirement of any of such sections (including any rule or regulation promulgated under any such section), shall request that the Attorney General bring a civil action in accordance with paragraph (2).

''(2) CIVIL ACTION.—Whenever it appears that an institution has knowingly or willfully failed to comply with a requirement of any of the sections listed in paragraph (1) (including any rule or regulation promulgated under any such section) based on such an investigation, a civil action shall be brought by the Attorney General, at the request of the Secretary, in an appropriate district court of the United States, or the appropriate United States court of any territory or other place subject to the jurisdiction of the United States, to request such court to compel compliance with the requirement of the section that has been violated.

''(3) COSTS AND OTHER FINES.—An institution that is compelled to comply with a requirement of a section listed in paragraph (1) pursuant to paragraph (2) shall—

''(A) pay to the Treasury of the United States the full costs to the United States of obtaining compliance with the requirement of such section, including all associated costs of investigation and enforcement; and

''(B) be subject to the applicable fines described in paragraph (4).

''(4) FINES FOR VIOLATIONS.—The Secretary shall impose a fine on an institution that knowingly or willfully fails to comply with a requirement of a section listed in paragraph (1) as follows:

''(A) SECTION 117.—

''(i) FIRST-TIME VIOLATIONS.—In the case of an institution that knowingly or willfully fails to comply with a requirement of section 117 with respect to a calendar year, and that has not previously knowingly or willfully failed to comply with such a requirement, the Secretary shall impose a fine on the institution for such violation as follows:

''(I) In the case of an institution that knowingly or willfully fails to comply with a reporting requirement under subsection (a)(1) of section 117, such fine shall be in an amount that is—

''(aa) for each gift or contract with determinable value that is the subject of such a failure to comply, the greater of—

''(AA) $50,000; or

''(BB) the monetary value of such gift or contract; or

''(bb) for each gift or contract of no value or of indeterminable value, not less than 1 percent, and not more than 10 percent of the total amount of Federal funds received by the institution under this Act for the most recent fiscal year.

''(II) In the case of an institution that knowingly or willfully fails to comply with the reporting requirement under subsection (a)(2) of section 117, such fine shall be in an amount that is not less than 10 percent of the total amount of Federal funds received by the institution under this Act for the most recent fiscal year.

''(ii) SUBSEQUENT VIOLATIONS.—In the case of an institution that has been fined pursuant to clause (i) with respect to a calendar year, and that knowingly or willfully fails to comply with a requirement of section 117 with respect to any additional calendar year, the Secretary shall impose a fine on the institution with respect to any such additional calendar year as follows:

''(I) In the case of an institution that knowingly or willfully fails to comply with a reporting requirement under subsection (a)(1) of section 117 with respect to an additional calendar year, such fine shall be in an amount that is—

''(aa) for each gift or contract with determinable value that is the subject of such a failure to comply, the greater of—

''(AA) $100,000; or

''(BB) twice the monetary value of such gift or contract; or

''(bb) for each gift or contract of no value or of indeterminable value, not less than 1 percent, but not more than 10 percent, of the total amount of Federal funds received by the institution under this Act for the most recent fiscal year.

''(II) In the case of an institution that knowingly or willfully fails to comply with a reporting requirement under subsection (a)(2) of section 117 with respect to an additional calendar year, such fine shall be in an amount that is not less than 20 percent of the total amount of Federal funds received by the institution under this Act for the most recent fiscal year.

''(B) SECTION 117A.—

''(i) FIRST-TIME VIOLATIONS.—In the case of an institution that knowingly or willfully fails to comply with a requirement of section 117A for the first time, the Secretary shall impose a fine on the institution in an amount that is not less than 5 percent, but not more than 10 percent, of the total amount of Federal funds received by the institution under this Act for the most recent fiscal year.

''(ii) SUBSEQUENT VIOLATIONS.—In the case of an institution that has been fined pursuant to clause (i), the Secretary shall impose a fine on the institution for each subsequent time the institution knowingly or willfully fails to comply with a requirement of section 117A in an amount that is not less than 20 percent of the total amount of Federal funds received by the institution under this Act for the most recent fiscal year.

''(C) SECTION 117B.—

''(i) FIRST-TIME VIOLATIONS.—In the case of an institution that knowingly or willfully fails to comply with a requirement of section 117B with respect to a calendar year, and that has not previously knowingly or willfully failed to comply with such a requirement, the Secretary shall impose a fine on the institution in an amount that is the greater of—

''(I) $250,000; or

''(II) the total amount of gifts or contracts reported by such institution in the database required under section 117B(a)(2).

''(ii) SUBSEQUENT VIOLATIONS.—In the case of an institution that has been fined pursuant to clause (i) with respect to a calendar year, and that knowingly or willfully fails to comply with a requirement of section 117B with respect to any additional calendar year, the Secretary shall impose a fine on the institution with respect to any such additional calendar year in an amount that is the greater of—

''(I) $500,000; or

''(II) twice the total amount of gifts or contracts reported by such institution in the database required under section 117B(a)(2).

''(D) SECTION 117C.—

''(i) FIRST-TIME VIOLATIONS.—In the case of a specified institution that knowingly or willfully fails to comply with a requirement of section 117C with respect to a calendar year, and that has not previously knowingly or willfully failed to comply with such a requirement, the Secretary shall impose a fine on the institution in an amount that is not less than 50 percent and not more than 100 percent of the sum of—

''(I) the aggregate fair market value of all investments of concern held by such institution as of the close of such calendar year; and

''(II) the combined value of all investments of concern sold over the course of such calendar year, as measured by the fair market value of such investments at the time of the sale.

''(ii) SUBSEQUENT VIOLATIONS.—In the case of a specified institution that has been fined pursuant to clause (i) with respect to a calendar year, and that knowingly or willfully fails to comply with a requirement of section 117C with respect to any additional calendar year, the Secretary shall impose a fine on the institution with respect to any such additional calendar year in an amount that is not less than 100 percent and not more than 200 percent of the sum of—

''(I) the aggregate fair market value of all investments of concern held by such institution as of the close of such additional calendar year; and

''(II) the combined value of all investments of concern sold over the course of such additional calendar year, as measured by the fair market value of such investments at the time of the sale.

''(E) INELIGIBILITY FOR WAIVER.—In the case of an institution that has been fined pursuant to subparagraph (A)(i), (B)(i) (C)(i), or (D)(i) with respect to a calendar year, and that knowingly or willfully fails to comply with a requirement of section 117, 117A, 117B, or 117C with respect to any 2 additional calendar years, the Secretary shall prohibit the institution from obtaining a waiver, or a renewal of a waiver, under section 117A.

''(b) SINGLE POINT-OF-CONTACT AT THE DEPARTMENT.—The Secretary shall maintain a single point-of-contact at the Department to—

''(1) receive and respond to inquiries and requests for technical assistance from institutions regarding compliance with the requirements of sections 117, 117A, 117B, and 117C;

''(2) coordinate and implement technical improvements to the database described in section 117(d)(1), including—

''(A) improving upload functionality by allowing for batch reporting, including by allowing institutions to upload one file with all required information into the database;

''(B) publishing and maintaining a database users guide annually, including information on how to edit an entry and how to report errors;

''(C) creating a standing user group (to which chapter 10 of title 5, United States Code, shall not apply) to discuss possible database improvements, which group shall—

''(i) include at least—

''(I) 3 members representing public institutions with high or very high levels of research activity (as defined by the National Center for Education Statistics);

''(II) 2 members representing private, nonprofit institutions with high or very high levels of research activity (as so defined);

''(III) 2 members representing proprietary institutions of higher education (as defined in section 102(b)); and

''(IV) 2 members representing area career and technical education schools (as defined in subparagraph (C) or (D) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3)); and

''(ii) meet at least twice a year with officials from the Department to discuss possible database improvements;

''(D) publishing, on a publicly available website, recommended database improvements following each meeting described in subparagraph (C)(ii); and

''(E) responding, on a publicly available website, to each recommendation published under subparagraph (D) as to whether or not the Department will implement the recommendation, including the rationale for either approving or rejecting the recommendation;

''(3) provide, every 90 days after the date of enactment of the DETERRENT Act, status updates on any pending or completed investigations and civil actions under subsection (a)(1) to—

''(A) the authorizing committees; and

''(B) any institution that is the subject of such investigation or action;

''(4) maintain, on a publicly accessible website—

''(A) a full comprehensive list of all foreign countries of concern and foreign entities of concern; and

''(B) the date on which the last update was made to such list; and

''(5) not later than 7 days after making an update to the list maintained in paragraph (4)(A), notify each institution required to comply with the sections listed in paragraph (1) of such update.

