SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1418. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1419. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1420. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1421. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1422. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1423. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1424. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1425. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1426. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1427. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1428. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1429. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1430. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1431. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1432. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1433. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1434. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1435. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1436. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1437. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1438. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1439. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1440. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1441. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1442. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1443. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1444. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1445. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1446. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1447. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1448. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1449. Mr. LEE (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1450. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1451. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1452. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1453. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1393. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CITIZENSHIP AND CONGRESSIONAL APPORTIONMENT.

(a) SHORT TITLE.—This section may be cited as the ''Equal Representation Act''.

(b) CITIZENSHIP STATUS ON DECENNIAL CENSUS.—Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g)(1) In conducting the 2030 decennial census and each decennial census thereafter, the Secretary shall include, in any questionnaire distributed or otherwise used for the purpose of determining the total population of each State, a checkbox or other similar option for the respondent to indicate, on behalf of the respondent and each member of the respondent's household, whether such individual is—

''(A) a citizen of the United States;

''(B) a national of the United States who is not a citizen of the United States;

''(C) an alien lawfully residing in the United States; or

''(D) an alien unlawfully residing in the United States.

''(2) Not later than 120 days after the completion of each decennial census of population pursuant to subsection (a), the Secretary shall make publicly available the number of persons per State, disaggregated by each of the 4 categories described in subparagraphs (A) through (D) of paragraph (1), as tabulated in accordance with this section.''.

(c) EXCLUSION OF NONCITIZENS FROM NUMBER OF PERSONS USED TO DETERMINE APPORTIONMENT OF REPRESENTATIVES AND NUMBER OF ELECTORAL VOTES.—

(1) EXCLUSION.—Section 22(a) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a(a)), is amended by inserting ''and individuals who are not citizens of the United States'' after ''not taxed''.

(2) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the apportionment of Representatives carried out pursuant to the decennial census conducted during 2030 and each succeeding decennial census.

(d) SEVERABILITY.—If any provision of this section or of an amendment made by this section, or the application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of the 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.

SA 1394. Mr. KAINE (for himself, Mr. HEINRICH, Mr. VAN HOLLEN, Mr. MERKLEY, Ms. WARREN, Mr. WELCH, Mr. LUJÁN, Mr. DURBIN, Mr. SCHATZ, Mr. MURPHY, Mr. WARNOCK, Mr. CARPER, Mrs. SHAHEEN, Mr. REED, Ms. BUTLER, Mr. SANDERS, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. BENNET, Ms. BALDWIN, Mr. OSSOFF, Mr. BOOKER, Ms. DUCKWORTH, Mr. MARKEY, Ms. SMITH, Mr. CARDIN, Mr. WARNER, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, beginning on line 12, strike ''*Provided further*,'' and all that follows through ''United States:'' on line 16.

SA 1395. Mr. SCHATZ (for himself, Mr. SCHUMER, Mr. VAN HOLLEN, Mr. CARPER, Mrs. MURRAY, Mr. CARDIN, Mr. WYDEN, Ms. HIRONO, Mr. MERKLEY, Ms. SMITH, Mr. MURPHY, Mr. WELCH, Mr. DURBIN, Ms. STABENOW, Ms. KLOBUCHAR, Mr. PETERS, Mr. REED, Mr. WARNER, Ms. CANTWELL, Mr. TESTER, Mr. CASEY, Mr. COONS, Mr. MENENDEZ, Mr. BROWN, Mr. SANDERS, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. BOOKER, Ms. BALDWIN, Ms. WARREN, Mr. KAINE, Ms. BUTLER, Ms. ROSEN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. HEINRICH, Mr. LUJÁN, Mr. KELLY, Mr. KING, Mr. WARNOCK, Ms. SINEMA, Mrs. GILLIBRAND, Ms. CORTEZ MASTO, Mr. BENNET, Mr. PADILLA, Ms. DUCKWORTH, Mr. HICKENLOOPER, Ms. HASSAN, and Mr. OSSOFF) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. It is the policy of the United States—

(1) to support a negotiated comprehensive solution to the Israeli-Palestinian conflict resulting in two states with Israelis and Palestinians living side by side in peace, security, dignity, and mutual recognition; and

(2) that such a solution must ensure the state of Israel's survival as a secure, democratic, and Jewish state, and fulfill the legitimate aspirations of the Palestinian people for a state of their own.

SA 1396. Mr. MERKLEY (for himself, Mr. VAN HOLLEN, Mr. DURBIN, Mr. WELCH, Mr. SANDERS, Mr. SCHATZ, Mr. HEINRICH, Ms. WARREN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

SA 1397. Mr. MERKLEY (for himself, Mr. VAN HOLLEN, Mr. WELCH, Mr. SANDERS, Mr. SCHATZ, Mr. HEINRICH, Ms. WARREN, Ms. BUTLER, Ms. HIRONO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, between lines 12 and 13, insert the following:

SEC. 709.(a) In this section—

(1) the term ''civilians'' means individuals who are not on active duty as members of the Israel Defense Forces or the Israel National Police; and

(2) the term ''United States Conventional Arms Transfer Policy'' means the United States Conventional Arms Transfer Policy described in National Security Memorandum/NSM-18, dated February 23, 2023.

(b) None of the amounts appropriated or otherwise made available by this division may be obligated or expended to facilitate the commercial export, foreign military sale, transfer, or delivery of any firearms, including pistols and semi-automatic and fully automatic rifles, to Israel, unless the Secretary of State certifies to Congress that the Secretary has received written assurance from the Government of Israel that—

(1) such firearms—

(A) will be used only by active duty members of the Israel Defense Forces and the Israel National Police; and

(B) will not be transferred to civilians;

(2) any such firearms used by activated reserves of the Israel Defense Forces or the Israel National Police will be returned to the Israel Defense Forces or the Israel National Police once those reserves have been deactivated; and

(3) such firearms will be used in accordance with United States law and the United States Conventional Arms Transfer Policy.

(c) 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 Congress that describes—

(1) the number of firearms that have been transferred to the Israel Defense Forces and the Israel National Police since the date of the enactment of this Act;

(2) whether the firearms referred to in paragraph (1) were used by the Israel Defense Forces and Israel National Police in accordance with United States law and the United States Conventional Arms Transfer Policy;

(3) any cases in which the firearms referred to in paragraph (1) were used in violation of United States law and the Conventional Arms Transfer Policy during the period covered by the report;

(4) the number of firearms have been transferred to civilians in violation of United States law and policy since the date of the enactment of this Act;

(5) where and to whom the firearms referred to in paragraph (4) were ultimately delivered; and

(6) whether the firearms referred to in paragraph (4) were used in documented cases of violence by Israeli settlers in the West Bank.

On page 61, between lines 12 and 13, insert the following:

SEC. 709. Following the October 7, 2023 Hamas terror attacks from Gaza against Israel, it is the policy of the United States that—

(1) Israel should be secure from terrorism and other violent attacks emanating from Gaza;

(2) there should be no forcible displacement of Palestinians from Gaza;

(3) Palestinians displaced during the war must be allowed to return to their homes;

(4) Israel should not reoccupy Gaza;

(5) there should not be any reduction of the area or land of Gaza; and

(6) there should not be a blockade on Gaza.

SA 1398. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 4 through 21 and insert the following:

PROHIBITION ON FUNDING FOR UKRAINIAN BUSINESSES AND FOREIGN PRIVATE SECTOR GROWTH

None of the amounts appropriated or otherwise made available for this Act may be made available for the development of foreign private sector growth or for the support of Ukrainian businesses.

SA 1399. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FUNDS FOR THE WEST BANK OR GAZA UNTIL HOSTAGES ARE RELEASED.

(a) PROHIBITION.—No amounts appropriated or otherwise made available by this Act may be may made available to any organization to fund, operate, advise, provide technical assistance, or support any other activity in the West Bank or Gaza until the following conditions are met:

(1) All citizens and permanent residents of the United States are released from captivity in Gaza to the United States, Israel, or another country of the individual's choice.

(2) The remains of all citizens and permanent residents of the United States are returned to their families.

(b) EXCEPTION.—The prohibition under subsection (a) shall not apply to any activities—

(1) by the United States Government intended to locate or recover citizens and permanent residents of the United States; or

(2) by the State of Israel.

(c) REPORT.—

(1) IN GENERAL.—Any activities carried out under subsection (b) shall be reported to the appropriate congressional committees not later than 15 days after the date of the enactment of this Act and every 30 days thereafter until—

(A) all amounts appropriated or otherwise made available by this Act have been obligated or expended; or

(B) the conditions described in subsection (a) have been met.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 1400. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MANDATORY DETENTION OF CERTAIN ALIENS CHARGED WITH A CRIME RESULTING IN DEATH OR SERIOUS BODILY INJURY.

(a) SHORT TITLE.—This section may be cited as ''Sarah's Law''.

(b) IN GENERAL.—Section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(B) in subparagraph (B), by striking the comma at the end and inserting a semicolon;

(C) in subparagraph (C)—

(i) by striking ''sentence'' and inserting ''sentenced''; and

(ii) by striking '', or'' and inserting a semicolon;

(D) in subparagraph (D), by striking the comma at the end and inserting ''; or''; and

(E) by inserting after subparagraph (D) the following:

''(E)(i)(I) was not inspected and admitted into the United States;

''(II) held a nonimmigrant visa (or other documentation authorizing admission into the United States as a nonimmigrant) that has been revoked under section 221(i); or

''(III) is described in section 237(a)(1)(C)(i); and

''(ii) has been charged by a prosecuting authority in the United States with any crime that resulted in the death or serious bodily injury (as defined in section 1365(h)(3) of title 18, United States Code) of another person,''; and

(2) by adding at the end the following:

''(3) NOTIFICATION REQUIREMENT.—Upon encountering or gaining knowledge of an alien described in paragraph (1), the Assistant Secretary of Homeland Security for Immigration and Customs Enforcement shall make reasonable efforts—

''(A) to obtain information from law enforcement agencies and from other available sources regarding the identity of any victims of the crimes for which such alien was charged or convicted; and

''(B) to provide the victim or, if the victim is deceased, a parent, guardian, spouse, or closest living relative of such victim, with information, on a timely and ongoing basis, including—

''(i) the alien's full name, aliases, date of birth, and country of nationality;

''(ii) the alien's immigration status and criminal history;

''(iii) the alien's custody status and any changes related to the alien's custody; and

''(iv) a description of any efforts by the United States Government to remove the alien from the United States.''.

(c) SAVINGS PROVISION.—Nothing in this section, or the amendments made by this section, may be construed to limit the rights of crime victims under any other provision of law, including section 3771 of title 18, United States Code.

SA 1401. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

SA 1402. Mr. BUDD submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, after section 708, insert the following:

SEC. 709. PROHIBITION ON USE OF FUNDS FOR HUMANITARIAN AID FOR GAZA UNTIL UNITED STATES CITIZENS HELD HOSTAGE BY HAMAS HAVE BEEN RELEASED.

Notwithstanding any other provision of this division, no amounts appropriated or otherwise made available by this division may be obligated or expended for humanitarian aid for Gaza until all citizens of the United States held hostage by Hamas have been released.

SA 1403. Ms. WARREN (for herself, Mr. VAN HOLLEN, Mr. WELCH, Mr. MERKLEY, and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. 709. IMPLEMENTATION OF THE CIVILIAN HARM INCIDENT RESPONSE GUIDANCE.

(a) ALLOCATION OF FUNDING.—Of the amount appropriated by this Act, $10,000,000 shall be made available to the Department of State for implementation by the Bureau of Democracy, Human Rights, and Labor, in coordination with the Bureau of Political-Military Affairs, of the Civilian Harm Incident Response Guidance, with a priority on investigating reports of civilian harm caused by United States-origin weapons in conflict areas during the one-year period ending on the date of the enactment of this Act.

(b) PUBLICATION OF CIVILIAN HARM INCIDENT RESPONSE GUIDANCE.—The Secretary of State shall publish the text of the Civilian Harm Incident Response Guidance on a publicly accessible website in unclassified form.

(c) ANNUAL REPORT.—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 a report summarizing all civilian harm events considered in the preceding year under the Civilian Harm Incident Response Guidance, including the location, summary of investigation, and findings.

(d) REPORTS ON CIVILIAN HARM EVENTS IN VIOLATION OF INTERNATIONAL LAW.—Not later than 30 days after the Secretary of State determines that United States-origin weapons have been used in a civilian harm event in violation of international law, the Secretary of State shall submit to the appropriate congressional committees an unclassified report that includes—

(1) a description of the civilian harm event, including the nature of the violation, the perpetrator, and the event's location;

(2) a description of the Department of State's investigation of the civilian harm event;

(3) a description of all United States defense articles or services used in the civilian harm event;

(4) the authority under which a transfer of such defense articles of services occurred; and

(5) a description of measures that the Department of State has taken to ensure accountability for and nonrecurrence of such harm.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Forces, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Forces, and the Committee on Appropriations of the House of Representatives.

SA 1404. Mr. BARRASSO (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. ACTION ON APPLICATIONS TO EXPORT LIQUEFIED NATURAL GAS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) PUBLIC INTEREST.—

''(1) IN GENERAL.—For purposes of subsection (a), all of the following shall be deemed to be consistent with the public interest and applications for such importation or exportation shall be granted without modification or delay:

''(A) The importation of natural gas referred to in subsection (b).

''(B) The exportation of natural gas to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas.

''(C) The exportation of natural gas to a nation that—

''(i) imports, directly or indirectly, natural gas (including liquefied natural gas) from the Russian Federation or the Islamic Republic of Iran;

''(ii) has the physical capability to import, directly or indirectly, natural gas (including liquefied natural gas) from the Russian Federation or the Islamic Republic of Iran; or

''(iii) has previously imported, directly or indirectly, natural gas (including liquefied natural gas) from the Russian Federation or the Islamic Republic of Iran.

''(2) EXCLUSIONS.—Paragraph (1) shall not apply with respect to the exportation of natural gas—

''(A) to any nation that is subject to sanctions imposed by the United States; or

''(B) to any nation that is designated as excluded from that paragraph by an Act of Congress.'';

(2) in subsection (e)(3)(A), by inserting ''and subsection (g)'' after ''subparagraph (B)''; and

(3) by adding at the end the following:

''(g) ACTION ON APPLICATIONS TO EXPORT LNG.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED APPLICATION.—The term 'covered application' means an application submitted with respect to a covered facility for an authorization to export natural gas under subsection (a).

''(B) COVERED FACILITY.—The term 'covered facility' means a liquefied natural gas export facility for which a proposal to site, construct, expand, or operate is required to be approved under subsection (e).

''(2) DECISION DEADLINE.—The Commission shall issue a final decision on a covered application not later than 45 days after the later of—

''(A) the date on which each review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the siting, construction, expansion, or operation of the covered facility that is the subject of the covered application is published; and

''(B) the date of enactment of this subsection.

''(3) UNTIMELY FINAL DECISION.—

''(A) IN GENERAL.—If the Commission fails to issue a final decision under paragraph (2) by the applicable date required under that paragraph, the covered application shall be considered approved, and the environmental review shall be considered sufficient to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(B) FINAL AGENCY ACTION.—A determination under subparagraph (A) shall be considered to be a final agency action.

''(4) JUDICIAL REVIEW.—

''(A) JURISDICTION.—Except for review in the Supreme Court of the United States, the court of appeals of the United States for the circuit in which a covered facility is, or will be, located pursuant to a covered application shall have original and exclusive jurisdiction over any civil action for the review of an order issued by the Commission with respect to the covered application.

''(B) EXPEDITED REVIEW.—The applicable United States Court of Appeals shall—

''(i) set any civil action brought under this subsection for expedited review; and

''(ii) set the action on the docket as soon as practicable after the filing date of the initial pleading.

''(C) TRANSFER OF EXISTING ACTIONS.—In the case of a covered application for which a petition for review has been filed as of the date of enactment of this subsection, the petition shall be—

''(i) on a motion by the applicant, transferred to the court of appeals of the United States in which the covered facility that is the subject of the covered application is, or will be, located; and

''(ii) adjudicated in accordance with this paragraph.''.

SA 1405. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

On page 39, strike lines 9 through 19.

SA 1406. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

SA 1407. Mr. SCHMITT submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

TITLE I

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $4,400,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel: *Provided*, That such amounts may be transferred to accounts under the headings ''Operation and Maintenance'' and ''Procurement'' for replacement of defense articles from the stocks of the Department of Defense, and for reimbursement for defense services of the Department of Defense and military education and training, provided to Israel or identified and notified to Congress for provision to Israel: *Provided further*, That funds transferred pursuant to the previous proviso shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided under this heading, such amounts may be transferred back and merged with this appropriation: *Provided further*, That any transfer authority provided under this heading is

in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $801,400,000, to remain available until September 30, 2026, to respond to the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $10,000,000, to remain available until September 30, 2026, to respond to the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $38,600,000, to remain available until September 30, 2026, to respond to the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $4,000,000,000, to remain available until September 30, 2026, for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome and David's Sling defense systems to counter short-range rocket threats: *Provided*, That such funds shall be transferred pursuant to an exchange of letters and are in addition to funds provided pursuant to the U.S.-Israel Iron Dome Procurement Agreement, as amended: *Provided further*, That nothing under this heading shall be construed to apply to amounts made available in prior appropriations Acts for the procurement of the Iron Dome and David's Sling defense systems: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $1,350,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel, of which $1,200,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the development of the Iron Beam defense system to counter short-range rocket threats: *Provided*, That such funds shall be transferred pursuant to an exchange of letters: *Provided further*, That nothing in the preceding proviso shall be construed to apply to amounts made available in prior appropriations Acts for the development of the Iron Beam defense system: *Provided further*, That such amounts may be transferred to ''Procurement, Defense-Wide'' for the production of such system: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided under this heading, such amounts may be transferred back and merged with this appropriation: *Provided further*, That any transfer authority provided under this heading is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS TITLE

SEC. 101. Section 12001 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287), as amended by Public Law 115–141, is amended as follows:

(1) In paragraph (2) of subsection (a), by striking ''armor'' and all that follows through the end of the paragraph and inserting ''defense articles that are in the inventory of the Department of Defense as of the date of transfer, are intended for use as reserve stocks for Israel, and are located in a stockpile for Israel as of the date of transfer'';

(2) In subsection (b), by striking ''at least equal to the fair market value of the items transferred'' and inserting ''in an amount to be determined by the Secretary of Defense''; and

(3) In subsection (c), by striking ''30'' and inserting ''15'', and by inserting ''Appropriations,'' after ''Committees on'' in both places it occurs.

SEC. 102. During fiscal year 2024, section 514(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)) shall not apply to defense articles to be set aside, earmarked, reserved, or intended for use as reserve stocks in stockpiles in the State of Israel.

SEC. 103. Not later than 30 days after the date of enactment of this Act, and every 30 days thereafter through fiscal year 2025, the Secretary of Defense, in coordination with the Secretary of State, shall provide a written report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate describing United States security assistance provided to Israel since the October 7, 2023, terrorist attack on Israel, including a comprehensive list of the defense articles and services provided to Israel and the associated authority and funding used to provide such articles and services: *Provided*, That such report shall be submitted in unclassified form, but may be accompanied by a classified annex.

SEC. 104. Concurrent with any notification of assistance made pursuant to section 506(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(b)(1)), the Secretary of Defense shall submit a written notification to the congressional defense committees that contains a description of the defense articles and defense services to be furnished, including the quantity, approximate value, and an estimate of the cost to replace such article or an equivalent capability; and a timeline for the delivery of such defense articles and defense services.

TITLE II

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

For an additional amount for ''Diplomatic Programs'', $150,000,000, to remain available until September 30, 2025, for responding to the attacks in Israel and areas impacted by the attacks in Israel, including for crisis response and relocation support for Mission Israel, of which $100,000,000 shall be available until expended for Worldwide Security Protection to sustain requirements for Mission Israel and other United States missions affected by the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for ''Emergencies in the Diplomatic and Consular Service'', $50,000,000, to remain available until September 30, 2025, for emergency evacuation of United States Government personnel and citizens in Israel and in countries in the region impacted by the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INTERNATIONAL SECURITY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $3,500,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel: *Provided*, That funds made available under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for fiscal year 2024, in addition to funds otherwise available for such purposes, may be used by the Department of State for necessary expenses for the general costs of administering military assistance and sales, including management and oversight of such programs and activities: *Provided further*, That, to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which up to $3,500,000,000 may be available for the procurement in Israel of defense articles and defense services: *Provided further*, That any congressional notification requirement applicable to funds made available under this heading for Israel may be waived if a determination is made that extraordinary circumstances exist that impact the national security of the United States: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS TITLE

SEC. 201. (a) During fiscal year 2024, and subject to subsection (b), section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) shall be applied by substituting ''$2,500,000,000'' for ''$100,000,000''.

(b) Subsection (a) shall not take effect unless the Secretary of State determines and reports to the appropriate congressional committees that the exercise of the authority of such subsection is necessary to respond to the situation in Israel.

SEC. 202. Not later than 30 days after the date of enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on the proposed uses of funds appropriated by this title to respond to the situation in Israel: *Provided*, That such report shall be updated and submitted to such Committees every 60 days thereafter until September 30, 2025, and every 180 days thereafter until all funds have been expended, and shall include information detailing how estimates and assumptions contained in previous reports have changed, including obligations and expenditures.

TITLE III

GENERAL PROVISIONS—THIS ACT

SEC. 301. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 302. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 303. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2024.

SEC. 304. Each amount designated in this Act by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 305. Any amount appropriated by this Act, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

BUDGETARY OFFSETS

SEC. 306. (a) RESCISSION OF CERTAIN BALANCES MADE AVAILABLE TO THE INTERNAL REVENUE SERVICE.—Of the unobligated balances of amounts appropriated or otherwise made available for activities of the Internal Revenue Service by paragraphs (1)(A)(ii), (1)(A)(iii), (1)(B), (2), (3), (4), and (5) of 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, $14,300,000,000 are hereby rescinded.

(b) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of such act;

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

This Act may be cited as the ''Israel Security Supplemental Appropriations Act, 2024''.

SA 1408. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—RADIATION EXPOSURE COMPENSATION ACT

TITLE I—MANHATTAN PROJECT WASTE

SEC. 4001. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the ''Radiation Exposure Compensation Expansion Act''.

SEC. 4002. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

The Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting after section 5 the following:

''SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

''(a) IN GENERAL.—A claimant shall receive compensation for a claim made under this Act, as described in subsection (b) or (c), if—

''(1) a claim for compensation is filed with the Attorney General—

''(A) by an individual described in paragraph (2); or

''(B) on behalf of that individual by an authorized agent of that individual, if the individual is deceased or incapacitated, such as—

''(i) an executor of estate of that individual; or

''(ii) a legal guardian or conservator of that individual;

''(2) that individual, or if applicable, an authorized agent of that individual, demonstrates that the individual—

''(A) was physically present in an affected area for a period of at least 2 years after January 1, 1949; and

''(B) contracted a specified disease after such period of physical presence;

''(3) the Attorney General certifies that the identity of that individual, and if applicable, the authorized agent of that individual, is not fraudulent or otherwise misrepresented; and

''(4) the Attorney General determines that the claimant has satisfied the applicable requirements of this Act.

''(b) LOSSES AVAILABLE TO LIVING AFFECTED INDIVIDUALS.—

''(1) IN GENERAL.—In the event of a claim qualifying for compensation under subsection (a) that is submitted to the Attorney General to be eligible for compensation under this section at a time when the individual described in subsection (a)(2) is living, the amount of compensation under this section shall be in an amount that is the greater of $50,000 or the total amount of compensation for which the individual is eligible under paragraph (2).

''(2) LOSSES DUE TO MEDICAL EXPENSES.—A claimant described in paragraph (1) shall be eligible to receive, upon submission of contemporaneous written medical records, reports, or billing statements created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, additional compensation in the amount of all documented out-of-pocket medical expenses incurred as a result of the specified disease suffered by that claimant, such as any medical expenses not covered, paid for, or reimbursed through—

''(A) any public or private health insurance;

''(B) any employee health insurance;

''(C) any workers' compensation program; or

''(D) any other public, private, or employee health program or benefit.

''(c) PAYMENTS TO BENEFICIARIES OF DECEASED INDIVIDUALS.—In the event that an individual described in subsection (a)(2) who qualifies for compensation under subsection (a) is deceased at the time of submission of the claim—

''(1) a surviving spouse may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the amount of $25,000; or

''(2) in the event that there is no surviving spouse, the surviving children, minor or otherwise, of the deceased individual may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the total amount of $25,000, paid in equal shares to each surviving child.

''(d) AFFECTED AREA.—For purposes of this section, the term 'affected area' means—

''(1) in the State of Missouri, the ZIP Codes of 63031, 63033, 63034, 63042, 63045, 63074, 63114, 63135, 63138, 63044, 63121, 63140, 63145, 63147, 63102, 63304, 63134, 63043, 63341, 63368, and 63367;

''(2) in the State of Tennessee, the ZIP Codes of 37732, 37755, 37756, 37841, 37847, 37852, 37872, 37892, 37714, 37715, 37729, 37757, 37762, 37766, 37769, 37819, 37847, 37870, 37719, 37726, 37733, 37748, 37770, 37829, 37845, 37849, 37931, 37779, 37807, 37866, 37709, 37721, 37754, 37764, 37806, 37853, 37871, 37901, 37902, 37909, 37912, 37914, 37915, 37916, 37917, 37918, 37919, 37920, 37921, 37922, 37923, 37924, 37927, 37928, 37929, 37930, 37932, 37933, 37934, 37938, 37939, 37940, 37950, 37995, 37996, 37997, 37998, 37337, 37367, 37723, 37854, 38555, 38557, 38558, 38571, 38572, 38574, 38578, 38583, 37763, 37771, 37774, 37830, 37840, 37846, 37874, 37321, 37332, 37338, 37381, 37742, 37772, 37846, 37322, 37336, and 37880;

''(3) in the State of Alaska, the ZIP Codes of 99546 and 99547; and

''(4) in the State of Kentucky, the ZIP Codes of 42001, 42003, and 42086.

''(e) SPECIFIED DISEASE.—For purposes of this section, the term 'specified disease' means any of the following:

''(1) Any leukemia, other than chronic lymphocytic leukemia, provided that the initial exposure occurred after the age of 20 and the onset of the disease was at least 2 years after first exposure.

''(2) Any of the following diseases, provided that the onset was at least 2 years after the initial exposure:

''(A) Multiple myeloma.

''(B) Lymphoma, other than Hodgkin's disease.

''(C) Primary cancer of the—

''(i) thyroid;

''(ii) male or female breast;

''(iii) esophagus;

''(iv) stomach;

''(v) pharynx;

''(vi) small intestine;

''(vii) pancreas;

''(viii) bile ducts;

''(ix) gall bladder;

''(x) salivary gland;

''(xi) urinary bladder;

''(xii) brain;

''(xiii) colon;

''(xiv) ovary;

''(xv) liver, except if cirrhosis or hepatitis B is indicated; or

''(xvi) lung.

''(f) PHYSICAL PRESENCE.—

''(1) IN GENERAL.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of—

''(A) contemporaneous written residential documentation and at least 1 additional employer-issued or government-issued document or record that the claimant, for at least 2 years after January 1, 1949, was physically present in an affected area; or

''(B) other documentation determined by the Attorney General to demonstrate that the claimant, for at least 2 years after January 1, 1949, was physically present in an affected area.

''(2) TYPES OF PHYSICAL PRESENCE.—For purposes of determining physical presence under this section, a claimant shall be considered to have been physically present in an affected area if—

''(A) the claimant's primary residence was in the affected area;

''(B) the claimant's place of employment was in the affected area; or

''(C) the claimant attended school in the affected area.

''(g) DISEASE CONTRACTION IN AFFECTED AREAS.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless the claimant submits—

''(1) written medical records or reports created by or at the direction of a licensed medical professional, created contemporaneously with the provision of medical care to the claimant, that the claimant, after a period of physical presence in an affected area, contracted a specified disease; or

''(2) other documentation determined by the Attorney General to demonstrate that the claimant contracted a specified disease after a period of physical presence in an affected area.''.

SEC. 4003. COOPERATIVE AGREEMENT.

(a) IN GENERAL.—Not later than September 30, 2024, the Secretary of Energy, acting through the Director of the Office of Legacy Management, shall award to an eligible association a cooperative agreement to support the safeguarding of human and ecological health at the Amchitka, Alaska, Site.

(b) REQUIREMENTS.—A cooperative agreement awarded under subsection (a)—

(1) may be used to fund—

(A) research and development that will improve and focus long-term surveillance and monitoring of the site;

(B) workforce development at the site; and

(C) such other activities as the Secretary considers appropriate; and

(2) shall require that the eligible association—

(A) engage in stakeholder engagement; and

(B) to the greatest extent practicable, incorporate Indigenous knowledge and the participation of local Indian Tribes in research and development and workforce development activities.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE ASSOCIATION.—The term ''eligible association'' means an association of 2 or more of the following:

(A) An institution of higher education (as that term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) located in the State of Alaska.

(B) An agency of the State of Alaska.

(C) A local Indian Tribe.

(D) An organization—

(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

(ii) located in the State of Alaska.

(2) LOCAL INDIAN TRIBE.—The term ''local Indian Tribe'' means an Indian tribe (as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) that is located in the Aleut Region of the State of Alaska.

TITLE II— COMPENSATION FOR WORKERS INVOLVED IN URANIUM MINING

SEC. 4101. SHORT TITLE.

This title may be cited as the ''Radiation Exposure Compensation Act Amendments of 2024''.

SEC. 4102. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision of law, the reference shall be considered to be made to a section or other provision of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note).

SEC. 4103. EXTENSION OF FUND.

Section 3(d) is amended—

(1) by striking the first sentence and inserting ''The Fund shall terminate 19 years after the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2024.''; and

(2) by striking ''2-year'' and inserting ''19-year''.

SEC. 4104. CLAIMS RELATING TO ATMOSPHERIC TESTING.

(a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(1)(A) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(B) in subclause (II)—

(i) by striking ''in the affected area'' and inserting ''in an affected area''; and

(ii) by striking ''or'' after the semicolon;

(C) by redesignating subclause (III) as subclause (V); and

(D) by inserting after subclause (II) the following:

''(III) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(IV) was physically present in an affected area—

''(aa) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(bb) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''; and

(2) in clause (ii)(I), by striking ''physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III)'' and inserting ''physical presence described in subclause (I), (II), (III), or (IV) of clause (i) or onsite participation described in clause (i)(V)''.

(b) AMOUNTS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1) is amended—

(1) in subparagraph (A), by striking ''an amount'' and inserting ''the amount''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) AMOUNT.—If the conditions described in subparagraph (C) are met, an individual who is described in subparagraph (A) shall receive $150,000.''.

(c) CONDITIONS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1)(C) is amended—

(1) by striking clause (i); and

(2) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(d) SPECIFIED DISEASES CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(2) is amended—

(1) in subparagraph (A)—

(A) by striking ''in the affected area'' and inserting ''in an affected area'';

(B) by striking ''2 years'' and inserting ''1 year''; and

(C) by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(2) in subparagraph (B)—

(A) by striking ''in the affected area'' and inserting ''in an affected area''; and

(B) by striking ''or'' at the end;

(3) by redesignating subparagraph (C) as subparagraph (E); and

(4) by inserting after subparagraph (B) the following:

''(C) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(D) was physically present in an affected area—

''(i) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(ii) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''.

(e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED DISEASES.—Section 4(a)(2) is amended in the matter following subparagraph (E) (as redesignated by subsection (d) of this section) by striking ''$50,000 (in the case of an individual described in subparagraph (A) or (B)) or $75,000 (in the case of an individual described in subparagraph (C)),'' and inserting ''$150,000''.

(f) MEDICAL BENEFITS.—Section 4(a) is amended by adding at the end the following:

''(5) MEDICAL BENEFITS.—An individual receiving a payment under this section shall be eligible to receive medical benefits in the same manner and to the same extent as an individual eligible to receive medical benefits under section 3629 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t).''.

(g) DOWNWIND STATES.—Section 4(b)(1) is amended to read as follows:

''(1) 'affected area' means—

''(A) except as provided under subparagraphs (B) and (C), Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Guam;

''(B) with respect to a claim by an individual under subsection (a)(1)(A)(i)(III) or subsection (a)(2)(C), only New Mexico; and

''(C) with respect to a claim by an individual under subsection (a)(1)(A)(i)(IV) or subsection (a)(2)(D), only Guam.''.

(h) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECIFIED DISEASE.—Section 4(b)(2) is amended by striking ''other than chronic lymphocytic leukemia'' and inserting ''including chronic lymphocytic leukemia''.

SEC. 4105. CLAIMS RELATING TO URANIUM MINING.

(a) EMPLOYEES OF MINES AND MILLS.—Section 5(a)(1)(A)(i) is amended—

(1) by inserting ''(I)'' after ''(i)'';

(2) by striking ''December 31, 1971; and'' and inserting ''December 31, 1990; or''; and

(3) by adding at the end the following:

''(II) was employed as a core driller in a State referred to in subclause (I) during the period described in such subclause; and''.

(b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended by inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury'' after ''nonmalignant respiratory disease''.

(c) MILLERS, CORE DRILLERS, AND ORE TRANSPORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

(1) by inserting '', core driller,'' after ''was a miller'';

(2) by inserting '', or was involved in remediation efforts at such a uranium mine or uranium mill,'' after ''ore transporter'';

(3) by inserting ''(I)'' after ''clause (i)''; and

(4) by striking all that follows ''nonmalignant respiratory disease'' and inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury; or''.

(d) COMBINED WORK HISTORIES.—Section 5(a)(1)(A)(ii) is further amended—

(1) by striking ''or'' at the end of subclause (I); and

(2) by adding at the end the following:

''(III)(aa) does not meet the conditions of subclause (I) or (II);

''(bb) worked, during the period described in clause (i)(I), in two or more of the following positions: miner, miller, core driller, and ore transporter;

''(cc) meets the requirements of paragraph (4) or (5), or both; and

''(dd) submits written medical documentation that the individual developed lung cancer or a nonmalignant respiratory disease or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury after exposure to radiation through work in one or more of the positions referred to in item (bb);''.

