

“(i) the Secretary determines that doing so is in the best interest of the Department and consistent with the mission of the Department; and

“(ii) funding provided under this subparagraph—

“(I) is in addition to amounts that have been appropriated for the facility before the date on which the Secretary and the entity enter into a formal agreement under subsection (c) for the construction and donation of the real property and improvements; and

“(II) is derived only from amounts that—

“(aa) are unobligated balances available in the Construction, Minor Projects, or Construction, Major Projects appropriations accounts of the Department that—

“(AA) are not associated with a specific project; or

“(BB) are amounts that are associated with a specific project, but are unobligated because they are the result of bid savings; and

“(bb) were appropriated to such an account before the date described in subclause (I).

“(C) ESCALATION CLAUSES.—

“(i) IN GENERAL.—The Secretary may include an escalation clause in a formal agreement under subsection (c) that authorizes an escalation of not more than an annual amount based on a rate established in the formal agreement and mutually agreed upon by the Secretary and an entity to account for inflation for an area if the Secretary determines, after consultation with the head of an appropriate Federal entity that is not part of the Department, that such escalation is necessary and in the best interest of the Department.

“(ii) USE OF EXISTING AMOUNTS.—The Secretary may obligate funds pursuant to clause (i) in connection with a formal agreement under subsection (c) using amounts that—

“(I) are unobligated balances available in the Construction, Minor Projects, or Construction, Major Projects appropriations accounts of the Department that—

“(aa) are not associated with a specific project; or

“(bb) are amounts that are associated with a specific project, but are unobligated because they are the result of bid savings; and

“(II) were appropriated to such an account before the date on which the Secretary and the entity entered into the formal agreement.

“(D) AVAILABILITY.—Unobligated amounts shall be available pursuant to subparagraphs (B) and (C) only to the extent and in such amounts as provided in advance in appropriations Acts subsequent to date of the enactment of the CHIP-IN Improvement Act of 2022, subject to subparagraph (E).

“(E) LIMITATION.—Unobligated amounts made available pursuant to subparagraphs (B) and (C) may not exceed 40 percent of the amount appropriated for the facility before the date on which the Secretary and the entity entered into a formal agreement under subsection (c).”; and

(3) in subsection (j)—

(A) by striking “RULE” and inserting “RULES”;;

(B) by striking “Nothing in” and inserting the following:

“(1) ENTERING ARRANGEMENTS AND AGREEMENTS.—Nothing in”; and

(C) by adding at the end the following new paragraph:

“(2) TREATMENT OF ASSISTANCE.—Nothing provided under this section shall be treated as Federal financial assistance as defined in section 200.40 of title 2, Code of Federal Regulations, as in effect on February 21, 2021.”.

(b) AMENDMENTS TO EXISTING AGREEMENTS.—Each agreement entered into under section (2)(c) of such Act before the date of the enactment of this Act that was in effect

on the date of the enactment of this Act may be amended to incorporate terms authorized by subparagraphs (B) and (C) of section 2(e)(1) of such Act, as added by subsection (a)(2)(D) of this section.

FTC COLLABORATION ACT OF 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of H.R. 1766, 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 (H.R. 1766) to enhance cooperation between the Federal Trade Commission and State Attorneys General to combat unfair and deceptive practices, and for other purposes.

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

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

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

The bill (H.R. 1766) was ordered to a third reading, was read the third time, and passed.

HONORING THE ATHLETIC CAREER AND HUMANITARIAN AND CIVIC WORK OF ROBERTO ENRIQUE CLEMENTE WALKER, SR., ON THE 50TH ANNIVERSARY OF HIS 3,000TH REGULAR SEASON HIT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 769.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 769) honoring the athletic career and humanitarian and civic work of Roberto Enrique Clemente Walker, Sr., on the 50th anniversary of his 3,000th regular season hit.

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

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

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

The resolution (S. Res. 769) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 15, 2022, under “Submitted Resolutions.”)