''(c) DEFINITIONS.—For purposes of sections 117, 117A, 117B, 117C, and this section:

''(1) FOREIGN COUNTRY OF CONCERN.—The term 'foreign country of concern' includes the following:

''(A) A country that is a covered nation (as defined in section 4872(d) of title 10, United States Code).

''(B) Any country that the Secretary, in consultation with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence, determines to be engaged in conduct that is detrimental to the national security or foreign policy of the United States.

''(2) FOREIGN ENTITY OF CONCERN.—The term 'foreign entity of concern' has the meaning given such term in section 10612(a) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19221(a)) and includes a foreign entity that is identified on the list published under section 1286(c)(8)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 22 4001 note; Public Law 115–232).

''(3) INSTITUTION.—The term 'institution' means an institution of higher education (as such term is defined in section 102, other than an institution described in subsection (a)(1)(c) of such section).''.

(b) PROGRAM PARTICIPATION AGREEMENT.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended by adding at the end the following:

''(30)(A) An institution will comply with the requirements of sections 117, 117A, 117B, and 117C.

''(B) An institution that, for 3 consecutive institutional fiscal years, violates any requirement of any of the sections listed in subparagraph (A), shall—

''(i) be ineligible to participate in the programs authorized by this title for a period of not less than 2 institutional fiscal years; and

''(ii) in order to regain eligibility to participate in such programs, demonstrate compliance with all requirements of each such section for not less than 2 institutional fiscal years after the institutional fiscal year in which such institution became ineligible.''.

(c) GAO STUDY AND REPORT.—

(1) STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study to identify ways to improve intergovernmental agency coordination regarding implementation and enforcement of sections 117, 117A, 117B, and 117C of the Higher Education Act of 1965 (20 U.S.C. 1011f), as amended or added by this title, including increasing information sharing, increasing compliance rates, and establishing processes for enforcement.

(2) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress, and make public, a report containing the results of the study described in paragraph (1).

SA 2917. 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 of title X, add the following:

Subtitle I—HALT FENTANYL Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Halt All Lethal Trafficking of Fentanyl Act'' or the ''HALT Fentanyl Act''.

SEC. 1097. CLASS SCHEDULING OF FENTANYL-RELATED SUBSTANCES.

Section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) is amended by adding at the end of schedule I the following:

''(e)(1) Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of a fentanyl-related substance, or which contains the salts, isomers, and salts of isomers of a fentanyl-related substance whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

''(2) For purposes of paragraph (1), except as provided in paragraph (3), the term 'fentanyl-related substance' means any substance that is structurally related to fentanyl by 1 or more of the following modifications:

''(A) By replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle.

''(B) By substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups.

''(C) By substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups.

''(D) By replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle.

''(E) By replacement of the N–propionyl group with another acyl group.

''(3) A substance that satisfies the definition of the term 'fentanyl-related substance' in paragraph (2) shall nonetheless not be treated as a fentanyl-related substance subject to this schedule if the substance—

''(A) is controlled by action of the Attorney General under section 201; or

''(B) is otherwise expressly listed in a schedule other than this schedule.

''(4)(A) The Attorney General may by order publish in the Federal Register a list of substances that satisfy the definition of the term 'fentanyl-related substance' in paragraph (2).

''(B) The absence of a substance from a list published under subparagraph (A) does not negate the control status of the substance under this schedule if the substance satisfies the definition of the term 'fentanyl-related substance' in paragraph (2).''.

SEC. 1098. REGISTRATION REQUIREMENTS RELATED TO RESEARCH.

(a) ALTERNATIVE REGISTRATION PROCESS FOR SCHEDULE I RESEARCH.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating the second subsection (l) (relating to required training for prescribers) as subsection (m); and

(2) by adding at the end the following:

''(n) SPECIAL PROVISIONS FOR PRACTITIONERS CONDUCTING CERTAIN RESEARCH WITH SCHEDULE I CONTROLLED SUBSTANCES.—

''(1) IN GENERAL.—Notwithstanding subsection (f), a practitioner may conduct research described in paragraph (2) of this subsection with 1 or more schedule I substances in accordance with subparagraph (A) or (B) of paragraph (3) of this subsection.

''(2) RESEARCH SUBJECT TO EXPEDITED PROCEDURES.—Research described in this paragraph is research that—

''(A) is with respect to a drug that is the subject of an investigational use exemption

under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)); or

''(B) is—

''(i) conducted by the Department of Health and Human Services, the Department of Veterans Affairs, or the Department of Justice; or

''(ii) funded partly or entirely by a grant, contract, cooperative agreement, or other transaction from the Department of Health and Human Services, the Department of Veterans Affairs, or the Department of Justice.

''(3) EXPEDITED PROCEDURES.—

''(A) RESEARCHER WITH A CURRENT SCHEDULE I OR II RESEARCH REGISTRATION.—

''(i) IN GENERAL.—If a practitioner is registered to conduct research with a controlled substance in schedule I or II, the practitioner may conduct research under this subsection on and after the date that is 30 days after the date on which the practitioner sends a notice to the Attorney General containing the following information, with respect to each substance with which the practitioner will conduct the research:

''(I) The chemical name of the substance.

''(II) The quantity of the substance to be used in the research.

''(III) Demonstration that the research is in the category described in paragraph (2), which demonstration may be satisfied—

''(aa) in the case of a grant, contract, cooperative agreement, or other transaction, or intramural research project, by identifying the sponsoring agency and supplying the number of the grant, contract, cooperative agreement, other transaction, or project; or

''(bb) in the case of an application under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)), by supplying the application number and the sponsor of record on the application.

''(IV) Demonstration that the researcher is authorized to conduct research with respect to the substance under the laws of the State in which the research will take place.

''(ii) VERIFICATION OF INFORMATION BY HHS OR VA.—Upon request from the Attorney General, the Secretary of Health and Human Services or the Secretary of Veterans Affairs, as appropriate, shall verify information submitted by an applicant under clause (i)(III).

''(B) RESEARCHER WITHOUT A CURRENT SCHEDULE I OR II RESEARCH REGISTRATION.—

''(i) IN GENERAL.—If a practitioner is not registered to conduct research with a controlled substance in schedule I or II, the practitioner may send a notice to the Attorney General containing the information listed in subparagraph (A)(i), with respect to each substance with which the practitioner will conduct the research.

''(ii) ATTORNEY GENERAL ACTION.—The Attorney General shall—

''(I) treat notice received under clause (i) as a sufficient application for a research registration; and

''(II) not later than 45 days of receiving such a notice that contains all information required under subparagraph (A)(i)—

''(aa) register the applicant; or

''(bb) serve an order to show cause upon the applicant in accordance with section 304(c).

''(4) ELECTRONIC SUBMISSIONS.—The Attorney General shall provide a means to permit a practitioner to submit a notification under paragraph (3) electronically.