(e) DATES OF OPERATION OF URANIUM MINE.—Section 5(a)(2)(A) is amended by striking ''December 31, 1971'' and inserting ''December 31, 1990''.

(f) SPECIAL RULES RELATING TO COMBINED WORK HISTORIES.—Section 5(a) is amended by adding at the end the following:

''(4) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST ONE YEAR OF EXPERIENCE.—An individual meets the requirements of this paragraph if the individual worked in one or more of the positions referred to in paragraph (1)(A)(ii)(III)(bb) for a period of at least one year during the period described in paragraph (1)(A)(i)(I).

''(5) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR MINERS.—An individual meets the requirements of this paragraph if the individual, during the period described in paragraph (1)(A)(i)(I), worked as a miner and was exposed to such number of working level months that the Attorney General determines, when combined with the exposure of such individual to radiation through work as a miller, core driller, or ore transporter during the period described in paragraph (1)(A)(i)(I), results in such individual being exposed to a total level of radiation that is greater or equal to the level of exposure of an individual described in paragraph (4).''.

(g) DEFINITION OF CORE DRILLER.—Section 5(b) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the term 'core driller' means any individual employed to engage in the act or process of obtaining cylindrical rock samples of uranium or vanadium by means of a borehole drilling machine for the purpose of mining uranium or vanadium.''.

SEC. 4106. EXPANSION OF USE OF AFFIDAVITS IN DETERMINATION OF CLAIMS; REGULATIONS.

(a) AFFIDAVITS.—Section 6(b) is amended by adding at the end the following:

''(3) AFFIDAVITS.—

''(A) EMPLOYMENT HISTORY.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate the employment history of an individual as a miner, miller, core driller, or ore transporter if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the employment history of the individual;

''(ii) attests to the employment history of the individual;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(B) PHYSICAL PRESENCE IN AFFECTED AREA.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's physical presence in an affected area during a period described in section 4(a)(1)(A)(i) or section 4(a)(2) if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's presence in an affected area during that time period;

''(ii) attests to the individual's presence in an affected area during that period;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(C) PARTICIPATION AT TESTING SITE.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's participation onsite in a test involving the atmospheric detonation of a nuclear device if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(ii) attests to the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 6 is amended—

(1) in subsection (b)(2)(C), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)'';

(2) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(ii) in clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(B) in subparagraph (B), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)''; and

(3) in subsection (e), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''.

(c) REGULATIONS.—

(1) IN GENERAL.—Section 6(k) is amended by adding at the end the following: ''Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, the Attorney General shall issue revised regulations to carry out this Act.''.

(2) CONSIDERATIONS IN REVISIONS.—In issuing revised regulations under section 6(k) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note), as amended under paragraph (1), the Attorney General shall ensure that procedures with respect to the submission and processing of claims under such Act take into account and make allowances for the law, tradition, and customs of Indian tribes, including by accepting as a record of proof of physical presence for a claimant a grazing permit, a homesite lease, a record of being a holder of a post office box, a letter from an elected leader of an Indian tribe, or a record of any recognized tribal association or organization.

SEC. 4107. LIMITATION ON CLAIMS.

(a) EXTENSION OF FILING TIME.—Section 8(a) is amended—

(1) by striking ''2 years'' and inserting ''19 years''; and

(2) by striking ''2022'' and inserting ''2023''.

(b) RESUBMITTAL OF CLAIMS.—Section 8(b) is amended to read as follows:

''(b) RESUBMITTAL OF CLAIMS.—

''(1) DENIED CLAIMS.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, any claimant who has been denied compensation under this Act may resubmit a claim for consideration by the Attorney General in accordance with this Act not more than three times. Any resubmittal made before the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2024 shall not be applied to the limitation under the preceding sentence.

''(2) PREVIOUSLY SUCCESSFUL CLAIMS.—

''(A) IN GENERAL.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, any claimant who received compensation under this Act may submit a request to the Attorney General for additional compensation and benefits. Such request shall contain—

''(i) the claimant's name, social security number, and date of birth;

''(ii) the amount of award received under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024;

''(iii) any additional benefits and compensation sought through such request; and

''(iv) any additional information required by the Attorney General.

''(B) ADDITIONAL COMPENSATION.—If the claimant received compensation under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024 and submits a request under subparagraph (A), the Attorney General shall—

''(i) pay the claimant the amount that is equal to any excess of—

''(I) the amount the claimant is eligible to receive under this Act (as amended by the Radiation Exposure Compensation Act Amendments of 2024); minus

''(II) the aggregate amount paid to the claimant under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024; and

''(ii) in any case in which the claimant was compensated under section 4, provide the claimant with medical benefits under section 4(a)(5).''.

SEC. 4108. GRANT PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF URANIUM MINING AND MILLING.

(a) DEFINITIONS.—In this section—

(1) the term ''institution of higher education'' has the meaning given under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

(2) the term ''program'' means the grant program established under subsection (b); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) ESTABLISHMENT.—The Secretary shall establish a grant program relating to the epidemiological impacts of uranium mining and milling. Grants awarded under the program shall be used for the study of the epidemiological impacts of uranium mining and milling among non-occupationally exposed individuals, including family members of uranium miners and millers.

(c) ADMINISTRATION.—The Secretary shall administer the program through the National Institute of Environmental Health Sciences.

(d) ELIGIBILITY AND APPLICATION.—Any institution of higher education or nonprofit private entity shall be eligible to apply for a grant. To apply for a grant an eligible institution or entity shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this section $3,000,000 for each of fiscal years 2024 through 2026.

SEC. 4109. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) COVERED EMPLOYEES WITH CANCER.—Section 3621(9) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(9)) is amended by striking subparagraph (A) and inserting the following:

''(A) An individual with a specified cancer who is a member of the Special Exposure Cohort, if and only if—

''(i) that individual contracted that specified cancer after beginning employment at a Department of Energy facility (in the case of a Department of Energy employee or Department of Energy contractor employee) or at an atomic weapons employer facility (in the case of an atomic weapons employee); or

''(ii) that individual—

''(I) contracted that specified cancer after beginning employment in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, or any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act; and

''(II) was employed in a uranium mine or uranium mill described under subclause (I) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) at any time during the period beginning on January 1, 1942, and ending on December 31, 1990.''.

(b) MEMBERS OF SPECIAL EXPOSURE COHORT.—Section 3626 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384q) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) The Advisory Board on Radiation and Worker Health under section 3624 shall advise the President whether there is a class of employees—

''(A) at any Department of Energy facility who likely were exposed to radiation at that facility but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received; and

''(B) employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, who likely were exposed to radiation at that mine or mill but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received.''; and

(2) by striking subsection (b) and inserting the following:

''(b) DESIGNATION OF ADDITIONAL MEMBERS.—

''(1) Subject to the provisions of section 3621(14)(C), the members of a class of employees at a Department of Energy facility, or at an atomic weapons employer facility, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

''(2) Subject to the provisions of section 3621(14)(C), the members of a class of employees employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.''.

SA 1409. Mr. RISCH (for himself, Mr. MANCHIN, Mr. BARRASSO, Mr. CARDIN, Mr. BOOZMAN, Ms. HIRONO, Mr. WICKER, Mr. REED, Ms. MURKOWSKI, Mr. WYDEN, Mr. HAGERTY, Mr. SCHATZ, Mr. MORAN, Ms. ERNST, Ms. DUCKWORTH, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—AMENDING COMPACTS OF FREE ASSOCIATION

SEC. 4001. SHORT TITLE.

This division may be cited as the ''Compact of Free Association Amendments Act of 2024''.

SEC. 4002. FINDINGS.

Congress finds the following:

(1) The United States (in accordance with the Trusteeship Agreement for the Trust Territory of the Pacific Islands, the United Nations Charter, and the objectives of the international trusteeship system of the United Nations) fulfilled its obligations to promote the development of the people of the Trust Territory toward self-government or independence, as appropriate, to the particular circumstances of the Trust Territory and the people of the Trust Territory and the freely expressed wishes of the people concerned.

(2) The United States, the Federated States of Micronesia, and the Republic of the Marshall Islands entered into the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99–239) and the United States and the Republic of Palau entered into the Compact of Free Association set forth in section 201 of Public Law 99–658 (48 U.S.C. 1931 note) to create and maintain a close and mutually beneficial relationship.

(3) The ''Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia'', the ''Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands'', and related agreements were signed by the Government of the United States and the Governments of the Federated States of Micronesia and the Republic of the Marshall Islands and approved, as applicable, by section 201 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188).

(4) The ''Agreement between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review'', was signed by the Government of the United States and the Government of the Republic of Palau on September 3, 2010, and amended on September 19, 2018.

(5) On May 22, 2023, the United States signed the ''Agreement between the Government of the United States of America and the Government of the Republic of Palau Resulting From the 2023 Compact of Free Association Section 432 Review''.

(6) On May 23, 2023, the United States signed 3 agreements related to the U.S.-FSM Compact of Free Association, including an Agreement to Amend the Compact, as amended, a new fiscal procedures agreement, and a new trust fund agreement and on September 28, 2023, the United States signed a Federal Programs and Services agreement related to the U.S.-FSM Compact of Free Association.

(7) On October 16, 2023, the United States signed 3 agreements relating to the U.S.-RMI Compact of Free Association, including an Agreement to Amend the Compact, as amended, a new fiscal procedures agreement, and a new trust fund agreement.

SEC. 4003. DEFINITIONS.

In this division:

(1) 1986 COMPACT.—The term ''1986 Compact'' means the Compact of Free Association between the Government of the United States and the Governments of the Marshall Islands and the Federated States of Micronesia set forth in section 201 of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99–239).

(2) 2003 AMENDED U.S.-FSM COMPACT.—The term ''2003 Amended U.S.-FSM Compact'' means the Compact of Free Association amending the 1986 Compact entitled the ''Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia'' set forth in section 201(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188).

(3) 2003 AMENDED U.S.-RMI COMPACT.—The term ''2003 Amended U.S.-RMI Compact'' means the Compact of Free Association amending the 1986 Compact entitled ''Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands'' set forth in section 201(b) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188).

(4) 2023 AGREEMENT TO AMEND THE U.S.-FSM COMPACT.—The term ''2023 Agreement to Amend the U.S.-FSM Compact'' means the Agreement between the Government of the United States of America and the Government of the Federated States of Micronesia to Amend the Compact of Free Association, as Amended, done at Palikir May 23, 2023.

(5) 2023 AGREEMENT TO AMEND THE U.S.-RMI COMPACT.—The term ''2023 Agreement to Amend the U.S.-RMI Compact'' means the Agreement between the Government of the United States of America and the Government of the Republic of the Marshall Islands to Amend the Compact of Free Association, as Amended, done at Honolulu October 16, 2023.

(6) 2023 AMENDED U.S.-FSM COMPACT.—The term ''2023 Amended U.S.-FSM Compact'' means the 2003 Amended U.S.-FSM Compact, as amended by the 2023 Agreement to Amend the U.S.-FSM Compact.

(7) 2023 AMENDED U.S.-RMI COMPACT.—The term ''2023 Amended U.S.-RMI Compact'' means the 2003 Amended U.S.-RMI Compact, as amended by the 2023 Agreement to Amend the U.S.-RMI Compact.

(8) 2023 U.S.-FSM FEDERAL PROGRAMS AND SERVICES AGREEMENT.—The term ''2023 U.S.-FSM Federal Programs and Services Agreement'' means the 2023 Federal Programs and Services Agreement between the Government of the United States of America and the Government of the Federated States of Micronesia, done at Washington September 28, 2023.

(9) 2023 U.S.-FSM FISCAL PROCEDURES AGREEMENT.—The term ''2023 U.S.-FSM Fiscal Procedures Agreement'' means the Agreement Concerning Procedures for the Implementation of United States Economic Assistance provided in the 2023 Amended U.S.-FSM Compact between the Government of the United States of America and the Government of the Federated States of Micronesia, done at Palikir May 23, 2023.

(10) 2023 U.S.-FSM TRUST FUND AGREEMENT.—The term ''2023 U.S.-FSM Trust Fund Agreement'' means the Agreement between the Government of the United States of America and the Government of the Federated States of Micronesia Regarding the Compact Trust Fund, done at Palikir May 23, 2023.

(11) 2023 U.S.-PALAU COMPACT REVIEW AGREEMENT.—The term ''2023 U.S.-Palau Compact Review Agreement'' means the Agreement between the Government of the United States of America and the Government of the Republic of Palau Resulting From the 2023 Compact of Free Association Section 432 Review, done at Port Moresby May 22, 2023.

(12) 2023 U.S.-RMI FISCAL PROCEDURES AGREEMENT.—The term ''2023 U.S.-RMI Fiscal Procedures Agreement'' means the Agreement Concerning Procedures for the Implementation of United States Economic Assistance Provided in the 2023 Amended Compact Between the Government of the United States of America and the Government of the Republic of the Marshall Islands, done at Honolulu October 16, 2023.

(13) 2023 U.S.-RMI TRUST FUND AGREEMENT.—The term ''2023 U.S.-RMI Trust Fund Agreement'' means the Agreement between the Government of the United States of America and the Government of the Republic of the Marshall Islands Regarding the Compact Trust Fund, done at Honolulu October 16, 2023.

(14) 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 Foreign Relations of the Senate;

(C) the Committee on Natural Resources of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(15) FREELY ASSOCIATED STATES.—The term ''Freely Associated States'' means—

(A) the Federated States of Micronesia;

(B) the Republic of the Marshall Islands; and

(C) the Republic of Palau.

(16) SUBSIDIARY AGREEMENT.—The term ''subsidiary agreement'' means any of the following:

(A) The 2023 U.S.-FSM Federal Programs and Services Agreement.

(B) The 2023 U.S.-FSM Fiscal Procedures Agreement.

(C) The 2023 U.S.-FSM Trust Fund Agreement.

(D) The 2023 U.S.-RMI Fiscal Procedures Agreement.

(E) The 2023 U.S.-RMI Trust Fund Agreement.

(F) Any Federal Programs and Services Agreement in force between the United States and the Republic of the Marshall Islands.

(G) Any Federal Programs and Services Agreement in force between the United States and the Republic of Palau.

(H) Any other agreement that the United States may from time-to-time enter into with the Government of the Federated States of Micronesia, the Government of the Republic of Palau, or the Government of the Republic of the Marshall Islands, in accordance with—

(i) the 2023 Amended U.S.-FSM Compact;

(ii) the 2023 U.S.-Palau Compact Review Agreement; or

(iii) the 2023 Amended U.S.-RMI Compact.

(17) U.S.-PALAU COMPACT.—The term ''U.S.-Palau Compact'' means the Compact of Free Association between the United States and the Government of Palau set forth in section 201 of Public Law 99–658 (48 U.S.C. 1931 note).

SEC. 4004. APPROVAL OF 2023 AGREEMENT TO AMEND THE U.S.-FSM COMPACT, 2023 AGREEMENT TO AMEND THE U.S.-RMI COMPACT, 2023 U.S.-PALAU COMPACT REVIEW AGREEMENT, AND SUBSIDIARY AGREEMENTS.

(a) FEDERATED STATES OF MICRONESIA.—

(1) APPROVAL.—The 2023 Agreement to Amend the U.S.-FSM Compact and the 2023 U.S.-FSM Trust Fund Agreement, as submitted to Congress on June 15, 2023, are approved and incorporated by reference.

(2) CONSENT OF CONGRESS.—Congress consents to—

(A) the 2023 U.S.-FSM Fiscal Procedures Agreement, as submitted to Congress on June 15, 2023; and

(B) the 2023 U.S.-FSM Federal Programs and Services Agreement.

(3) AUTHORITY OF PRESIDENT.—Notwithstanding section 101(f) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921(f)), the President is authorized to bring into force and implement the agreements described in paragraphs (1) and (2).

(b) REPUBLIC OF THE MARSHALL ISLANDS.—

(1) APPROVAL.—The 2023 Agreement to Amend the U.S.-RMI Compact and the 2023 U.S.-RMI Trust Fund Agreement, as submitted to Congress on October 17, 2023, are approved and incorporated by reference.

(2) CONSENT OF CONGRESS.—Congress consents to the 2023 U.S.-RMI Fiscal Procedures Agreement, as submitted to Congress on October 17, 2023.

(3) AUTHORITY OF PRESIDENT.—Notwithstanding section 101(f) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921(f)), the President is authorized to bring into force and implement the agreements described in paragraphs (1) and (2).

(c) REPUBLIC OF PALAU.—

(1) APPROVAL.—The 2023 U.S.-Palau Compact Review Agreement, as submitted to Congress on June 15, 2023, is approved.

(2) AUTHORITY OF PRESIDENT.—The President is authorized to bring into force and implement the 2023 U.S.-Palau Compact Review Agreement.

(d) AMENDMENTS, CHANGES, OR TERMINATION TO COMPACTS AND CERTAIN AGREEMENTS.—

(1) IN GENERAL.—Any amendment to, change to, or termination of all or any part of the 2023 Amended U.S.-FSM Compact, 2023 Amended U.S.-RMI Compact, or the U.S.-Palau Compact, by mutual agreement or unilateral action of the Government of the United States, shall not enter into force until the date on which Congress has incorporated the applicable amendment, change, or termination into an Act of Congress.

(2) ADDITIONAL ACTIONS AND AGREEMENTS.—In addition to the Compacts described in paragraph (1), the requirements of that paragraph shall apply to—

(A) any action of the Government of the United States under the 2023 Amended U.S.-FSM Compact, 2023 Amended U.S.-RMI Compact, or U.S.-Palau Compact, including an action taken pursuant to section 431, 441, or 442 of the 2023 Amended U.S.-FSM Compact, 2023 Amended U.S.-RMI Compact, or U.S.-Palau Compact; and

(B) any amendment to, change to, or termination of—

(i) the agreement described in section 462(a)(2) of the 2023 Amended U.S.-FSM Compact;

(ii) the agreement described in section 462(a)(5) of the 2023 Amended U.S.-RMI Compact;

(iii) an agreement concluded pursuant to section 265 of the 2023 Amended U.S.-FSM Compact;

(iv) an agreement concluded pursuant to section 265 of the 2023 Amended U.S.-RMI Compact;

(v) an agreement concluded pursuant to section 177 of the 2023 Amended U.S.-RMI Compact;

(vi) Articles III and IV of the agreement described in section 462(b)(6) of the 2023 Amended U.S.-FSM Compact;

(vii) Articles III, IV, and X of the agreement described in section 462(b)(6) of the 2023 Amended U.S.-RMI Compact;

(viii) the agreement described in section 462(h) of the U.S.-Palau Compact; and

(ix) Articles VI, XV, and XVII of the agreement described in section 462(b)(7) of the 2023 Amended U.S.-FSM Compact and 2023 Amended U.S.-RMI Compact and section 462(i) of the U.S.-Palau Compact.

(e) ENTRY INTO FORCE OF FUTURE AMENDMENTS TO SUBSIDIARY AGREEMENTS.—An agreement between the United States and the Government of the Federated States of Micronesia, the Government of the Republic of the Marshall Islands, or the Government of the Republic of Palau that would amend, change, or terminate any subsidiary agreement or portion of a subsidiary agreement (other than an amendment to, change to, or termination of an agreement described in subsection (d)) shall not enter into force until the date that is 90 days after the date on which the President has transmitted to the President of the Senate and the Speaker of the House of Representatives—

(1) the agreement to amend, change, or terminate the subsidiary agreement;

(2) an explanation of the amendment, change, or termination;

(3) a description of the reasons for the amendment, change, or termination; and

(4) in the case of an agreement that would amend, change, or terminate any agreement described in section 462(b)(3) of the 2023 Amended U.S.-FSM Compact or the 2023 Amended U.S.-RMI Compact, a statement by the Secretary of Labor that describes—

(A) the necessity of the amendment, change, or termination; and

(B) any impacts of the amendment, change, or termination.

SEC. 4005. AGREEMENTS WITH FEDERATED STATES OF MICRONESIA.

(a) LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Pursuant to sections 222 and 224 of the 2023 Amended U.S.-FSM Compact, the United States shall provide nonreimbursable technical and training assistance, as appropriate, including training and equipment for postal inspection of illicit drugs and other contraband, to enable the Government of the Federated States of Micronesia—

(A) to develop and adequately enforce laws of the Federated States of Micronesia; and

(B) to cooperate with the United States in the enforcement of criminal laws of the United States.

(2) USE OF APPROPRIATED FUNDS.—Funds appropriated pursuant to subsection (j) of section 105 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d) (as amended by section 4009(j)) may be used in accordance with section 102(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921a(a)).

(b) UNITED STATES APPOINTEES TO JOINT ECONOMIC MANAGEMENT COMMITTEE.—

(1) IN GENERAL.—The 3 United States appointees (which are composed of the United States chair and 2 other members from the Government of the United States) to the Joint Economic Management Committee established under section 213 of the 2023 Amended U.S.-FSM Compact (referred to in this subsection as the ''Committee'') shall—

(A) be voting members of the Committee; and

(B) continue to be officers or employees of the Federal Government.

(2) TERM; APPOINTMENT.—The 3 United States members of the Committee described in paragraph (1) shall be appointed for a term of 2 years as follows:

(A) 1 member shall be appointed by the Secretary of State, in consultation with the Secretary of the Treasury.

(B) 1 member shall be appointed by the Secretary of the Interior, in consultation with the Secretary of the Treasury.

(C) 1 member shall be appointed by the Interagency Group on Freely Associated States established under section 4008(d)(1).

(3) REAPPOINTMENT.—A United States member of the Committee appointed under paragraph (2) may be reappointed for not more than 2 additional 2-year terms.

(4) QUALIFICATIONS.—Not fewer than 2 United States members of the Committee appointed under paragraph (2) shall be individuals who—

(A) by reason of knowledge, experience, or training, are especially qualified in accounting, auditing, budget analysis, compliance, grant administration, program management, or international economics; and

(B) possess not less than 5 years of full-time experience in accounting, auditing, budget analysis, compliance, grant administration, program management, or international economics.

(5) NOTICE.—

(A) IN GENERAL.—Not later than 90 days after the date of appointment of a United States member of the Committee under paragraph (2), the Secretary of the Interior shall notify the appropriate committees of Congress that an individual has been appointed as a voting member of the Committee under that paragraph, including a statement prepared by the Secretary of the Interior attesting to the qualifications of the member described in paragraph (4), subject to subparagraph (B).

(B) REQUIREMENT.—For purposes of a statement required under subparagraph (A)—

(i) in the case of a member appointed under paragraph (2)(A), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of State on request of the Secretary of the Interior; and

(ii) in the case of a member appointed under paragraph (2)(C), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Interagency Group on Freely Associated States established under section 4008(d)(1) on request of the Secretary of the Interior.

(6) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Committee receives or completes any report required under the 2023 Amended U.S.-FSM Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(7) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Federated States of Micronesia submits to the Committee a report required under the 2023 Amended U.S.-FSM Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

(c) UNITED STATES APPOINTEES TO JOINT TRUST FUND COMMITTEE.—

(1) IN GENERAL.—The 3 United States voting members (which are composed of the United States chair and 2 other members from the Government of the United States) to the Joint Trust Fund Committee established pursuant to the agreement described in section 462(b)(5) of the 2023 Amended U.S.-FSM Compact (referred to in this subsection as the ''Committee'') shall continue to be officers or employees of the Federal Government.

(2) TERM; APPOINTMENT.—The 3 United States members of the Committee described in paragraph (1) shall be appointed for a term not more than 2 years as follows:

(A) 1 member shall be appointed by the Secretary of State.

(B) 1 member shall be appointed by the Secretary of the Interior.

(C) 1 member shall be appointed by the Secretary of the Treasury.

(3) REAPPOINTMENT.—A United States member of the Committee appointed under paragraph (2) may be reappointed for not more than 2 additional 2-year terms.

(4) QUALIFICATIONS.—Not fewer than 2 members of the Committee appointed under paragraph (2) shall be individuals who—

(A) by reason of knowledge, experience, or training, are especially qualified in accounting, auditing, budget analysis, compliance, financial investment, grant administration, program management, or international economics; and

(B) possess not less than 5 years of full-time experience in accounting, auditing, budget analysis, compliance, financial investment, grant administration, program management, or international economics.

(5) NOTICE.—

(A) IN GENERAL.—Not later than 90 days after the date of appointment of a United States member to the Committee under paragraph (2), the Secretary of the Interior shall notify the appropriate committees of Congress that an individual has been appointed as a voting member of the Committee under that paragraph, including a statement attesting to the qualifications of the member described in paragraph (4), subject to subparagraph (B).

(B) REQUIREMENT.—For purposes of a statement required under subparagraph (A)—

(i) in the case of a member appointed under paragraph (2)(A), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of State on request of the Secretary of the Interior; and

(ii) in the case of a member appointed under paragraph (2)(C), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of the Treasury on request of the Secretary of the Interior.

(6) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Committee receives or completes any report required under the 2023 Amended U.S.-FSM Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(7) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Federated States of Micronesia submits to the Committee a report required under the 2023 Amended U.S.-FSM Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

SEC. 4006. AGREEMENTS WITH AND OTHER PROVISIONS RELATED TO THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Pursuant to sections 222 and 224 of the 2023 Amended U.S.-RMI Compact, the United States shall provide nonreimbursable technical and training assistance, as appropriate, including training and equipment for postal inspection of illicit drugs and other contraband, to enable the Government of the Republic of the Marshall Islands—

(A) to develop and adequately enforce laws of the Marshall Islands; and

(B) to cooperate with the United States in the enforcement of criminal laws of the United States.

(2) USE OF APPROPRIATED FUNDS.—Funds appropriated pursuant to subsection (j) of section 105 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d) (as amended by section 4009(j)) may be used in accordance with section 103(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(a)).

(b) ESPOUSAL PROVISIONS.—

(1) IN GENERAL.—Congress reaffirms that—

(A) section 103(g)(1) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(g)(1)) and section 103(e)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(e)(1)) provided that ''It is the intention of the Congress of the United States that the provisions of section 177 of the Compact of Free Association and the Agreement between the Government of the United States and the Government of the Marshall Islands for the Implementation of Section 177 of the Compact (hereafter in this subsection referred to as the 'Section 177 Agreement') constitute a full and final settlement of all claims described in Articles X and XI of the Section 177 Agreement, and that any such claims be terminated and barred except insofar as provided for in the Section 177 Agreement.''; and

(B) section 103(g)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(g)(2))

and section 103(e)(2) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(e)(2)) provided that ''In furtherance of the intention of Congress as stated in paragraph (1) of this subsection, the Section 177 Agreement is hereby ratified and approved. It is the explicit understanding and intent of Congress that the jurisdictional limitations set forth in Article XII of such Agreement are enacted solely and exclusively to accomplish the objective of Article X of such Agreement and only as a clarification of the effect of Article X, and are not to be construed or implemented separately from Article X.''.

(2) EFFECT.—Nothing in the 2023 Agreement to Amend the U.S.-RMI Compact affects the application of the provisions of law reaffirmed by paragraph (1).

(c) CERTAIN SECTION 177 AGREEMENT PROVISIONS.—Congress reaffirms that—

(1) Article IX of the Agreement Between the Government of the United States and the Government of the Marshall Islands for the Implementation of Section 177 of the Compact of Free Association, done at Majuro June 25, 1983, provided that ''If loss or damage to property and person of the citizens of the Marshall Islands, resulting from the Nuclear Testing Program, arises or is discovered after the effective date of this Agreement, and such injuries were not and could not reasonably have been identified as of the effective date of this Agreement, and if such injuries render the provisions of this Agreement manifestly inadequate, the Government of the Marshall Islands may request that the Government of the United States provide for such injuries by submitting such a request to the Congress of the United States for its consideration. It is understood that this Article does not commit the Congress of the United States to authorize and appropriate funds.''; and

(2) section 3(a) of Article XIII of the agreement described in paragraph (1) provided that ''The Government of the United States and the Government of the Marshall Islands shall consult at the request of either of them on matters relating to the provisions of this Agreement.''.

(d) UNITED STATES APPOINTEES TO JOINT ECONOMIC MANAGEMENT AND FINANCIAL ACCOUNTABILITY COMMITTEE.—

(1) IN GENERAL.—The 2 United States appointees (which are composed of the United States chair and 1 other member from the Government of the United States) to the Joint Economic Management and Financial Accountability Committee established under section 214 of the 2003 Amended U.S.-RMI Compact (referred to in this subsection as the ''Committee'') shall—

(A) be voting members of the Committee; and

(B) continue to be officers or employees of the Federal Government.

(2) TERM; APPOINTMENT.—The 2 United States members of the Committee described in paragraph (1) shall be appointed for a term of 2 years as follows:

(A) 1 member shall be appointed by the Secretary of State, in consultation with the Secretary of the Treasury.

(B) 1 member shall be appointed by the Secretary of the Interior, in consultation with the Secretary of the Treasury.

(3) REAPPOINTMENT.—A United States member of the Committee appointed under paragraph (2) may be reappointed for not more than 2 additional 2-year terms.

(4) QUALIFICATIONS.—At least 1 United States member of the Committee appointed under paragraph (2) shall be an individual who—

(A) by reason of knowledge, experience, or training, is especially qualified in accounting, auditing, budget analysis, compliance, grant administration, program management, or international economics; and

(B) possesses not less than 5 years of full-time experience in accounting, auditing, budget analysis, compliance, grant administration, program management, or international economics.

(5) NOTICE.—

(A) IN GENERAL.—Not later than 90 days after the date of appointment of a United States member under paragraph (2), the Secretary of the Interior shall notify the appropriate committees of Congress that an individual has been appointed as a voting member of the Committee under that paragraph, including a statement attesting to the qualifications of the member described in paragraph (4), subject to subparagraph (B).

(B) REQUIREMENT.—For purposes of a statement required under subparagraph (A), in the case of a member appointed under paragraph (2)(A), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of State on request of the Secretary of the Interior.

(6) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Committee receives or completes any report required under the 2023 Amended U.S.-RMI Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(7) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Republic of the Marshall Islands submits to the Committee a report required under the 2023 Amended U.S.-RMI Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

(e) UNITED STATES APPOINTEES TO TRUST FUND COMMITTEE.—

(1) IN GENERAL.—The 3 United States voting members (which are composed of the United States chair and 2 other members from the Government of the United States) to the Trust Fund Committee established pursuant to the agreement described in section 462(b)(5) of the 2003 Amended U.S.-RMI Compact (referred to in this subsection as the ''Committee'') shall continue to be officers or employees of the Federal Government.

(2) TERM; APPOINTMENT.—The 3 United States members of the Committee described in paragraph (1) shall be appointed for a term not more than 5 years as follows:

(A) 1 member shall be appointed by the Secretary of State.

(B) 1 member shall be appointed by the Secretary of the Interior.

(C) 1 member shall be appointed by the Secretary of the Treasury.

(3) REAPPOINTMENT.—A United States member of the Committee appointed under paragraph (2) may be reappointed for not more than 2 additional 2-year terms.

(4) QUALIFICATIONS.—Not fewer than 2 members of the Committee appointed under paragraph (2) shall be individuals who—

(A) by reason of knowledge, experience, or training, are especially qualified in accounting, auditing, budget analysis, compliance, financial investment, grant administration, program management, or international economics; and

(B) possess not less than 5 years of full-time experience in accounting, auditing, budget analysis, compliance, financial investment, grant administration, program management, or international economics.

(5) NOTICE.—

(A) IN GENERAL.—Not later than 90 days after the date of appointment of a United States Member under paragraph (2), the Secretary of the Interior shall notify the appropriate committees of Congress that an individual has been appointed as a voting member of the Committee under that paragraph, including a statement attesting to the qualifications of the appointee described in paragraph (4), subject to subparagraph (B).

(B) REQUIREMENT.—For purposes of a statement required under subparagraph (A)—

(i) in the case of a member appointed under paragraph (2)(A), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of State on request of the Secretary of the Interior; and

(ii) in the case of a member appointed under paragraph (2)(C), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of the Treasury on request of the Secretary of the Interior.

(6) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Committee receives or completes any report required under the 2023 Amended U.S.-RMI Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(7) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Republic of the Marshall Islands submits to the Committee a report required under the 2023 Amended U.S.-RMI Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

(f) FOUR ATOLL HEALTH CARE PROGRAM.—Congress reaffirms that—

(1) section 103(j)(1) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(j)(1)) and section 103(h)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(h)(1)) provided that services ''provided by the United States Public Health Service or any other United States agency pursuant to section 1(a) of Article II of the Agreement for the Implementation of Section 177 of the Compact (hereafter in this subsection referred to as the 'Section 177 Agreement') shall be only for services to the people of the Atolls of Bikini, Enewetak, Rongelap, and Utrik who were affected by the consequences of the United States nuclear testing program, pursuant to the program described in Public Law 95–134 and Public Law 96–205 and their descendants (and any other persons identified as having been so affected if such identification occurs in the manner described in such public laws). Nothing in this subsection shall be construed as prejudicial to the views or policies of the Government of the Marshall Islands as to the persons affected by the consequences of the United States nuclear testing program.'';

(2) section 103(j)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(j)(2)) and section 103(h)(2) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(h)(2)) provided that ''at the end of the first year after the effective date of the Compact and at the end of each year thereafter, the providing agency or agencies shall return to the Government of the Marshall Islands any unexpended funds to be returned to the Fund Manager (as described in

Article I of the Section 177 Agreement) to be covered into the Fund to be available for future use.''; and

(3) section 103(j)(3) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(j)(3)) and section 103(h)(3) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(h)(3)) provided that ''the Fund Manager shall retain the funds returned by the Government of the Marshall Islands pursuant to paragraph (2) of this subsection, shall invest and manage such funds, and at the end of 15 years after the effective date of the Compact, shall make from the total amount so retained and the proceeds thereof annual disbursements sufficient to continue to make payments for the provision of health services as specified in paragraph (1) of this subsection to such extent as may be provided in contracts between the Government of the Marshall Islands and appropriate United States providers of such health services.''.

(g) RADIOLOGICAL HEALTH CARE PROGRAM.—Notwithstanding any other provision of law, on the request of the Government of the Republic of the Marshall Islands, the President (through an appropriate department or agency of the United States) shall continue to provide special medical care and logistical support for the remaining members of the population of Rongelap and Utrik who were exposed to radiation resulting from the 1954 United States thermonuclear ''Bravo'' test, pursuant to Public Law 95–134 (91 Stat. 1159) and Public Law 96–205 (94 Stat. 84).