RECOGNIZING THE SERIOUSNESS OF MYOTONIC DYSTROPHY AND EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 15, 2022, AS “INTERNATIONAL MYOTONIC DYSTROPHY AWARENESS DAY”

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration and the Senate now proceed to S. Res. 772.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 772) recognizing the seriousness of myotonic dystrophy and expressing support for the designation of September 15, 2022, as “International Myotonic Dystrophy Awareness Day”.

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

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

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

The resolution (S. Res. 772) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 19, 2022, under “Submitted Resolutions.”)

NATIONAL DEMOCRACY MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 774.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 774) designating September 2022 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

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

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

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

The resolution (S. Res. 774) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 19, 2022, under “Submitted Resolutions.”)

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate

proceed to the en bloc consideration of the following Senate resolutions introduced earlier today: S. Res. 815, S. Res. 816, S. Res. 817, and S. Res. 818.

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

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

The resolutions (S. Res. 815, S. Res. 816, and S. Res. 817) were agreed to.

The preambles were agreed to.

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

The resolution (S. Res. 818) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR FRIDAY, SEPTEMBER 30, 2022, THROUGH MONDAY, NOVEMBER 14, 2022

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, September 30, at 8:55 a.m.; Tuesday, October 4, at 10 a.m.; Friday, October 7, at 10 a.m.; I further ask that when the Senate adjourns on Friday, October 7, it next convene at 11 a.m., Tuesday, October 11; 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 the consideration of Calendar No. 467, H.R. 7900, as provided under the previous order; further, that following the remarks of Senator REED or his designee, the Senate stand adjourned to then convene for pro forma sessions only with no business conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, October 14, at 11:30 a.m.; Tuesday, October 18, at 11:30 a.m.; Thursday, October 20, at 9 a.m.; Monday, October 24, at 1:45 p.m.; Thursday, October 27, at 12 noon; Monday, October 31, at 10 a.m.; Thursday, November 3, at 10:30 a.m.; Monday, November 7, at 10:30 a.m., and Thursday, November 10, at 12 noon; I further ask that when the Senate adjourns on Thursday, November 10, it next convene at 3 p.m. Monday, November 14; 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 Antongiorgi-Jordan nomination; further, that the cloture motion filed during today's session ripen at 5:30 p.m. on Monday, November 14.

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

ADJOURNMENT UNTIL 8:55 A.M. TOMORROW

Mr. SCHUMER. 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 6:51 p.m., adjourned until Friday, September 30, 2022, at 8:55 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

RONALD T. KEOHANE, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE JAMES N. STEWART.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WILFREDO P. SALADA, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

DIEGO A. RINCON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

LUKE J. PATTERSON

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

WILLIAM J. UFFMANN III
GEOFFREY S. RAYNOR

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14 U.S.C., SECTION 2121(E):

To be commander

WILLIAM C. ADAMS
ELROY S. ALLEN
TIMOTHY R. ANDERSEN
LINA R. ANDERSON
TAYLOR S. ANDREWS
OMAR S. ASTRERO
KENNETH AU
RYAN W. BALL
RAFAEL E. BATTLE
BRIAN M. BEACH
MARY K. BENDER
BRADLEY F. BERGAN
PETER A. BIZZARO
MARK J. BRASS
CHRISTINE S. BROWN
MARGARET A. BROWN
MARK W. BURGNER
KRISTEN B. CALDWELL
ANDY J. CEELEN
JON E. CHAPLEAU
BRADLEY R. CLEMONS
CAITLIN R. CLEMONS
ALEJANDRO M. COLLAZO
KEVIN H. CONNELL
ANNIEA M. CORMIER
BLANN I. CREQUE
DALE T. CRESSMAN
RYAN T. CROSE
MICHAEL D. CROWE
DANIEL P. CROWLEY