''(5) LIMITATION ON AMOUNTS.—A practitioner conducting research with a schedule I substance under this subsection may only possess the amounts of schedule I substance identified in—

''(A) the notification to the Attorney General under paragraph (3); or

''(B) a supplemental notification that the practitioner may send if the practitioner needs additional amounts for the research, which supplemental notification shall include—

''(i) the name of the practitioner;

''(ii) the additional quantity needed of the substance; and

''(iii) an attestation that the research to be conducted with the substance is consistent with the scope of the research that was the subject of the notification under paragraph (3).

''(6) IMPORTATION AND EXPORTATION REQUIREMENTS NOT AFFECTED.—Nothing in this subsection alters the requirements of part A of title III, regarding the importation and exportation of controlled substances.''.

(b) SEPARATE REGISTRATIONS NOT REQUIRED FOR ADDITIONAL RESEARCHER IN SAME INSTITUTION.—Section 302(c) of the Controlled Substances Act (21 U.S.C. 822(c)) is amended by adding at the end the following:

''(4) An agent or employee of a research institution that is conducting research with a controlled substance if—

''(A) the agent or employee is acting within the scope of the professional practice of the agent or employee;

''(B) another agent or employee of the institution is registered to conduct research with a controlled substance in the same schedule;

''(C) the researcher who is so registered—

''(i) informs the Attorney General of the name, position title, and employing institution of the agent or employee who is not separately registered;

''(ii) authorizes that agent or employee to perform research under the registration of the registered researcher; and

''(iii) affirms that any act taken by that agent or employee involving a controlled substance shall be attributable to the registered researcher, as if the researcher had directly committed the act, for purposes of any proceeding under section 304(a) to suspend or revoke the registration of the registered researcher; and

''(D) the Attorney General does not, within 30 days of receiving the information, authorization, and affirmation described in subparagraph (C), refuse, for a reason listed in section 304(a), to allow the agent or employee to possess the substance without a separate registration.''.

(c) SINGLE REGISTRATION FOR RELATED RESEARCH SITES.—Section 302(e) of the Controlled Substances Act (21 U.S.C. 822(e)) is amended by adding at the end the following:

''(3)(A) Notwithstanding paragraph (1), a person registered to conduct research with a controlled substance under section 303(f) may conduct the research under a single registration if—

''(i) the research occurs exclusively on sites all of which are—

''(I) within the same city or county; and

''(II) under the control of the same institution, organization, or agency; and

''(ii) before commencing the research, the researcher notifies the Attorney General of each site where—

''(I) the research will be conducted; or

''(II) the controlled substance will be stored or administered.

''(B) A site described in subparagraph (A) shall be included in a registration described in that subparagraph only if the researcher has notified the Attorney General of the site—

''(i) in the application for the registration; or

''(ii) before the research is conducted, or before the controlled substance is stored or administered, at the site.

''(C) The Attorney General may, in consultation with the Secretary, issue regulations addressing, with respect to research sites described in subparagraph (A)—

''(i) the manner in which controlled substances may be delivered to the research sites;

''(ii) the storage and security of controlled substances at the research sites;

''(iii) the maintenance of records for the research sites; and

''(iv) any other matters necessary to ensure effective controls against diversion at the research sites.''.

(d) NEW INSPECTION NOT REQUIRED IN CERTAIN SITUATIONS.—Section 302(f) of the Controlled Substances Act (21 U.S.C. 822(f)) is amended—

(1) by striking ''(f) The'' and inserting ''(f)(1) The''; and

(2) by adding at the end the following:

''(2)(A) If a person is registered to conduct research with a controlled substance and applies for a registration, or for a modification of a registration, to conduct research with a second controlled substance that is in the same schedule as the first controlled substance, or is in a schedule with a higher numerical designation than the schedule of the first controlled substance, a new inspection by the Attorney General of the registered location is not required.

''(B) Nothing in subparagraph (A) shall prohibit the Attorney General from conducting an inspection that the Attorney General determines necessary to ensure that a registrant maintains effective controls against diversion.''.

(e) CONTINUATION OF RESEARCH ON SUBSTANCES NEWLY ADDED TO SCHEDULE I.—Section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following:

''(h) CONTINUATION OF RESEARCH ON SUBSTANCES NEWLY ADDED TO SCHEDULE I.—If a person is conducting research on a substance when the substance is added to schedule I, and the person is already registered to conduct research with a controlled substance in schedule I—

''(1) not later than 90 days after the scheduling of the newly scheduled substance, the person shall submit a completed application for registration or modification of existing registration, to conduct research on the substance, in accordance with regulations issued by the Attorney General for purposes of this paragraph;

''(2) the person may, notwithstanding subsections (a) and (b), continue to conduct the research on the substance until—

''(A) the person withdraws the application described in paragraph (1) of this subsection; or

''(B) the Attorney General serves on the person an order to show cause proposing the denial of the application under section 304(c);

''(3) if the Attorney General serves an order to show cause as described in paragraph (2)(B) and the person requests a hearing, the hearing shall be held on an expedited basis and not later than 45 days after the request is made, except that the hearing may be held at a later time if so requested by the person; and

''(4) if the person sends a copy of the application described in paragraph (1) to a manufacturer or distributor of the substance, receipt of the copy by the manufacturer or distributor shall constitute sufficient evidence that the person is authorized to receive the substance.''.

(f) TREATMENT OF CERTAIN MANUFACTURING ACTIVITIES AS COINCIDENT TO RESEARCH.—Section 302 of the Controlled Substances Act (21 U.S.C. 822), as amended by subsection (e), is amended by adding at the end the following:

''(i) TREATMENT OF CERTAIN MANUFACTURING ACTIVITIES AS COINCIDENT TO RESEARCH.—

''(1) IN GENERAL.—Except as provided in paragraph (3), a person who is registered to

perform research on a controlled substance may perform manufacturing activities with small quantities of that substance, including activities described in paragraph (2), without being required to obtain a manufacturing registration, if—

''(A) the activities are performed for the purpose of the research; and

''(B) the activities and the quantities of the substance involved in the activities are stated in—

''(i) a notification submitted to the Attorney General under section 303(n);

''(ii) a research protocol filed with an application for registration approval under section 303(f); or

''(iii) a notification to the Attorney General that includes—

''(I) the name of the registrant; and

''(II) an attestation that the research to be conducted with the small quantities of manufactured substance is consistent with the scope of the research that is the basis for the registration.

''(2) ACTIVITIES INCLUDED.—Activities permitted under paragraph (1) include—

''(A) processing the substance to create extracts, tinctures, oils, solutions, derivatives, or other forms of the substance consistent with—

''(i) the information provided as part of a notification submitted to the Attorney General under section 303(n); or

''(ii) a research protocol filed with an application for registration approval under section 303(f); and

''(B) dosage form development studies performed for the purpose of requesting an investigational new drug exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)).

''(3) EXCEPTION REGARDING MARIJUANA.—The authority under paragraph (1) to manufacture substances does not include the authority to grow marijuana.''.

(g) TRANSPARENCY REGARDING SPECIAL PROCEDURES.—Section 303 of the Controlled Substances Act (21 U.S.C. 823), as amended by subsection (a), is amended by adding at the end the following:

''(o) TRANSPARENCY REGARDING SPECIAL PROCEDURES.—

''(1) IN GENERAL.—If the Attorney General determines, with respect to a controlled substance, that an application by a practitioner to conduct research with the substance should be considered under a process, or subject to criteria, different from the process or criteria applicable to applications to conduct research with other controlled substances in the same schedule, the Attorney General shall make public, including by posting on the website of the Drug Enforcement Administration—

''(A) the identities of all substances for which such determinations have been made;

''(B) the process and criteria that shall be applied to applications to conduct research with those substances; and

''(C) how the process and criteria described in subparagraph (B) differ from the process and criteria applicable to applications to conduct research with other controlled substances in the same schedule.