(h) AGRICULTURAL AND FOOD PROGRAMS.—

(1) IN GENERAL.—Congress reaffirms that—

(A) section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(h)(2)) and section 103(f)(2)(A) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(2)(A)) provided that notwithstanding ''any other provision of law, upon the request of the Government of the Marshall Islands, for the first fifteen years after the effective date of the Compact, the President (either through an appropriate department or agency of the United States or by contract with a United States firm or by a grant to the Government of the Republic of the Marshall Islands which may further contract only with a United States firm or a Republic of the Marshall Islands firm, the owners, officers and majority of the employees of which are citizens of the United States or the Republic of the Marshall Islands) shall provide technical and other assistance without reimbursement, to continue the planting and agricultural maintenance program on Enewetak; without reimbursement, to continue the food programs of the Bikini, Rongelap, Utrik, and Enewetak people described in section 1(d) of Article II of the Subsidiary Agreement for the Implementation of Section 177 of the Compact and for continued waterborne transportation of agricultural products to Enewetak including operations and maintenance of the vessel used for such purposes.'';

(B) section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(h)(2)) and section 103(f)(2)(B) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(2)(B)) provided that ''The President shall ensure the assistance provided under these programs reflects the changes in the population since the inception of such programs.''; and

(C) section 103(h)(3) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(h)(3)) and section 103(f)(3) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(3)) provided that ''payments under this subsection shall be provided to such extent or in such amounts as are necessary for services and other assistance provided pursuant to this subsection. It is the sense of Congress that after the periods of time specified in paragraphs (1) and (2) of this subsection, consideration will be given to such additional funding for these programs as may be necessary.''.

(2) PLANTING AND AGRICULTURAL MAINTENANCE PROGRAM.—The Secretary of the Interior may provide grants to the Government of the Republic of the Marshall Islands to carry out a planting and agricultural maintenance program on Bikini, Enewetak, Rongelap, and Utrik.

(3) FOOD PROGRAMS.—The Secretary of Agriculture may provide, without reimbursement, food programs to the people of the Republic of the Marshall Islands.

SEC. 4007. AGREEMENTS WITH AND OTHER PROVISIONS RELATED TO THE REPUBLIC OF PALAU.

(a) BILATERAL ECONOMIC CONSULTATIONS.—United States participation in the annual economic consultations referred to in Article 8 of the 2023 U.S.-Palau Compact Review Agreement shall be by officers or employees of the Federal Government.

(b) ECONOMIC ADVISORY GROUP.—

(1) QUALIFICATIONS.—A member of the Economic Advisory Group described in Article 7 of the 2023 U.S.-Palau Compact Review Agreement (referred to in this subsection as the ''Advisory Group'') who is appointed by the Secretary of the Interior shall be an individual who, by reason of knowledge, experience, or training, is especially qualified in private sector business development, economic development, or national development.

(2) FUNDS.—With respect to the Advisory Group, the Secretary of the Interior may use available funds for—

(A) the costs of the 2 members of the Advisory Group designated by the United States in accordance with Article 7 of the 2023 U.S.-Palau Compact Review Agreement;

(B) 50 percent of the costs of the 5th member of the Advisory Group designated by the Secretary of the Interior in accordance with the Article described in subparagraph (A); and

(C) the costs of—

(i) technical and administrative assistance for the Advisory Group; and

(ii) other support necessary for the Advisory Group to accomplish the purpose of the Advisory Group.

(3) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Advisory Group receives or completes any report required under the 2023 U.S.-Palau Compact Review Agreement, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(c) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Government of the Republic of Palau completes any report required under the 2023 U.S.-Palau Compact Review Agreement, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(2) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Republic of Palau submits a report required under the 2023 U.S.-Palau Compact Review Agreement, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

SEC. 4008. OVERSIGHT PROVISIONS.

(a) AUTHORITIES AND DUTIES OF THE COMPTROLLER GENERAL OF THE UNITED STATES.—

(1) IN GENERAL.—The Comptroller General of the United States (including any duly authorized representative of the Comptroller General of the United States) shall have the authorities necessary to carry out the responsibilities of the Comptroller General of the United States under—

(A) the 2023 Amended U.S.-FSM Compact and related subsidiary agreements, including the authorities and privileges described in section 102(b) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921a(b));

(B) the 2023 Amended U.S.-RMI Compact and related subsidiary agreements, including the authorities and privileges described in section 103(k) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(k)); and

(C) the 2023 U.S.-Palau Compact Review Agreement, related subsidiary agreements, and the authorities described in appendix D of the ''Agreement between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review'' signed by the United States and the Republic of Palau on September 3, 2010.

(2) REPORTS.—Not later than 18 months after the date of enactment of this Act, and every 4 years thereafter, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report with respect to the Freely Associated States, including addressing—

(A) the topics described in subparagraphs (A) through (E) of section 104(h)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921c(h)(1)), except that for purposes of a report submitted under this paragraph, the report shall address those topics with respect to each of the Freely Associated States; and

(B) the effectiveness of administrative oversight by the United States of the Freely Associated States.

(b) SECRETARY OF THE INTERIOR OVERSIGHT AUTHORITY.—The Secretary of the Interior shall have the authority necessary to fulfill the responsibilities for monitoring and managing the funds appropriated to the Compact of Free Association account of the Department of the Interior by section 4011(a) to carry out—

(1) the 2023 Amended U.S.-FSM Compact;

(2) the 2023 Amended U.S.-RMI Compact;

(3) the 2023 U.S.-Palau Compact Review Agreement; and

(4) subsidiary agreements.

(c) POSTMASTER GENERAL OVERSIGHT AUTHORITY.—The Postmaster General shall have the authority necessary to fulfill the responsibilities for monitoring and managing the funds appropriated to the United States Postal Service under paragraph (1) of section 4011(b) and deposited in the Postal Service Fund under paragraph (2)(A) of that section to carry out—

(1) section 221(a)(2) of the 2023 Amended U.S.-FSM Compact;

(2) section 221(a)(2) of the 2023 Amended U.S.-RMI Compact;

(3) section 221(a)(2) of the U.S.-Palau Compact; and

(4) Article 6(a) of the 2023 U.S.-Palau Compact Review Agreement.

(d) INTERAGENCY GROUP ON FREELY ASSOCIATED STATES.—

(1) ESTABLISHMENT.—The President, in consultation with the Secretary of State, the Secretary of the Interior, and the Secretary of Defense, shall establish an Interagency Group on Freely Associated States (referred to in this subsection as the ''Interagency Group'').

(2) PURPOSE.—The purposes of the Interagency Group are—

(A) to coordinate development and implementation of executive branch policies, programs, services, and other activities in or relating to the Freely Associated States; and

(B) to provide policy guidance, recommendations, and oversight to Federal agencies, departments, and instrumentalities with respect to the implementation of—

(i) the 2023 Amended U.S.-FSM Compact;

(ii) the 2023 Amended U.S.-RMI Compact; and

(iii) the 2023 U.S.-Palau Compact Review Agreement.

(3) MEMBERSHIP.—The Interagency Group shall consist of—

(A) the Secretary of State, who shall serve as co-chair of the Interagency Group;

(B) the Secretary of the Interior, who shall serve as co-chair of the Interagency Group;

(C) the Secretary of Defense;

(D) the Secretary of the Treasury;

(E) the heads of relevant Federal agencies, departments, and instrumentalities carrying out obligations under—

(i) sections 131 and 132 of the 2003 Amended U.S.-FSM Compact and subsections (a) and (b) of section 221 and section 261 of the 2023 Amended U.S.-FSM Compact;

(ii) sections 131 and 132 of the 2003 Amended U.S.-RMI Compact and subsections (a) and (b) of section 221 and section 261 of the 2023 Amended U.S.-RMI Compact;

(iii) sections 131 and 132 and subsections (a) and (b) of section 221 of the U.S.-Palau Compact;

(iv) Article 6 of the 2023 U.S.-Palau Compact Review Agreement;

(v) any applicable subsidiary agreement; and

(vi) section 4009; and

(F) the head of any other Federal agency, department, or instrumentality that the Secretary of State or the Secretary of the Interior may designate.

(4) DUTIES OF SECRETARY OF STATE AND SECRETARY OF THE INTERIOR.—The Secretary of State (or a senior official designee of the Secretary of State) and the Secretary of the Interior (or a senior official designee of the Secretary of the Interior) shall—

(A) co-lead and preside at a meeting of the Interagency Group not less frequently than annually;

(B) determine, in consultation with the Secretary of Defense, the agenda for meetings of the Interagency Group; and

(C) facilitate and coordinate the work of the Interagency Group.

(5) DUTIES OF THE INTERAGENCY GROUP.—The Interagency Group shall—

(A) provide advice on the establishment or implementation of policies relating to the Freely Associated States to the President, acting through the Office of Intergovernmental Affairs, in the form of a written report not less frequently than annually;

(B) obtain information and advice relating to the Freely Associated States from the Presidents, other elected officials, and members of civil society of the Freely Associated States, including through the members of the Interagency Group (including senior official designees of the members) meeting not less frequently than annually with any Presidents of the Freely Associated States who elect to participate;

(C) at the request of the head of any Federal agency (or a senior official designee of the head of a Federal agency) who is a member of the Interagency Group, promptly review and provide advice on a policy or policy implementation action affecting 1 or more of the Freely Associated States proposed by the Federal agency, department, or instrumentality; and

(D) facilitate coordination of relevant policies, programs, initiatives, and activities involving 1 or more of the Freely Associated States, including ensuring coherence and avoiding duplication between programs, initiatives, and activities conducted pursuant to a Compact with a Freely Associated State and non-Compact programs, initiatives, and activities.

(6) REPORTS.—Not later than 1 year after the date of enactment of this Act and each year thereafter in which a Compact of Free Association with a Freely Associated State is in effect, the President shall submit to the majority leader and minority leader of the Senate, the Speaker and minority leader of the House of Representatives, and the appropriate committees of Congress a report that describes the activities and recommendations of the Interagency Group during the applicable year.

(e) FEDERAL AGENCY COORDINATION.—The head of any Federal agency providing programs and services to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau shall coordinate with the Secretary of the Interior and the Secretary of State regarding the provision of the programs and services.

(f) FOREIGN LOANS OR DEBT.—Congress reaffirms that—

(1) the foreign loans or debt of the Government of the Federated States of Micronesia, the Government of the Republic of the Marshall Islands, or the Government of the Republic of Palau shall not constitute an obligation of the United States; and

(2) the full faith and credit of the United States Government shall not be pledged for the payment and performance of any foreign loan or debt referred to in paragraph (1) without specific further authorization.

(g) COMPACT COMPILATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall submit a report to the appropriate committees of Congress that includes a compilation of the Compact of Free Association with the Federated State of Micronesia, the Compact of Free Association with the Republic of Palau, and the Compact of Free Association with Republic of the Marshall Islands.

(h) PUBLICATION; REVISION BY OFFICE OF THE LAW REVISION COUNSEL.—

(1) PUBLICATION.—In publishing this division in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of—

(A) the 2023 Agreement to Amend the U.S.-FSM Compact; and

(B) the 2023 Agreement to Amend the U.S.-RMI Compact.

(2) REVISION BY OFFICE OF THE LAW REVISION COUNSEL.—The Office of the Law Revision Counsel is directed to revise—

(A) the 2003 Amended U.S.-FSM Compact set forth in the note following section 1921 of title 48, United States Code, to reflect the amendments to the 2003 Amended U.S.-FSM Compact made by the 2023 Agreement to Amend the U.S.-FSM Compact; and

(B) the 2003 Amended U.S.-RMI Compact set forth in the note following section 1921 of title 48, United States Code, to reflect the amendments to the 2003 Amended U.S.-RMI Compact made by the 2023 Agreement to Amend the U.S.-RMI Compact.

SEC. 4009. UNITED STATES POLICY REGARDING THE FREELY ASSOCIATED STATES.

(a) AUTHORIZATION FOR VETERANS' SERVICES.—

(1) DEFINITION OF FREELY ASSOCIATED STATES.—In this subsection, the term ''Freely Associated States'' means—

(A) the Federated States of Micronesia, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note);

(B) the Republic of the Marshall Islands, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note); and

(C) the Republic of Palau, during such time as it is a party to the Compact of Free Association between the United States and the Government of Palau set forth in section 201 of Joint Resolution entitled ''Joint Resolution to approve the 'Compact of Free Association' between the United States and the Government of Palau, and for other purposes'' (Public Law 99–658; 48 U.S.C. 1931 note).

(2) HOSPITAL CARE, MEDICAL SERVICES, AND NURSING HOME CARE ABROAD.—Section 1724 of title 38, United States Code, is amended—

(A) in subsection (a), by striking ''subsections (b) and (c)'' and inserting ''subsections (b), (c), and (f)''; and

(B) by adding at the end the following:

''(f)(1)(A) The Secretary may furnish hospital care and medical services in the Freely Associated States, subject to agreements the Secretary shall enter into with the governments of the Freely Associated States as described in section 4009(a)(4)(A) of the Compact of Free Association Amendments Act of 2024, and subject to subparagraph (B), to a veteran who is otherwise eligible to receive hospital care and medical services.

''(B) The agreements described in subparagraph (A) shall incorporate, to the extent practicable, the applicable laws of the Freely Associated States and define the care and services that can be legally provided by the Secretary in the Freely Associated States.

''(2) In furnishing hospital care and medical services under paragraph (1), the Secretary may furnish hospital care and medical services through—

''(A) contracts or other agreements;

''(B) reimbursement; or

''(C) the direct provision of care by health care personnel of the Department.

''(3) In furnishing hospital care and medical services under paragraph (1), the Secretary may furnish hospital care and medical services for any condition regardless of whether the condition is connected to the service of the veteran in the Armed Forces.

''(4)(A) A veteran who has received hospital care or medical services in a country pursuant to this subsection shall remain eligible, to the extent determined advisable and practicable by the Secretary, for hospital care or medical services in that country regardless of whether the country continues to qualify as a Freely Associated State for purposes of this subsection.

''(B) If the Secretary determines it is no longer advisable or practicable to allow veterans described in subparagraph (A) to remain eligible for hospital care or medical services pursuant to such subparagraph, the Secretary shall—

''(i) provide direct notice of that determination to such veterans; and

''(ii) publish that determination and the reasons for that determination in the Federal Register.

''(5) In this subsection, the term 'Freely Associated States' means—

''(A) the Federated States of Micronesia, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note);

''(B) the Republic of the Marshall Islands, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note); and

''(C) the Republic of Palau, during such time as it is a party to the Compact of Free Association between the United States and the Government of Palau set forth in section 201 of Joint Resolution entitled 'Joint Resolution to approve the ''Compact of Free Association'' between the United States and the Government of Palau, and for other purposes' (Public Law 99–658; 48 U.S.C. 1931 note).''.

(3) BENEFICIARY TRAVEL.—Section 111 of title 38, United States Code, is amended by adding at the end the following:

''(h)(1) Notwithstanding any other provision of law, the Secretary may make payments to or for any person traveling in, to, or from the Freely Associated States for receipt of care or services authorized to be legally provided by the Secretary in the Freely Associated States under section 1724(f)(1) of this title.

''(2) A person who has received payment for travel in a country pursuant to this subsection shall remain eligible for payment for such travel in that country regardless of whether the country continues to qualify as a Freely Associated State for purposes of this subsection.

''(3) The Secretary shall prescribe regulations to carry out this subsection.

''(4) In this subsection, the term 'Freely Associated States' means—

''(A) the Federated States of Micronesia, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note);

''(B) the Republic of the Marshall Islands, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note); and

''(C) the Republic of Palau, during such time as it is a party to the Compact of Free Association between the United States and the Government of Palau set forth in section 201 of Joint Resolution entitled 'Joint Resolution to approve the ''Compact of Free Association'' between the United States and the Government of Palau, and for other purposes' (Public Law 99–658; 48 U.S.C. 1931 note).''.

(4) LEGAL ISSUES.—

(A) AGREEMENTS TO FURNISH CARE AND SERVICES.—

(i) IN GENERAL.—Before delivering hospital care or medical services under subsection (f) of section 1724 of title 38, United States Code, as added by paragraph (2)(B), the Secretary of Veterans Affairs, in consultation with the Secretary of State, shall enter into agreements with the governments of the Freely Associated States to—

(I) facilitate the furnishing of health services, including telehealth, under the laws administered by the Secretary of Veterans Affairs to veterans in the Freely Associated States, such as by addressing—

(aa) licensure, certification, registration, and tort issues relating to health care personnel;

(bb) the scope of health services the Secretary may furnish, as well as the means for furnishing such services; and

(cc) matters relating to delivery of pharmaceutical products and medical surgical products, including delivery of such products through the Consolidated Mail Outpatient Pharmacy of the Department of Veterans Affairs, to the Freely Associated States;

(II) clarify the authority of the Secretary of Veterans Affairs to pay for tort claims as set forth under subparagraph (C); and

(III) clarify authority and responsibility on any other matters determined relevant by the Secretary of Veterans Affairs or the governments of the Freely Associated States.

(ii) SCOPE OF AGREEMENTS.—The agreements described in clause (i) shall incorporate, to the extent practicable, the applicable laws of the Freely Associated States and define the care and services that can be legally provided by the Secretary of Veterans Affairs in the Freely Associated States.

(iii) REPORT TO CONGRESS.—

(I) IN GENERAL.—Not later than 90 days after entering into an agreement described in clause (i), the Secretary of Veterans Affairs shall submit the agreement to the appropriate committees of Congress.

(II) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this clause, the term ''appropriate committees of Congress'' means—

(aa) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, and the Committee on Veterans' Affairs of the Senate; and

(bb) the Committee on Natural Resources, the Committee on Foreign Affairs, and the Committee on Veterans' Affairs of the House of Representatives.

(B) LICENSURE OF HEALTH CARE PROFESSIONALS PROVIDING TREATMENT VIA TELEMEDICINE IN THE FREELY ASSOCIATED STATES.—Section 1730C(a) of title 38, United States Code, is amended by striking ''any State'' and inserting ''any State or any of the Freely Associated States (as defined in section 1724(f) of this title)''.

(C) PAYMENT OF CLAIMS.—The Secretary of Veterans Affairs may pay tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in the Freely Associated States in connection with furnishing hospital care or medical services or providing medical consultation or medical advice to a veteran under the laws administered by the Secretary, including through a remote or telehealth program.

(5) OUTREACH AND ASSESSMENT OF OPTIONS.—During the 1-year period beginning on the date of enactment of this Act, the Secretary of Veterans Affairs shall, subject to the availability of appropriations—

(A) conduct robust outreach to, and engage with, each government of the Freely Associated States;

(B) assess options for the delivery of care through the use of authorities provided pursuant to the amendments made by this subsection; and

(C) increase staffing as necessary to conduct outreach under subparagraph (A).

(b) AUTHORIZATION OF EDUCATION PROGRAMS.—

(1) ELIGIBILITY.—For fiscal year 2024 and each fiscal year thereafter, the Government of the United States shall—

(A) continue to make available to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, grants for services to individuals eligible for such services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) to the extent that those services continue to be available to individuals in the United States;

(B) continue to make available to the Federated States of Micronesia and the Republic of the Marshall Islands and make available to the Republic of Palau, competitive grants under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), and part D of the Individuals with Disabilities Education Act (20 U.S.C. 1450 et seq.), to the extent that those grants continue to be available to State and local governments in the United States;

(C) continue to make grants available to the Republic of Palau under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.), and the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(D) continue to make available to eligible institutions of higher education in the Republic of Palau and make available to eligible institutions of higher education in the Federated States of Micronesia and the Republic of the Marshall Islands and to students enrolled in those institutions of higher education, and to students who are citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau and enrolled in institutions of higher education in the United States and territories of the United States, grants under—

(i) subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.);

(ii) subpart 3 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070b et seq.); and

(iii) part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.);

(E) require, as a condition of eligibility for a public institution of higher education in any State (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) that is not a Freely Associated State to participate in or receive funds under any program under title IV of such Act (20 U.S.C. 1070 et seq.), that the institution charge students who are citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau tuition for attendance at a rate that is not greater than the rate charged for residents of the State in which such public institution of higher education is located; and

(F) continue to make available, to eligible institutions of higher education, secondary schools, and nonprofit organizations in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, competitive grants under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(2) OTHER FORMULA GRANTS.—Except as provided in paragraph (1), the Secretary of Education shall not make a grant under any formula grant program administered by the Department of Education to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau.

(3) GRANTS TO THE FREELY ASSOCIATED STATES UNDER PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Section 611(b)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1411(b)(1)) is amended by striking subparagraph (A) and inserting the following:

''(A) FUNDS RESERVED.—From the amount appropriated for any fiscal year under subsection (i), the Secretary shall reserve not more than 1 percent, which shall be used as follows:

''(i) To provide assistance to the outlying areas in accordance with their respective populations of individuals aged 3 through 21.

''(ii)(I) To provide each freely associated State a grant so that no freely associated State receives a lesser share of the total funds reserved for the freely associated State than the freely associated State received of those funds for fiscal year 2023.

''(II) Each freely associated State shall establish its eligibility under this subparagraph consistent with the requirements for a State under section 612.

''(III) The funds provided to each freely associated State under this part may be used to provide, to each infant or toddler with a disability (as defined in section 632), either a free appropriate public education, consistent with section 612, or early intervention services consistent with part C, notwithstanding the application and eligibility requirements of sections 634(2), 635, and 637.''.

(4) TECHNICAL AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(A) by striking subparagraph (A) of section 1121(b)(1) (20 U.S.C. 6331(b)(1)) and inserting the following:

''(A) first reserve $1,000,000 for the Republic of Palau, subject to such terms and conditions as the Secretary may establish, except that Public Law 95–134, permitting the consolidation of grants, shall not apply; and''; and

(B) in section 8101 (20 U.S.C. 7801), by amending paragraph (36) to read as follows:

''(36) OUTLYING AREA.—The term 'outlying area'—

''(A) means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands; and

''(B) for the purpose of any discretionary grant program under this Act, includes the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, to the extent that any such grant program continues to be available to State and local governments in the United States.''.

(5) TECHNICAL AMENDMENT TO THE COMPACT OF FREE ASSOCIATION AMENDMENTS ACT OF 2003.—Section 105(f)(1)(B) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)) is amended by striking clause (ix).

(6) HEAD START PROGRAMS.—

(A) DEFINITIONS.—Section 637 of the Head Start Act (42 U.S.C. 9832) is amended, in the paragraph defining the term ''State'', by striking the second sentence and inserting ''The term 'State' includes the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.''.

(B) ALLOTMENT OF FUNDS.—Section 640(a)(2)(B) of the Head Start Act (42 U.S.C. 9835(a)(2)(B)) is amended—

(i) in clause (iv), by inserting ''the Republic of Palau,'' before ''and the Virgin Islands''; and

(ii) by amending clause (v) to read as follows:

''(v) if a base grant has been established through appropriations for the Federated States of Micronesia or the Republic of the Marshall Islands, to provide an amount for that jurisdiction (for Head Start agencies (including Early Head Start agencies) in the jurisdiction) that is equal to the amount provided for base grants for such jurisdiction under this subchapter for the prior fiscal year, by allotting to each agency described in this clause an amount equal to that agency's base grant for the prior fiscal year; and''.

(7) COORDINATION REQUIRED.—The Secretary of the Interior, in coordination with the Secretary of Education and the Secretary of Health and Human Services, as applicable, shall, to the maximum extent practicable, coordinate with the 3 United States appointees to the Joint Economic Management Committee described in section 4005(b)(1) and the 2 United States appointees to the Joint Economic Management and Financial Accountability Committee described in section 4006(d)(1) to avoid duplication of economic assistance for education provided under section 261(a)(1) of the 2023 Amended U.S.-FSM Compact or section 261(a)(1) of the 2023 Amended U.S.-RMI Compact of activities or services provided under—

(A) the Head Start Act (42 U.S.C. 9831 et seq.);

(B) subpart 3 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070b et seq.); or

(C) part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.).

(c) AUTHORIZATION OF DEPARTMENT OF DEFENSE PROGRAMS.—

(1) DEPARTMENT OF DEFENSE MEDICAL FACILITIES.—The Secretary of Defense shall make available, on a space available and reimbursable basis, the medical facilities of the Department of Defense for use by citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, who are properly referred to the facilities by government authorities responsible for provision of medical services in the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and the affected jurisdictions (as defined in section 104(e)(2) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921c(e)(2))).

(2) PARTICIPATION BY SECONDARY SCHOOLS IN THE ARMED SERVICES VOCATIONAL APTITUDE BATTERY STUDENT TESTING PROGRAM.—It is the sense of Congress that the Department of Defense may extend the Armed Services Vocational Aptitude Battery (ASVAB) Student Testing Program and the ASVAB Career Exploration Program to selected secondary schools in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau to the extent such programs are available to Department of Defense dependent secondary schools established under section 2164 of title 10, United States Code, and located outside the United States.

(d) JUDICIAL TRAINING.—In addition to amounts provided under section 261(a)(4) of the 2023 Amended U.S.-FSM Compact and the 2023 Amended U.S.-RMI Compact and under subsections (a) and (b) of Article 1 of the 2023 U.S.-Palau Compact Review Agreement, for each of fiscal years 2024 through 2043, the Secretary of the Interior shall use the amounts made available to the Secretary of the Interior under section 4011(c) to train judges and officials of the judiciary in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, in cooperation with the Pacific Islands Committee of the judicial council of the ninth judicial circuit of the United States.

(e) ELIGIBILITY FOR THE REPUBLIC OF PALAU.—

(1) NATIONAL HEALTH SERVICE CORPS.—The Secretary of Health and Human Services shall make the services of the National Health Service Corps available to the residents of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau to the same extent, and for the same duration, as services are authorized to be provided to persons residing in any other areas within or outside the United States.

(2) ADDITIONAL PROGRAMS AND SERVICES.—The Republic of Palau shall be eligible for the programs and services made available to the Federated States of Micronesia and the Republic of the Marshall Islands under section 108(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921g(a)).

(3) PROGRAMS AND SERVICES OF CERTAIN AGENCIES.—In addition to the programs and services set forth in the operative Federal Programs and Services Agreement between the United States and the Republic of Palau, the programs and services of the following agencies shall be made available to the Republic of Palau:

(A) The Legal Services Corporation.

(B) The Public Health Service.

(C) The Rural Housing Service.

(f) COMPACT IMPACT FAIRNESS.—

(1) IN GENERAL.—Section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612) is amended—

(A) in subsection (a)(2), by adding at the end the following:

''(N) EXCEPTION FOR CITIZENS OF FREELY ASSOCIATED STATES.—With respect to eligibility for benefits for any specified Federal program, paragraph (1) shall not apply to any individual who lawfully resides in the United States in accordance with section 141 of the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.''; and

(B) in subsection (b)(2)(G)—

(i) in the subparagraph heading, by striking ''MEDICAID EXCEPTION FOR'' and inserting ''EXCEPTION FOR''; and

(ii) by striking ''the designated Federal program defined in paragraph (3)(C) (relating to the Medicaid program)'' and inserting ''any designated Federal program''.

(2) EXCEPTION TO 5-YEAR WAIT REQUIREMENT.—Section 403(b)(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)(3)) is amended by striking '', but only with respect to the designated Federal program defined in section 402(b)(3)(C)''.

(3) DEFINITION OF QUALIFIED ALIEN.—Section 431(b)(8) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(b)(8)) is amended by striking '', but only with respect to the designated Federal program defined in section 402(b)(3)(C) (relating to the Medicaid program)''.

(g) CONSULTATION WITH INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury, in coordination with the Secretary of the Interior and the Secretary of State, shall consult with appropriate officials of the Asian Development Bank and relevant international financial institutions (as defined in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 262r(c))), as appropriate, with respect to overall economic conditions in, and the activities of other providers of assistance to, the Freely Associated States.

(h) CHIEF OF MISSION.—Section 105(b) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(b)) is amended by striking paragraph (5) and inserting the following:

''(5) Pursuant to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927), all United States Government executive branch employees in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau fall under the authority of the respective applicable chief of mission, except for employees identified as excepted from the authority under Federal law or by Presidential directive.''.

(i) ESTABLISHMENT OF A UNIT FOR THE FREELY ASSOCIATED STATES IN THE BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS OF THE DEPARTMENT OF STATE AND INCREASING PERSONNEL FOCUSED ON OCEANIA.—

(1) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, 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) REQUIREMENTS.—The Secretary of State shall—

(A) assign additional full-time equivalent personnel to the Office of Australia, New Zealand, and Pacific Island Affairs of the Bureau of East Asian and Pacific Affairs of the Department of State, including to the unit established under subparagraph (B), as the Secretary of State determines to be appropriate, in accordance with paragraph (4)(A); and

(B) establish a unit in the Bureau of East Asian and Pacific Affairs of the Department of State to carry out the functions described in paragraph (3).

(3) FUNCTIONS OF UNIT.—The unit established under paragraph (2)(B) shall be responsible for the following:

(A) Managing the bilateral and regional relations with the Freely Associated States.

(B) Supporting the Secretary of State in leading negotiations relating to the Compacts of Free Association with the Freely Associated States.

(C) Coordinating, in consultation with the Department of the Interior, the Department of Defense, and other interagency partners as appropriate, implementation of the Compacts of Free Association with the Freely Associated States.

(4) FULL-TIME EQUIVALENT EMPLOYEES.—The Secretary of State shall—

(A) not later than 5 years after the date of enactment of this Act, assign to the Office of Australia, New Zealand, and Pacific Island Affairs of the Bureau of East Asian and Pacific Affairs, including to the unit established under paragraph (2)(B), not less than 4 additional full-time equivalent staff, who shall not be dual-hatted, including by considering—

(i) the use of existing flexible hiring authorities, including Domestic Employees Teleworking Overseas (DETOs); and

(ii) the realignment of existing personnel, including from the United States Mission in Australia, as appropriate;

(B) reduce the number of vacant foreign service positions in the Pacific Island region by establishing an incentive program within the Foreign Service for overseas positions related to the Pacific Island region; and

(C) report to the appropriate congressional committees on progress toward objectives outlined in this subsection beginning 1 year from the date of enactment of this Act and annually thereafter for 5 years.

(j) TECHNICAL ASSISTANCE.—Section 105 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d) is amended by striking subsection (j) and inserting the following:

''(j) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Technical assistance may be provided pursuant to section 224 of the 2023 Amended U.S.-FSM Compact, section 224 of the 2023 Amended U.S.-RMI Compact, or section 222 of the U.S.-Palau Compact (as those terms are defined in section 4003 of the Compact of Free Association Amendments Act of 2024) by Federal agencies and institutions of the Government of the United States to the extent the assistance shall be provided to States, territories, or units of local government.

''(2) HISTORIC PRESERVATION.—

''(A) IN GENERAL.—Any technical assistance authorized under paragraph (1) that is provided by the Forest Service, the Natural Resources Conservation Service, the United States Fish and Wildlife Service, the National Marine Fisheries Service, the United States Coast Guard, the Advisory Council on Historic Preservation, the Department of the Interior, or any other Federal agency providing assistance under division A of subtitle III of title 54, United States Code, may be provided on a nonreimbursable basis.

''(B) GRANTS.—During the period in which the 2023 Amended U.S.-FSM Compact (as so defined) and the 2023 Amended U.S.-RMI Compact (as so defined) are in force, the grant programs under division A of subtitle III of title 54, United States Code, shall continue to apply to the Federated States of Micronesia and the Republic of the Marshall Islands in the same manner and to the same extent as those programs applied prior to the approval of the U.S.-FSM Compact and U.S.-RMI Compact.

''(3) ADDITIONAL FUNDS.—Any funds provided pursuant to this subsection, subsections (c), (g), (h), (i), (k), (l), and (m), section 102(a), and subsections (a), (b), (f), (g), (h), and (j) of section 103 shall be in addition to, and not charged against, any amounts to be paid to the Federated States of Micronesia or the Republic of the Marshall Islands pursuant to—

''(A) the U.S.-FSM Compact;

''(B) the U.S.-RMI Compact; or

''(C) any related subsidiary agreement.''.

(k) CONTINUING TRUST TERRITORY AUTHORIZATION.—The authorization provided by the Act of June 30, 1954 (68 Stat. 330, chapter 423), shall remain available after the effective date of the 2023 Amended U.S.-FSM Compact and the 2023 Amended U.S.-RMI Compact with respect to the Federated States of Micronesia and the Republic of the Marshall Islands for transition purposes, including—

(1) completion of projects and fulfillment of commitments or obligations;

(2) termination of the Trust Territory Government and termination of the High Court;

(3) health and education as a result of exceptional circumstances;

(4) ex gratia contributions for the populations of Bikini, Enewetak, Rongelap, and Utrik; and

(5) technical assistance and training in financial management, program administration, and maintenance of infrastructure.

(l) TECHNICAL AMENDMENTS.—

(1) PUBLIC HEALTH SERVICE ACT DEFINITION.—Section 2(f) of the Public Health Service Act (42 U.S.C. 201(f)) is amended by striking ''and the Trust Territory of the Pacific Islands'' and inserting ''the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau''.

(2) COMPACT IMPACT AMENDMENTS.—Section 104(e) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921c(e)) is amended—

(A) in paragraph (4)—

(i) in subparagraph (A), by striking ''beginning in fiscal year 2003'' and inserting ''during the period of fiscal years 2003 through 2023''; and

(ii) in subparagraph (C), by striking ''after fiscal year 2003'' and inserting ''for the period of fiscal years 2004 through 2023'';

(B) by striking paragraph (5); and

(C) by redesignating paragraphs (6) through (10) as paragraphs (5) through (9), respectively.

SEC. 4010. ADDITIONAL AUTHORITIES.

(a) AGENCIES, DEPARTMENTS, AND INSTRUMENTALITIES.—

(1) IN GENERAL.—Appropriations to carry out the obligations, services, and programs described in paragraph (2) shall be made directly to the Federal agencies, departments, and instrumentalities carrying out the obligations, services and programs.

