

Leader, pursuant to the provisions of Public Law 117–81, in consultation with the House Minority Leader, appoints the following individual to serve as co-chair of the Afghanistan War Commission: Dr. Colin Jackson of Rhode Island (co-chair).

STRATEGIC EV MANAGEMENT ACT OF 2022

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 465, S. 4057.

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

The bill clerk read as follows:

A bill (S. 4057) to develop a comprehensive, strategic plan for Federal electric vehicle fleet battery management, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Strategic EV Management Act of 2022”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of General Services.

(2) **AGENCY.**—The term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(3) **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 Oversight and Reform of the House of Representatives.

(4) **DIRECTOR.**—The term “Director” means the Director of the Office of Management and Budget.

SEC. 3. STRATEGIC GUIDANCE.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Director, shall coordinate with the heads of agencies to develop a comprehensive, strategic plan for Federal electric vehicle fleet battery management.

(b) **CONTENTS.**—The strategic plan required under subsection (a) shall—

(1) maximize both cost and environmental efficiencies; and

(2) incorporate—

(A) guidelines for optimal charging practices that will maximize battery longevity and prevent premature degradation;

(B) guidelines for reusing and recycling the batteries of retired vehicles; and

(C) any other considerations determined appropriate by the Administrator and Director.

(c) **MODIFICATION.**—The Administrator, in consultation with the Director, may periodically update the strategic plan required under subsection (a) as the Administrator and Director may determine necessary based on new information relating to electric vehicle batteries that becomes available.

(d) **CONSULTATION.**—In developing the strategic plan required under subsection (a) the Administrator, in consultation with the Director, may consult with appropriate entities, including—

(1) the Secretary of Energy;

(2) the Administrator of the Environmental Protection Agency;

(3) the Chair of the Council on Environmental Quality;

(4) scientists who are studying electric vehicle batteries and reuse and recycling solutions;

(5) laboratories, companies, colleges, universities, or start-ups engaged in battery use, reuse, and recycling research;

(6) industries interested in electric vehicle battery reuse and recycling;

(7) electric vehicle equipment manufacturers and recyclers; and

(8) any other relevant entities, as determined by the Administrator and Director.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Administrator and the Director shall submit to the appropriate congressional committees a report that describes the strategic plan required under subsection (a).

(2) **BRIEFING.**—Not later than 4 years after the date of enactment of this Act, the Administrator and the Director shall brief the appropriate congressional committees on the implementation of the strategic plan required under subsection (a) at agencies.

SEC. 4. STUDY OF FEDERAL FLEET VEHICLES.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on how the costs and benefits of operating and maintaining electric vehicles in the Federal fleet compare to the costs and benefits of operating and maintaining internal combustion engine vehicles.

Ms. SMITH. I further ask that the committee-reported substitute amendment be agreed to.

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

The committee-reported amendment in the nature of a substitute was agreed to.

Ms. SMITH. I ask unanimous consent that the bill, as amended, be considered read a third time.

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

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

Ms. SMITH. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Shall the bill, as amended, pass?

The bill (S. 4057), as amended, was passed.

Ms. SMITH. Finally, I ask unanimous consent 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.

GUIDANCE CLARITY ACT OF 2021

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 346, S. 533.

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

The bill clerk read as follows:

A bill (S. 533) to require a guidance clarity statement on certain agency guidance, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which

had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Guidance Clarity Act of 2021”.

SEC. 2. GUIDANCE CLARITY STATEMENT REQUIRED.

(a) **REQUIREMENT.**—Each agency, as defined in section 551 of title 5, United States Code, shall include a guidance clarity statement as described in subsection (b) on any guidance issued by that agency under section 553(b)(3)(A) of title 5, United States Code, on and after the date that is 30 days after the date on which the Director of the Office of Management and Budget issues the guidance required under subsection (c).

(b) **GUIDANCE CLARITY STATEMENT.**—A guidance clarity statement required under subsection (a) shall—

(1) be displayed prominently on the first page of the document; and

(2) include the following: “The contents of this document do not have the force and effect of law and do not, of themselves, bind the public or the agency. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.”.

(c) **OMB GUIDANCE.**—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue guidance to implement this Act.

Ms. SMITH. I ask unanimous consent that the committee-reported substitute amendment be 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.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 533), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDING THE CONTROLLED SUBSTANCES ACT TO FIX A TECHNICAL ERROR IN THE DEFINITIONS

Ms. SMITH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 4235 and the Senate proceed to its immediate consideration.

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

The bill clerk read as follows:

A bill (S. 4235) to amend the Controlled Substances Act to fix a technical error in the definitions.

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

Ms. SMITH. Mr. President, 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. 4235) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4235

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

SECTION 1. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT.

Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) by redesignating paragraph (58) as paragraph (59);

(2) by redesignating the second paragraph designated as paragraph (57) (relating to the definition of “serious drug felony”) as paragraph (58); and

(3) by moving paragraphs (57), (58) (as so redesignated), and (59) (as so redesignated) 2 ems to the left.

FISCAL YEAR 2022 VETERANS AFFAIRS MAJOR MEDICAL FACILITY AUTHORIZATION ACT

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7500, which was received from the House and is at the desk.

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

The bill clerk read as follows:

A bill (H.R. 7500) to authorize major medical facility projects for the Department of Veterans Affairs for fiscal year 2022, and for other purposes.

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

Ms. SMITH. Mr. President, I ask for a third reading, and I know of no further debate on the bill.

The bill was ordered to a third reading and was read the third time.

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

The bill (H.R. 7500) was passed.

Ms. SMITH. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

NATIONAL SPINAL CORD INJURY AWARENESS MONTH

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 764, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 764) designating September 2022, as “National Spinal Cord Injury Awareness Month”.

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

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

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

The resolution (S. Res. 764) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, SEPTEMBER 15, 2022

Ms. SMITH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, September 15, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Merriam nomina-

tion postcloture; further, that all postcloture time on the Merriam nomination be considered expired at 11:30 a.m. and, following disposition of the Merriam nomination, the Senate proceed to the consideration of the Pekoske nomination; further, that the Senate vote on confirmation of the Pekoske nomination at 1:45 p.m. with all other provisions remaining in effect; finally, that if any nominations are confirmed during Thursday’s session, the motions to reconsider 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.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. SMITH. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:06 p.m., adjourned until Thursday, September 15, 2022, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 14, 2022:

THE JUDICIARY

LARA E. MONTECALVO, OF RHODE ISLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT.

DEPARTMENT OF STATE

SHEFALI RAZDAN DUGGAL, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

TRAVIS LEBLANC, OF MARYLAND, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2028.

RICHARD E. DIZINNO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 29, 2023.