''(2) TIMING OF POSTING.—The Attorney General shall make information described in paragraph (1) public upon making a determination described in that paragraph, regardless of whether a practitioner has submitted such an application at that time.''.

SEC. 1099. REMOVAL FROM SCHEDULE I OF FENTANYL-RELATED SUBSTANCES.

Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

''(k) REMOVAL FROM SCHEDULE I OF FENTANYL-RELATED SUBSTANCES.—

''(1) DETERMINATION RESULTING IN REMOVAL FROM ALL SCHEDULES.—If the Secretary determines, taking into consideration the factors set forth in paragraph (3), that a fentanyl-related substance has a potential for abuse that is less than the drugs or other substances in schedule V—

''(A) the Secretary shall submit to the Attorney General a scientific and medical evaluation of that fentanyl-related substance supporting that determination;

''(B) the Secretary shall submit any such evaluation and determination in writing and include the bases therefor;

''(C) consistent with subsection (b), the scientific and medical matters contained the evaluation of the Secretary shall be binding on the Attorney General; and

''(D) except as provided in paragraph (4), not later than 90 days after receiving such evaluation and determination, the Attorney General shall issue an order removing such fentanyl-related substance from the schedules under section 202.

''(2) DETERMINATION RESULTING IN RESCHEDULING.—If the Secretary determines, taking into consideration the factors set forth in paragraph (3), that a fentanyl-related substance has a potential for abuse that is less than the drugs or other substances in schedules I and II and has a currently accepted medical use—

''(A) the Secretary shall submit to the Attorney General a scientific and medical evaluation of that fentanyl-related substance supporting that determination;

''(B) the Secretary shall submit any such evaluation and determination in writing and include the bases therefor;

''(C) consistent with subsection (b), the scientific and medical matters contained in the evaluation of the Secretary shall be binding on the Attorney General; and

''(D) except as provided in paragraph (4), not later than 90 days after receiving such evaluation and determination, the Attorney General shall issue an order removing such fentanyl-related substance from schedule I and controlling such substance under schedule III.

''(3) EVALUATION FACTORS.—

''(A) IN GENERAL.—In making a determination under paragraph (1) or (2), the Secretary—

''(i) shall consider the factor listed in paragraph (2) of subsection (c), as established by the assessment described in subparagraph (B) of this paragraph;

''(ii) shall consider the factors listed in paragraphs (1), (3), and (6) of subsection (c); and

''(iii) may consider the factors listed in paragraphs (4), (5), and (7) of subsection (c) if the Secretary finds that evidence exists with respect to those factors.

''(B) CONSIDERATION OF SCIENTIFIC EVIDENCE OF PHARMACOLOGICAL EFFECT.—

''(i) IN GENERAL.—For the purposes of subparagraph (A)(i), consideration by the Secretary of the results of an assessment consisting of the studies described in clause (ii) of this subparagraph shall only suffice to constitute consideration of the factor listed in paragraph (2) of subsection (c) if—

''(I) each such study is performed according to scientific methods and protocols commonly accepted in the scientific community; and

''(II) the Secretary determines that such assessment is adequate for such purposes.

''(ii) DESCRIBED STUDIES.—The studies described in this clause include the following:

''(I) One or more receptor binding studies that can—

''(aa) demonstrate whether the substance has affinity for the human mu opioid receptor and assess the duration and intensity of the binding; and

''(bb) establish displacement by antagonists such as naloxone.

''(II) One or more in vitro functional assays that can demonstrate whether the substance has agonist activity at the human mu opioid receptor.

''(III) One or more in vivo animal behavioral studies that can demonstrate whether the substance has abuse-related drug effects consistent with mu opioid agonist activity, such as demonstrating similarity to the effects of morphine.

''(iii) GUIDANCE.—Not later than 90 days after the date of enactment of the Halt All Lethal Trafficking of Fentanyl Act, the Secretary publish guidance describing the parameters for studies that meet the criteria established under clause (ii).

''(4) ATTORNEY GENERAL REVIEW.—

''(A) IN GENERAL.—Notwithstanding a determination by the Secretary resulting in removal or rescheduling under paragraph (1) or (2), the Attorney General may not issue an order of removal or rescheduling if, not later than 90 days after receiving the applicable evaluation and determination from the Secretary, the Attorney General finds under the processes described in subsection (h) that maintaining the scheduling of the substance is necessary to avoid an imminent hazard to the public safety.

''(B) TEMPORARY SCHEDULING.—Upon a finding under subparagraph (A), the substance shall be deemed temporarily scheduled for the time period described in subsection (h)(2), which may be extended as provided in that subsection.

''(C) EXPIRATION OF TEMPORARY SCHEDULING.—Not later than 30 days after the expiration of the time period described in subparagraph (B) and any extension thereof as described in that subparagraph, the Attorney General shall issue an order to remove or reschedule the substance pursuant to the Secretary's determination unless the substance has otherwise been scheduled under the processes described in this section.

''(5) NOTICE FROM SECRETARY TO ATTORNEY GENERAL.—

''(A) NOTICE OF INITIATION OF PROCEEDINGS.—Not later than 30 days after the date on which the Secretary initiates proceedings to evaluate a substance under paragraph (1) or (2), the Secretary shall notify the Attorney General of the initiation of the proceedings.

''(B) ADVANCE NOTICE REGARDING EVALUATION AND CONCLUSION.—Not later than 30 days before the date on which the Secretary sends the Attorney General an evaluation and determination under paragraph (1) or (2), the Secretary shall notify the Attorney General with respect to the evaluation and determination.

''(6) EXCEPTION FOR TREATY OBLIGATIONS.—If a fentanyl-related substance is a substance that the United States is obligated to control under international treaties, conventions, or protocols in effect on the date of enactment of the Halt All Lethal Trafficking of Fentanyl Act, this subsection shall not require the Attorney General—

''(A) to remove such substance from control; or

''(B) to place such substance in a schedule less restrictive than that which the Attorney General determines is necessary to carry out such obligations.

''(7) IDENTIFICATION OF FENTANYL-RELATED SUBSTANCES.—If the Attorney General determines that a substance is a fentanyl-related substance, the Attorney General shall—

''(A) not later than 30 days after the date of such determination, notify the Secretary; and

''(B) include in such notification the identity of the substance, its structure, and the basis for the determination.

''(8) PETITIONS FOR TRANSFERRING A FENTANYL-RELATED SUBSTANCE UNDER THE DRUG SCHEDULES.—

''(A) IN GENERAL.—If a person petitions the Attorney General to remove a fentanyl-related substance from schedule I, to reschedule a fentanyl-related substance to another schedule, or to place a fentanyl-related substance under schedule I, the Attorney General shall consider such a petition in accordance with the procedures and standards set forth in—

''(i) subsections (a) and (b) of this section; and

''(ii) section 1308.43 of title 21, Code of Federal Regulations (or any successor regulation).

''(B) ATTORNEY GENERAL TO INFORM SECRETARY.—Not later than 30 days after the date of accepting a petition described in subparagraph (A), the Attorney General shall forward a copy of the petition to the Secretary.

''(C) DETERMINATION PROCEDURE NOT PRECLUDED BY FILING OF PETITION.—The filing of a petition described in this paragraph shall not preclude the Secretary from making a determination and sending an evaluation under paragraph (1) or (2).

''(9) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to preclude the Attorney General from—

''(A) transferring a substance listed in schedule I to another schedule, or removing such substance entirely from the schedules, pursuant to other provisions of this section and section 202; or

''(B) transferring a fentanyl-related substance from a schedule other than schedule I to schedule I if information supports such a transfer.

''(10) SUBSEQUENT CONTROLLING OF REMOVED SUBSTANCE.—A substance removed from schedule I or II pursuant to this subsection may, at any time, be controlled pursuant to the other provisions of this section and section 202 without regard to the removal pursuant to this subsection.