(2) OBLIGATIONS, SERVICES, AND PROGRAMS DESCRIBED.—The obligations, services, and programs referred to in paragraphs (1) and (3) are the obligations, services, and programs under—

(A) sections 131 and 132, paragraphs (1) and (3) through (6) of section 221(a), and section 221(b) of the 2023 Amended U.S.-FSM Compact;

(B) sections 131 and 132, paragraphs (1) and (3) through (6) of section 221(a), and section 221(b) of the 2023 Amended U.S.-RMI Compact;

(C) sections 131 and 132 and paragraphs (1), (3), and (4) of section 221(a) of the U.S.-Palau Compact;

(D) Article 6 of the 2023 U.S.-Palau Compact Review Agreement; and

(E) section 4009.

(3) AUTHORITY.—The heads of the Federal agencies, departments, and instrumentalities to which appropriations are made available under paragraph (1) as well as the Federal Deposit Insurance Corporation shall—

(A) have the authority to carry out any activities that are necessary to fulfill the obligations, services, and programs described in paragraph (2); and

(B) use available funds to carry out the activities under subparagraph (A).

(b) ADDITIONAL ASSISTANCE.—Any assistance provided pursuant to section 105(j) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(j)) (as amended by section 4009(j)) and sections 4005(a), 4006(a), 4007(b), and 4009 shall be in addition to and not charged against any amounts to be paid to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau pursuant to—

(1) the 2023 Amended U.S.-FSM Compact;

(2) the 2023 Amended U.S.-RMI Compact;

(3) the 2023 U.S.-Palau Compact Review Agreement; or

(4) any related subsidiary agreement.

(c) REMAINING BALANCES.—Notwithstanding any other provision of law, including section 109 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921h)—

(1) remaining balances appropriated to carry out sections 211, 212(b), 215, and 217 of the 2023 Amended U.S.-FSM Compact, shall be programmed pursuant to Article IX of the 2023 U.S.-FSM Fiscal Procedures Agreement; and

(2) remaining balances appropriated to carry out sections 211, 213(b), 216, and 218 of the 2023 Amended U.S.-RMI Compact, shall be programmed pursuant to Article XI of the 2023 U.S.-RMI Fiscal Procedures Agreement.

(d) GRANTS.—Notwithstanding any other provision of law—

(1) contributions under the 2023 Amended U.S.-FSM Compact, the 2023 U.S.-Palau Compact Review Agreement, and the 2023 Amended U.S.-RMI Compact may be provided as grants for purposes of implementation of the 2023 Amended U.S.-FSM Compact, the 2023 U.S.-Palau Compact Review Agreement, and the 2023 Amended U.S.-RMI Compact under the laws of the United States; and

(2) funds appropriated pursuant to section 4011 may be deposited in interest-bearing accounts and any interest earned may be retained in and form part of those accounts for use consistent with the purpose of the deposit.

(e) RULE OF CONSTRUCTION.—Except as specifically provided, nothing in this division or the amendments made by this division amends the following:

(1) Title I of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 et seq.).

(2) Title I of Public Law 99–658 (48 U.S.C. 1931 et seq.).

(3) Title I of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 et seq.).

(4) Section 1259C of the National Defense Authorization Act for Fiscal Year 2018 (48 U.S.C. 1931 note; Public Law 115–91).

(5) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018 (Public Law 115–141; 132 Stat. 635).

(f) CLARIFICATION RELATING TO APPROPRIATED FUNDS.—Notwithstanding section 109 of the Compacts of Free Association Amendments Act of 2003 (48 U.S.C. 1921h)—

(1) funds appropriated by that section and deposited into the RMI Compact Trust Fund shall be governed by the 2023 U.S.-RMI Trust Fund Agreement on entry into force of the 2023 U.S.-RMI Trust Fund Agreement;

(2) funds appropriated by that section and deposited into the FSM Compact Trust Fund shall be governed by the 2023 U.S.-FSM Trust Fund Agreement on entry into force of the 2023 U.S.-FSM Trust Fund Agreement;

(3) funds appropriated by that section and made available for fiscal year 2024 or any fiscal year thereafter as grants to carry out the purposes of section 211(b) of the 2003 U.S.-RMI Amended Compact shall be subject to the provisions of the 2023 U.S.-RMI Fiscal Procedures Agreement on entry into force of the 2023 U.S.-RMI Fiscal Procedures Agreement;

(4) funds appropriated by that section and made available for fiscal year 2024 or any fiscal year thereafter as grants to carry out the purposes of section 221 of the 2003 U.S.-RMI Amended Compact shall be subject to the provisions of the 2023 U.S.-RMI Fiscal Procedures Agreement on entry into force of the 2023 U.S.-RMI Fiscal Procedures Agreement, except as modified in the Federal Programs and Services Agreement in force between the United States and the Republic of the Marshall Islands; and

(5) funds appropriated by that section and made available for fiscal year 2024 or any fiscal year thereafter as grants to carry out the purposes of section 221 of the 2003 U.S.-FSM Amended Compact shall be subject to the provisions of the 2023 U.S.-FSM Fiscal Procedures Agreement on entry into force of the 2023 U.S.-FSM Fiscal Procedures Agreement, except as modified in the 2023 U.S.-FSM Federal Programs and Services Agreement.

SEC. 4011. COMPACT APPROPRIATIONS.

(a) FUNDING FOR ACTIVITIES OF THE SECRETARY OF THE INTERIOR.—For the period of fiscal years 2024 through 2043, there are appropriated to the Compact of Free Association account of the Department of the Interior, out of any funds in the Treasury not otherwise appropriated, to remain available until expended, the amounts described in and to carry out the purposes of—

(1) sections 261, 265, and 266 of the 2023 Amended U.S.-FSM Compact;

(2) sections 261, 265, and 266 of the 2023 Amended U.S.-RMI Compact; and

(3) Articles 1, 2, and 3 of the 2023 U.S.-Palau Compact Review Agreement.

(b) FUNDING FOR ACTIVITIES OF THE UNITED STATES POSTAL SERVICE.—

(1) APPROPRIATION.—There is appropriated to the United States Postal Service, out of any funds in the Treasury not otherwise appropriated for each of fiscal years 2024 through 2043, $31,700,000, to remain available until expended, to carry out the costs of the following provisions that are not otherwise funded:

(A) Section 221(a)(2) of the 2023 Amended U.S.-FSM Compact.

(B) Section 221(a)(2) of the 2023 Amended U.S.-RMI Compact.

(C) Section 221(a)(2) of the U.S.-Palau Compact.

(D) Article 6(a) of the 2023 U.S.-Palau Compact Review Agreement.

(2) DEPOSIT.—

(A) IN GENERAL.—The amounts appropriated to the United States Postal Service under paragraph (1) shall be deposited into the Postal Service Fund established under section 2003 of title 39, United States Code, to carry out the provisions described in that paragraph.

(B) REQUIREMENT.—Any amounts deposited into the Postal Service Fund under subparagraph (A) shall be the fiduciary, fiscal, and audit responsibility of the Postal Service.

(c) FUNDING FOR JUDICIAL TRAINING.—There is appropriated to the Secretary of the Interior to carry out section 4009(d) out of any funds in the Treasury not otherwise appropriated, $550,000 for each of fiscal years 2024 through 2043, to remain available until expended.

(d) TREATMENT OF PREVIOUSLY APPROPRIATED AMOUNTS.—The total amounts made available to the Government of the Federated States of Micronesia and the Government of the Republic of the Marshall Islands under subsection (a) shall be reduced by amounts made available to the Government of the Federated States of Micronesia and the Government of the Republic of the Marshall Islands, as applicable, under section 2101(a) of the Continuing Appropriations Act, 2024 and Other Extensions Act (Public Law 118–15; 137 Stat. 81) (as amended by section 101 of division B of the Further Continuing Appropriations and Other Extensions Act, 2024 (Public Law 118–22; 137 Stat. 114) and section 201 of the Further Additional Continuing Appropriations and Other Extensions Act, 2024 (Public Law 118–35; 138 Stat. 7)).

SEC. 4012. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)), the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act (2 U.S.C. 901);

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)); and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 932) as being included in an appropriation Act.

SA 1410. Mr. ROUNDS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end the following:

DIVISION C—OTHER MATTERS

SEC. 4001. MODIFICATIONS TO AUTHORITIES OF COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES RELATING TO AGRICULTURE AND NATIONAL SECURITY SENSITIVE SITES.

(a) AGRICULTURE-RELATED TRANSACTIONS.—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)).''; and

(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.''.

(b) PROHIBITION WITH RESPECT TO PURCHASES AND LEASES OF AGRICULTURAL REAL ESTATE NEAR NATIONAL SECURITY SENSITIVE SITES.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended by adding at the end the following:

''(r) PROHIBITION WITH RESPECT TO PURCHASES AND LEASES OF AGRICULTURAL REAL ESTATE NEAR NATIONAL SECURITY SENSITIVE SITES.—

''(1) IN GENERAL.—If the Committee, in conducting a review under this section, determines that a transaction described in clause (i) or (ii) of subsection (a)(4)(B) would result in the purchase or lease by a covered foreign person of real estate described in paragraph (2), 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.''.

(c) 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).

(d) 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.

(e) 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 (d)(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).

(f) 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 1411. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—REBUILDING ECONOMIC PROSPERITY AND OPPORTUNITY FOR UKRAINIANS ACT

SEC. 4001. SHORT TITLE.

This division may be cited as the ''Rebuilding Economic Prosperity and Opportunity for Ukrainians Act'' or the ''REPO for Ukrainians Act''.

SEC. 4002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and 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) G7.—The term ''G7'' means the countries that are members of the informal Group of 7, including Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

(3) RUSSIAN SOVEREIGN ASSET.—The term ''Russian sovereign asset'' means funds and other property of—

(A) the Central Bank of the Russian Federation;

(B) the National Wealth Fund of the Russian Federation; or

(C) the Ministry of Finance of the Russian Federation.

(4) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

TITLE I—SEIZURE, TRANSFER, CONFISCATION, AND REPURPOSING OF RUSSIAN SOVEREIGN ASSETS

SEC. 4101. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) On February 20, 2014, the Government of the Russian Federation violated the sovereignty and territorial integrity of Ukraine by engaging in a pre-meditated and illegal invasion of Ukraine.

(2) On February 24, 2022, the Government of the Russian Federation violated the sovereignty and territorial integrity of Ukraine by engaging in a pre-meditated, second illegal invasion of Ukraine.

(3) The international community has condemned the illegal invasions of Ukraine by the Russian Federation, as well as the commission of war crimes by the Russian Federation, including through the deliberate targeting of civilians and civilian infrastructure, the commission of sexual violence, and the forced deportation of Ukrainian children.

(4) The leaders of the G7 have called the Russian Federation's ''unprovoked and completely unjustified attack on the democratic state of Ukraine'' a ''serious violation of international law and a grave breach of the United Nations Charter and all commitments Russia entered in the Helsinki Final Act and the Charter of Paris and its commitments in the Budapest Memorandum''.

(5) On March 2, 2022, the United Nations General Assembly adopted Resolution ES–11/1, entitled ''Aggression against Ukraine'', by a vote of 141 to 5. That resolution ''deplore[d] in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the [United Nations] Charter'' and demanded that the Russian Federation ''immediately cease its use of force against Ukraine'' and ''immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders''.

(6) On March 16, 2022, the International Court of Justice issued provisional measures ordering the Russian Federation to ''immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine''.

(7) The Russian Federation bears international legal responsibility for its aggression against Ukraine and, under international law, must cease its internationally wrongful acts. Because of this breach of the prohibition on aggression under international law, the United States is legally entitled to take countermeasures that are proportionate and aimed at inducing the Russian Federation to comply with its international obligations.

(8) On November 14, 2022, the United Nations General Assembly adopted a resolution—

(A) recognizing that the Russian Federation must bear the legal consequences of all of its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts;

(B) recognizing the need for the establishment of an international mechanism for reparation for damage, loss, or injury caused by the Russian Federation in or against Ukraine; and

(C) recommending creation of an international register of such damage, loss, or injury.

(9) Under international law, a country that is responsible for an internationally wrongful act is under an obligation to make full reparation for the injury caused. The Russian Federation bears such an obligation to compensate Ukraine.

(10) Approximately $300,000,000,000 of Russian sovereign assets have been immobilized worldwide. Only a small fraction of those assets—1 to 2 percent, or between $4,000,000,000 and $5,000,000,000—are reportedly subject to the jurisdiction of the United States.

(11) The vast majority of immobilized Russian sovereign assets, approximately $190,000,000,000, are reportedly subject to the jurisdiction of Belgium. The Government of Belgium has publicly indicated that any action by that Government regarding those assets would be predicated on support by the G7.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, having committed an act of aggression, as recognized by the United Nations General Assembly on March 2, 2022, the Russian Federation is to be considered as an aggressor state. The internationally wrongful acts taken by the Russian Federation, including an act of aggression, present a unique situation justifying the establishment of a mechanism to compensate Ukraine and victims of aggression by the Russian Federation in Ukraine.

SEC. 4102. SENSE OF CONGRESS REGARDING IMPORTANCE OF THE RUSSIAN FEDERATION PROVIDING COMPENSATION TO UKRAINE.

It is the sense of Congress that—

(1) the Russian Federation bears responsibility for the financial burden of the reconstruction of Ukraine and for countless other costs associated with the illegal invasion of Ukraine by the Russian Federation that began on February 24, 2022;

(2) in the absence of a comprehensive peace agreement addressing the Russian Federation's obligation to compensate Ukraine for the cost of the Russian Federation's unlawful war against Ukraine, the amount of money the Russian Federation must pay Ukraine should be assessed by an international body or mechanism charged with determining compensation and providing assistance to Ukraine;

(3) the Russian Federation is on notice of its opportunity to comply with its international obligations, including compensation, or, by agreement with the government of independent Ukraine, authorize an international body or mechanism to address those outstanding obligations with authority to make binding decisions on parties that comply in good faith;

(4) the Russian Federation can, by negotiated agreement, participate in any international process to assess the full cost of the Russian Federation's unlawful war against Ukraine and make funds available to compensate for damage, loss, and injury arising from its internationally wrongful acts in Ukraine, and if it fails to do so, the United States and other countries should explore other avenues for ensuring compensation to Ukraine, including confiscation and repurposing of assets of the Russian Federation;

(5) the President should continue to lead robust engagement on all bilateral and multilateral aspects of the response by the United States to efforts by the Russian Federation to undermine the sovereignty and territorial integrity of Ukraine, including on any policy coordination and alignment regarding the disposition of Russian sovereign assets in the context of compensation; and

(6) any effort by the United States to confiscate and repurpose Russian sovereign assets should be undertaken alongside international allies and partners as part of a coordinated, multilateral effort, including with G7 countries, the European Union, Australia, and other countries in which Russian sovereign assets are located.

SEC. 4103. PROHIBITION ON LIFTING SANCTIONS ON IMMOBILIZED RUSSIAN SOVEREIGN ASSETS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no Russian sovereign asset that is blocked or immobilized by the Department of the Treasury pursuant to sanctions imposed before the date described in section 4104(h) may be released or mobilized until the President certifies to the appropriate congressional committees in writing that—

(1) the Russian Federation has reached an agreement relating to the respective withdrawal of Russian forces and cessation of military hostilities that is accepted by the free and independent Government of Ukraine; and

(2)(A) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation; or

(B) the Russian Federation is participating in a bona fide international mechanism that, by agreement, will discharge the obligations of the Russian Federation to compensate Ukraine for all amounts determined to be owed to Ukraine.

(b) NOTIFICATION.—Not later than 30 days before the lifting of sanctions with respect to Russian sovereign assets as described in subsection (a), the President shall submit to the appropriate congressional committees—

(1) a written notification of the decision to lift the sanctions; and

(2) a justification in writing for lifting the sanctions.

(c) JOINT RESOLUTION OF DISAPPROVAL.—

(1) IN GENERAL.—Sanctions may not be lifted with respect to Russian sovereign assets as described in subsection (a) if, within 30 days of receipt of the notification and justification required under subsection (b), a joint resolution is enacted prohibiting the lifting of the sanctions.

(2) EXPEDITED PROCEDURES.—Any joint resolution described in paragraph (1) introduced in either House of Congress shall be considered 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), except that any such resolution shall be subject to germane amendments. If such a joint resolution should be vetoed by the President, the time for debate in consideration of the veto message on such measure shall be limited to 20 hours in the Senate and in the House of Representatives shall be determined in accordance with the Rules of the House.

(d) COOPERATION ON PROHIBITION OF LIFTING SANCTIONS ON CERTAIN RUSSIAN SOVEREIGN ASSETS.—The President may take such action as may be necessary to seek to obtain and enter into an agreement between the United States, Ukraine, and other countries that have blocked or immobilized Russian sovereign assets to prohibit such assets from being released or mobilized until there is an agreement that addresses the Russian Federation's obligation to compensate Ukraine.

SEC. 4104. AUTHORITY TO SEIZE, CONFISCATE, TRANSFER, AND VEST RUSSIAN SOVEREIGN ASSETS.

(a) REPORTING ON RUSSIAN SOVEREIGN ASSETS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until the date described in subsection (h), the President shall submit to the appropriate congressional committees a report detailing the status of Russian sovereign assets subject to the jurisdiction of the United States, including the information with respect to such assets required to be included with respect to property in the reports required by Directive 4.

(2) CONTINUATION IN EFFECT OF REPORTING REQUIREMENTS.—Any requirement to submit reports under Directive 4 shall remain in effect until the date described in subsection (h).

(3) FORM.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) DIRECTIVE 4 DEFINED.—In this subsection, the term ''Directive 4'' means Directive 4 issued by the Office of Foreign Assets Control under Executive Order 14024 (50 U.S.C. 1701 note; relating to blocking property with respect to specified harmful foreign activities of the Government of the Russian Federation), as in effect on the date of the enactment of this Act.

(b) SEIZURE, TRANSFER, VESTING, AND CONFISCATION.—

(1) IN GENERAL.—On and after the date that is 30 days after the President submits to the appropriate congressional committees the certification described in subsection (c), the President may seize, confiscate, transfer, or vest any Russian sovereign assets, in whole or in part, and including any interest or interests in such assets, subject to the jurisdiction of the United States.

(2) VESTING.—For funds confiscated under paragraph (1), all right, title, and interest in Russian sovereign assets shall vest in the Government of the United States.

(3) LIQUIDATION AND DEPOSIT.—The President may—

(A) deposit any funds seized, transferred, or confiscated under paragraph (1) into the Ukraine Support Fund established under subsection (d);

(B) liquidate or sell any other property seized, transferred, or confiscated under paragraph (1) and deposit the funds resulting from such liquidation or sale into the Ukraine Support Fund; and

(C) make all such funds available for the purposes described in subsection (e).

(4) METHOD OF SEIZURE, TRANSFER, OR CONFISCATION.—The President may seize, transfer, or confiscate Russian sovereign assets under paragraph (1) through instructions or licenses or in such other manner as the President determines appropriate.

(c) CERTIFICATION.—The certification described in this subsection, with respect to Russian sovereign assets, is a certification that—

(1) seizing, confiscating, or transferring the Russian sovereign assets for the benefit of Ukraine is in the national interests of the United States;

(2) either—

(A) the Russian Federation has not ceased its unlawful aggression against Ukraine; or

(B) the Russian Federation has not provided full compensation to Ukraine for harms resulting from Russian aggression; and

(3) the President has meaningfully coordinated with G7 leaders to take multilateral action with regard to any seizure, confiscation, or transfer of Russian sovereign assets for the benefit of Ukraine.

(d) ESTABLISHMENT OF THE UKRAINE SUPPORT FUND.—

(1) IN GENERAL.—The President shall establish an account, to be known as the ''Ukraine Support Fund'', to consist of funds deposited into the account under subsection (b).

(2) USE OF FUNDS.—The funds in the account established under paragraph (1) shall be available to be used only as specified in subsection (e).

(3) SUPPLEMENT NOT SUPPLANT.—Amounts in the account established under paragraph (1) shall supplement and not supplant other amounts made available to provide assistance to Ukraine.

(e) USE OF ASSETS.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4), funds in the Ukraine Support Fund shall be available to the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, to provide assistance to Ukraine to address damage resulting from the unlawful invasion by the Russian Federation that began on February 24, 2022, including through contributions to an international body or mechanism charged with determining compensation and providing assistance to Ukraine.

(2) COORDINATION WITH FOREIGN ASSISTANCE FUNDS.—

(A) IN GENERAL.—Funds in the Ukraine Support Fund may be transferred to, and merged with, funds made available to carry out any provision of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to carry out the purposes of this section, except that funds from the Ukraine Support Fund shall remain available until expended. Any funds transferred pursuant to this subparagraph may be considered foreign assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities in that Act.

(B) USE FOR DIRECT LOANS.—Notwithstanding section 504(b) of the Congressional Budget Act of 1974 (2 U.S.C. 661c(b)), funds in the Ukraine Support Fund may be made available, subject to such terms and conditions as the Secretary of State deems necessary, for the principal for direct loans for Ukraine and costs, as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), of such loans.

(3) NOTIFICATION.—

(A) IN GENERAL.—The Secretary of State shall notify the appropriate congressional committees not fewer than 15 days before providing any funds from the Ukraine Support Fund to the Government of Ukraine or to any other person or international organization for the purposes described in paragraph (1), other than funds authorized to be provided as assistance under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292).

(B) ELEMENTS.—A notification under subparagraph (A) with respect to the provision of funds to the Government of Ukraine shall specify—

(i) the amount of funds to be provided;

(ii) the purpose for which such funds are provided; and

(iii) the recipient.

(4) PROHIBITION OF PROVISION OF FUNDS TO THE RUSSIAN FEDERATION OR SANCTIONED PERSONS.—Notwithstanding any other provision of law, funds from the Ukraine Support Fund may not under any circumstances be provided to—

(A) the Government of the Russian Federation;

(B) a foreign person with respect to which the United States has imposed sanctions;

(C) a foreign person owned or controlled by—

(i) the Government of the Russian Federation;

(ii) a Russian person with respect to which the United States has imposed sanctions; or

(D) any person in which the Government of the Russian Federation or a person described in subparagraph (B) has a direct or indirect interest; or

(E) any person that may act in the interest of the Government of the Russian Federation.

(f) JUDICIAL REVIEW.—

(1) EXCLUSIVENESS OF REMEDY.—Notwithstanding any other provision of law, any action taken under this section shall not be subject to judicial review, except as provided in this subsection.

(2) LIMITATIONS FOR FILING CLAIMS.—A claim may only be brought with respect to an action under this section—

(A) that alleges that the action will deny rights under the Constitution of the United States; and

(B) if the claim is brought not later than 60 days after the date of such action.

(3) JURISDICTION.—

(A) IN GENERAL.—A claim under paragraph (2) of this subsection shall be barred unless a complaint is filed prior to the expiration of such time limits in the United States District Court for the District of Columbia.

(B) APPEAL.—An appeal of an order of the United States District Court for the District of Columbia issued pursuant to a claim brought under this subsection shall be taken by a notice of appeal filed with the United States Court of Appeals for the District of Columbia Circuit not later than 10 days after the date on which the order is entered.

(C) EXPEDITED CONSIDERATION.—It shall be the duty of the United States District Court for the District of Columbia and the United States Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of any claim brought under this subsection.

(g) EXCEPTION FOR UNITED STATES OBLIGATIONS UNDER INTERNATIONAL AGREEMENTS.—The authorities provided by this section may not be exercised in a manner inconsistent with the obligations of the United States under—

(1) the Convention on Diplomatic Relations, done at Vienna April 18, 1961, and entered into force April 24, 1964 (23 UST 3227);

(2) the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force on March 19, 1967 (21 UST 77);

(3) the Agreement Regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947 (TIAS 1676); or

(4) any other international agreement—

(A) governing the use of force or establishing rights under international humanitarian law; and

(B) to which the United States is a state party on the day before the date of the enactment of this Act.

(h) SUNSET.—The authority to seize, transfer, confiscate, or vest Russian sovereign assets under this section shall terminate on the earlier of—

(1) the date that is 6 years after the date of the enactment of this Act; or

(2) the date that is 120 days after the date on which the President determines and certifies to the appropriate congressional committees that—

(A) the Russian Federation has reached an agreement relating to the respective withdrawal of Russian forces and cessation of military hostilities that is accepted by the free and independent Government of Ukraine; and

(B)(i) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation;

(ii) the Russian Federation is participating in a bona fide international mechanism that, by agreement, addresses the obligations of the Russian Federation to compensate Ukraine; or

(iii) the Russian Federation's obligation to compensate Ukraine for the damage caused by the Russian Federation's aggression has been resolved pursuant to an agreement between the Russian Federation and the Government of Ukraine.

SEC. 4105. INTERNATIONAL MECHANISM TO USE RUSSIAN SOVEREIGN ASSETS TO PROVIDE FOR THE RECONSTRUCTION OF UKRAINE.

(a) IN GENERAL.—The President shall take steps the President determines are appropriate to coordinate with the G7, the European Union, Australia, and other partners and allies of the United States regarding the disposition of immobilized Russian sovereign assets, such as by seeking to establish a coordinated international compensation mechanism with foreign partners, including Ukraine, the G7, the European Union, Australia, and other partners and allies of the United States, which may include the establishment of an international fund, to be known as the ''Common Ukraine Fund'', that uses assets in the Ukraine Support Fund established under section 4104(d) and contributions from foreign partners to allow for compensation for Ukraine, including by—

(1) supporting a register of damage to serve as a record of evidence and for assessment of the full costs of damages to Ukraine resulting from the invasion of Ukraine by the Russian Federation that began on February 24, 2022;

(2) establishing a mechanism for compensating Ukraine for damages resulting from that invasion;

(3) ensuring distribution of those assets or the proceeds of those assets based on determinations under that mechanism; and

(4) taking such other actions as may be necessary to carry out this section.

(b) AUTHORIZATION FOR DEPOSIT.—Upon the President reaching an agreement or arrangement to establish a common international compensation mechanism pursuant to subsection (a), the Secretary of State may transfer funds from the Ukraine Support Fund established under section 4104(d) to a fund or mechanism established consistent with subsection (a).

(c) NOTIFICATIONS.—

(1) AGREEMENT OR ARRANGEMENT.—The President shall notify the appropriate congressional committees not later than 30 days before entering into any new bilateral or multilateral agreement or arrangement under subsection (a).

(2) TRANSFER.—The President shall notify the appropriate congressional committees not later than 30 days before any transfer from the Ukraine Support Fund to a fund established consistent with subsection (a).

(d) GOOD GOVERNANCE.—The Secretary of State, in consultation with the Secretary of the Treasury, shall—

(1) seek to ensure that any fund or mechanism established consistent with subsection (a) operates in accordance with established international accounting principles;

(2) seek to ensure that any such fund or mechanism is—

(A) staffed, operated, and administered in accordance with established accounting rules and governance procedures, including a mechanism for the governance and operation of the fund or mechanism;

(B) operated transparently as to all funds transfers, filings, and decisions; and

(C) audited on a regular basis by an independent auditor, in accordance with internationally accepted accounting and auditing standards;

(3) seek to ensure that any audits of any such fund or mechanism are made available to the public; and

(4) ensure that any audits of any such fund or mechanism are reviewed and reported on by the Government Accountability Office to the appropriate congressional committees and the public.

(e) LIMITATION ON TRANSFER OF FUNDS.—No funds may be transferred from the Ukraine Support Fund to a fund or mechanism established consistent with subsection (a) unless the President certifies to the appropriate congressional committees that—

(1) the institution housing the fund or mechanism has a plan to ensure transparency and accountability for all funds transferred to and from the Common Ukraine Fund; and

(2) the President has transmitted the plan required under paragraph (1) to the appropriate congressional committees in writing.

(f) JOINT RESOLUTION OF DISAPPROVAL.—No funds may be transferred from the Ukraine Support Fund to a fund or mechanism established consistent with subsection (a) if, within 30 days of receipt of the notification required under subsection (c)(2), a joint resolution is enacted prohibiting the transfer.

(g) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than every 90 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) An accounting of funds in any fund or mechanism established consistent with subsection (a).

(2) Any information regarding the disposition of any such fund or mechanism that has been transmitted to the President by the institution housing the fund or mechanism during the period covered by the report.

(3) A description of United States multilateral and bilateral diplomatic engagement with allies and partners of the United States that also have immobilized Russian sovereign assets to allow for compensation for Ukraine during the period covered by the report.

(4) An outline of steps taken to carry out this section during the period covered by the report.

SEC. 4106. REPORT ON USE OF RUSSIAN SOVEREIGN ASSETS.

Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report that contains—

(1) the amount and source of Russian sovereign assets seized, transferred, or confiscated pursuant to subsection (b)(1) of section 4104;

(2) the amount and source of funds transferred into the Ukraine Support Fund under subsection (b)(3) of that section; and

(3) a detailed description and accounting of how such funds were used to meet the purposes described in subsection (e) of that section.

SEC. 4107. REPORT ON IMMOBILIZED ASSETS OF THE CENTRAL BANK OF THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Board of Governors of the Federal Reserve, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission, shall submit to the appropriate congressional committees a report that includes—

(1) the best available accounting of the location, value, and denomination of blocked and immobilized assets of the Central Bank of the Russian Federation, as well as any additional assets of that bank held outside of the Russian Federation;

(2) with respect to blocked and immobilized assets of the Central Bank of the Russian Federation—

(A) a break down of those assets by the country or jurisdiction in which such assets are located;

(B) an estimate of the value and denomination of the assets held in each such country or jurisdiction; and

(C) an identification of whether those assets are securities, deposits, or other assets;

(3) an estimate, to the extent feasible, of—

(A) the total income received from those assets since the dates that the assets were blocked or immobilized; and

(B) the approximate amounts of those assets that are securities and have matured or expired; and

(4) an assessment of—

(A) what may have happened to the securities described in paragraph (3)(B); and

(B) how the funds from maturing securities have been reinvested and the associated income flows.

(b) ADDRESSING UNCERTAINTY.—In preparing the report required by subsection (a), the Secretary shall—

(1) where exact figures are uncertain, provide approximate ranges for those figures; and

(2) identify areas of uncertainty or gaps in accounting, including areas where the Central Bank of the Russian Federation may have additional assets outside of the Russian Federation.

(c) COORDINATION WITH ALLIES.—The Secretary shall work with the G7 and other allies of the United States to obtain the information necessary to ensure that the report submitted under subsection (a) is comprehensive. A joint report by the Secretary and such allies shall satisfy the requirements of this subsection.

(d) FORM.—

(1) IN GENERAL.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(2) FOCUS ON PUBLIC AVAILABILITY OF INFORMATION.—In preparing the report required by subsection (a), the Secretary shall maximize the amount of information that is included in the unclassified portion of the report.

SEC. 4108. ASSESSMENT BY SECRETARY OF STATE AND ADMINISTRATOR OF UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT ON RECONSTRUCTION AND REBUILDING NEEDS OF UKRAINE.

(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 the Treasury and Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees an assessment of the most pressing needs of Ukraine for reconstruction, rebuilding, security assistance, and humanitarian aid.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) An estimate of the rebuilding and reconstruction needs of Ukraine, as of the date of the assessment, resulting from the unlawful invasion of Ukraine by the Russian Federation, including—

(A) a description of the sources and methods for the estimate; and

(B) an identification of the locations or regions in Ukraine with the most pressing needs.

(2) An estimate of the humanitarian needs, as of the date of the assessment, of the people of Ukraine, including Ukrainians residing inside the internationally recognized borders of Ukraine or outside those borders, resulting from the unlawful invasion of Ukraine by the Russian Federation.

(3) An assessment of the extent to which the needs described in paragraphs (1) and (2) have been met or funded, by any source, as of the date of the assessment.

(4) A plan to engage in robust multilateral and bilateral diplomacy to ensure that allies and partners of the United States, particularly in the European Union as Ukraine seeks accession, increase their commitment to Ukraine's reconstruction.

(5) An identification of which such needs should be prioritized, including any assessment or request by the Government of Ukraine with respect to the prioritization of such needs.

SEC. 4109. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements 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.

TITLE II—MULTILATERAL COORDINATION AND COUNTERING MALIGN ACTIVITIES OF THE RUSSIAN FEDERATION

SEC. 4201. STATEMENT OF POLICY REGARDING MULTILATERAL COORDINATION 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 continue to lead a coordinated international sanctions regime to freeze sovereign assets of the Russian Federation;

(2) the Secretary of State should continue to engage in interagency and multilateral coordination with agencies of the European Union, the G7, Australia, and other allies and partners of the United States on efforts related to countering the Russian Federation, including efforts related to the confiscation and repurposing of Russian sovereign assets, as well as 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, continue to 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 continue to 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 Secretary of State, in consultation with the Secretary of the Treasury, should continue to 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 continue to take appropriate actions against the Russian Federation, including the imposition of sanctions.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary 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 Department of State.

SEC. 4202. 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''.

SEC. 4203. EXPANSION OF FORFEITED PROPERTY AVAILABLE TO REMEDIATE HARMS TO UKRAINE FROM RUSSIAN AGGRESSION.