LEE K. CRUSIUS
ALEXANDER B. CURRIE
KATHRYN R. CYR
LINDEN M. DAHLKEMPER
SAMUEL M. DANUS
DANIEL A. DAVIS
ANNA K. DIXON
KELLI M. DOUGHERTY
NATHAN R. DOWNEND
ADAM H. DREWS
MICHAEL J. DUBINSKY
CODY B. DUNAGAN
KEVIN J. EDES
JAMES W. ELLSWORTH
MICHAEL L. FLINT
JOSEPH T. FORGENG III
IAN A. FOSTER
MICHELLE M. FOSTER
VICTOR J. GALGANO
JEFFREY M. GARVEY
JUSTIN R. GEAR
ZACHERY J. GEYER
THOMAS G. GIBSON
MARIO G. GIL
MARY A. GILDAY
DAVID S. GONZALEZ
LEE R. GORLIN
ROBERT D. GORMAN
SARAH P. GRAHAM
CHRISTOPHER F. GREENOUGH
PATRICK J. GRIZZLE
RICHARD C. GUY
BRIAN M. HALL
DANIEL K. HAN
JULIA K. HARDER
KELLY L. HAUPT
JOSEPH A. HAYNSWORTH
JOSEPH S. HEAL
BRIAN J. HEDGES
ANDREW S. HEIL
JOSEPH H. HERD
LA'SHANDA R. HOLMES
AMANDA L. HOOD
STEVEN W. HULSE
BRYSON C. JACOBS
KRISTEN R. JAEKEL
DAVID L. JANNEY
TRISHA A. JANTZEN
PAUL H. JOHANSEN
MICHAEL G. JOHNSON
JUSTIN R. JOLLEY
ABIGAIL H. KAWADA
TAYLOR C. KELLOGG
CHARLES P. KELLY
MORHAN E. KELLY
MARK K. KETCHUM, JR.
JESSE C. KEYSER
MICHAEL F. KOEHLER
SARAH A. KROLMAN
NICHOLAS E. LAJOIE
LEO C. LAKE
JOHN P. LAMORTE
NESTOR L. LAZU-RIVAS
KAREN M. LEE
BLAKE K. LEEDY
AMANDA M. LEMONDE
ANDREW P. LUND
GEORGE G. MACDONNELL
ALBERTO D. MARTINEZ
MICHAEL A. MASTRIANNI
COLIN K. MCKEE
TIMOTHY P. MCNAMARA
HERMIE P. MENDOZA
MICHAEL W. METZ
FRANK P. MINOPOLI
NICHOLAS M. MONACELLI
AUSTIN MONTANEZ
NATHAN P. MORELLO
LANE M. MUNROE
ANDREW J. MURPHY
KEVIN H. MURPHY
IAN J. MURRAY
HUY D. NGUYEN
BRET D. NICHOLS
MICHAEL J. NOVAK
ROBERT P. O'DONNELL
BRIERLEY K. OSTRANDER
JULIAN M. OWEN
BRADLEY C. PEIFER
CHRISTOPHER J. PELAR
KATHERINE M. PELKEY
DAVID A. PIPKORN
ROBERT S. POITINGER
EARL H. POTTER IV
CHRISTOPHER S. PULLIAM
THOMAS J. RADER
ADAM R. RECKLEY
KRISTINE R. RED ELK
MATTHEW D. RICHARDS
TYSON L. RICHARDS
DIANNA M. ROBINSON
KEITH C. ROBINSON
MATTHEW A. ROMANO
EMILY A. ROSE
ALAN K. ROSENBERG
MICHELLE I. ROSENBERG
DAVID P. RUHLIG
THOMAS A. SAPP
JENNIFER S. SAVIANO
NICOLAS M. SCHELLMAN
BRIAN W. SEEKATZ
RYAN B. SEYMOUR
REBECCA W. SHEEHAN
STEWART L. SIBERT
RANDALL J. SLUSHER
KATIE E. SMITH
ANDREW J. SOMPLASKY