''(11) EVALUATIONS OR STUDIES.—The Secretary may enter into contracts or other agreements to conduct or support evaluations or studies of fentanyl-related substances.

''(12) ANNUAL REVIEW BY SECRETARY.—Not less frequently than annually, the Secretary shall review fentanyl-related substances identified under paragraph (8) and evaluate those substances for potential removal or rescheduling under paragraphs (1) and (2).''.

SEC. 1099A. RULEMAKING.

(a) INTERIM FINAL RULES.—The Attorney General—

(1) shall, not later than 1 year of the date of enactment of this Act, issue rules to implement this subtitle and the amendments made by this subtitle; and

(2) may issue the rules under paragraph (1) as interim final rules.

(b) PROCEDURE FOR FINAL RULE.—

(1) EFFECTIVENESS OF INTERIM FINAL RULES.—A rule issued by the Attorney General as an interim final rule under subsection (a) shall become immediately effective as an interim final rule without requiring the Attorney General to demonstrate good cause therefor, notwithstanding subparagraph (B) of section 553(b) of title 5, United States Code.

(2) OPPORTUNITY FOR COMMENT AND HEARING.—An interim final rule issued under subsection (a) shall give interested persons the opportunity to comment and to request a hearing.

(3) FINAL RULE.—After the conclusion of such proceedings, the Attorney General shall issue a final rule to implement this subtitle and the amendments made by this subtitle in accordance with section 553 of title 5, United States Code.

SA 2918. 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 II, insert the following:

SEC. ____. ADDITIONAL FUNDING FOR TESTING OF HYPERSONIC WEAPON SYSTEMS WITH B–1 BOMBER.

(a) AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated for fiscal year 2025 by section 201 for research, development, test, and evaluation is hereby increased by $30,000,000, with the amount of the increase to be available for the testing of hypersonic weapon systems with the B–1 bomber.

(b) SUPPLEMENT, NOT SUPPLANT.—The amount made available by subsection (a) for the purpose described in such subsection shall supplement and not supplant amounts otherwise authorized to be appropriated for such purpose.

AUTHORITY FOR COMMITTEES TO MEET

Mr. WHITEHOUSE. Madam President, I have seven requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, July 11, 2024, at 9 a.m., to conduct a hearing on nominations.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 11, 2024, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, July 11, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, July 11, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, July 11, 2024, at 10:30 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, July 11, 2024, at 10 a.m., to conduct an executive business meeting.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, July 11, 2024, at 10 a.m., to conduct a hearing.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the Republican Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, Public Law 107–228, and Public Law 112–75, appoints the following individual to the United States Commission on International Religious Freedom: Dr. Meir Soloveichik of New York.

The Chair, on behalf of the Republican Leader, pursuant to Public Law 117–263, announces the appointment of the following individual to serve as member of the Commission on Reform and Modernization of the Department of State: Mr. Walter Russell Mead of Washington, DC.

RELATING TO THE DEATH OF THE HONORABLE JAMES MOUNTAIN INHOFE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 765, remembering the Honorable James Mountain Inhofe, which is at the desk.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 765) relating to the death of the Honorable James Mountain Inhofe, former Senator for the State of Oklahoma.

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

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

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

The resolution (S. Res. 765) was agreed to.

The preamble was agreed to.

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

Mr. WHITEHOUSE. Mr. President, I take a moment to offer my condolences to Senator Inhofe's family and friends.

NATIONAL VOTER REGISTRATION DAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 766, submitted earlier today.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 766) recognizing September 17, 2024, as ''National Voter Registration Day''.

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

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to 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 resolution (S. Res. 766) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

DEBBIE SMITH ACT OF 2023

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration Calendar No. 246, H.R. 1105.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 1105) to amend the DNA Analysis Backlog Elimination Act of 2000 to reauthorize the Debbie Smith DNA Backlog Grant Program, and for other purposes.

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

Mr. WHITEHOUSE. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1105) was ordered to a third reading, was read the third time, and passed.

HUMAN TRAFFICKING SURVIVOR TAX RELIEF ACT

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 159 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 159) to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for mandatory restitution or civil damages as recompense for trafficking in persons.

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

Mr. WHITEHOUSE. I now ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 159) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 159

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 ''Human Trafficking Survivor Tax Relief Act''.

SEC. 2. EXEMPTING FROM FEDERAL INCOME TAXATION RESTITUTION AND CIVIL DAMAGES AWARDED UNDER SECTIONS 1593 AND 1595 OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before section 140 the following new section:

''SEC. 139J. CERTAIN AMOUNT RECEIVED AS RESTITUTION OR CIVIL DAMAGES AS RECOMPENSE FOR TRAFFICKING IN PERSONS.

''(a) EXCLUSION FROM GROSS INCOME.—Gross income shall not include any civil damages, restitution, or other monetary award (including compensatory or statutory damages and restitution imposed in a criminal matter) awarded—

''(1) pursuant to an order of restitution under section 1593 of title 18, United States Code, or

''(2) in an action under section 1595 of title 18, United States Code.''.

(b) CONFORMING AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before the item relating to section 140 the following new item:

''Sec. 139J. Certain amount received as restitution or civil damages as recompense for trafficking in persons.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

VA HOME LOAN AWARENESS ACT OF 2023

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 3068 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3068) to require each enterprise to include on the Uniform Residential Loan Application a disclaimer to increase awareness of the direct and guaranteed home loan programs of the Department of Veterans Affairs, and for other purposes.

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

Mr. WHITEHOUSE. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3068) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3068

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 ''VA Home Loan Awareness Act of 2023''.

SEC. 2. MILITARY SERVICE QUESTION.

(a) IN GENERAL.—Subpart A of part 2 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4541 et seq.) is amended by adding at the end the following:

''SEC. 1329. UNIFORM RESIDENTIAL LOAN APPLICATION.

''Not later than 6 months after the date of enactment of this section, the Director shall, by regulation or order, require each enterprise to include a disclaimer below the military service question on the form known as the Uniform Residential Loan Application stating, 'If yes, you may qualify for a VA Home Loan. Consult your lender regarding eligibility.'.''.

(b) GAO STUDY.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report on whether not less than 80 percent of lenders using the Uniform Residential Loan Application have included on that form the disclaimer required under section 1329 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, as added by subsection (a).

POISON CONTROL CENTERS REAUTHORIZATION ACT OF 2024

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 428, S. 4351.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4351) to amend the Public Health Service Act to reauthorize certain poison control programs.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions.

Mr. WHITEHOUSE. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 4351) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4351

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 ''Poison Control Centers Reauthorization Act of 2024''.

SEC. 2. 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''.

Mr. WHITEHOUSE. I yield the floor.

The PRESIDING OFFICER. The senior Senator from Texas.

U.S. SUPREME COURT

Mr. CORNYN. Mr. President, it is no secret that, in recent years, the Supreme Court has become a political target for our friends across the aisle, the Democrats. I still remember a time—maybe it was a quaint period during our Nation's history—when Robert Jackson, former Supreme Court Justice, said: The Supreme Court is not final because it is always right. It is right because it is always final.

The point is, there has to be someplace, somewhere in the U.S. Government, where decisions are made on something other than a political basis. We know that in Congress—the political branches of government—we run for office; we stand for reelection. The voters can agree with us or disagree with us based upon our actions, and we will then be held accountable at the ballot box. The same is true for the President of the United States, the head of the executive branch.

But the judicial branch is supposed to be different. Judges don't stand for election. They can't be removed from office for virtually anything other than impeachable behavior, which is rare indeed, and Congress can't reduce their pay during their tenure in office. All of these are designed to preserve the independence of the judiciary.