(a) IN GENERAL.—Section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023 (division M of Public Law 117–328; 136 Stat. 5200) is amended—

(1) in subsection (a), by inserting ''from any forfeiture fund'' after ''The Attorney General may transfer''; and

(2) in subsection (c)—

(A) 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 covered legal authority;

''(B) was involved in an act in violation of, or a conspiracy or scheme to violate or cause a violation of—

''(i) any covered legal authority; 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 and 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, or the Crimea region of Ukraine, or the so-called Donetsk and Luhansk People's Republic regions of Ukraine.''; and

(B) by adding at the end the following:

''(3) The term 'covered legal authority' means 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—

''(A) the Russian Federation;

''(B) the national emergency—

''(i) declared in Executive Order 13660 (50 U.S.C. 1701 note; relating to blocking property of certain persons contributing to the situation in Ukraine);

''(ii) expanded by—

''(I) Executive Order 13661 (50 U.S.C. 1701 note; relating to blocking property of additional persons contributing to the situation in Ukraine); and

''(II) Executive Order 13662 (50 U.S.C. 1701 note; relating to blocking property of additional persons contributing to the situation in Ukraine); and

''(iii) relied on for additional steps taken in Executive Order 13685 (50 U.S.C. 1701 note; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine);

''(C) the national emergency, as it relates to the Russian Federation—

''(i) declared in Executive Order 13694 (50 U.S.C. 1701 note; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities); and

''(ii) relied on for additional steps taken in Executive Order 13757 (50 U.S.C. 1701 note; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities);

''(D) the national emergency—

''(i) declared in Executive Order 14024 (50 U.S.C. 1701 note; relating to blocking property with respect to specified harmful foreign activities of the Government of the Russian Federation);

''(ii) expanded by Executive Order 14066 (50 U.S.C. 1701 note; relating to prohibiting certain imports and new investments with respect to continued Russian Federation efforts to undermine the sovereignty and territorial integrity of Ukraine); and

''(iii) relied on for additional steps taken in—

''(I) Executive Order 14039 (22 U.S.C. 9526 note; relating to blocking property with respect to certain Russian energy export pipelines);

''(II) Executive Order 14068 (50 U.S.C. 1701 note; relating to prohibiting certain imports, exports, and new investment with respect to continued Russian Federation aggression); and

''(III) Executive Order 14071 (50 U.S.C. 1701 note; relating to prohibiting new investment in and certain services to the Russian Federation in response to continued Russian Federation aggression); and

''(iv) which may be expanded or relied on in future Executive orders; or

''(E) actions or policies that undermine the democratic processes and institutions in Ukraine or threaten the peace, security, stability, sovereignty, or territorial integrity of Ukraine.

''(4) 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).

''(5) 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) SEMIANNUAL REPORTS.—Such section is further amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) Not later than 180 days after the date of the enactment of the Rebuilding Economic Prosperity and Opportunity for Ukrainians Act, and every 180 days thereafter, the Secretary of State, in consultation with the Attorney General and the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on progress made in remediating the harms of Russian aggression toward Ukraine as a result of transfers made under subsection (a).''.

(c) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Attorney General, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit to the appropriate congressional committees a plan for using the authority provided by section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023, as amended by this section.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term by section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023, as amended by this section.

SEC. 4204. EXTENSION.

Section 5(a) of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441; 132 Stat. 5587) is amended, in the matter preceding paragraph (1), by striking ''six years'' and inserting ''12 years''.

SEC. 4205. RECOGNITION OF RUSSIAN ACTIONS IN UKRAINE AS A GENOCIDE.

(a) FINDINGS.—Congress finds the following:

(1) The Russian Federation's illegal, premeditated, unprovoked, and brutal war against Ukraine includes extensive, systematic, and flagrant atrocities against the people of Ukraine.

(2) Article II of the Convention on the Prevention and Punishment of the Crime of Genocide (in this section referred to as the ''Genocide Convention''), adopted and opened for signature in 1948 and entered into force in 1951, defines genocide as ''any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group''.

(3) On October 3, 2018, the Senate unanimously agreed to Senate Resolution 435, 115th Congress, which commemorated the 85th anniversary of the Holodomor and ''recognize[d] the findings of the Commission on the Ukraine Famine as submitted to Congress on April 22, 1988, including that 'Joseph Stalin and those around him committed genocide against the Ukrainians in 1932–1933' ''.

(4) Substantial and significant evidence documents widespread, systematic actions against the Ukrainian people committed by Russian forces under the direction of political leadership of the Russian Federation that meet one or more of the criteria under article II of the Genocide Convention, including—

(A) killing members of the Ukrainian people in mass atrocities through deliberate and regularized murders of fleeing civilians and civilians in passing as well as purposeful targeting of homes, schools, hospitals, shelters, and other residential and civilian areas;

(B) causing serious bodily or mental harm to members of the Ukrainian people by launching indiscriminate attacks against civilians and civilian areas, conducting willful strikes on humanitarian evacuation corridors, and employing widespread and systematic sexual violence against Ukrainian civilians, including women, children, and men;

(C) deliberately inflicting upon the Ukrainian people conditions of life calculated to bring about their physical destruction in whole or in part, including displacement due to annihilated villages, towns, and cities left devoid of food, water, shelter, electricity, and other basic necessities, starvation caused by the destruction of farmlands and agricultural equipment, the placing of Russian landmines across thousands of acres of useable fields, and blocking the delivery of humanitarian food aid;

(D) imposing measures intended to prevent births among the Ukrainian people, demonstrated by the Russian military's expansive and direct targeting of maternity hospitals and other medical facilities and systematic attacks against residential and civilian areas as well as humanitarian corridors intended to deprive Ukrainians of safe

havens within their own country and the material conditions conducive to childrearing; and

(E) forcibly mass transferring millions of Ukrainian civilians, hundreds of thousands of whom are children, to the Russian Federation or territories controlled by the Russian Federation.

(5) The intent of the Russian Federation and those acting on its behalf in favor of those heinous crimes against humanity has been demonstrated through frequent pronouncements and other forms of official communication denying Ukrainian nationhood, including President Putin's ahistorical claims that Ukraine is part of a ''single whole'' Russian nation with ''no historical basis'' for being an independent country.

(6) Some Russian soldiers and brigades accused of committing war crimes in Bucha, Ukraine, and elsewhere were rewarded with medals by President Putin.

(7) The Russian state-owned media outlet RIA Novosti published the article ''What Should Russia do with Ukraine'', which outlines ''de-Nazification'' as meaning ''de-Ukrainianization'' or the destruction of Ukraine and rejection of the ''ethnic component'' of Ukraine.

(8) Article I of the Genocide Convention confirms ''that genocide, whether committed in time of peace or in time of war, is a crime under international law which [the Contracting Parties] undertake to prevent and to punish''.

(9) Although additional documentation and analysis of atrocities committed by the Russian Federation in Ukraine may be needed to punish those responsible, the substantial and significant documentation already undertaken, combined with statements showing intent, compel urgent action to prevent future acts of genocide.

(10) The Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) authorizes the President to impose economic sanctions on, and deny entry into the United States to, foreign individuals identified as engaging in gross violations of internationally recognized human rights.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) those acting on behalf of the Russian Federation should be condemned for committing acts of genocide against the Ukrainian people;

(2) the United States, in cooperation with allies in the North Atlantic Treaty Organization and the European Union, should undertake measures to support the Government of Ukraine to prevent acts of Russian genocide against the Ukrainian people;

(3) tribunals and international criminal investigations should be supported to hold Russian political leaders and military personnel to account for a war of aggression, war crimes, crimes against humanity, and genocide; and

(4) the President should use the authorities under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) to impose economic sanctions on those responsible for, or complicit in, genocide in Ukraine by the Russian Federation and those acting on its behalf.

SA 1412. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CLARIFICATION OF ASYLUM ELIGIBILITY.

(a) IN GENERAL.—Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''or who arrives in the United States (whether or not at a designated port of arrival and including'' and inserting ''and has arrived in the United States at a port of entry (including''; and

(B) in paragraph (2), by amending subparagraph (A) to read as follows:

''(A) SAFE THIRD COUNTRY.—Paragraph (1) shall not apply to an alien if the Attorney General or the Secretary of Homeland Security determines that—

''(i) the alien may be removed to a country (other than the country of the alien's nationality or, in the case of an alien having no nationality, the country of the alien's last habitual residence) in which the alien's life or freedom would not be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion, and where the alien would have access to a full and fair procedure for determining a claim to asylum or equivalent temporary protection, unless the Attorney General or the Secretary, on a case-by-case basis, finds that it is in the public interest for the alien to receive asylum in the United States; or

''(ii) the alien entered, attempted to enter, or arrived in the United States after transiting through at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence en route to the United States, unless—

''(I) the alien demonstrates that he or she applied for protection from persecution or torture in at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence through which the alien transited en route to the United States, and the alien received a final judgment denying the alien protection in each country;

''(II) the alien demonstrates that he or she was a victim of a severe form of trafficking in which a commercial sex act was induced by force, fraud, or coercion, or in which the person induced to perform such act was under the age of 18 years; or in which the trafficking included the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and was unable to apply for protection from persecution in each country through which the alien transited en route to the United States as a result of such severe form of trafficking; or

''(III) the only countries through which the alien transited en route to the United States were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.''; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting ''(in accordance with the rules set forth in this section), and is eligible to apply for asylum under subsection (a)'' before the semicolon at the end; and

(B) by amending paragraph (2) to read as follows:

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determines that—

''(i) the alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(ii) the alien has been convicted of any felony under Federal, State, tribal, or local law;

''(iii) the alien has been convicted of any misdemeanor offense under Federal, State, tribal, or local law involving—

''(I) the unlawful possession or use of an identification document, authentication feature, or false identification document (as such terms are defined in the jurisdiction where the conviction occurred), unless the alien can establish that the conviction resulted from circumstances showing that—

''(aa) the document or feature was presented before boarding a common carrier;

''(bb) the document or feature related to the alien's eligibility to enter the United States;

''(cc) the alien used the document or feature to depart a country wherein the alien has claimed a fear of persecution; and

''(dd) the alien claimed a fear of persecution without delay upon presenting himself or herself to an immigration officer upon arrival at a United States port of entry;

''(II) the unlawful receipt of a Federal public benefit (as defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c))), from a Federal entity, or the unlawful receipt of similar public benefits from a State, tribal, or local entity; or

''(III) possession or trafficking of a controlled substance or controlled substance paraphernalia, as those phrases are defined under the law of the jurisdiction where the conviction occurred, other than a single offense involving possession for one's own use of 30 grams or less of marijuana (as marijuana is defined under the law of the jurisdiction where the conviction occurred);

''(iv) the alien has been convicted of an offense arising under paragraph (1)(A) or (2) of section 274(a), or under section 276;

''(v) the alien has been convicted of a Federal, State, tribal, or local crime that the Attorney General or Secretary of Homeland Security knows, or has reason to believe, was committed in support, promotion, or furtherance of the activity of a criminal street gang (as defined under the law of the jurisdiction where the conviction occurred or in section 521(a) of title 18, United States Code);

''(vi) the alien has been convicted of an offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law, in which such intoxicated or impaired driving was a cause of serious bodily injury or death of another person;

''(vii) the alien has been convicted of more than one offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law;

''(viii) the alien has been convicted of a crime—

''(I) that involves conduct amounting to a crime of stalking;

''(II) of child abuse, child neglect, or child abandonment; or

''(III) that involves conduct amounting to a domestic assault or battery offense, including—

''(aa) a misdemeanor crime of domestic violence, as described in section 921(a)(33) of title 18, United States Code;

''(bb) a crime of domestic violence, as described in section 40002(a)(12) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(12)); or

''(cc) any crime based on conduct in which the alien harassed, coerced, intimidated, voluntarily or recklessly used (or threatened to use) force or violence against, or inflicted physical injury or physical pain, however slight, upon a person—

''(AA) who is a current or former spouse of the alien;

''(BB) with whom the alien shares a child;

''(CC) who is cohabitating with, or who has cohabitated with, the alien as a spouse;

''(DD) who is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(EE) who is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(ix) the alien has engaged in acts of battery or extreme cruelty upon a person and the person—

''(I) is a current or former spouse of the alien;

''(II) shares a child with the alien;

''(III) cohabitates or has cohabitated with the alien as a spouse;

''(IV) is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(V) is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(x) the alien, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of the United States;

''(xi) there are serious reasons for believing that the alien has committed a serious nonpolitical crime outside the United States prior to the arrival of the alien in the United States;

''(xii) there are reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiii) the alien is described in subclause (I), (II), (III), (IV), or (VI) of section 212(a)(3)(B)(i) or section 237(a)(4)(B) (relating to terrorist activity), unless, in the case only of an alien inadmissible under subclause (IV) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the Secretary's or the Attorney General's discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiv) the alien was firmly resettled in another country prior to arriving in the United States; or

''(xv) there are reasonable grounds for concluding the alien could avoid persecution by relocating to another part of the alien's country of nationality or, in the case of an alien having no nationality, another part of the alien's country of last habitual residence.

''(B) SPECIAL RULES.—

''(i) PARTICULARLY SERIOUS CRIME; SERIOUS NONPOLITICAL CRIME OUTSIDE THE UNITED STATES.—

''(I) IN GENERAL.—For purposes of subparagraph (A)(x), the Attorney General or Secretary of Homeland Security, in their discretion, may determine that a conviction constitutes a particularly serious crime based on—

''(aa) the nature of the conviction;

''(bb) the type of sentence imposed; or

''(cc) the circumstances and underlying facts of the conviction.

''(II) DETERMINATION.—In making a determination under subclause (I), the Attorney General or Secretary of Homeland Security may consider all reliable information and is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) TREATMENT OF FELONIES.—In making a determination under subclause (I), an alien who has been convicted of a felony (as defined under this section) or an aggravated felony (as defined under section 101(a)(43)), shall be considered to have been convicted of a particularly serious crime.

''(IV) INTERPOL RED NOTICE.—In making a determination under subparagraph (A)(xi), an Interpol Red Notice may constitute reliable evidence that the alien has committed a serious nonpolitical crime outside the United States.

''(ii) CRIMES AND EXCEPTIONS.—

''(I) DRIVING WHILE INTOXICATED OR IMPAIRED.—A finding under subparagraph (A)(vi) does not require the Attorney General or Secretary of Homeland Security to find the first conviction for driving while intoxicated or impaired (including a conviction for driving while under the influence of or impaired by alcohol or drugs) as a predicate offense. The Attorney General or Secretary of Homeland Security need only make a factual determination that the alien previously was convicted for driving while intoxicated or impaired as those terms are defined under the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs).

''(II) STALKING AND OTHER CRIMES.—In making a determination under subparagraph (A)(viii), including determining the existence of a domestic relationship between the alien and the victim, the underlying conduct of the crime may be considered, and the Attorney General or Secretary of Homeland Security is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) BATTERY OR EXTREME CRUELTY.—In making a determination under subparagraph (A)(ix), the phrase 'battery or extreme cruelty' includes—

''(aa) any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury;

''(bb) psychological or sexual abuse or exploitation, including rape, molestation, incest, or forced prostitution, shall be considered acts of violence; and

''(cc) other abusive acts, including acts that, in and of themselves, may not initially appear violent, but that are a part of an overall pattern of violence.

''(IV) EXCEPTION FOR VICTIMS OF DOMESTIC VIOLENCE.—An alien who was convicted of an offense described in clause (viii) or (ix) of subparagraph (A) is not ineligible for asylum on that basis if the alien satisfies the criteria under section 237(a)(7)(A).

''(C) SPECIFIC CIRCUMSTANCES.—Paragraph (1) shall not apply to an alien whose claim is based on—

''(i) personal animus or retribution, including personal animus in which the alleged persecutor has not targeted, or manifested an animus against, other members of an alleged particular social group in addition to the member who has raised the claim at issue;

''(ii) the applicant's generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations absent expressive behavior in furtherance of a discrete cause against such organizations related to control of a State or expressive behavior that is antithetical to the State or a legal unit of the State;

''(iii) the applicant's resistance to recruitment or coercion by guerrilla, criminal, gang, terrorist, or other non-state organizations;

''(iv) the targeting of the applicant for criminal activity for financial gain based on wealth or affluence or perceptions of wealth or affluence;

''(v) the applicant's criminal activity; or

''(vi) the applicant's perceived, past or present, gang affiliation.

''(D) DEFINITIONS AND CLARIFICATIONS.—

''(i) DEFINITIONS.—In this paragraph:

''(I) FELONY.—The term 'felony' means—

''(aa) any crime defined as a felony by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime punishable by more than one year of imprisonment.

''(II) MISDEMEANOR.—The term 'misdemeanor' means—

''(aa) any crime defined as a misdemeanor by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime not punishable by more than one year of imprisonment.

''(ii) CLARIFICATIONS.—

''(I) CONSTRUCTION.—For purposes of this paragraph, whether any activity or conviction also may constitute a basis for removal is immaterial to a determination of asylum eligibility.

''(II) ATTEMPT, CONSPIRACY, OR SOLICITATION.—For purposes of this paragraph, all references to a criminal offense or criminal conviction shall be deemed to include any attempt, conspiracy, or solicitation to commit the offense or any other inchoate form of the offense.

''(III) EFFECT OF CERTAIN ORDERS.—

''(aa) IN GENERAL.—No order vacating a conviction, modifying a sentence, clarifying a sentence, or otherwise altering a conviction or sentence shall have any effect under this paragraph unless the Attorney General or Secretary of Homeland Security determines that—

''(AA) the court issuing the order had jurisdiction and authority to do so; and

''(BB) the order was not entered for rehabilitative purposes or for purposes of ameliorating the immigration consequences of the conviction or sentence.

''(bb) AMELIORATING IMMIGRATION CONSEQUENCES.—For purposes of item (aa)(BB), the order shall be presumed to be for the purpose of ameliorating immigration consequences if—

''(AA) the order was entered after the initiation of any proceeding to remove the alien from the United States; or

''(BB) the alien moved for the order more than one year after the date of the original order of conviction or sentencing, whichever is later.

''(cc) AUTHORITY OF IMMIGRATION JUDGE.—An immigration judge is not limited to consideration only of material included in any order vacating a conviction, modifying a sentence, or clarifying a sentence to determine whether such order should be given any effect under this paragraph, but may consider such additional information as the immigration judge determines appropriate.

''(E) ADDITIONAL LIMITATIONS.—The Secretary of Homeland Security or the Attorney

General may by regulation establish additional limitations and conditions, consistent with this section, under which an alien shall be ineligible for asylum under paragraph (1).

''(F) NO JUDICIAL REVIEW.—There shall be no judicial review of a determination of the Secretary of Homeland Security or the Attorney General under subparagraph (A)(xiii).''.

(b) CREDIBLE FEAR INTERVIEWS.—Section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by striking ''there is a significant possibility'' and all that follows, and inserting '', taking into account the credibility of the statements made by the alien in support of the alien's claim, as determined pursuant to section 208(b)(1)(B)(iii), and such other facts as are known to the officer, the alien more likely than not could establish eligibility for asylum under section 208, and it is more likely than not that the statements made by, and on behalf of, the alien in support of the alien's claim are true.''.

SA 1413. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ____—REINS ACT

SEC. ___01. SHORT TITLE.

This division may be cited as the ''Regulations from the Executive in Need of Scrutiny Act of 2024''.

SEC. ___02. PURPOSE.

The purpose of this division is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them.

SEC. ___03. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

''CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

''§ 801. Congressional review

''(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

''(i) a copy of the rule;

''(ii) a concise general statement relating to the rule;

''(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within subparagraphs (A) through (C) of section 804(2);

''(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

''(v) the proposed effective date of the rule.

''(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

''(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

''(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

''(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

''(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

''(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

''(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

''(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

''(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

''(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

''(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

''(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

''(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

''(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

''(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

''(A) in the case of the Senate, 60 session days; or

''(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

''(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

''(i) such rule were published in the Federal Register on—

''(I) in the case of the Senate, the 15th session day; or

''(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

''(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

''(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

''(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

''§ 802. Congressional approval procedure for major rules

''(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

''(A) bears no preamble;

''(B) bears the following title (with blanks filled as appropriate): 'Approving the rule submitted by _____ relating to _____.';

''(C) includes after its resolving clause only the following (with blanks filled as appropriate): 'That Congress approves the rule submitted by _____ relating to _____.'; and

''(D) is introduced pursuant to paragraph (2).

''(2) After a House of Congress receives a report classifying a rule as major pursuant

to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

''(A) in the case of the House of Representatives, within 3 legislative days; and

''(B) in the case of the Senate, within 3 session days.

''(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

''(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

''(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), 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 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 joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

''(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

''(A) the joint resolution of the other House shall not be referred to a committee; and

''(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

''(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

''(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

''(h) This section and section 803 are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are 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 in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; 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.

''§ 803. Congressional disapproval procedure for nonmajor rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.' (The blank spaces being appropriately filled in).

''(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

''(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), 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 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 joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint 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 joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the Senate, the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

''(1) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

''(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

''(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

''(1) The joint resolution of the other House shall not be referred to a committee.

''(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(B) the vote on final passage shall be on the joint resolution of the other House.

''§ 804. Definitions

''For purposes of this chapter:

''(1) The term 'Federal agency' means any agency as that term is defined in section 551(1).

''(2) The term 'major rule' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

''(A) an annual effect on the economy of $100 million or more;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

''(3) The term 'nonmajor rule' means any rule that is not a major rule.

''(4) The term 'rule' has the meaning given such term in section 551, except that such term does not include—

''(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

''(B) any rule relating to agency management or personnel; or

''(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of nonagency parties.

''(5) The term 'submission or publication date', except as otherwise provided in this chapter, means—

''(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

''(B) in the case of a nonmajor rule, the later of—

''(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

''(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

''§ 805. Judicial review

''(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

''(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

''(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

''§ 806. Exemption for monetary policy

''Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

''§ 807. Effective date of certain rules

''Notwithstanding section 801—

''(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

''(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.''.

SEC. ____04. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following new subparagraph:

''(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rule subject to the congressional approval procedure set forth in section 802 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.''.

SEC. ____05. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

SA 1414. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFINITION OF FOOD; WAIVER OF ELIGIBILITY OF CERTAIN FOOD.

(a) DEFINITION OF FOOD.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended—

(1) in paragraph (1), by striking ''home consumption'' and inserting ''home consumption, subject to section 11(y),''; and

(2) by inserting '', any nonalcoholic beverage that is not water, cow's milk, a milk-substitute beverage (such as almond milk, soy milk, and coconut milk), or 100 percent juice, snack and dessert food items (as described in the supplemental guidance document of the Food and Nutrition Service, effective as of March 5, 2018, entitled 'Accessory Foods List'),'' before ''tobacco''.

(b) WAIVER OF ELIGIBILITY OF CERTAIN FOOD.—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

''(y) WAIVER OF ELIGIBILITY OF CERTAIN FOOD.—The Secretary shall permit a State agency, on request of the State agency, to prohibit the use of benefits to purchase food that the applicable State nutrition agency determines to be unhealthy food.''.

SA 1415. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, between lines 12 and 13, insert the following:

SEC. 709. UKRAINE AID OVERSIGHT.

(a) SHORT TITLE.—This section may be cited as the ''Ukraine Aid Oversight Act''.

(b) PURPOSES.—The purposes of this section are—

(1) to provide for the independent and objective conduct and supervision of audits and investigations relating to the programs and operations funded with amounts appropriated or otherwise made available to Ukraine for military, economic, and humanitarian aid;

(2) to provide for the independent and objective leadership and coordination of, and recommendations concerning, policies designed—

(A) to promote economic efficiency and effectiveness in the administration of the programs and operations described in paragraph (1); and

(B) to prevent and detect waste, fraud, and abuse in such programs and operations; and

(3) to provide for an independent and objective means of keeping the Secretary of State, the Secretary of Defense, and the heads of other relevant Federal agencies fully and currently informed about—

(A) problems and deficiencies relating to the administration of the programs and operations described in paragraph (1); and

(B) the necessity for, and the progress toward implementing, corrective action related to such programs.

(c) DEFINITIONS.—In this section:

(1) AMOUNTS APPROPRIATED OR OTHERWISE MADE AVAILABLE FOR THE MILITARY, ECONOMIC, OR HUMANITARIAN AID FOR UKRAINE.—The term ''amounts appropriated or otherwise made available for military, economic, or humanitarian aid for Ukraine'' means amounts appropriated or otherwise made available for any fiscal year—

(A) for the Ukraine Security Assistance Initiative;

(B) for Foreign Military Financing funding for Ukraine;

(C) under titles III and VI of the Ukraine Supplemental Appropriations Act (division N of Public Law 117–103);

(D) under the Additional Ukraine Supplemental Appropriations Act, 2022 (Public Law 117–128); and

(E) for military, economic, or humanitarian aid for Ukraine under any other provision of law.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Foreign Relations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Appropriations of the House of Representatives;

(F) the Committee on Armed Services of the House of Representatives;

(G) the Committee on Foreign Affairs of the House of Representatives; and

(H) the Committee on Oversight and Accountability of the House of Representatives.

(3) OFFICE.—The term ''Office'' means the Office of the Special Inspector General for

Afghanistan Reconstruction and Ukraine Aid renamed under section 4(a).

(4) SPECIAL INSPECTOR GENERAL.—The term ''Special Inspector General'' means the Special Inspector General for Afghanistan Reconstruction and Ukraine Aid renamed under section 4(b).

(d) OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION AND UKRAINE AID.—

(1) EXPANSION AND RENAMING OF OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION.—Beginning on the date of the enactment of this Act, the Office of the Special Inspector General for Afghanistan Reconstruction—

(A) shall be referred to as the ''Office of the Special Inspector General for Afghanistan Reconstruction and Ukraine Aid''; and

(B) shall carry out the purposes described in subsection (b).

(2) RENAMING OF SPECIAL INSPECTOR GENERAL.—Beginning on the date of the enactment of this Act, the Special Inspector General for Afghanistan Reconstruction shall be referred to as the ''Special Inspector General for Afghanistan Reconstruction and Ukraine Aid''.

(3) COMPENSATION.—The annual rate of basic pay of the Special Inspector General shall be 3 percent higher than the annual rate of basic pay provided for positions at level III of the Executive Schedule under section 5314 of title 5, United States Code.

(4) PROHIBITION ON POLITICAL ACTIVITIES.—For purposes of section 7324 of title 5, United States Code, the Special Inspector General is not an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(5) REMOVAL.—The Special Inspector General shall be removable from office in accordance with section 403(b) of title 5, United States Code.

(6) APPOINTMENT.—If the Special Inspector General is removed from office or otherwise leaves such office, the President shall appoint a new Special Inspector General.

(e) ASSISTANT INSPECTORS GENERAL.—The Special Inspector General shall be assisted by—

(1) the Assistant Inspector General for Auditing appointed pursuant to section 1229(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), who shall supervise the performance of auditing activities relating to programs and operations supported by amounts appropriated or otherwise made available for military, economic, and humanitarian aid to Ukraine; and

(2) the Assistant Inspector General for Investigations appointed pursuant to section 1229(d)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), who shall supervise the performance of investigative activities relating to the programs and operations described in paragraph (1).

(f) SUPERVISION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Special Inspector General shall report directly to, and be under the general supervision of, the Secretary of State and the Secretary of Defense.

(2) INDEPENDENCE TO CONDUCT INVESTIGATIONS AND AUDITS.—No officer of the Department of Defense, the Department of State, the United States Agency for International Development, or any other relevant Federal agency may prevent or prohibit the Special Inspector General from—

(A) initiating, carrying out, or completing any audit or investigation related to amounts appropriated or otherwise made available for the military, economic, and humanitarian aid to Ukraine; or

(B) issuing any subpoena during the course of any such audit or investigation.

(g) DUTIES.—

(1) OVERSIGHT OF MILITARY, ECONOMIC, AND HUMANITARIAN AID TO UKRAINE PROVIDED AFTER FEBRUARY 24, 2022.—In addition to any duties previously carried out as the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General shall conduct, supervise, and coordinate audits and investigations of the treatment, handling, and expenditure of amounts appropriated or otherwise made available for military, economic, and humanitarian aid to Ukraine, and of the programs, operations, and contracts carried out utilizing such funds, including—

(A) the oversight and accounting of the obligation and expenditure of such funds;

(B) the monitoring and review of activities funded by such funds;

(C) the monitoring and review of contracts funded by such funds;

(D) the monitoring and review of the transfer of such funds and associated information between and among departments, agencies, and entities of the United States and private and nongovernmental entities;

(E) the maintenance of records regarding the use of such funds to facilitate future audits and investigations of the use of such funds;

(F) the monitoring and review of the effectiveness of United States coordination with the Government of Ukraine, major recipients of Ukrainian refugees, partners in the region, and other donor countries;

(G) the investigation of overpayments (such as duplicate payments or duplicate billing) and any potential unethical or illegal actions of Federal employees, contractors, or affiliated entities; and

(H) the referral of reports compiled as a result of such investigations, as necessary, to the Department of Justice to ensure further investigations, prosecutions, recovery of funds, or other remedies.

(2) OTHER DUTIES RELATED TO OVERSIGHT.—The Special Inspector General shall establish, maintain, and oversee such systems, procedures, and controls as the Special Inspector General considers appropriate to discharge the duties described in paragraph (1).

(3) CONSULTATION.—The Special Inspector General shall consult with the appropriate congressional committees before engaging in auditing activities outside of Ukraine.

(4) DUTIES AND RESPONSIBILITIES UNDER INSPECTOR GENERAL ACT OF 1978.—In addition to the duties specified in paragraphs (1) and (2), the Special Inspector General shall have the duties and responsibilities of inspectors general under chapter 4 of title 5, United States Code.

(5) COORDINATION OF EFFORTS.—In carrying out the duties, responsibilities, and authorities of the Special Inspector General under this Act, the Special Inspector General shall coordinate with, and receive cooperation from—

(A) the Inspector General of the Department of Defense;

(B) the Inspector General of the Department of State;

(C) the Inspector General of the United States Agency for International Development; and

(D) the Inspector General of any other relevant Federal agency.

(h) POWERS AND AUTHORITIES.—

(1) AUTHORITIES UNDER CHAPTER 4 OF TITLE 5, UNITED STATES CODE.—

(A) IN GENERAL.—In carrying out the duties specified in subsection (g), the Special Inspector General shall have the authorities provided under section 406 of title 5, United States Code, including the authorities under paragraph (5) of such subsection.

(B) RETENTION OF CERTAIN AUTHORITIES.—The Special Inspector General—

(i) shall retain all of the duties, powers, and authorities provided to the Special Inspector General for Afghanistan Reconstruction under section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181); and

(ii) may utilize such powers and authorities as are, in the judgment of the Special Inspector General, necessary to carry out the duties under this section.

(2) AUDIT STANDARDS.—The Special Inspector General shall carry out the duties specified in subsection (g)(1) in accordance with section 404(b)(1) of title 5, United States Code.

(i) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(1) PERSONNEL.—

(A) IN GENERAL.—The Special Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Special Inspector General under this section, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(B) ADDITIONAL AUTHORITIES.—

(i) IN GENERAL.—Subject to clause (ii), the Inspector General may exercise the authorities under subsections (b) through (i) of section 3161 of title 5, United States Code, without regard to subsection (a) of such section.

(ii) PERIODS OF APPOINTMENTS.—In exercising the employment authorities under subsection (b) of section 3161 of title 5, United States Code, as authorized under clause (i)—

(I) paragraph (2) of such subsection (relating to periods of appointments) shall not apply; and

(II) no period of appointment may extend beyond the date on which the Office terminates pursuant subsection (m).

(iii) ACQUISITION OF COMPETITIVE STATUS.—An employee shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications if the employee—

(I) completes at least 12 months of continuous service after the date of the enactment of this Act; or

(II) is employed on the date on which the Office terminates pursuant to subsection (m).

(2) EMPLOYMENT OF EXPERTS AND CONSULTANTS.—The Special Inspector General may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for grade GS–15 of the General Schedule under section 5332 of such title.

(3) CONTRACTING AUTHORITY.—To the extent and in such amounts as may be provided in advance by appropriations Acts, the Special Inspector General may—

(A) enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons; and

(B) make such payments as may be necessary to carry out the duties of the Special Inspector General.

(4) RESOURCES.—The Secretary of State or the Secretary of Defense, as appropriate, shall provide the Special Inspector General with—

(A) appropriate and adequate office space at appropriate locations of the Department of State or the Department of Defense, as appropriate, in Ukraine or in European partner countries;

(B) such equipment, office supplies, and communications facilities and services as may be necessary for the operation of such offices; and

(C) necessary maintenance services for such offices and the equipment and facilities located in such offices.

(5) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—Upon the request of the Special Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of such entity, to the extent practicable and not in contravention of any existing law, shall furnish such information or assistance to the Special Inspector General or an authorized designee.

(B) REPORTING OF REFUSED ASSISTANCE.—Whenever information or assistance requested by the Special Inspector General is, in the judgment of the Special Inspector General, unreasonably refused or not provided, the Special Inspector General shall immediately report the circumstances to—

(i) the Secretary of State or the Secretary of Defense, as appropriate; and

(ii) the appropriate congressional committees.

(j) REPORTS.—

(1) QUARTERLY REPORTS.—Not later than 30 days after the end of each quarter of each fiscal year, the Special Inspector General shall submit a report to the appropriate congressional committees, the Secretary of State, and the Secretary of Defense that—

(A) summarizes, for the applicable quarter, and to the extent possible, for the period from the end of such quarter to the date on which the report is submitted, the activities during such period of the Special Inspector General and the activities under programs and operations funded with amounts appropriated or otherwise made available for military, economic, and humanitarian aid to Ukraine; and

(B) includes, for applicable quarter, a detailed statement of all obligations, expenditures, and revenues associated with military, economic, and humanitarian activities in Ukraine, including—

(i) obligations and expenditures of appropriated funds;

(ii) a project-by-project and program-by-program accounting of the costs incurred to date for military, economic, and humanitarian aid to Ukraine, including an estimate of the costs to be incurred by the Department of Defense, the Department of State, the United States Agency for International Development, and other relevant Federal agencies to complete each project and each program;

(iii) revenues attributable to, or consisting of, funds provided by foreign nations or international organizations to programs and projects funded by any Federal department or agency and any obligations or expenditures of such revenues;

(iv) revenues attributable to, or consisting of, foreign assets seized or frozen that contribute to programs and projects funded by any Federal department or agency and any obligations or expenditures of such revenues;

(v) operating expenses of entities receiving amounts appropriated or otherwise made available for military, economic, and humanitarian aid to Ukraine; and

(vi) for any contract, grant, agreement, or other funding mechanism described in paragraph (2)—

(I) the dollar amount of the contract, grant, agreement, or other funding mechanism;

(II) a brief description of the scope of the contract, grant, agreement, or other funding mechanism;

(III) a description of how the Federal department or agency involved in the contract, grant, agreement, or other funding mechanism identified, and solicited offers from, potential individuals or entities to perform the contract, grant, agreement, or other funding mechanism, including a list of the potential individuals or entities that were issued solicitations for the offers; and

(IV) the justification and approval documents on which the determination to use procedures other than procedures that provide for full and open competition was based.