Justice Scalia, during his lifetime, liked to observe that constitutions are simply words on paper, and he pointed out that the Soviet Union—the former Soviet Union—had one of the best constitutions on paper that existed at the time. But the difference between the Soviet Union and the United States is that we have an independent judiciary—unelected, unaccountable at the ballot box, but who continue, during their good behavior, as members of the court who have to make hard decisions. Their decisions are supposed to be made not on public opinion polls, not on votes cast at the ballot box, not on what is most popular but what conforms with the Constitution and laws of the United States. They have to literally call balls and strikes.

But some of our Democratic colleagues have decided that, when they don't like those decisions made by this independent judiciary, the best tactic is to attack the Judges and to thereby claim that, somehow, they are just another political branch—an unelected political branch—but nothing could be farther from the truth.

As evidence of their attempt to politicize the courts, I would point to the time that five of our Democratic colleagues threatened to ''restructure the Court'' if it didn't deliver their preferred outcome in a case involving the Second Amendment.

There was a time when some of our colleagues said: We need to pack the Court with more judges because we don't like the ones that currently sit on the Court, and we want a different outcome in the Court's decision.

And then there was the time when 15 of our Democratic colleagues recommended slashing the Court's budget unless it implemented a preferred code of ethics dictated by the legislative branch and not an independent judiciary.

And, of course, we can't forget the time when the majority leader, the Senator from New York, stood on the steps of the Supreme Court and threatened two Justices by name, saying they would ''pay the price''; they wouldn't know what hit them if they didn't reach his preferred decision in a case involving abortion.

Over and over again, many of our Democratic colleagues have shown their contempt for an independent judiciary, the very foundation of our form of government and the crown jewels of what makes us different from the rest of the world.

Let's forget unbiased judges who reach decisions based on the law and the Constitution. Some of our Democratic colleagues want to put their thumbs on the scales of justice in order to achieve specific results. And in pursuit of what? I would suggest it is in pursuit of power by any means whatsoever, as opposed to regarding the Constitution itself and the very structure of our Government as being sacrosanct, something to be celebrated and honored. They view it as something to be circumvented in order to pursue power, in order to pursue desired results.

We all know that, last week, the Supreme Court concluded a busy and consequential term that included a number of cases on a wide range of matters, from voting rights and homelessness to Presidential immunity and the power of Federal Agencies. Based on the reaction of some on the left, you would think the sky is falling. You would think the apocalypse is nigh and that we had reached the end of democracy as we know it.

Well, let's first look at the decision that the Court made to strike down something called the Chevron doctrine. This is a 40-year-old interpretation of an Agency's power that basically deferred to an Agency and created immense, unaccountable authority in bureaucrats who were not elected to office. This doctrine originated in 1984 in a case where the Supreme Court gave Federal Agencies broad leeway to interpret laws passed by Congress.

Over time, Chevron deference has emboldened Agencies to expand their powers, far beyond what Congress has authorized, to enact policies that go far beyond what Congress intended, with little or no oversight and no accountability.

If you think about it, Congress is the one given the authority, under our Constitution, to legislate, to make the laws. There is no authority under the Constitution for the executive branch to make laws, and certainly no authority under the Constitution given to Federal Agencies to make laws, absent authority granted to them by the legislative branch.

But here is one example of how the administrative Agencies have abused their authority. In the wake of a horrific mass shooting in Uvalde, TX, 2 years ago, I worked with colleagues on both sides of the aisle to pass a bill called the Bipartisan Safer Communities Act. It was signed into law a month after the shooting and made historic investments in mental health and school safety. We also included targeted reforms to protect public safety, without infringing on the rights of law-abiding citizens under the Second Amendment to the Constitution.

The firearms-related provisions of the bill were designed to be targeted and extremely narrow. But when it came to interpreting or implementing the law, the Biden administration's Bureau of Alcohol, Tobacco, and Firearms colored way outside the lines that Congress authorized.

The administration used these provisions as a pretext to implement broader reforms that were flatly rejected by Congress multiple times during the course of the negotiations. In other words, we considered and rejected the very outcome that the Bureau of Alcohol, Tobacco, and Firearms sought to achieve by this rewrite of what Congress had authorized. In short, unelected bureaucrats, accountable to no one, ignored the express will of the people's representatives in Congress and took a bipartisan law that was crafted in good faith and turned it into a Trojan horse for their own radical gun control policies, all contrary to the Constitution.

Senator TILLIS, the Senator from North Carolina, and I had worked together with our friends and colleagues Senator CHRIS MURPHY from Connecticut and Senator KYRSTEN SINEMA from Arizona to be the principal authors of the Bipartisan Safer Communities Act.

Senator TILLIS and I—after the Bureau of Alcohol, Tobacco, and Firearms issued their unauthorized and unconstitutional rule—introduced a measure to block the Biden rule, and I hope that we have a chance to vote on that soon. The truth is, it has already been enjoined, or stayed, by Federal courts as being outside of the authority given to the Agency to interpret the Bipartisan Safer Communities Act—in other words, an extralegal act to try to create law where Congress had not.

But the truth is Congress shouldn't have to pass a resolution of disapproval

every time the administration overreaches. That alone could be a full-time job.

In its recent ruling, the Supreme Court affirmed what should be obvious to all of us, because that is what the Constitution says: that it is up to Congress to pass laws, not unaccountable bureaucrats—an unremarkable holding, really, but one that was long overdue.

If an Agency takes too many creative liberties with implementing the law, that matter should be examined and ultimately struck down by a court as outside the authorities that the Constitution gives the executive branch Agency.

Again, our Framers designed three coequal and distinct separate branches of government. When Agencies attempt to legislate, even though the Constitution does not permit it, the courts have a responsibility to step in and strike down unlawful attempts to usurp the article I authority granted solely to the legislative branch, including the U.S. Senate.

In our country, all power—all political power—is derived from a single source; that is the consent of the governed. Laws that affect people across the country should be crafted, debated, and passed by Congress, not handed down through administrative actions and rulemaking where Congress is not authorized.

If a President's party wants to change the law, the only option is to come to Congress and work with Congress. There are no shortcuts. The executive branch doesn't have the authority to legislate on its own, whether under the guise of rulemaking or otherwise.

That is why the end of this so-called Chevron deference is so important to the restoration of democracy and constitutional government. It takes power out of the hands of unaccountable bureaucrats, and it puts the responsibility back in the hands of those of us who are Members of the political branch, the legislature.

We run for office. Voters can vote for us or vote against us, and that is the sort of accountability that the Constitution contemplates.

Despite some of the dramatic overreaction by some of our colleagues, the end of Chevron deference does not signal the end of democracy. It simply says the Court has to look at the Constitution and the laws passed by Congress, and if the administration overreaches, it is the duty of the Court to strike it down as being unauthorized by Congress. Regardless of political affiliation, everyone should want that because that is what the Constitution requires.

No administration—no Republican administration, no Democratic administration—should have the authority to violate the Constitution and usurp the will and the responsibilities given solely to Congress.

In another highly anticipated opinion, the Supreme Court clarified what Presidents can and cannot be sued for. Well, based on some reaction to the case, you would think the Court had given the President the green light to commit murder, rob a bank, or traffic illegal drugs from the White House. But, obviously, that is not case. As a matter of fact, the Supreme Court stated that official acts of a President should be given immunity but did not go on to say that individual acts that have been charged in pending cases were, in fact, immune. It has remanded those decisions back to the trial courts to apply the law as the Court articulated.

The Court did not offer any sort of protection against unofficial acts. The Justices didn't grant the President carte blanche to commit crimes with impunity. It simply clarified that the President is entitled to immunity while performing official acts.

This opinion is not, contrary to some claims, a monumental shift in policy. Presidential immunity was established in previous cases to protect the integrity of the executive branch, and it recognizes that a President—any President—a Democratic President or a Republican President—needs some latitude to make tough calls on public policy and matters facing the country without the threat of being sued incessantly and being distracted from their duties to serve the American people in this office.