(2) COVERED CONTRACTS, GRANTS, AGREEMENTS, AND FUNDING MECHANISMS.—A contract, grant, agreement, or other funding mechanism described in this paragraph is any major contract, grant, agreement, or other funding mechanism that is entered into by any Federal department or agency that involves the use of amounts appropriated or otherwise made available for the military, economic, or humanitarian aid to Ukraine with any public or private sector entity—

(A) to build or rebuild the physical infrastructure of Ukraine;

(B) to establish or reestablish a political or societal institution of Ukraine;

(C) to provide products or services to the people of Ukraine; or

(D) to provide security assistance to Ukraine.

(3) PUBLIC AVAILABILITY.—The Special Inspector General shall publish each report submitted pursuant to paragraph (1) on a publicly accessible internet website in English, Ukrainian, and Russian.

(4) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex if the Special Inspector General determines that a classified annex is necessary.

(5) SUBMISSION OF COMMENTS TO CONGRESS.—During the 30-day period beginning on the date on which a report is received pursuant to paragraph (1), the Secretary of State and the Secretary of Defense may submit comments to the appropriate congressional committees, in unclassified form, regarding any matters covered by the report that the Secretary of State or the Secretary of Defense considers appropriate. Such comments may include a classified annex if the Secretary of State or the Secretary of Defense considers such annex to be necessary.

(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to authorize the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

(k) TRANSPARENCY.—

(1) REPORT.—Except as provided in paragraph (3), not later than 60 days after receiving a report pursuant to subsection (j)(1), the Secretary of State and the Secretary of Defense shall jointly make copies of the report available to the public upon request and at a reasonable cost.

(2) COMMENTS.—Except as provided in paragraph (3), not later than 60 days after submitting comments to Congress pursuant to subsection (j)(5), the Secretary of State and the Secretary of Defense shall jointly make copies of such comments available to the public upon request and at a reasonable cost.

(3) WAIVER.—

(A) AUTHORITY.—The President may waive the requirements under paragraph (1) or (2) with respect to availability to the public of any element in a report submitted pursuant to subsection (j)(1) or any comments submitted to Congress pursuant to subsection (j)(5) if the President determines that such waiver is justified for national security reasons.

(B) NOTICE OF WAIVER.—The President shall publish a notice of each waiver made under subparagraph (A) in the Federal Register not later than the date of the submission to the appropriate congressional committees of a report required under subsection (j)(1) or any comments submitted pursuant to subsection (j)(5). Each such report and comments shall specify—

(i) whether a waiver was made pursuant to subparagraph (A); and

(ii) which elements in the report or the comments were affected by such waiver.

(l) USE OF PREVIOUSLY APPROPRIATED FUNDS.—Amounts appropriated before the date of the enactment of this Act for the Office of the Special Inspector General for Afghanistan Reconstruction may be used to carry out the duties described in subsection (g).

(m) TERMINATION.—

(1) IN GENERAL.—The Office shall terminate on September 30, 2027.

(2) FINAL REPORT.—Before the termination date referred to in paragraph (1), the Special Inspector General shall prepare and submit to the appropriate congressional committees a final forensic audit report on programs and operations funded with amounts appropriated or otherwise made available for the military, economic, and humanitarian aid to Ukraine.

SA 1416. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

SA 1417. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 38, strike line 4 and all that follows through page 39, line 8.

SA 1418. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, strike lines 9 through 19.

SA 1419. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 4 through 21.

SA 1420. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 39, line 25, strike ''$375,000,000'' and all that follows through ''Armed Forces of Ukraine: *Provided further*'' on page 40, line 9, and insert ''$75,000,000, to remain available until September 30, 2025: *Provided*''.

SA 1421. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION _____—FREE SPEECH PROTECTION

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Free Speech Protection Act''.

SEC. _____02. DEFINITIONS.

In this division:

(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) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(4) EMPLOYEE.—

(A) IN GENERAL.—Except where otherwise expressly provided, 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 division, 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.

(5) 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.

(6) PROVIDER.—The term ''provider'' means a provider of a covered platform.

SEC. _____03. FINDINGS.

Congress finds the following:

(1) The First Amendment to the Constitution of the United States guarantees—

(A) freedoms concerning religion, expression, assembly, and petition of the government;

(B) the freedom of expression by prohibiting the government from restricting the press or the right of an individual to speak freely; and

(C) the right of an individual to assemble peaceably and to petition the government.

(2) Freedom of speech is an essential element of liberty that restrains tyranny and empowers individuals.

(3) Writing in support of a Bill of Rights, Thomas Jefferson stated that ''[t]here are rights which it is useless to surrender to the government, and which yet, governments have always been fond to invade. These are the rights of thinking and publishing our thoughts by speaking or writing.''.

(4) The Supreme Court of the United States (referred to in this section as the ''Court'') has upheld the right to speak free from governmental interference as a fundamental right.

(5) The Court, in Palko v. Connecticut, 302 U.S. 319 (1937), wrote that freedom of thought and speech ''is the matrix, the indispensable condition, of nearly every other form of freedom''.

(6) In Turner Broadcasting System, Inc. v. Federal Communications Commission, 512 U.S. 622 (1994), the Court stated the following: ''At the heart of the First Amendment lies the principle that each person should decide for himself or herself the ideas and beliefs deserving of expression, consideration, and adherence. Our political system and cultural life rest upon this ideal. Government action that stifles speech on account of its message, or that requires the utterance of a particular message favored by the Government, contravenes this essential right . . . [and poses] the inherent risk that Government seeks not to advance a legitimate regulatory goal, but to suppress unpopular ideas or manipulate the public debate through coercion rather than persuasion. These restrictions 'rais[e] the specter that the Government may effectively drive certain ideas or viewpoints from the marketplace.' For these reasons, the First Amendment, subject only to narrow and well-understood exceptions, does not countenance government control over the content of messages expressed by private individuals.''.

(7) In R.A.V. v. City of St. Paul, 505 U.S. 377 (1992), the Court explained that the First Amendment to the Constitution of the United States ''generally prevents government from proscribing speech, or even expressive conduct, because of disapproval of the ideas expressed. Content-based restrictions are presumptively invalid.''.

(8) The case of Brandenburg v. Ohio, 395 U.S. 444 (1969), stands for the proposition that speech can be suppressed only if the speech is intended, and is likely to produce, imminent lawless action.

(9) Justice William Brennan, in his majority opinion for the Court in Texas v. Johnson, 491 U.S. 397 (1989), asserted that ''[i]f there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable.''.

(10) Justice Neil Gorsuch, in his majority opinion for the Court in 303 Creative LLC v. Elenis, _____ U.S. _____ (2023), stated, ''The First Amendment envisions the United States as a rich and complex place where all persons are free to think and speak as they wish, not as the government demands.''.

(11) As evidenced in disclosures from various social media companies, Federal officials in recent years have sought to censor legal speech on platforms operated by those companies by using the power of their offices to influence what opinions, views, and other content that users of those platforms may disseminate.

(12) White House officials and officials of Executive agencies sought to silence narratives on social media platforms on issues relating to the COVID–19 pandemic.

(13) The Centers for Disease Control and Prevention engaged with officials at Facebook and Twitter to request that certain posts be flagged as ''disinformation'' and held regular meetings with those companies to share instances of what government officials determined to be ''misinformation'' about the COVID–19 pandemic that had been spread on the platforms operated by those companies.

(14) In the midst of the 2020 election cycle, the Federal Bureau of Investigation communicated with high-level technology company executives and suggested that a New York Post story regarding the contents of Hunter Biden's laptop were part of a ''hack and leak'' operation.

(15) On April 27, 2022, the Department of Homeland Security announced the creation of a Disinformation Governance Board (referred to in this paragraph as the ''Board''). The Director of the Board, Nina Jankowicz, sought to establish an ''analytic exchange'' with ''industry partners''. In congressional testimony, Secretary of Homeland Security Alejandro Mayorkas provided misleading testimony about the actions of the Board.

(16) Since 2020, 2 nonprofit organizations affiliated with the Global Disinformation Index (referred to in this paragraph as ''GDI'') have received a total of $330,000 in grants from Federal agencies. GDI maintains a list of ''global news publications rated high risk for disinformation''. Major advertising companies seek guidance from this purported ''nonpartisan'' group to determine where advertising money should be spent. Despite the self-proclaimed ''nonpartisan'' nature of the list, GDI includes a host of reputable media outlets, such as Reason, RealClearPolitics, and the New York Post.

SEC. _____04. EMPLOYEE PROHIBITIONS.

(a) 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.

(3) EMPLOYEE DISCIPLINE.—

(A) IN GENERAL.—Notwithstanding any provision of title 5, United States Code, and subject to subparagraph (B), the head of an Executive agency employing an employee who violates any provision of paragraph (1) (or, in the case of the head of an Executive agency who violates any provision of paragraph (1), the President) shall impose on that employee—

(i) disciplinary action consisting of removal, reduction in grade, suspension, or debarment from employment with the United States;

(ii) a civil penalty in an amount that is not less than $10,000;

(iii) ineligibility for any annuity under chapter 83 or 84 of title 5, United States Code; and

(iv) permanent revocation of any applicable security clearance held by the employee.

(B) SPECIFIC CONTRACTOR DISCIPLINE.—In the case of an employee described in section _____02(4)(A)(ii)(I) who violates any provision of paragraph (1), in addition to any discipline that may be applicable under subparagraph (A) of this paragraph, that employee shall be barred from working under any contract with the Federal Government.

(b) 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, 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.

SEC. _____05. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and not less frequently than once every 90 days thereafter, the head of each Executive agency shall submit to the Director and the chair and ranking member of the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Oversight and Accountability of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a report that discloses, for the period covered by the report, each communication between a representative of a provider and an employee of that Executive agency—

(1) including any such communication that constitutes a violation of section _____04(a)(1); and

(2) not including any such communication that relates to combating child pornography or exploitation, human trafficking, or the illegal transporting or transacting in controlled substances.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, with respect to a communication described in that subsection—

(1) the name and professional title of each employee and each representative of a provider engaged in the communication; and

(2) if the communication constitutes a violation of section _____04(a)(1)—

(A) a detailed explanation of the nature of the violation; and

(B) the date of the violation.

(c) PUBLICATION.—

(1) IN GENERAL.—Not later than 5 days after the date on which the Director receives a report under subsection (a), the Director shall—

(A) collect the report and assign the report a unique tracking number; and

(B) publish on a publicly accessible and searchable website the contents of the report and the tracking number for the report.

(2) SUBJECT OF REPORT.—With respect to a report submitted pursuant to subsection (a) of which an individual is a subject, not later than the end of the business day following the business day on which the report is submitted, the Director shall make a reasonable effort to contact any person or entity directly affected by a violation of this division described in the report to inform that person of the report.

SEC. _____06. CYBERSECURITY INFRASTRUCTURE AND SECURITY AGENCY REPORT.

Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Director and the chair and ranking member of 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 discloses any action of an employee of the Cybersecurity and Infrastructure Security Agency that—

(1) occurred between November 16, 2018, and the date of enactment of this Act; and

(2) would have been in violation of section _____04(a)(1).

SEC. _____07. TERMINATION OF DISINFORMATION GOVERNANCE BOARD.

(a) TERMINATION.—The Disinformation Governance Board established by the Department of Homeland Security, if in existence on the date of enactment of this Act, is terminated.

(b) PROHIBITION AGAINST FEDERAL FUNDING.—No Federal funds may be used to establish or support the activities of any other entity that is substantially similar to the Disinformation Governance Board terminated pursuant to subsection (a).

SEC. _____08. PROHIBITION ON MISINFORMATION AND DISINFORMATION GRANTS.

The head of an Executive agency may not award a grant relating to programming on misinformation or disinformation.

SEC. _____09. GRANT TERMS.

(a) CERTIFICATION.—The recipient of a grant awarded by an Executive agency on or after the date of enactment of this Act shall certify to the head of the Executive agency that the recipient or a subgrantee of the recipient, during the term of the grant, will not designate any creator of news content, regardless of medium, as a source of misinformation or disinformation.

(b) PUBLICATION.—Not later than 10 days after the date on which an Executive agency awards a grant, the head of the Executive agency shall publish the certification received under subsection (a) with respect to the grant on Grants.gov, or any successor website.

(c) PENALTY.—Upon a determination by the head of an Executive agency that a recipient or subgrantee of a recipient has violated the certification of the recipient under subsection (a), the recipient or subgrantee, respectively, shall—

(1) repay the grant associated with the certification; and

(2) be ineligible to receive a grant from the Executive agency.

SEC. _____10. PRESIDENTIAL WAR POWERS UNDER THE COMMUNICATIONS ACT OF 1934.

(a) IN GENERAL.—Section 706 of the Communications Act of 1934 (47 U.S.C. 606) is amended—

(1) by striking subsections (c) through (g); and

(2) by redesignating subsection (h) as subsection (c).

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 309(h) of the Communications Act of 1934 (47 U.S.C. 309(h)) is amended—

(1) by inserting ''and'' before ''(2)''; and

(2) by striking ''Act;'' and all that follows through the period at the end and inserting the following: ''Act.''.

SEC. _____11. APPLICABILITY OF FOIA.

(a) DEFINITION.—In this section, the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(b) APPLICABILITY.—Notwithstanding any provision of section 552 of title 5, United States Code, any request made to an agency pursuant to that section for records relating to communication between an employee and a representative of a provider—

(1) shall be granted by the agency without regard to any exemption under subsection (b) of that section, except the agency may not release any identifying information of a user of a covered platform without express written consent granted by the user to the agency; and

(2) may not be granted by the agency if the communication occurred pursuant to a warrant described in section _____04(a)(2).

SA 1422. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 8 and all that follows through page 41, line 19.

Beginning on page 47, strike line 14 and all that follows through page 49, line 2.

On page 51, strike lines 5 through 9.

SA 1423. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, line 25, strike ''$34,230,780,000'' and insert ''$30,082,320,000''.

On page 7, line 4, strike ''$13,772,460,000'' and insert ''$9,624,000,000''.

Beginning on page 30, strike line 16 and all that follows through page 31, line 21, and insert the following:

U.S. CUSTOMS AND BORDER PROTECTION

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, $25,000,000,000, which shall remain available until expended for the construction of a physical barrier along the southern border of the United States: *Provided,* That the amounts made available under this heading are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Beginning on page 32, strike line 4 and all that follows through page 33, line 5.

On page 36, line 18, strike ''$39,000,000'' and insert ''$19,500,000''.

On page 37, line 12, strike ''$5,655,000,000'' and insert ''$2,827,000,000''.

Beginning on page 37, strike line 21 and all that follows through page 39, line 19.

On page 39, line 25, strike ''$375,000,000'' and insert ''$75,000,000''.

On page 40, strike line 2 and all that follows through ''*Provided further,*'' on line 9.

Beginning on page 40, strike line 20 and all that follows through page 41, line 9.

On page 41, line 23, strike ''$7,100,000,000'' and insert ''$5,500,000,000''.

On page 42, beginning on line 20, strike ''Provided further,'' and all that follows through ''related expenses:'' on line 23.

On page 44, strike lines 1 through 13.

SA 1424. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 604.

SA 1425. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. None of the amounts appropriated or otherwise made available by this Act for assistance to Ukraine may be obligated or expended after September 30, 2024.

SA 1426. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 37, strike lines 10 through 20.

SA 1427. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 24 of the amendment, strike lines 2 through 12.

SA 1428. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

SA 1429. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—RADIATION EXPOSURE COMPENSATION ACT

TITLE I—MANHATTAN PROJECT WASTE

SEC. 4001. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the ''Radiation Exposure Compensation Expansion Act''.

SEC. 4002. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

The Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting after section 5 the following:

''SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

''(a) IN GENERAL.—A claimant shall receive compensation for a claim made under this Act, as described in subsection (b) or (c), if—

''(1) a claim for compensation is filed with the Attorney General—

''(A) by an individual described in paragraph (2); or

''(B) on behalf of that individual by an authorized agent of that individual, if the individual is deceased or incapacitated, such as—

''(i) an executor of estate of that individual; or

''(ii) a legal guardian or conservator of that individual;

''(2) that individual, or if applicable, an authorized agent of that individual, demonstrates that the individual—

''(A) was physically present in an affected area for a period of at least 2 years after January 1, 1949; and

''(B) contracted a specified disease after such period of physical presence;

''(3) the Attorney General certifies that the identity of that individual, and if applicable, the authorized agent of that individual, is not fraudulent or otherwise misrepresented; and

''(4) the Attorney General determines that the claimant has satisfied the applicable requirements of this Act.

''(b) LOSSES AVAILABLE TO LIVING AFFECTED INDIVIDUALS.—

''(1) IN GENERAL.—In the event of a claim qualifying for compensation under subsection (a) that is submitted to the Attorney General to be eligible for compensation under this section at a time when the individual described in subsection (a)(2) is living, the amount of compensation under this section shall be in an amount that is the greater of $50,000 or the total amount of compensation for which the individual is eligible under paragraph (2).

''(2) LOSSES DUE TO MEDICAL EXPENSES.—A claimant described in paragraph (1) shall be eligible to receive, upon submission of contemporaneous written medical records, reports, or billing statements created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, additional compensation in the amount of all documented out-of-pocket medical expenses incurred as a result of the specified disease suffered by that claimant, such as any medical expenses not covered, paid for, or reimbursed through—

''(A) any public or private health insurance;

''(B) any employee health insurance;

''(C) any workers' compensation program; or

''(D) any other public, private, or employee health program or benefit.

''(c) PAYMENTS TO BENEFICIARIES OF DECEASED INDIVIDUALS.—In the event that an individual described in subsection (a)(2) who qualifies for compensation under subsection (a) is deceased at the time of submission of the claim—

''(1) a surviving spouse may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the amount of $25,000; or

''(2) in the event that there is no surviving spouse, the surviving children, minor or otherwise, of the deceased individual may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the total amount of $25,000, paid in equal shares to each surviving child.

''(d) AFFECTED AREA.—For purposes of this section, the term 'affected area' means—

''(1) in the State of Missouri, the ZIP Codes of 63031, 63033, 63034, 63042, 63045, 63074, 63114, 63135, 63138, 63044, 63121, 63140, 63145, 63147, 63102, 63304, 63134, 63043, 63341, 63368, and 63367;

''(2) in the State of Tennessee, the ZIP Codes of 37732, 37755, 37756, 37841, 37847, 37852, 37872, 37892, 37714, 37715, 37729, 37757, 37762, 37766, 37769, 37819, 37847, 37870, 37719, 37726, 37733, 37748, 37770, 37829, 37845, 37849, 37931, 37779, 37807, 37866, 37709, 37721, 37754, 37764, 37806, 37853, 37871, 37901, 37902, 37909, 37912, 37914, 37915, 37916, 37917, 37918, 37919, 37920, 37921, 37922, 37923, 37924, 37927, 37928, 37929, 37930, 37932, 37933, 37934, 37938, 37939, 37940, 37950, 37995, 37996, 37997, 37998, 37337, 37367, 37723, 37854, 38555, 38557, 38558, 38571, 38572, 38574, 38578, 38583, 37763, 37771, 37774, 37830, 37840, 37846, 37874, 37321, 37332, 37338, 37381, 37742, 37772, 37846, 37322, 37336, and 37880;

''(3) in the State of Alaska, the ZIP Codes of 99546 and 99547; and

''(4) in the State of Kentucky, the ZIP Codes of 42001, 42003, and 42086.

''(e) SPECIFIED DISEASE.—For purposes of this section, the term 'specified disease' means any of the following:

''(1) Any leukemia, other than chronic lymphocytic leukemia, provided that the initial exposure occurred after the age of 20 and the onset of the disease was at least 2 years after first exposure.

''(2) Any of the following diseases, provided that the onset was at least 2 years after the initial exposure:

''(A) Multiple myeloma.

''(B) Lymphoma, other than Hodgkin's disease.

''(C) Primary cancer of the—

''(i) thyroid;

''(ii) male or female breast;

''(iii) esophagus;

''(iv) stomach;

''(v) pharynx;

''(vi) small intestine;

''(vii) pancreas;

''(viii) bile ducts;

''(ix) gall bladder;

''(x) salivary gland;

''(xi) urinary bladder;

''(xii) brain;

''(xiii) colon;

''(xiv) ovary;

''(xv) liver, except if cirrhosis or hepatitis B is indicated; or

''(xvi) lung.

''(f) PHYSICAL PRESENCE.—

''(1) IN GENERAL.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of—

''(A) contemporaneous written residential documentation and at least 1 additional employer-issued or government-issued document or record that the claimant, for at least 2 years after January 1, 1949, was physically present in an affected area; or

''(B) other documentation determined by the Attorney General to demonstrate that the claimant, for at least 2 years after January 1, 1949, was physically present in an affected area.

''(2) TYPES OF PHYSICAL PRESENCE.—For purposes of determining physical presence under this section, a claimant shall be considered to have been physically present in an affected area if—

''(A) the claimant's primary residence was in the affected area;

''(B) the claimant's place of employment was in the affected area; or

''(C) the claimant attended school in the affected area.

''(g) DISEASE CONTRACTION IN AFFECTED AREAS.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless the claimant submits—

''(1) written medical records or reports created by or at the direction of a licensed medical professional, created contemporaneously with the provision of medical care to the claimant, that the claimant, after a period of physical presence in an affected area, contracted a specified disease; or

''(2) other documentation determined by the Attorney General to demonstrate that the claimant contracted a specified disease after a period of physical presence in an affected area.''.

SEC. 4003. COOPERATIVE AGREEMENT.

(a) IN GENERAL.—Not later than September 30, 2024, the Secretary of Energy, acting through the Director of the Office of Legacy Management, shall award to an eligible association a cooperative agreement to support the safeguarding of human and ecological health at the Amchitka, Alaska, Site.

(b) REQUIREMENTS.—A cooperative agreement awarded under subsection (a)—

(1) may be used to fund—

(A) research and development that will improve and focus long-term surveillance and monitoring of the site;

(B) workforce development at the site; and

(C) such other activities as the Secretary considers appropriate; and

(2) shall require that the eligible association—

(A) engage in stakeholder engagement; and

(B) to the greatest extent practicable, incorporate Indigenous knowledge and the participation of local Indian Tribes in research and development and workforce development activities.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE ASSOCIATION.—The term ''eligible association'' means an association of 2 or more of the following:

(A) An institution of higher education (as that term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) located in the State of Alaska.

(B) An agency of the State of Alaska.

(C) A local Indian Tribe.

(D) An organization—

(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

(ii) located in the State of Alaska.

(2) LOCAL INDIAN TRIBE.—The term ''local Indian Tribe'' means an Indian tribe (as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) that is located in the Aleut Region of the State of Alaska.

TITLE II—COMPENSATION FOR WORKERS INVOLVED IN URANIUM MINING

SEC. 4101. SHORT TITLE.

This title may be cited as the ''Radiation Exposure Compensation Act Amendments of 2024''.

SEC. 4102. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision of law, the reference shall be considered to be made to a section or other provision of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note).

SEC. 4103. EXTENSION OF FUND.

Section 3(d) is amended—

(1) by striking the first sentence and inserting ''The Fund shall terminate 19 years after the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2024.''; and

(2) by striking ''2-year'' and inserting ''19-year''.

SEC. 4104. CLAIMS RELATING TO ATMOSPHERIC TESTING.

(a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(1)(A) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(B) in subclause (II)—

(i) by striking ''in the affected area'' and inserting ''in an affected area''; and

(ii) by striking ''or'' after the semicolon;

(C) by redesignating subclause (III) as subclause (V); and

(D) by inserting after subclause (II) the following:

''(III) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(IV) was physically present in an affected area—

''(aa) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(bb) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''; and

(2) in clause (ii)(I), by striking ''physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III)'' and inserting ''physical presence described in subclause (I), (II), (III), or (IV) of clause (i) or onsite participation described in clause (i)(V)''.

(b) AMOUNTS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1) is amended—

(1) in subparagraph (A), by striking ''an amount'' and inserting ''the amount''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) AMOUNT.—If the conditions described in subparagraph (C) are met, an individual who is described in subparagraph (A) shall receive $150,000.''.

(c) CONDITIONS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1)(C) is amended—

(1) by striking clause (i); and

(2) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(d) SPECIFIED DISEASES CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(2) is amended—

(1) in subparagraph (A)—

(A) by striking ''in the affected area'' and inserting ''in an affected area'';

(B) by striking ''2 years'' and inserting ''1 year''; and

(C) by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(2) in subparagraph (B)—

(A) by striking ''in the affected area'' and inserting ''in an affected area''; and

(B) by striking ''or'' at the end;

(3) by redesignating subparagraph (C) as subparagraph (E); and

(4) by inserting after subparagraph (B) the following:

''(C) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(D) was physically present in an affected area—

''(i) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(ii) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''.

(e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED DISEASES.—Section 4(a)(2) is amended in the matter following subparagraph (E) (as redesignated by subsection (d) of this section) by striking ''$50,000 (in the case of an individual described in subparagraph (A) or (B)) or $75,000 (in the case of an individual described in subparagraph (C)),'' and inserting ''$150,000''.

(f) MEDICAL BENEFITS.—Section 4(a) is amended by adding at the end the following:

''(5) MEDICAL BENEFITS.—An individual receiving a payment under this section shall be eligible to receive medical benefits in the same manner and to the same extent as an individual eligible to receive medical benefits under section 3629 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t).''.

(g) DOWNWIND STATES.—Section 4(b)(1) is amended to read as follows:

''(1) 'affected area' means—

''(A) except as provided under subparagraphs (B) and (C), Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Guam;

''(B) with respect to a claim by an individual under subsection (a)(1)(A)(i)(III) or subsection (a)(2)(C), only New Mexico; and

''(C) with respect to a claim by an individual under subsection (a)(1)(A)(i)(IV) or subsection (a)(2)(D), only Guam.''.

(h) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECIFIED DISEASE.—Section 4(b)(2) is amended by striking ''other than chronic lymphocytic leukemia'' and inserting ''including chronic lymphocytic leukemia''.

SEC. 4105. CLAIMS RELATING TO URANIUM MINING.

(a) EMPLOYEES OF MINES AND MILLS.—Section 5(a)(1)(A)(i) is amended—

(1) by inserting ''(I)'' after ''(i)'';

(2) by striking ''December 31, 1971; and'' and inserting ''December 31, 1990; or''; and

(3) by adding at the end the following:

''(II) was employed as a core driller in a State referred to in subclause (I) during the period described in such subclause; and''.

(b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended by inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury'' after ''nonmalignant respiratory disease''.

(c) MILLERS, CORE DRILLERS, AND ORE TRANSPORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

(1) by inserting '', core driller,'' after ''was a miller'';

(2) by inserting '', or was involved in remediation efforts at such a uranium mine or uranium mill,'' after ''ore transporter'';

(3) by inserting ''(I)'' after ''clause (i)''; and

(4) by striking all that follows ''nonmalignant respiratory disease'' and inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury; or''.

(d) COMBINED WORK HISTORIES.—Section 5(a)(1)(A)(ii) is further amended—

(1) by striking ''or'' at the end of subclause (I); and

(2) by adding at the end the following:

''(III)(aa) does not meet the conditions of subclause (I) or (II);

''(bb) worked, during the period described in clause (i)(I), in two or more of the following positions: miner, miller, core driller, and ore transporter;

''(cc) meets the requirements of paragraph (4) or (5), or both; and

''(dd) submits written medical documentation that the individual developed lung cancer or a nonmalignant respiratory disease or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury after exposure to radiation through work in one or more of the positions referred to in item (bb);''.

(e) DATES OF OPERATION OF URANIUM MINE.—Section 5(a)(2)(A) is amended by striking ''December 31, 1971'' and inserting ''December 31, 1990''.

(f) SPECIAL RULES RELATING TO COMBINED WORK HISTORIES.—Section 5(a) is amended by adding at the end the following:

''(4) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST ONE YEAR OF EXPERIENCE.—An individual meets the requirements of this paragraph if the individual worked in one or more of the positions referred to in paragraph (1)(A)(ii)(III)(bb) for a period of at least one year during the period described in paragraph (1)(A)(i)(I).

''(5) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR MINERS.—An individual meets the requirements of this paragraph if the individual, during the period described in paragraph (1)(A)(i)(I), worked as a miner and was exposed to such number of working level months that the Attorney General determines, when combined with the exposure of such individual to radiation through work as a miller, core driller, or ore transporter during the period described in paragraph (1)(A)(i)(I), results in such individual being exposed to a total level of radiation that is greater or equal to the level of exposure of an individual described in paragraph (4).''.

(g) DEFINITION OF CORE DRILLER.—Section 5(b) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the term 'core driller' means any individual employed to engage in the act or process of obtaining cylindrical rock samples of uranium or vanadium by means of a borehole drilling machine for the purpose of mining uranium or vanadium.''.

SEC. 4106. EXPANSION OF USE OF AFFIDAVITS IN DETERMINATION OF CLAIMS; REGULATIONS.

(a) AFFIDAVITS.—Section 6(b) is amended by adding at the end the following:

''(3) AFFIDAVITS.—

''(A) EMPLOYMENT HISTORY.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate the employment history of an individual as a miner, miller, core driller, or ore transporter if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the employment history of the individual;

''(ii) attests to the employment history of the individual;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(B) PHYSICAL PRESENCE IN AFFECTED AREA.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's physical presence in an affected area during a period described in section 4(a)(1)(A)(i) or section 4(a)(2) if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's presence in an affected area during that time period;

''(ii) attests to the individual's presence in an affected area during that period;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(C) PARTICIPATION AT TESTING SITE.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's participation onsite in a test involving the atmospheric detonation of a nuclear device if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(ii) attests to the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 6 is amended—

(1) in subsection (b)(2)(C), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)'';

(2) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(ii) in clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(B) in subparagraph (B), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)''; and

(3) in subsection (e), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''.

(c) REGULATIONS.—

(1) IN GENERAL.—Section 6(k) is amended by adding at the end the following: ''Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, the Attorney General shall issue revised regulations to carry out this Act.''.

(2) CONSIDERATIONS IN REVISIONS.—In issuing revised regulations under section 6(k) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note), as amended under paragraph (1), the Attorney General shall ensure that procedures with respect to the submission and processing of claims under such Act take into account and make allowances for the law, tradition, and

customs of Indian tribes, including by accepting as a record of proof of physical presence for a claimant a grazing permit, a homesite lease, a record of being a holder of a post office box, a letter from an elected leader of an Indian tribe, or a record of any recognized tribal association or organization.

SEC. 4107. LIMITATION ON CLAIMS.

(a) EXTENSION OF FILING TIME.—Section 8(a) is amended—

(1) by striking ''2 years'' and inserting ''19 years''; and

(2) by striking ''2022'' and inserting ''2023''.

(b) RESUBMITTAL OF CLAIMS.—Section 8(b) is amended to read as follows:

''(b) RESUBMITTAL OF CLAIMS.—

''(1) DENIED CLAIMS.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, any claimant who has been denied compensation under this Act may resubmit a claim for consideration by the Attorney General in accordance with this Act not more than three times. Any resubmittal made before the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2024 shall not be applied to the limitation under the preceding sentence.

''(2) PREVIOUSLY SUCCESSFUL CLAIMS.—

''(A) IN GENERAL.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, any claimant who received compensation under this Act may submit a request to the Attorney General for additional compensation and benefits. Such request shall contain—

''(i) the claimant's name, social security number, and date of birth;

''(ii) the amount of award received under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024;

''(iii) any additional benefits and compensation sought through such request; and

''(iv) any additional information required by the Attorney General.

''(B) ADDITIONAL COMPENSATION.—If the claimant received compensation under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024 and submits a request under subparagraph (A), the Attorney General shall—

''(i) pay the claimant the amount that is equal to any excess of—

''(I) the amount the claimant is eligible to receive under this Act (as amended by the Radiation Exposure Compensation Act Amendments of 2024); minus

''(II) the aggregate amount paid to the claimant under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024; and

''(ii) in any case in which the claimant was compensated under section 4, provide the claimant with medical benefits under section 4(a)(5).''.

SEC. 4108. GRANT PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF URANIUM MINING AND MILLING.

(a) DEFINITIONS.—In this section—

(1) the term ''institution of higher education'' has the meaning given under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

(2) the term ''program'' means the grant program established under subsection (b); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) ESTABLISHMENT.—The Secretary shall establish a grant program relating to the epidemiological impacts of uranium mining and milling. Grants awarded under the program shall be used for the study of the epidemiological impacts of uranium mining and milling among non-occupationally exposed individuals, including family members of uranium miners and millers.

(c) ADMINISTRATION.—The Secretary shall administer the program through the National Institute of Environmental Health Sciences.

(d) ELIGIBILITY AND APPLICATION.—Any institution of higher education or nonprofit private entity shall be eligible to apply for a grant. To apply for a grant an eligible institution or entity shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2024 through 2026.

SEC. 4109. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) COVERED EMPLOYEES WITH CANCER.—Section 3621(9) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(9)) is amended by striking subparagraph (A) and inserting the following:

''(A) An individual with a specified cancer who is a member of the Special Exposure Cohort, if and only if—

''(i) that individual contracted that specified cancer after beginning employment at a Department of Energy facility (in the case of a Department of Energy employee or Department of Energy contractor employee) or at an atomic weapons employer facility (in the case of an atomic weapons employee); or

''(ii) that individual—

''(I) contracted that specified cancer after beginning employment in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, or any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act; and

''(II) was employed in a uranium mine or uranium mill described under subclause (I) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) at any time during the period beginning on January 1, 1942, and ending on December 31, 1990.''.

(b) MEMBERS OF SPECIAL EXPOSURE COHORT.—Section 3626 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384q) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) The Advisory Board on Radiation and Worker Health under section 3624 shall advise the President whether there is a class of employees—

''(A) at any Department of Energy facility who likely were exposed to radiation at that facility but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received; and

''(B) employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, who likely were exposed to radiation at that mine or mill but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received.''; and

(2) by striking subsection (b) and inserting the following:

''(b) DESIGNATION OF ADDITIONAL MEMBERS.—

''(1) Subject to the provisions of section 3621(14)(C), the members of a class of employees at a Department of Energy facility, or at an atomic weapons employer facility, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

''(2) Subject to the provisions of section 3621(14)(C), the members of a class of employees employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.''.

SA 1430. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, strike lines 9 through 19.

SA 1431. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care

program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 4 through 21.

SA 1432. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 602.

SA 1433. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON USE OF PRESIDENTIAL DRAWDOWN AUTHORITY WHEN REMAINING VALUE EXCEEDS AMOUNTS AVAILABLE FOR STOCKPILE REPLENISHMENT.

Section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) is amended by adding at the end the following new sentence: ''Whenever the remaining value of the authority provided by this paragraph exceeds the amounts available to the Secretary of Defense for the replenishment of stockpiles, the President may not use such authority.''.

SA 1434. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CONGRESSIONAL APPROVAL FOR PRESIDENTIAL DRAWDOWN AUTHORITY IN EXCESS OF FISCAL YEAR LIMITATION.

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), by inserting '', except as provided in paragraph (6)'' after ''fiscal year''; and

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

''(6)(A) The President may use the authority provided by paragraph (1) when the aggregate value of the use of such authority would exceed $100,000,000 in a fiscal year if—

''(i) the President submits to Congress—

''(I) a request for authorization to use such authority resulting in an aggregate value that exceeds $100,000,000; and

''(II) a report that an unforeseen emergency exists, in accordance with paragraph (1); and

''(ii) after the submission of such request and report, there is enacted a joint resolution or other provision of law approving the authorization requested.

''(B)(i) Each request submitted under subparagraph (A)(i) may only request authorization for the use of the authority provided by paragraph (1) for one intended recipient country.

''(ii) A resolution described in subparagraph (A)(ii) may only approve a request for authorization for the use of the authority provided by paragraph (1) for one intended recipient country.

''(C)(i) Any resolution described in subparagraph (A)(ii) may be considered by Congress using the expedited procedures set forth in this subparagraph.

''(ii) For purposes of this subparagraph, 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.

''(iii) A resolution described in clause (ii) that is introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate. A resolution described in clause (ii) that is introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs of the House of Representatives.

''(iv) If the committee to which a resolution described in clause (ii) 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.

''(v)(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 clause (iv)) 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.

''(vi)(I) If, before passage by one House of a resolution of that House described in clause (ii), that House receives from the other House a resolution described in clause (ii), then the following procedures shall apply:

''(aa) The resolution of the other House shall not be referred to a committee.

''(bb) The consideration as described in clause (v) 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.

''(III) This subparagraph is enacted by Congress—

''(aa) 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 clause (ii), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

''(bb) 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 1435. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 603.

SA 1436. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United

States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, strike lines 10 through 19.

SA 1437. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 39, strike line 22 and all that follows through page 40, line 19.

SA 1438. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 38, strike line 22 and all that follows through page 39, line 8.

SA 1439. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 21 and all that follows through page 38, line 3.

SA 1440. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 104.

SA 1441. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Effective January 1, 2026, the following laws are hereby repealed:

(1) 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).

(2) The Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

SA 1442. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act for assistance to Ukraine may be obligated or expended until 90 days after the President has initiated peace negotiations between the Governments of Ukraine and the Russian Federation.

SA 1443. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available for Ukraine under this Act may be made available for reconstruction activities, including multi-year reconstruction projects.

SA 1444. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act may be made available to facilitate the use of military force against Iran, including any deployments to forward operating bases in Iraq and Syria, absent express authorization from Congress.

SA 1445. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, line 15, insert ‘‘, salaries, or welfare programs’’ after ‘‘pensions’’.

SA 1446. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, line 15, insert ‘‘or salaries’’ after ‘‘pensions’’.

SA 1447. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—EMERGENCY WAR FUNDING REFORM

SEC. ____1. SHORT TITLE.

This title may be cited as the ‘‘Restraining Emergency War Spending Act’’.

SEC. ____2. DEFINITION OF EMERGENCY WAR FUNDING.

For purposes of determining eligible costs for emergency war funding, the term ‘‘emergency war funding’’ means—

(1) a contingency operation (as defined in section 101(a) of title 10, United States Code) conducted by the Department of Defense that—

(A) is conducted in a foreign country;

(B) has geographical limits;

(C) is not longer than 60 days; and

(D) provides only—

(i) replacement of ground equipment lost or damaged in conflict;

(ii) equipment modifications;

(iii) munitions;

(iv) replacement of aircraft lost or damaged in conflict;

(v) military construction for short-term temporary facilities;

(vi) direct war operations; and

(vii) fuel;

(2) the training, equipment, and sustainment activities for foreign military forces by the United States;

(3) the provision of defense articles over $100,000,000 to a single recipient nation or allied group of nations; or

(4) assistance provided for the reconstruction of a nation or group of nations in or immediately post-active conflict.

SEC. ___3. POINT OF ORDER AGAINST FUNDING FOR CONTINGENCY OPERATIONS THAT DOES NOT MEET THE REQUIREMENTS FOR EMERGENCY WAR FUNDING.

(a) IN GENERAL.—Title IV of the Congressional Budget Act of 1974 (2 U.S.C. 651 et seq.) is amended by adding at the end the following:

"PART C—ADDITIONAL LIMITATIONS ON BUDGETARY AND APPROPRIATIONS LEGISLATION

"SEC. 441. POINT OF ORDER AGAINST FUNDING FOR CONTINGENCY OPERATIONS THAT DOES NOT MEET THE REQUIREMENTS FOR EMERGENCY WAR FUNDING.

''(a) DEFINITIONS.—In this section—

''(1) the term 'contingency operation' has the meaning given that term in section 101 of title 10, United States Code; and

''(2) the term 'emergency war funding' has the meaning given that term in section ___2 of the Restraining Emergency War Spending Act.

''(b) POINT OF ORDER.—

''(1) IN GENERAL.—In the Senate, it shall not be in order to consider a provision in a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that provides new budget authority for a contingency operation, unless the provision of new budget authority meets the requirements to constitute emergency war funding.

''(2) POINT OF ORDER SUSTAINED.—If a point of order is made by a Senator against a provision described in paragraph (1), and the point of order is sustained by the Chair, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

''(c) FORM OF THE POINT OF ORDER.—A point of order under subsection (b)(1) may be raised by a Senator as provided in section 313(e).

''(d) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to subsection (b)(1), and such point of order being sustained, such material contained in such conference report or House amendment shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

''(e) SUPERMAJORITY WAIVER AND APPEAL.—

''(1) WAIVER.—Subsection (b)(1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

''(2) APPEALS.—Debate on appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b)(1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Congressional Budget Act of 1974 is amended by inserting after the item relating to section 428 the following:

''PART C—ADDITIONAL LIMITATIONS ON BUDGETARY AND APPROPRIATIONS LEGISLATION

''Sec. 441. Point of order against funding for contingency operations that does not meet the requirements for emergency war funding.''.

SA 1448. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Amend section 614 to read as follows:

SEC. 614. None of the funds appropriated or otherwise made available by this division and division B of this Act, and prior Acts making appropriations for the Department of State, foreign operations, and related programs, may be made available for assessed or voluntary contributions, grants, or other payments to the United Nations Relief and Works Agency or to any other organ, specialized agency, commission, or other formally affiliated body of the United Nations that provides funding or otherwise operates in Gaza, notwithstanding any other provision of law.

SA 1449. Mr. LEE (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 704 and insert the following:

SEC. 704. REPORT WITH UKRAINE STRATEGY.

(a) IN GENERAL.—Only 2 percent of the amounts appropriated or otherwise made available by this Act for assistance to Ukraine may be obligated or expended until the President, in coordination with the Secretary of Defense and the Secretary of State, develops and submits 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 1450. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 39, strike line 22 and all that follows through page 40, line 19.

SA 1451. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished

through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 38, strike line 4 and all that follows through page 40, line 19, and insert the following:

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

SA 1452. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

DIVISION ___—SECURING THE BORDER

SEC. _001. SHORT TITLE.

This division may be cited as the ''Secure the Border Act of 2024''.

TITLE I—BORDER SECURITY

SEC. _101. DEFINITIONS.

In this division:

(1) CBP.—The term ''CBP'' means U.S. Customs and Border Protection.

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) OPERATIONAL CONTROL.—The term ''operational control'' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

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

(6) SITUATIONAL AWARENESS.—The term ''situational awareness'' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

(7) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. _102. BORDER WALL CONSTRUCTION.

(a) IN GENERAL.—

(1) IMMEDIATE RESUMPTION OF BORDER WALL CONSTRUCTION.—Not later than seven days after the date of the enactment of this Act, the Secretary shall resume all activities related to the construction of the border wall along the border between the United States and Mexico that were underway or being planned for prior to January 20, 2021.

(2) USE OF FUNDS.—To carry out this section, the Secretary shall expend all unexpired funds appropriated or explicitly obligated for the construction of the border wall that were appropriated or obligated, as the case may be, for use beginning on October 1, 2019.

(3) USE OF MATERIALS.—Any unused materials purchased before the date of the enactment of this Act for construction of the border wall may be used for activities related to the construction of the border wall in accordance with paragraph (1).

(b) PLAN TO COMPLETE TACTICAL INFRASTRUCTURE AND TECHNOLOGY.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until construction of the border wall has been completed, the Secretary shall submit to the appropriate congressional committees an implementation plan, including annual benchmarks for the construction of 200 miles of such wall and associated cost estimates for satisfying all requirements of the construction of the border wall, including installation and deployment of tactical infrastructure, technology, and other elements as identified by the Department prior to January 20, 2021, through the expenditure of funds appropriated or explicitly obligated, as the case may be, for use, as well as any future funds appropriated or otherwise made available by Congress.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) TACTICAL INFRASTRUCTURE.—The term ''tactical infrastructure'' includes boat ramps, access gates, checkpoints, lighting, and roads associated with a border wall.

(3) TECHNOLOGY.—The term ''technology'' includes border surveillance and detection technology, including linear ground detection systems, associated with a border wall.

SEC. _103. STRENGTHENING THE REQUIREMENTS FOR BARRIERS ALONG THE SOUTHERN BORDER.

Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Division C of Public Law 104–208; 8 U.S.C. 1103 note) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary of Homeland Security shall take such actions as may be necessary (including the removal of obstacles to detection of illegal entrants) to design, test, construct, install, deploy, integrate, and operate physical barriers, tactical infrastructure, and technology in the vicinity of the southwest border to achieve situational awareness and operational control of the southwest border and deter, impede, and detect unlawful activity.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''FENCING AND ROAD IMPROVEMENTS'' and inserting ''PHYSICAL BARRIERS'';

(B) in paragraph (1)—

(i) in the heading, by striking ''FENCING'' and inserting ''BARRIERS'';

(ii) by amending subparagraph (A) to read as follows:

''(A) REINFORCED BARRIERS.—In carrying out this section, the Secretary of Homeland Security shall construct a border wall, including physical barriers, tactical infrastructure, and technology, along not fewer than 900 miles of the southwest border until situational awareness and operational control of the southwest border is achieved.'';

(iii) by amending subparagraph (B) to read as follows:

''(B) PHYSICAL BARRIERS AND TACTICAL INFRASTRUCTURE.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective physical barriers, tactical infrastructure, and technology available for achieving situational awareness and operational control of the southwest border.'';

(iv) in subparagraph (C)—

(I) by amending clause (i) to read as follows:

''(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of the Interior, the Secretary of Agriculture, appropriate representatives of State, Tribal, and local governments, and appropriate private property owners in the United States to minimize the impact on natural resources, commerce, and sites of historical or cultural significance for the communities and residents located near the sites at which physical barriers, tactical infrastructure, and technology are to be constructed. Such consultation may not delay such construction for longer than seven days.''; and

(II) in clause (ii)—

(aa) in subclause (I), by striking ''or'' after the semicolon at the end;

(bb) by amending subclause (II) to read as follows:

''(II) delay the transfer to the United States of the possession of property or affect the validity of any property acquisition by the United States by purchase or eminent domain, or to otherwise affect the eminent domain laws of the United States or of any State; or''; and

(cc) by adding at the end the following new subclause:

''(III) create any right or liability for any party.''; and

(v) by striking subparagraph (D);

(C) in paragraph (2)—

(i) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(ii) by striking ''this subsection'' and inserting ''this section''; and

(iii) by striking ''construction of fences'' and inserting ''the construction of physical barriers, tactical infrastructure, and technology'';

(D) by amending paragraph (3) to read as follows:

''(3) AGENT SAFETY.—In carrying out this section, the Secretary of Homeland Security, when designing, testing, constructing, installing, deploying, integrating, and operating physical barriers, tactical infrastructure, or technology, shall incorporate such safety features into such design, test, construction, installation, deployment, integration, or operation of such physical barriers, tactical infrastructure, or technology, as the case may be, that the Secretary determines are necessary to maximize the safety and effectiveness of officers and agents of the Department of Homeland Security or of any other Federal agency deployed in the vicinity of such physical barriers, tactical infrastructure, or technology.''; and

(E) in paragraph (4), by striking ''this subsection'' and inserting ''this section'';

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall waive all legal requirements necessary to ensure the expeditious design, testing, construction, installation, deployment, integration, operation, and maintenance of the physical barriers, tactical infrastructure, and technology under this section. The Secretary shall ensure the maintenance and effectiveness of such physical barriers, tactical infrastructure, or technology. Any such action by the Secretary shall be effective upon publication in the Federal Register.'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) NOTIFICATION.—Not later than seven days after the date on which the Secretary of Homeland Security exercises a waiver pursuant to paragraph (1), the Secretary shall notify the Committee on Homeland Security of

the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such waiver.''; and

(4) by adding at the end the following new subsections:

''(e) TECHNOLOGY.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective technology available for achieving situational awareness and operational control.

''(f) DEFINITIONS.—In this section:

''(1) ADVANCED UNATTENDED SURVEILLANCE SENSORS.—The term 'advanced unattended surveillance sensors' means sensors that utilize an onboard computer to analyze detections in an effort to discern between vehicles, humans, and animals, and ultimately filter false positives prior to transmission.

''(2) OPERATIONAL CONTROL.—The term 'operational control' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

''(3) PHYSICAL BARRIERS.—The term 'physical barriers' includes reinforced fencing, the border wall, and levee walls.

''(4) SITUATIONAL AWARENESS.—The term 'situational awareness' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

''(5) TACTICAL INFRASTRUCTURE.—The term 'tactical infrastructure' includes boat ramps, access gates, checkpoints, lighting, and roads.

''(6) TECHNOLOGY.—The term 'technology' includes border surveillance and detection technology, including the following:

''(A) Tower-based surveillance technology.

''(B) Deployable, lighter-than-air ground surveillance equipment.

''(C) Vehicle and Dismount Exploitation Radars (VADER).

''(D) 3-dimensional, seismic acoustic detection and ranging border tunneling detection technology.

''(E) Advanced unattended surveillance sensors.

''(F) Mobile vehicle-mounted and manportable surveillance capabilities.

''(G) Unmanned aircraft systems.

''(H) Tunnel detection systems and other seismic technology.

''(I) Fiber-optic cable.

''(J) Other border detection, communication, and surveillance technology.

''(7) UNMANNED AIRCRAFT SYSTEM.—The term 'unmanned aircraft system' has the meaning given such term in section 44801 of title 49, United States Code.''.

SEC. __104. BORDER AND PORT SECURITY TECHNOLOGY INVESTMENT PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commissioner, in consultation with covered officials and border and port security technology stakeholders, shall submit to the appropriate congressional committees a strategic 5-year technology investment plan (in this section referred to as the ''plan''). The plan may include a classified annex, if appropriate.

(b) CONTENTS OF PLAN.—The plan shall include the following:

(1) An analysis of security risks at and between ports of entry along the northern and southern borders of the United States.

(2) An identification of capability gaps with respect to security at and between such ports of entry to be mitigated in order to—

(A) prevent terrorists and instruments of terror from entering the United States;

(B) combat and reduce cross-border criminal activity, including—

(i) the transport of illegal goods, such as illicit drugs; and

(ii) human smuggling and human trafficking; and

(C) facilitate the flow of legal trade across the southwest border.

(3) An analysis of current and forecast trends relating to the number of aliens who—

(A) unlawfully entered the United States by crossing the northern or southern border of the United States; or

(B) are unlawfully present in the United States.

(4) A description of security-related technology acquisitions, to be listed in order of priority, to address the security risks and capability gaps analyzed and identified pursuant to paragraphs (1) and (2), respectively.

(5) A description of each planned security-related technology program, including objectives, goals, and timelines for each such program.

(6) An identification of each deployed security-related technology that is at or near the end of the life cycle of such technology.

(7) A description of the test, evaluation, modeling, and simulation capabilities, including target methodologies, rationales, and timelines, necessary to support the acquisition of security-related technologies pursuant to paragraph (4).

(8) An identification and assessment of ways to increase opportunities for communication and collaboration with the private sector, small and disadvantaged businesses, intragovernment entities, university centers of excellence, and Federal laboratories to ensure CBP is able to engage with the market for security-related technologies that are available to satisfy its mission needs before engaging in an acquisition of a security-related technology.

(9) An assessment of the management of planned security-related technology programs by the acquisition workforce of CBP.

(10) An identification of ways to leverage already-existing acquisition expertise within the Federal Government.

(11) A description of the security resources, including information security resources, required to protect security-related technology from physical or cyber theft, diversion, sabotage, or attack.

(12) A description of initiatives to—

(A) streamline the acquisition process of CBP; and

(B) provide to the private sector greater predictability and transparency with respect to such process, including information relating to the timeline for testing and evaluation of security-related technology.

(13) An assessment of the privacy and security impact on border communities of security-related technology.

(14) In the case of a new acquisition leading to the removal of equipment from a port of entry along the northern or southern border of the United States, a strategy to consult with the private sector and community stakeholders affected by such removal.

(15) A strategy to consult with the private sector and community stakeholders with respect to security impacts at a port of entry described in paragraph (14).

(16) An identification of recent technological advancements in the following:

(A) Manned aircraft sensor, communication, and common operating picture technology.

(B) Unmanned aerial systems and related technology, including counter-unmanned aerial system technology.

(C) Surveillance technology, including the following:

(i) Mobile surveillance vehicles.

(ii) Associated electronics, including cameras, sensor technology, and radar.

(iii) Tower-based surveillance technology.

(iv) Advanced unattended surveillance sensors.

(v) Deployable, lighter-than-air, ground surveillance equipment.

(D) Nonintrusive inspection technology, including non-x-ray devices utilizing muon tomography and other advanced detection technology.

(E) Tunnel detection technology.

(F) Communications equipment, including the following:

(i) Radios.

(ii) Long-term evolution broadband.

(iii) Miniature satellites.

(c) LEVERAGING THE PRIVATE SECTOR.—To the extent practicable, the plan shall—

(1) leverage emerging technological capabilities, and research and development trends, within the public and private sectors;

(2) incorporate input from the private sector, including from border and port security stakeholders, through requests for information, industry day events, and other innovative means consistent with the Federal Acquisition Regulation; and

(3) identify security-related technologies that are in development or deployed, with or without adaptation, that may satisfy the mission needs of CBP.

(d) FORM.—To the extent practicable, the plan shall be published in unclassified form on the website of the Department.

(e) DISCLOSURE.—The plan shall include an identification of individuals not employed by the Federal Government, and their professional affiliations, who contributed to the development of the plan.

(f) UPDATE AND REPORT.—Not later than the date that is two years after the date on which the plan is submitted to the appropriate congressional committees pursuant to subsection (a) and biennially thereafter for ten years, the Commissioner shall submit to the appropriate congressional committees—

(1) an update of the plan, if appropriate; and

(2) a report that includes—

(A) the extent to which each security-related technology acquired by CBP since the initial submission of the plan or most recent update of the plan, as the case may be, is consistent with the planned technology programs and projects described pursuant to subsection (b)(5); and

(B) the type of contract and the reason for acquiring each such security-related technology.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) COVERED OFFICIALS.—The term ''covered officials'' means—

(A) the Under Secretary for Management of the Department;

(B) the Under Secretary for Science and Technology of the Department; and

(C) the Chief Information Officer of the Department.

(3) UNLAWFULLY PRESENT.—The term ''unlawfully present'' has the meaning provided such term in section 212(a)(9)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)(ii)).

SEC. __105. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

"SEC. 437. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

''(a) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term 'major acquisition program' means an acquisition program of the Department that is estimated by the Secretary to require an eventual total expenditure of at least $100,000,000 (based on fiscal year 2023 constant dollars) over its lifecycle cost.

''(b) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

''(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

''(2) document that each such program is satisfying cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(3) have a plan for satisfying program implementation objectives by managing contractor performance.

''(c) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring management of border security technology acquisition programs under this section.

''(d) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a plan for testing, evaluating, and using independent verification and validation of resources relating to the proposed acquisition of border security technology. Under such plan, the proposed acquisition of new border security technologies shall be evaluated through a series of assessments, processes, and audits to ensure—

''(1) compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(2) the effective use of taxpayer dollars.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 436 the following new item:

''Sec. 437. Border security technology program management.''.

(c) PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out section 437 of the Homeland Security Act of 2002, as added by subsection (a).

SEC. __106. U.S. CUSTOMS AND BORDER PROTECTION TECHNOLOGY UPGRADES.

(a) SECURE COMMUNICATIONS.—The Commissioner shall ensure that each CBP officer or agent, as appropriate, is equipped with a secure radio or other two-way communication device that allows each such officer or agent to communicate—

(1) between ports of entry and inspection stations; and

(2) with other Federal, State, Tribal, and local law enforcement entities.

(b) BORDER SECURITY DEPLOYMENT PROGRAM.—

(1) EXPANSION.—Not later than September 30, 2025, the Commissioner shall—

(A) fully implement the Border Security Deployment Program of CBP; and

(B) expand the integrated surveillance and intrusion detection system at land ports of entry along the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $33,000,000 for fiscal years 2024 and 2025 to carry out paragraph (1).

(c) UPGRADE OF LICENSE PLATE READERS AT PORTS OF ENTRY.—

(1) UPGRADE.—Not later than two years after the date of the enactment of this Act, the Commissioner shall upgrade all existing license plate readers in need of upgrade, as determined by the Commissioner, on the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $125,000,000 for fiscal years 2023 and 2024 to carry out paragraph (1).

SEC. __107. U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.

(a) RETENTION BONUS.—To carry out this section, there is authorized to be appropriated up to $100,000,000 to the Commissioner to provide a retention bonus to any front-line U.S. Border Patrol law enforcement agent—

(1) whose position is equal to or below level GS-12 of the General Schedule;

(2) who has five years or more of service with the U.S. Border Patrol; and

(3) who commits to two years of additional service with the U.S. Border Patrol upon acceptance of such bonus.

(b) BORDER PATROL AGENTS.—Not later than September 30, 2025, the Commissioner shall hire, train, and assign a sufficient number of Border Patrol agents to maintain an active duty presence of not fewer than 22,000 full-time equivalent Border Patrol agents, who may not perform the duties of processing coordinators.

(c) PROHIBITION AGAINST ALIEN TRAVEL.—No personnel or equipment of Air and Marine Operations may be used for the transportation of non-detained aliens, or detained aliens expected to be administratively released upon arrival, from the southwest border to destinations within the United States.

(d) GAO REPORT.—If the staffing level required under this section is not achieved by the date associated with such level, the Comptroller General of the United States shall—

(1) conduct a review of the reasons why such level was not so achieved; and

(2) not later than September 30, 2027, publish on a publicly available website of the Government Accountability Office a report relating thereto.

SEC. __108. ANTI-BORDER CORRUPTION ACT REAUTHORIZATION.

(a) HIRING FLEXIBILITY.—Section 3 of the Anti-Border Corruption Act of 2010 (6 U.S.C. 221; Public Law 111–376) is amended by striking subsection (b) and inserting the following new subsections:

''(b) WAIVER REQUIREMENT.—Subject to subsection (c), the Commissioner of U.S. Customs and Border Protection shall waive the application of subsection (a)(1)—

''(1) to a current, full-time law enforcement officer employed by a State or local law enforcement agency who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension; and

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position;

''(2) to a current, full-time Federal law enforcement officer who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized to make arrests, conduct investigations, conduct searches, make seizures, carry firearms, and serve orders, warrants, and other processes;

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

''(D) holds a current Tier 4 background investigation or current Tier 5 background investigation; or

''(3) to a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

''(A) has served in the Armed Forces for not fewer than three years;

''(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance;

''(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

''(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

''(E) was not granted any waivers to obtain the clearance referred to in subparagraph (B).

''(c) TERMINATION OF WAIVER REQUIREMENT; SNAP-BACK.—The requirement to issue a waiver under subsection (b) shall terminate if the Commissioner of U.S. Customs and Border Protection (CBP) certifies to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP has met all requirements pursuant to section __107 of the Secure the Border Act of 2024 relating to personnel levels. If at any time after such certification personnel levels fall below such requirements, the Commissioner shall waive the application of subsection (a)(1) until such time as the Commissioner re-certifies to such Committees that CBP has so met all such requirements.''.

(b) SUPPLEMENTAL COMMISSIONER AUTHORITY; REPORTING; DEFINITIONS.—The Anti-Border Corruption Act of 2010 is amended by adding at the end the following new sections:

"SEC. 5. SUPPLEMENTAL COMMISSIONER AUTHORITY.

''(a) NONEXEMPTION.—An individual who receives a waiver under section 3(b) is not exempt from any other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

''(b) BACKGROUND INVESTIGATIONS.—An individual who receives a waiver under section

3(b) who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

''(c) ADMINISTRATION OF POLYGRAPH EXAMINATION.—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under section 3(b) if information is discovered before the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.

''SEC. 6. REPORTING.

''(a) ANNUAL REPORT.—Not later than one year after the date of the enactment of this section and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and Border Protection shall submit to Congress a report that includes, with respect to each such reporting period, the following:

''(1) Information relating to the number of waivers granted under such section 3(b).

''(2) Information relating to the percentage of applicants who were hired after receiving such a waiver.

''(3) Information relating to the number of instances that a polygraph was administered to an applicant who initially received such a waiver and the results of such polygraph.

''(4) An assessment of the current impact of such waiver authority on filling law enforcement positions at U.S. Customs and Border Protection.

''(5) An identification of additional authorities needed by U.S. Customs and Border Protection to better utilize such waiver authority for its intended goals.

''(b) ADDITIONAL INFORMATION.—The first report submitted under subsection (a) shall include the following:

''(1) An analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential applicants or employees for suitability for employment or continued employment, as the case may be.

''(2) A recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).

''SEC. 7. DEFINITIONS.

''In this Act:

''(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term 'Federal law enforcement officer' means a 'law enforcement officer', as such term is defined in section 8331(20) or 8401(17) of title 5, United States Code.

''(2) SERIOUS MILITARY OR CIVIL OFFENSE.—The term 'serious military or civil offense' means an offense for which—

''(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

''(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Court-Martial, as pursuant to Army Regulation 635–200, chapter 14–12.

''(3) TIER 4; TIER 5.—The terms 'Tier 4' and 'Tier 5', with respect to background investigations, have the meaning given such terms under the 2012 Federal Investigative Standards.

''(4) VETERAN.—The term 'veteran' has the meaning given such term in section 101(2) of title 38, United States Code.''.

(c) POLYGRAPH EXAMINERS.—Not later than September 30, 2025, the Secretary shall increase to not fewer than 150 the number of trained full-time equivalent polygraph examiners for administering polygraphs under the Anti-Border Corruption Act of 2010, as amended by this section.

SEC. __109. ESTABLISHMENT OF WORKLOAD STAFFING MODELS FOR U.S. BORDER PATROL AND AIR AND MARINE OPERATIONS OF CBP.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commissioner, in coordination with the Under Secretary for Management, the Chief Human Capital Officer, and the Chief Financial Officer of the Department, shall implement a workload staffing model for each of the following:

(1) The U.S. Border Patrol.

(2) Air and Marine Operations of CBP.

(b) RESPONSIBILITIES OF THE COMMISSIONER.—Subsection (c) of section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211), is amended—

(1) by redesignating paragraphs (18) and (19) as paragraphs (20) and (21), respectively; and

(2) by inserting after paragraph (17) the following new paragraphs:

''(18) implement a staffing model for the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations that includes consideration for essential frontline operator activities and functions, variations in operating environments, present and planned infrastructure, present and planned technology, and required operations support levels to enable such entities to manage and assign personnel of such entities to ensure field and support posts possess adequate resources to carry out duties specified in this section;

''(19) develop standard operating procedures for a workforce tracking system within the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations, train the workforce of each of such entities on the use, capabilities, and purpose of such system, and implement internal controls to ensure timely and accurate scheduling and reporting of actual completed work hours and activities;''.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act with respect to subsection (a) and paragraphs (18) and (19) of section 411(c) of the Homeland Security Act of 2002 (as amended by subsection (b)), and annually thereafter with respect to such paragraphs (18) and (19), the Secretary shall submit to the appropriate congressional committees a report that includes a status update on the following:

(A) The implementation of such subsection (a) and such paragraphs (18) and (19).

(B) Each relevant workload staffing model.

(2) DATA SOURCES AND METHODOLOGY REQUIRED.—Each report required under paragraph (1) shall include information relating to the data sources and methodology used to generate each relevant staffing model.

(d) INSPECTOR GENERAL REVIEW.—Not later than 90 days after the Commissioner develops the workload staffing models pursuant to subsection (a), the Inspector General of the Department shall review such models and provide feedback to the Secretary and the appropriate congressional committees with respect to the degree to which such models are responsive to the recommendations of the Inspector General, including the following:

(1) Recommendations from the Inspector General's February 2019 audit.

(2) Any further recommendations to improve such models.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security of the House of Representatives; and

(2) the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. __110. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

''SEC. 2010. OPERATION STONEGARDEN.

''(a) ESTABLISHMENT.—There is established in the Department a program to be known as 'Operation Stonegarden', under which the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through State administrative agencies, to enhance border security in accordance with this section.

''(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency shall—

''(1) be located in—

''(A) a State bordering Canada or Mexico; or

''(B) a State or territory with a maritime border;

''(2) be involved in an active, ongoing, U.S. Customs and Border Protection operation coordinated through a U.S. Border Patrol sector office; and

''(3) have an agreement in place with U.S. Immigration and Customs Enforcement to support enforcement operations.

''(c) PERMITTED USES.—A recipient of a grant under this section may use such grant for costs associated with the following:

''(1) Equipment, including maintenance and sustainment.

''(2) Personnel, including overtime and backfill, in support of enhanced border law enforcement activities.

''(3) Any activity permitted for Operation Stonegarden under the most recent fiscal year Department of Homeland Security's Homeland Security Grant Program Notice of Funding Opportunity.

''(d) PERIOD OF PERFORMANCE.—The Secretary shall award grants under this section to grant recipients for a period of not fewer than 36 months.

''(e) NOTIFICATION.—Upon denial of a grant to a law enforcement agency, the Administrator shall provide written notice to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, including the reasoning for such denial.

''(f) REPORT.—For each of fiscal years 2024 through 2028 the Administrator shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains—

''(1) information on the expenditure of grants made under this section by each grant recipient; and

''(2) recommendations for other uses of such grants to further support eligible law enforcement agencies.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $110,000,000 for each of fiscal years 2024 through 2028 for grants under this section.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 2002 of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended to read as follows:

''(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants under sections 2003, 2004, 2009, and 2010 to State, local, and Tribal governments, as appropriate.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2009 the following new item:

''Sec. 2010. Operation Stonegarden.''.

SEC. __111. AIR AND MARINE OPERATIONS FLIGHT HOURS.

(a) AIR AND MARINE OPERATIONS FLIGHT HOURS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall ensure that not fewer than 110,000 annual flight hours are carried out by Air and Marine Operations of CBP.

(b) UNMANNED AIRCRAFT SYSTEMS.—The Secretary, after coordination with the Administrator of the Federal Aviation Administration, shall ensure that Air and Marine Operations operate unmanned aircraft systems on the southern border of the United States for not less than 24 hours per day.

(c) PRIMARY MISSIONS.—The Commissioner shall ensure the following:

(1) The primary missions for Air and Marine Operations are to directly support the following:

(A) U.S. Border Patrol activities along the borders of the United States.

(B) Joint Interagency Task Force South and Joint Task Force East operations in the transit zone.

(2) The Executive Assistant Commissioner of Air and Marine Operations assigns the greatest priority to support missions specified in paragraph (1).

(d) HIGH DEMAND FLIGHT HOUR REQUIREMENTS.—The Commissioner shall—

(1) ensure that U.S. Border Patrol Sector Chiefs identify air support mission-critical hours; and

(2) direct Air and Marine Operations to support requests from such Sector Chiefs as a component of the primary mission of Air and Marine Operations in accordance with subsection (c)(1)(A).

(e) CONTRACT AIR SUPPORT AUTHORIZATIONS.—The Commissioner shall contract for air support mission-critical hours to meet the requests for such hours, as identified pursuant to subsection (d).

(f) SMALL UNMANNED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—The Chief of the U.S. Border Patrol shall be the executive agent with respect to the use of small unmanned aircraft by CBP for the purposes of the following:

(A) Meeting the unmet flight hour operational requirements of the U.S. Border Patrol.

(B) Achieving situational awareness and operational control of the borders of the United States.

(2) COORDINATION.—In carrying out paragraph (1), the Chief of the U.S. Border Patrol shall coordinate—

(A) flight operations with the Administrator of the Federal Aviation Administration to ensure the safe and efficient operation of the national airspace system; and

(B) with the Executive Assistant Commissioner for Air and Marine Operations of CBP to—

(i) ensure the safety of other CBP aircraft flying in the vicinity of small unmanned aircraft operated by the U.S. Border Patrol; and

(ii) establish a process to include data from flight hours in the calculation of got away statistics.

(3) CONFORMING AMENDMENT.—Paragraph (3) of section 411(e) of the Homeland Security Act of 2002 (6 U.S.C. 211(e)) is amended—

(A) in subparagraph (B), by striking ''and'' after the semicolon at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) carry out the small unmanned aircraft (as such term is defined in section 44801 of title 49, United States Code) requirements pursuant to subsection (f) of section __111 of the Secure the Border Act of 2024; and''.

(g) SAVINGS CLAUSE.—Nothing in this section may be construed as conferring, transferring, or delegating to the Secretary, the Commissioner, the Executive Assistant Commissioner for Air and Marine Operations of CBP, or the Chief of the U.S. Border Patrol any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration relating to the use of airspace or aviation safety.

(h) DEFINITIONS.—In this section:

(1) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(3)).