I think back on George W. Bush's Presidency, when the Nation was attacked by al-Qaida on 9/11. Nearly 3,000 Americans were killed on that day, and President Bush made the decision that, I have to imagine, was one of the most difficult decisions that any President can make: He made the decision to go to war against these terrorists.

American troops were deployed in the Middle East to destroy al-Qaida, and many on the left viewed this act of self-defense as something else entirely. Some went so far as to label that what the President did made him a ''war criminal'' for his decision to defend the country against terrorists.

Current Supreme Court Justice Brown Jackson served as a Federal public defender at the time, and she even filed a brief accusing President Bush of committing a war crime.

Can you imagine if the President was dragged into court every time somebody had a disagreement about what the President decides in acting in his or her official capacity? It would, obviously, not only chill decision making, but it would severely limit the President's ability to govern effectively. The recourse is not in court; it is at the ballot box.

Presidents must be able to perform their duties without the fear of incessant and harassing litigation. The Commander in Chief should not have his or her hands tied by a looming threat of prosecution for actions taken during their official duties as part of the Presidency of the United States.

The Supreme Court, in fact, simply clarified that criminal law cannot be used as a weapon against a President for his or her official acts. But given the fact that many of our colleagues on the left have tried to weaponize a judicial system in recent years, the Supreme Court's decision was particularly important.

We have had a new word created recently called lawfare, basically using litigation as a form of warfare rather than arguing for votes and having debates about policies that are then decided by the voters at the ballot box.

We have seen some of our Democratic colleagues attempting to use every tool to tear down President Biden's campaign rival, former President Trump.

And in the process, we have seen some Democrats weaponize the Department of Justice against President Trump and his allies, and we have seen that in the district attorney in the State of New York in a recent litigation against former President Trump.

Prosecutors blew past exculpatory evidence when looking at the January 6 cases, for example. Manhattan District Attorney Alvin Bragg even campaigned on the promise to prosecute President Trump. This is just the latest chapter in the never-ending saga that is the Democrats' war against an independent judiciary and using the court to try to accomplish what they should be trying to accomplish not in court but at the ballot box, through legitimate debate, transparency and, ultimately, the decision of the American people.

Some of our colleagues on the left don't want judges to follow the law. They want easy victories. They want layups. And when they can't win in Congress because they don't have the votes, they want the courts to fill in the gaps and accomplish the goals that they could not accomplish in Congress.

Some of our colleagues want the court to reach a conclusion first, without regard to the facts or the law, and then work backward to try to come up with some sort of justification for the outcome. That is called results-oriented decision making. It is the opposite of what judges should be doing.

Whether that means taking down a political rival, implementing radical pro-abortion policies, or expanding the power of unelected bureaucrats, some of our colleagues on the left want the Supreme Court to be a shortcut to easy wins—easy political wins—again, that they could not accomplish in the Halls of Congress or at the ballot box.

These Justices are not puppets that can be manipulated for partisan gain. They are members of a separate and coequal branch of government, and their decisions must be respected.

That doesn't mean you need to agree with them, but you do need to respect their right to make the decision and to finally settle these issues, at least until Congress or another branch of government decides to overturn them on other than constitutional grounds. Obviously, the Supreme Court is the

final word in interpreting the Constitution. And unless we see the Constitution amended at some point by the American people, that is going to stand.

Many of the Courts' decisions are based on statutory interpretation, based on what the legislature has done, what the Senate has done. And those are things that the Senate can come back and address through legislation.

But the biggest threat to democracy isn't the Supreme Court; it is a never-ending series of political attacks on the Court by many on the left.

I yield the floor.

I suggest the absence of a quorum.

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

The 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.

KIDS ONLINE SAFETY ACT

CHILDREN AND TEENS' ONLINE PRIVACY PROTECTION ACT

Mr. SCHUMER. Mr. President, I come here today to speak on the continued bipartisan efforts to protect our kids from the risks of social media and other online platforms.

Three weeks ago, I spoke here on the floor with my good friend and colleague Senator BLUMENTHAL about the need to get two bills done: The Kids Online Safety Act and the Children and Teens' Online Privacy Protection Act.

Moving on KOSA and COPPA is a top priority of mine. I have listened to so many parents whose kids have been gravely harmed by social media. Some of these kids face bullying or were victims of exploitation and online predators or saw their mental health suffer. And in horrible stories that I have heard on many occasions, in too many instances, the kids took their own lives. Imagine, 13, 14, 15 years old, killing themselves because of what they saw online. And imagine the families who live with the hole in their heart for the rest of their lives. It is horrible. We shouldn't allow it to happen any longer.

So getting these bills done is very important for the well-being of our kids, but it will require bipartisan cooperation to move forward, as so many things in the Senate do. As all know, there has been a lot of discussion about the best way to proceed.

I said at the end of June I would give all objectors 2 weeks to offer solutions for addressing their concerns. Sadly, a few of our colleagues continue to block these bills without offering any constructive ideas for how to revise the text. So now we must look ahead, and all options are on the table.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 701.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kashi Way, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 701, Kashi Way, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years.

Charles E. Schumer, Ron Wyden, Alex Padilla, Debbie Stabenow, Catherine Cortez Masto, Mark Kelly, Jack Reed, Tim Kaine, John W. Hickenlooper, Christopher Murphy, Robert P. Casey, Jr., Richard Blumenthal, Benjamin L. Cardin, Christopher A. Coons, Margaret Wood Hassan, Chris Van Hollen, Tammy Baldwin, Tina Smith.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 702.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Adam B. Landy, of South Carolina, to be a Judge of the United States Tax Court for a term of fifteen years.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 702, Adam B. Landy, of South Carolina, to be a Judge of the United States Tax Court for a term of fifteen years.

Charles E. Schumer, Ron Wyden, Alex Padilla, Debbie Stabenow, Catherine Cortez Masto, Mark Kelly, Jack Reed, Tim Kaine, John W. Hickenlooper, Christopher Murphy, Robert P. Casey, Jr., Richard Blumenthal, Benjamin L. Cardin, Christopher A. Coons, Margaret Wood Hassan, Chris Van Hollen, Tammy Baldwin, Tina Smith.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 551.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Margaret L. Taylor, of Maryland, to be Legal Adviser of the Department of State.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 551, Margaret L. Taylor, of Maryland, to be Legal Adviser of the Department of State.

Charles E. Schumer, Benjamin L. Cardin, Alex Padilla, Christopher A. Coons, Christopher Murphy, Chris Van Hollen, Richard J. Durbin, Jeanne Shaheen, Jack Reed, Peter Welch, Jeff Merkley, Catherine Cortez Masto, Margaret Wood Hassan, Sheldon Whitehouse, Tim Kaine, Richard Blumenthal, Brian Schatz.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, July 11, be waived.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the motion to reconsider with respect to the Meriweather nomination be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

MEASURES READ THE FIRST TIME—S. 4727 and H.R. 8281

Mr. SCHUMER. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 4727) to amend title 5, United States Code, to clarify the nature of judicial review of agency interpretations of statutory and regulatory provisions.

A bill (H.R. 8281) 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.

Mr. SCHUMER. I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. The objection is heard.

The bills will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, JULY 15, 2024, THROUGH TUESDAY, JULY 23, 2024

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of S. Res. 765, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times: Monday, July 15, at 11:15 a.m.; Thursday, July 18, at 10 a.m.; Monday, July 22, at 11:30 a.m.; further, that when the Senate adjourns on Monday, July 22, it stand adjourned until 3 p.m. on Tuesday, July 23; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Way nomination; further, that the confirmation vote on the Kiko nomination be at 5:30 p.m. on Tuesday and that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; further, that the cloture motions filed during today's session ripen on Wednesday, July 24.

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

ADJOURNMENT UNTIL MONDAY, JULY 15, 2024, AT 11:15 A.M.

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, as a further mark of respect to the late James Inhofe, the former Senator from Oklahoma, the Senate, at 4:49 p.m., adjourned until Monday, July 15, 2024, at 11:15 a.m.

NOMINATIONS

Executive nominations received by the Senate:

COMMODITY FUTURES TRADING COMMISSION

JULIE BRINN SIEGEL, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2029, VICE CHRISTY GOLDSMITH ROMERO, TERM EXPIRED.

FEDERAL MARITIME COMMISSION

L. E. SOLA, OF FLORIDA, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2028. (REAPPOINTMENT)

CARL WHITNEY BENTZEL, OF MARYLAND, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2029. (REAPPOINTMENT)

UNITED STATES INTERNATIONAL TRADE COMMISSION

WILLIAM PATRICK J. KIMMITT, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING JUNE 16, 2029, VICE F. SCOTT KIEFF, TERM EXPIRED.

PENSION BENEFIT GUARANTY CORPORATION

DEVA A. KYLE, OF VIRGINIA, TO BE DIRECTOR OF THE PENSION BENEFIT GUARANTY CORPORATION FOR A TERM OF FIVE YEARS, VICE GORDON HARTOGENSIS, TERM EXPIRED.

DEPARTMENT OF STATE

KEITH D. HANIGAN, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF THE COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS.

DOUGLAS D. JONES, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BOSNIA AND HERZEGOVINA.

MELANIE ANNE ZIMMERMAN, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

KALI C. JONES, OF LOUISIANA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BENIN.

STEPHANIE A. MILEY, OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

MARCO M. RAJKOVICH, JR., OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2030. (REAPPOINTMENT)

RAILROAD RETIREMENT BOARD

DEBORAH LYNN HALVORSON BUSH, OF ILLINOIS, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2027, VICE ERHARD R. CHORLE, TERM EXPIRED.

THE JUDICIARY

APRIL M. PERRY, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE NANCY L. MALDONADO, ELEVATED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. RONALD P. CLARK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. STEPHANIE R. AHERN
BRIG. GEN. GUILLAUME N. BEAURPERE
BRIG. GEN. FREDERICK L. CRIST
BRIG. GEN. SEAN P. DAVIS
BRIG. GEN. PATRICK J. ELLIS
BRIG. GEN. JASPER JEFFERS III
BRIG. GEN. NIAVE F. KNELL
BRIG. GEN. MICHAEL B. LALOR
BRIG. GEN. FRANCISCO J. LOZANO
BRIG. GEN. CONSTANTIN E. NICOLET
BRIG. GEN. KIMBERLY A. PEEPLES
BRIG. GEN. PHILIP J. RYAN
BRIG. GEN. CHRISTOPHER D. SCHNEIDER
BRIG. GEN. MICHAEL J. SIMMERING
BRIG. GEN. JASON C. SLIDER
BRIG. GEN. JAMES D. TURINETTI IV
BRIG. GEN. JEFFREY A. VANANTWERP

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. EDWARD H. EVANS, JR.
BRIG. GEN. GENT WELSH, JR.

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. DANIEL R. MCDONOUGH

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. NATHAN P. AYSTA
COL. JERRY B. BANCROFT, JR.
COL. DIANA M. BROWN
COL. JASON K. BRUGMAN
COL. MARCIA L. COLE
COL. JOE A. DESSENBERGER
COL. MICHAEL S. DUNKIN
COL. AMANDA B. EVANS
COL. ROBERT C. GELLNER
COL. ASHLEY E. GROVES
COL. MATTHEW M. GROVES
COL. DARREN E. HAMILTON
COL. TODD A. HOFFORD
COL. ANTHONY A. LUJAN
COL. MATTHEW R. MCDONOUGH
COL. BYRON B. NEWELL
COL. NELSON E. PERRON
COL. JON M. TAYLOR
COL. JAMIELYN G. THOMPSON
COL. KURT D. TONGREN
COL. JOSHUA C. WAGGONER
COL. DAVID R. WRIGHT

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DAVID R. CHAUVIN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. JOHN D. BLACKBURN
COL. YVONNE L. MAYS
COL. MICHAEL B. MEASON

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. MATTHEW F. BLUE

COL. SCOTT A. BLUM
COL. LAURA P. CAPUTO
COL. MICHAEL A. FERRARIO
COL. CORY J. KESTEL
COL. JASON O. KLUMB
COL. ADAM E. ROGGE
COL. SKY W. SMITH
COL. STUART M. SOLOMON

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. PATRICK D. CHARD
COL. DANIEL P. FINNEGAN
COL. BRIAN R. JUSSEAUME
COL. THOMAS G. OLANDER, JR.
COL. STEVEN B. RICE
COL. MARTIN E. TIMKO
COL. TRENTON N. TWEDT
COL. ADAM G. WIGGINS
COL. ADRIA P. ZUCCARO

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. MICHAEL W. BANK
BRIG. GEN. MATTHEW A. BARKER
BRIG. GEN. KIMBERLY A. BAUMANN
BRIG. GEN. BRADFORD R. EVERMAN
BRIG. GEN. CHRISTOPHER K. FAUROT
BRIG. GEN. MARK A. GOODWILL
BRIG. GEN. HENRY U. HARDER, JR.
BRIG. GEN. ERIK A. PETERSON
BRIG. GEN. FRANK W. ROY
BRIG. GEN. KIMBRA L. STERR

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. MICHAEL T. VENERDI

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. AKSHAI M. GANDHI
BRIG. GEN. ROLF E. MAMMEN
BRIG. GEN. JORI A. ROBINSON
BRIG. GEN. MICHAEL D. STOHLER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. PETER G. BAILEY
BRIG. GEN. DONALD R. BEVIS, JR.
BRIG. GEN. MICHELE L. KIGORE
BRIG. GEN. VICTOR R. MACIAS
BRIG. GEN. BRYONY A. TERRELL

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. KEVIN V. DOYLE
BRIG. GEN. CASSANDRA D. HOWARD
BRIG. GEN. ROBERT I. KINNEY
BRIG. GEN. SUE ELLEN SCHUERMAN
BRIG. GEN. CHRISTOPHER J. SHEPPARD

FOREIGN SERVICE

THE FOLLOWING–NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

APRYL ANN PAGLIARO, OF RHODE ISLAND

THE FOLLOWING–NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR THE INTERNATIONAL DEVELOPMENT, OFFICE OF INSPECTOR GENERAL FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER–COUNSELOR:

TUYVAN HUU NGUYEN, OF VIRGINIA

THE FOLLOWING–NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, OFFICE OF INSPECTOR GENERAL TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JASON A. CARROLL, OF NEW HAMPSHIRE
JOSEPH FRANCIS EINIKIS III, OF ILLINOIS
JEREMY MICHAEL KENNON, OF VIRGINIA
ALEXANDRA E. MORGAN, OF CALIFORNIA
RYAN ALAN WERNER, OF TEXAS

THE FOLLOWING–NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ALEXANDRA BAYCH, OF NEW YORK
ZEKE BRYANT, OF GEORGIA
ELISA FERTIG, OF NEW HAMPSHIRE
ANDREW HOCHHALTER, OF MARYLAND
ADAM KLEIN, OF VIRGINIA
MARK ROSMANN, OF IOWA
ERIK SYNGLE, OF CALIFORNIA

CONFIRMATION

Executive nomination confirmed by the Senate July 11, 2024:

THE JUDICIARY

ROBIN MICHELLE MERIWEATHER, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on July 11, 2024 withdrawing from further Senate consideration the following nominations:

ERIK JOHN WOODHOUSE, OF VIRGINIA, TO BE HEAD OF THE OFFICE OF SANCTIONS COORDINATION, WITH THE RANK OF AMBASSADOR, WHICH WAS SENT TO THE SENATE ON JANUARY 8, 2024.

APRIL M. PERRY, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE JOHN R. LAUSCH, JR., RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 11, 2024.