(2) TRANSIT ZONE.—The term ''transit zone'' has the meaning given such term in section 1092(a)(8) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(8)).

SEC. __112. ERADICATION OF CARRIZO CANE AND SALT CEDAR.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in coordination with the heads of relevant Federal, State, and local agencies, shall hire contractors to begin eradicating the carrizo cane plant and any salt cedar along the Rio Grande River that impedes border security operations. Such eradication shall be completed—

(1) by not later than September 30, 2027, except for required maintenance; and

(2) in the most expeditious and cost-effective manner possible to maintain clear fields of view.

(b) APPLICATION.—The waiver authority under subsection (c) of section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section __103, shall apply to activities carried out pursuant to subsection (a).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a strategic plan to eradicate all carrizo cane plant and salt cedar along the Rio Grande River that impedes border security operations by not later than September 30, 2027.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $7,000,000 for each of fiscal years 2024 through 2028 to the Secretary to carry out this subsection.

SEC. __113. BORDER PATROL STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act and biennially thereafter, the Commissioner, acting through the Chief of the U.S. Border Patrol, shall issue a Border Patrol Strategic Plan (referred to in this section as the ''plan'') to enhance the security of the borders of the United States.

(b) ELEMENTS.—The plan shall include the following:

(1) A consideration of Border Patrol Capability Gap Analysis reporting, Border Security Improvement Plans, and any other strategic document authored by the U.S. Border Patrol to address security gaps between ports of entry, including efforts to mitigate threats identified in such analyses, plans, and documents.

(2) Information relating to the dissemination of information relating to border security or border threats with respect to the efforts of the Department and other appropriate Federal agencies.

(3) Information relating to efforts by U.S. Border Patrol to—

(A) increase situational awareness, including—

(i) surveillance capabilities, such as capabilities developed or utilized by the Department of Defense, and any appropriate technology determined to be excess by the Department of Defense; and

(ii) the use of manned aircraft and unmanned aircraft;

(B) detect and prevent terrorists and instruments of terrorism from entering the United States;

(C) detect, interdict, and disrupt between ports of entry aliens unlawfully present in the United States;

(D) detect, interdict, and disrupt human smuggling, human trafficking, drug trafficking, and other illicit cross-border activity;

(E) focus intelligence collection to disrupt transnational criminal organizations outside of the international and maritime borders of the United States; and

(F) ensure that any new border security technology can be operationally integrated with existing technologies in use by the Department.

(4) Information relating to initiatives of the Department with respect to operational coordination, including any relevant task forces of the Department.

(5) Information gathered from the lessons learned by the deployments of the National Guard to the southern border of the United States.

(6) A description of cooperative agreements relating to information sharing with State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States.

(7) Information relating to border security information received from the following:

(A) State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States or in the maritime environment.

(B) Border community stakeholders, including representatives from the following:

(i) Border agricultural and ranching organizations.

(ii) Business and civic organizations.

(iii) Hospitals and rural clinics within 150 miles of the borders of the United States.

(iv) Victims of crime committed by aliens unlawfully present in the United States.

(v) Victims impacted by drugs, transnational criminal organizations, cartels, gangs, or other criminal activity.

(vi) Farmers, ranchers, and property owners along the border.

(vii) Other individuals negatively impacted by illegal immigration.

(8) Information relating to the staffing requirements with respect to border security for the Department.

(9) A prioritized list of Department research and development objectives to enhance the security of the borders of the United States.

(10) An assessment of training programs, including such programs relating to the following:

(A) Identifying and detecting fraudulent documents.

(B) Understanding the scope of CBP enforcement authorities and appropriate use of force policies.

(C) Screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking.

SEC. __114. U.S. CUSTOMS AND BORDER PROTECTION SPIRITUAL READINESS.

Not later than one year after the enactment of this Act and annually thereafter for five years, the Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the availability and usage of the assistance of chaplains, prayer groups, houses of worship, and

other spiritual resources for members of CBP who identify as religiously affiliated and have attempted suicide, have suicidal ideation, or are at risk of suicide, and metrics on the impact such resources have in assisting religiously affiliated members who have access to and utilize such resources compared to religiously affiliated members who do not.

SEC. __115. RESTRICTIONS ON FUNDING.

(a) ARRIVING ALIENS.—No funds are authorized to be appropriated to the Department to process the entry into the United States of aliens arriving in between ports of entry.

(b) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION SUPPORT FOR UNLAWFUL ACTIVITY.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization that facilitates or encourages unlawful activity, including unlawful entry, human trafficking, human smuggling, drug trafficking, and drug smuggling.

(c) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION FACILITATION OF ILLEGAL IMMIGRATION.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization to provide, or facilitate the provision of, transportation, lodging, or immigration legal services to inadmissible aliens who enter the United States after the date of the enactment of this Act.

SEC. __116. COLLECTION OF DNA AND BIOMETRIC INFORMATION AT THE BORDER.

Not later than 14 days after the date of the enactment of this Act, the Secretary shall ensure and certify to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP is fully compliant with Federal DNA and biometric collection requirements at United States land borders.

SEC. __117. ERADICATION OF NARCOTIC DRUGS AND FORMULATING EFFECTIVE NEW TOOLS TO ADDRESS YEARLY LOSSES OF LIFE; ENSURING TIMELY UPDATES TO U.S. CUSTOMS AND BORDER PROTECTION FIELD MANUALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than triennially thereafter, the Commissioner of U.S. Customs and Border Protection shall review and update, as necessary, the current policies and manuals of the Office of Field Operations related to inspections at ports of entry, and the U.S. Border Patrol related to inspections between ports of entry, to ensure the uniform implementation of inspection practices that will effectively respond to technological and methodological changes designed to disguise unlawful activity, such as the smuggling of drugs and humans, along the border.

(b) REPORTING REQUIREMENT.—Not later than 90 days after each update required under subsection (a), the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a report that summarizes any policy and manual changes pursuant to subsection (a).

SEC. __118. PUBLICATION BY U.S. CUSTOMS AND BORDER PROTECTION OF OPERATIONAL STATISTICS.

(a) IN GENERAL.—Not later than the seventh day of each month beginning with the second full month after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall publish on a publicly available website of the Department of Homeland Security information relating to the total number of alien encounters and nationalities, unique alien encounters and nationalities, gang-affiliated apprehensions and nationalities, drug seizures, alien encounters included in the terrorist screening database and nationalities, arrests of criminal aliens or individuals wanted by law enforcement and nationalities, known got aways, encounters with deceased aliens, and all other related or associated statistics recorded by U.S. Customs and Border Protection during the immediately preceding month. Each such publication shall include the following:

(1) The aggregate such number, and such number disaggregated by geographic regions, of such recordings and encounters, including specifications relating to whether such recordings and encounters were at the southwest, northern, or maritime border.

(2) An identification of the Office of Field Operations field office, U.S. Border Patrol sector, or Air and Marine Operations branch making each recording or encounter.

(3) Information relating to whether each recording or encounter of an alien was of a single adult, an unaccompanied alien child, or an individual in a family unit.

(4) Information relating to the processing disposition of each alien recording or encounter.

(5) Information relating to the nationality of each alien who is the subject of each recording or encounter.

(6) The total number of individuals included in the terrorist screening database (as such term is defined in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621)) who have repeatedly attempted to cross unlawfully into the United States.

(7) The total number of individuals included in the terrorist screening database who have been apprehended, including information relating to whether such individuals were released into the United States or removed.

(b) EXCEPTIONS.—If the Commissioner of U.S. Customs and Border Protection in any month does not publish the information required under subsection (a), or does not publish such information by the date specified in such subsection, the Commissioner shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the reason relating thereto, as the case may be, by not later than the date that is two business days after the tenth day of such month.

(c) DEFINITIONS.—In this section:

(1) ALIEN ENCOUNTERS.—The term ''alien encounters'' means aliens apprehended, determined inadmissible, or processed for removal by U.S. Customs and Border Protection.

(2) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223(a)).

(3) TERRORIST SCREENING DATABASE.—The term ''terrorist screening database'' has the meaning given such term in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621).

(4) UNACCOMPANIED ALIEN CHILD.—The term ''unaccompanied alien child'' has the meaning given such term in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)).

SEC. __119. ALIEN CRIMINAL BACKGROUND CHECKS.

(a) IN GENERAL.—Not later than seven days after the date of the enactment of this Act, the Commissioner shall certify to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate that CBP has real-time access to the criminal history databases of all countries of origin and transit for aliens encountered by CBP to perform criminal history background checks for such aliens.

(b) STANDARDS.—The certification required under subsection (a) shall also include a determination whether the criminal history databases of a country are accurate, up to date, digitized, searchable, and otherwise meet the standards of the Federal Bureau of Investigation for criminal history databases maintained by State and local governments.

(c) CERTIFICATION.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a certification that each database referred to in subsection (b) which the Secretary accessed or sought to access pursuant to this section met the standards described in subsection (b).

SEC. __120. PROHIBITED IDENTIFICATION DOCUMENTS AT AIRPORT SECURITY CHECKPOINTS; NOTIFICATION TO IMMIGRATION AGENCIES.

(a) IN GENERAL.—The Administrator may not accept as valid proof of identification a prohibited identification document at an airport security checkpoint.

(b) NOTIFICATION TO IMMIGRATION AGENCIES.—If an individual presents a prohibited identification document to an officer of the Transportation Security Administration at an airport security checkpoint, the Administrator shall promptly notify the Director of U.S. Immigration and Customs Enforcement, the Director of U.S. Customs and Border Protection, and the head of the appropriate local law enforcement agency to determine whether the individual is in violation of any term of release from the custody of any such agency.

(c) ENTRY INTO STERILE AREAS.—

(1) IN GENERAL.—Except as provided in paragraph (2), if an individual is found to be in violation of any term of release under subsection (b), the Administrator may not permit such individual to enter a sterile area.

(2) EXCEPTION.—An individual presenting a prohibited identification document under this section may enter a sterile area if the individual—

(A) is leaving the United States for the purposes of removal or deportation; or

(B) presents a covered identification document.

(d) COLLECTION OF BIOMETRIC INFORMATION FROM CERTAIN INDIVIDUALS SEEKING ENTRY INTO THE STERILE AREA OF AN AIRPORT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator shall collect biometric information from an individual described in subsection (e) prior to authorizing such individual to enter into a sterile area.

(e) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—

(1) is seeking entry into the sterile area of an airport;

(2) does not present a covered identification document; and

(3) the Administrator cannot verify is a national of the United States.

(f) PARTICIPATION IN IDENT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator, in coordination with the Secretary, shall submit biometric data collected under this section to the Automated Biometric Identification System (IDENT).

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) BIOMETRIC INFORMATION.—The term ''biometric information'' means any of the following:

(A) A fingerprint.

(B) A palm print.

(C) A photograph, including—

(i) a photograph of an individual's face for use with facial recognition technology; and

(ii) a photograph of any physical or anatomical feature, such as a scar, skin mark, or tattoo.

(D) A signature.

(E) A voice print.

(F) An iris image.

(3) COVERED IDENTIFICATION DOCUMENT.—The term ''covered identification document'' means any of the following, if the document is valid and unexpired:

(A) A United States passport or passport card.

(B) A biometrically secure card issued by a trusted traveler program of the Department of Homeland Security, including—

(i) Global Entry;

(ii) Nexus;

(iii) Secure Electronic Network for Travelers Rapid Inspection (SENTRI); and

(iv) Free and Secure Trade (FAST).

(C) An identification card issued by the Department of Defense, including such a card issued to a dependent.

(D) Any document required for admission to the United States under section 211(a) of the Immigration and Nationality Act (8 U.S.C. 1181(a)).

(E) An enhanced driver's license issued by a State.

(F) A photo identification card issued by a federally recognized Indian Tribe.

(G) A personal identity verification credential issued in accordance with Homeland Security Presidential Directive 12.

(H) A driver's license issued by a province of Canada.

(I) A Secure Certificate of Indian Status issued by the Government of Canada.

(J) A Transportation Worker Identification Credential.

(K) A Merchant Mariner Credential issued by the Coast Guard.

(L) A Veteran Health Identification Card issued by the Department of Veterans Affairs.

(M) Any other document the Administrator determines, pursuant to a rulemaking in accordance with section 553 of title 5, United States Code, will satisfy the identity verification procedures of the Transportation Security Administration.

(4) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) PROHIBITED IDENTIFICATION DOCUMENT.—The term ''prohibited identification document'' means any of the following (or any applicable successor form):

(A) U.S. Immigration and Customs Enforcement Form I–200, Warrant for Arrest of Alien.

(B) U.S. Immigration and Customs Enforcement Form I–205, Warrant of Removal/Deportation.

(C) U.S. Immigration and Customs Enforcement Form I–220A, Order of Release on Recognizance.

(D) U.S. Immigration and Customs Enforcement Form I–220B, Order of Supervision.

(E) Department of Homeland Security Form I–862, Notice to Appear.

(F) U.S. Customs and Border Protection Form I–94, Arrival/Departure Record (including a print-out of an electronic record).

(G) Department of Homeland Security Form I–385, Notice to Report.

(H) Any document that directs an individual to report to the Department of Homeland Security.

(I) Any Department of Homeland Security work authorization or employment verification document.

(6) STERILE AREA.—The term ''sterile area'' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations, or any successor regulation.

SEC. __121. PROHIBITION AGAINST ANY COVID–19 VACCINE MANDATE OR ADVERSE ACTION AGAINST DHS EMPLOYEES.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary may not issue any COVID–19 vaccine mandate unless Congress expressly authorizes such a mandate.

(b) PROHIBITION ON ADVERSE ACTION.—The Secretary may not take any adverse action against a Department employee based solely on the refusal of such employee to receive a vaccine for COVID–19.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the following:

(1) The number of Department employees who were terminated or resigned due to the COVID–19 vaccine mandate.

(2) An estimate of the cost to reinstate such employees.

(3) How the Department would effectuate reinstatement of such employees.

(d) RETENTION AND DEVELOPMENT OF UNVACCINATED EMPLOYEES.—The Secretary shall make every effort to retain Department employees who are not vaccinated against COVID–19 and provide such employees with professional development, promotion and leadership opportunities, and consideration equal to that of their peers.

SEC. __122. CBP ONE APP LIMITATION.

(a) LIMITATION.—The Department may use the CBP One Mobile Application or any other similar program, application, internet-based portal, website, device, or initiative only for inspection of perishable cargo.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Commissioner shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the date on which CBP began using CBP One to allow aliens to schedule interviews at land ports of entry, how many aliens have scheduled interviews at land ports of entry using CBP One, the nationalities of such aliens, and the stated final destinations of such aliens within the United States, if any.

SEC. __123. REPORT ON MEXICAN DRUG CARTELS.

Not later than 60 days after the date of the enactment of this Act, Congress shall commission a report that contains the following:

(1) A national strategy to address Mexican drug cartels, and a determination regarding whether there should be a designation established to address such cartels.

(2) Information relating to actions by such cartels that causes harm to the United States.

SEC. __124. GAO STUDY ON COSTS INCURRED BY STATES TO SECURE THE SOUTHWEST BORDER.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the costs incurred by individual States as a result of actions taken by such States in support of the Federal mission to secure the southwest border, and the feasibility of a program to reimburse such States for such costs.

(b) CONTENTS.—The study required under subsection (a) shall include consideration of the following:

(1) Actions taken by the Department of Homeland Security that have contributed to costs described in such subsection incurred by States to secure the border in the absence of Federal action, including the termination of the Migrant Protection Protocols and cancellation of border wall construction.

(2) Actions taken by individual States along the southwest border to secure their borders, and the costs associated with such actions.

(3) The feasibility of a program within the Department of Homeland Security to reimburse States for the costs incurred in support of the Federal mission to secure the southwest border.

SEC. __125. REPORT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter for five years, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report examining the economic and security impact of mass migration to municipalities and States along the southwest border. Such report shall include information regarding costs incurred by the following:

(1) State and local law enforcement to secure the southwest border.

(2) Public school districts to educate students who are aliens unlawfully present in the United States.

(3) Healthcare providers to provide care to aliens unlawfully present in the United States who have not paid for such care.

(4) Farmers and ranchers due to migration impacts to their properties.

(b) CONSULTATION.—To produce the report required under subsection (a), the Inspector General of the Department of Homeland Security shall consult with the individuals and representatives of the entities described in paragraphs (1) through (4) of such subsection.

SEC. __126. OFFSETTING AUTHORIZATIONS OF APPROPRIATIONS.

(a) OFFICE OF THE SECRETARY AND EMERGENCY MANAGEMENT.—No funds are authorized to be appropriated for the Alternatives to Detention Case Management Pilot Program or the Office of the Immigration Detention Ombudsman for the Office of the Secretary and Emergency Management of the Department of Homeland Security.

(b) MANAGEMENT DIRECTORATE.—No funds are authorized to be appropriated for electric vehicles or St. Elizabeths campus construction for the Management Directorate of the Department of Homeland Security.

(c) INTELLIGENCE, ANALYSIS, AND SITUATIONAL AWARENESS.—There is authorized to be appropriated $216,000,000 for Intelligence, Analysis, and Situational Awareness of the Department of Homeland Security.

(d) U.S. CUSTOMS AND BORDER PROTECTION.—No funds are authorized to be appropriated for the Shelter Services Program for U.S. Customs and Border Protection.

SEC. __127. REPORT TO CONGRESS ON FOREIGN TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for five years, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the

Committee on Homeland Security and Governmental Affairs of the Senate an assessment of foreign terrorist organizations attempting to move their members or affiliates into the United States through the southern, northern, or maritime border.

(b) DEFINITION.—In this section, the term ''foreign terrorist organization'' means an organization described in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. __128. ASSESSMENT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY ON THE MITIGATION OF UNMANNED AIRCRAFT SYSTEMS AT THE SOUTHWEST BORDER.

Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of U.S. Customs and Border Protection's ability to mitigate unmanned aircraft systems at the southwest border. Such assessment shall include information regarding any intervention between January 1, 2021, and the date of the enactment of this Act, by any Federal agency affecting in any manner U.S. Customs and Border Protection's authority to so mitigate such systems.

TITLE II—ASYLUM REFORM AND BORDER PROTECTION

SEC. __201. SAFE THIRD COUNTRY.

Section 208(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)(A)) is amended—

(1) by striking ''if the Attorney General determines'' and inserting ''if the Attorney General or the Secretary of Homeland Security determines—'';

(2) by striking ''that the alien may be removed'' and inserting the following:

''(i) that the alien may be removed'';

(3) by striking '', pursuant to a bilateral or multilateral agreement, to'' and inserting ''to'';

(4) by inserting ''or the Secretary, on a case by case basis,'' before ''finds that'';

(5) by striking the period at the end and inserting ''; or''; and

(6) by adding at the end the following:

''(ii) that the alien entered, attempted to enter, or arrived in the United States after transiting through at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence en route to the United States, unless—

''(I) the alien demonstrates that he or she applied for protection from persecution or torture in at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence through which the alien transited en route to the United States, and the alien received a final judgment denying the alien protection in each country;

''(II) the alien demonstrates that he or she was a victim of a severe form of trafficking in which a commercial sex act was induced by force, fraud, or coercion, or in which the person induced to perform such act was under the age of 18 years; or in which the trafficking included the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and was unable to apply for protection from persecution in each country through which the alien transited en route to the United States as a result of such severe form of trafficking; or

''(III) the only countries through which the alien transited en route to the United States were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.''.

SEC. __202. CREDIBLE FEAR INTERVIEWS.

Section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by striking ''there is a significant possibility'' and all that follows, and inserting '', taking into account the credibility of the statements made by the alien in support of the alien's claim, as determined pursuant to section 208(b)(1)(B)(iii), and such other facts as are known to the officer, the alien more likely than not could establish eligibility for asylum under section 208, and it is more likely than not that the statements made by, and on behalf of, the alien in support of the alien's claim are true.''.

SEC. __203. CLARIFICATION OF ASYLUM ELIGIBILITY.

(a) IN GENERAL.—Section 208(b)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(A)) is amended by inserting after ''section 101(a)(42)(A)'' the following: ''(in accordance with the rules set forth in this section), and is eligible to apply for asylum under subsection (a)''.

(b) PLACE OF ARRIVAL.—Section 208(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(1)) is amended—

(1) by striking ''or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters),''; and

(2) by inserting after ''United States'' the following: ''and has arrived in the United States at a port of entry (including an alien who is brought to the United States after having been interdicted in international or United States waters),''.

SEC. __204. EXCEPTIONS.

Paragraph (2) of section 208(b) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)) is amended to read as follows:

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determines that—

''(i) the alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(ii) the alien has been convicted of any felony under Federal, State, tribal, or local law;

''(iii) the alien has been convicted of any misdemeanor offense under Federal, State, tribal, or local law involving—

''(I) the unlawful possession or use of an identification document, authentication feature, or false identification document (as those terms and phrases are defined in the jurisdiction where the conviction occurred), unless the alien can establish that the conviction resulted from circumstances showing that—

''(aa) the document or feature was presented before boarding a common carrier;

''(bb) the document or feature related to the alien's eligibility to enter the United States;

''(cc) the alien used the document or feature to depart a country wherein the alien has claimed a fear of persecution; and

''(dd) the alien claimed a fear of persecution without delay upon presenting himself or herself to an immigration officer upon arrival at a United States port of entry;

''(II) the unlawful receipt of a Federal public benefit (as defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c))), from a Federal entity, or the unlawful receipt of similar public benefits from a State, tribal, or local entity; or

''(III) possession or trafficking of a controlled substance or controlled substance paraphernalia, as those phrases are defined under the law of the jurisdiction where the conviction occurred, other than a single offense involving possession for one's own use of 30 grams or less of marijuana (as marijuana is defined under the law of the jurisdiction where the conviction occurred);

''(iv) the alien has been convicted of an offense arising under paragraph (1)(A) or (2) of section 274(a), or under section 276;

''(v) the alien has been convicted of a Federal, State, tribal, or local crime that the Attorney General or Secretary of Homeland Security knows, or has reason to believe, was committed in support, promotion, or furtherance of the activity of a criminal street gang (as defined under the law of the jurisdiction where the conviction occurred or in section 521(a) of title 18, United States Code);

''(vi) the alien has been convicted of an offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law, in which such intoxicated or impaired driving was a cause of serious bodily injury or death of another person;

''(vii) the alien has been convicted of more than one offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law;

''(viii) the alien has been convicted of a crime—

''(I) that involves conduct amounting to a crime of stalking;

''(II) of child abuse, child neglect, or child abandonment; or

''(III) that involves conduct amounting to a domestic assault or battery offense, including—

''(aa) a misdemeanor crime of domestic violence, as described in section 921(a)(33) of title 18, United States Code;

''(bb) a crime of domestic violence, as described in section 40002(a)(12) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(12)); or

''(cc) any crime based on conduct in which the alien harassed, coerced, intimidated, voluntarily or recklessly used (or threatened to use) force or violence against, or inflicted physical injury or physical pain, however slight, upon a person—

''(AA) who is a current or former spouse of the alien;

''(BB) with whom the alien shares a child;

''(CC) who is cohabitating with, or who has cohabitated with, the alien as a spouse;

''(DD) who is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(EE) who is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(ix) the alien has engaged in acts of battery or extreme cruelty upon a person and the person—

''(I) is a current or former spouse of the alien;

''(II) shares a child with the alien;

''(III) cohabitates or has cohabitated with the alien as a spouse;

''(IV) is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(V) is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(x) the alien, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of the United States;

''(xi) there are serious reasons for believing that the alien has committed a serious nonpolitical crime outside the United States prior to the arrival of the alien in the United States;

''(xii) there are reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiii) the alien is described in subclause (I), (II), (III), (IV), or (VI) of section 212(a)(3)(B)(i) or section 237(a)(4)(B) (relating to terrorist activity), unless, in the case only of an alien inadmissible under subclause (IV) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the Secretary's or the Attorney General's discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiv) the alien was firmly resettled in another country prior to arriving in the United States; or

''(xv) there are reasonable grounds for concluding the alien could avoid persecution by relocating to another part of the alien's country of nationality or, in the case of an alien having no nationality, another part of the alien's country of last habitual residence.

''(B) SPECIAL RULES.—

''(i) PARTICULARLY SERIOUS CRIME; SERIOUS NONPOLITICAL CRIME OUTSIDE THE UNITED STATES.—

''(I) IN GENERAL.—For purposes of subparagraph (A)(x), the Attorney General or Secretary of Homeland Security, in their discretion, may determine that a conviction constitutes a particularly serious crime based on—

''(aa) the nature of the conviction;

''(bb) the type of sentence imposed; or

''(cc) the circumstances and underlying facts of the conviction.

''(II) DETERMINATION.—In making a determination under subclause (I), the Attorney General or Secretary of Homeland Security may consider all reliable information and is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) TREATMENT OF FELONIES.—In making a determination under subclause (I), an alien who has been convicted of a felony (as defined under this section) or an aggravated felony (as defined under section 101(a)(43)), shall be considered to have been convicted of a particularly serious crime.

''(IV) INTERPOL RED NOTICE.—In making a determination under subparagraph (A)(xi), an Interpol Red Notice may constitute reliable evidence that the alien has committed a serious nonpolitical crime outside the United States.

''(ii) CRIMES AND EXCEPTIONS.—

''(I) DRIVING WHILE INTOXICATED OR IMPAIRED.—A finding under subparagraph (A)(vi) does not require the Attorney General or Secretary of Homeland Security to find the first conviction for driving while intoxicated or impaired (including a conviction for driving while under the influence of or impaired by alcohol or drugs) as a predicate offense. The Attorney General or Secretary of Homeland Security need only make a factual determination that the alien previously was convicted for driving while intoxicated or impaired as those terms are defined under the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs).

''(II) STALKING AND OTHER CRIMES.—In making a determination under subparagraph (A)(viii), including determining the existence of a domestic relationship between the alien and the victim, the underlying conduct of the crime may be considered, and the Attorney General or Secretary of Homeland Security is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) BATTERY OR EXTREME CRUELTY.—In making a determination under subparagraph (A)(ix), the phrase 'battery or extreme cruelty' includes—

''(aa) any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury;

''(bb) psychological or sexual abuse or exploitation, including rape, molestation, incest, or forced prostitution, shall be considered acts of violence; and

''(cc) other abusive acts, including acts that, in and of themselves, may not initially appear violent, but that are a part of an overall pattern of violence.

''(IV) EXCEPTION FOR VICTIMS OF DOMESTIC VIOLENCE.—An alien who was convicted of an offense described in clause (viii) or (ix) of subparagraph (A) is not ineligible for asylum on that basis if the alien satisfies the criteria under section 237(a)(7)(A).

''(C) SPECIFIC CIRCUMSTANCES.—Paragraph (1) shall not apply to an alien whose claim is based on—

''(i) personal animus or retribution, including personal animus in which the alleged persecutor has not targeted, or manifested an animus against, other members of an alleged particular social group in addition to the member who has raised the claim at issue;

''(ii) the applicant's generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations absent expressive behavior in furtherance of a discrete cause against such organizations related to control of a State or expressive behavior that is antithetical to the State or a legal unit of the State;

''(iii) the applicant's resistance to recruitment or coercion by guerrilla, criminal, gang, terrorist, or other non-state organizations;

''(iv) the targeting of the applicant for criminal activity for financial gain based on wealth or affluence or perceptions of wealth or affluence;

''(v) the applicant's criminal activity; or

''(vi) the applicant's perceived, past or present, gang affiliation.

''(D) DEFINITIONS AND CLARIFICATIONS.—

''(i) DEFINITIONS.—For purposes of this paragraph:

''(I) FELONY.—The term 'felony' means—

''(aa) any crime defined as a felony by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime punishable by more than one year of imprisonment.

''(II) MISDEMEANOR.—The term 'misdemeanor' means—

''(aa) any crime defined as a misdemeanor by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime not punishable by more than one year of imprisonment.

''(ii) CLARIFICATIONS.—

''(I) CONSTRUCTION.—For purposes of this paragraph, whether any activity or conviction also may constitute a basis for removal is immaterial to a determination of asylum eligibility.

''(II) ATTEMPT, CONSPIRACY, OR SOLICITATION.—For purposes of this paragraph, all references to a criminal offense or criminal conviction shall be deemed to include any attempt, conspiracy, or solicitation to commit the offense or any other inchoate form of the offense.

''(III) EFFECT OF CERTAIN ORDERS.—

''(aa) IN GENERAL.—No order vacating a conviction, modifying a sentence, clarifying a sentence, or otherwise altering a conviction or sentence shall have any effect under this paragraph unless the Attorney General or Secretary of Homeland Security determines that—

''(AA) the court issuing the order had jurisdiction and authority to do so; and

''(BB) the order was not entered for rehabilitative purposes or for purposes of ameliorating the immigration consequences of the conviction or sentence.

''(bb) AMELIORATING IMMIGRATION CONSEQUENCES.—For purposes of item (aa)(BB), the order shall be presumed to be for the purpose of ameliorating immigration consequences if—

''(AA) the order was entered after the initiation of any proceeding to remove the alien from the United States; or

''(BB) the alien moved for the order more than one year after the date of the original order of conviction or sentencing, whichever is later.

''(cc) AUTHORITY OF IMMIGRATION JUDGE.—An immigration judge is not limited to consideration only of material included in any order vacating a conviction, modifying a sentence, or clarifying a sentence to determine whether such order should be given any effect under this paragraph, but may consider such additional information as the immigration judge determines appropriate.

''(E) ADDITIONAL LIMITATIONS.—The Secretary of Homeland Security or the Attorney General may by regulation establish additional limitations and conditions, consistent with this section, under which an alien shall be ineligible for asylum under paragraph (1).

''(F) NO JUDICIAL REVIEW.—There shall be no judicial review of a determination of the Secretary of Homeland Security or the Attorney General under subparagraph (A)(xiii).''.

SEC. _205. EMPLOYMENT AUTHORIZATION.

Paragraph (2) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(2) EMPLOYMENT AUTHORIZATION.—

''(A) AUTHORIZATION PERMITTED.—An applicant for asylum is not entitled to employment authorization, but such authorization may be provided under regulation by the Secretary of Homeland Security. An applicant who is not otherwise eligible for employment authorization shall not be granted such authorization prior to the date that is 180 days after the date of filing of the application for asylum.

''(B) TERMINATION.—Each grant of employment authorization under subparagraph (A), and any renewal or extension thereof, shall be valid for a period of 6 months, except that such authorization, renewal, or extension shall terminate prior to the end of such 6 month period as follows:

''(i) Immediately following the denial of an asylum application by an asylum officer, unless the case is referred to an immigration judge.

''(ii) 30 days after the date on which an immigration judge denies an asylum application, unless the alien timely appeals to the Board of Immigration Appeals.

''(iii) Immediately following the denial by the Board of Immigration Appeals of an appeal of a denial of an asylum application.

''(C) RENEWAL.—The Secretary of Homeland Security may not grant, renew, or extend employment authorization to an alien if the alien was previously granted employment authorization under subparagraph (A), and the employment authorization was terminated pursuant to a circumstance described in subparagraph (B)(i), (ii), or (iii), unless a Federal court of appeals remands the alien's case to the Board of Immigration Appeals.

''(D) INELIGIBILITY.—The Secretary of Homeland Security may not grant employment authorization to an alien under this paragraph if the alien—

''(i) is ineligible for asylum under subsection (b)(2)(A); or

''(ii) entered or attempted to enter the United States at a place and time other than lawfully through a United States port of entry.''.

SEC. _206. ASYLUM FEES.

Paragraph (3) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(3) FEES.—

''(A) APPLICATION FEE.—A fee of not less than $50 for each application for asylum shall be imposed. Such fee shall not exceed the cost of adjudicating the application. Such fee shall not apply to an unaccompanied alien child who files an asylum application in proceedings under section 240.

''(B) EMPLOYMENT AUTHORIZATION.—A fee may also be imposed for the consideration of an application for employment authorization under this section and for adjustment of status under section 209(b). Such a fee shall not exceed the cost of adjudicating the application.

''(C) PAYMENT.—Fees under this paragraph may be assessed and paid over a period of time or by installments.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the authority of the Attorney General or Secretary of Homeland Security to set adjudication and naturalization fees in accordance with section 286(m).''.

SEC. _207. RULES FOR DETERMINING ASYLUM ELIGIBILITY.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) RULES FOR DETERMINING ASYLUM ELIGIBILITY.—In making a determination under subsection (b)(1)(A) with respect to whether an alien is a refugee within the meaning of section 101(a)(42)(A), the following shall apply:

''(1) PARTICULAR SOCIAL GROUP.—The Secretary of Homeland Security or the Attorney General shall not determine that an alien is a member of a particular social group unless the alien articulates on the record, or provides a basis on the record for determining, the definition and boundaries of the alleged particular social group, establishes that the particular social group exists independently from the alleged persecution, and establishes that the alien's claim of membership in a particular social group does not involve—

''(A) past or present criminal activity or association (including gang membership);

''(B) presence in a country with generalized violence or a high crime rate;

''(C) being the subject of a recruitment effort by criminal, terrorist, or persecutory groups;

''(D) the targeting of the applicant for criminal activity for financial gain based on perceptions of wealth or affluence;

''(E) interpersonal disputes of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(F) private criminal acts of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(G) past or present terrorist activity or association;

''(H) past or present persecutory activity or association; or

''(I) status as an alien returning from the United States.

''(2) POLITICAL OPINION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien holds a political opinion with respect to which the alien is subject to persecution if the political opinion is constituted solely by generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations and does not include expressive behavior in furtherance of a cause against such organizations related to efforts by the State to control such organizations or behavior that is antithetical to or otherwise opposes the ruling legal entity of the State or a unit thereof.

''(3) PERSECUTION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien has been subject to persecution or has a well-founded fear of persecution based only on—

''(A) the existence of laws or government policies that are unenforced or infrequently enforced, unless there is credible evidence that such a law or policy has been or would be applied to the applicant personally; or

''(B) the conduct of rogue foreign government officials acting outside the scope of their official capacity.

''(4) DISCRETIONARY DETERMINATION.—

''(A) ADVERSE DISCRETIONARY FACTORS.—The Secretary of Homeland Security or the Attorney General may only grant asylum to an alien if the alien establishes that he or she warrants a favorable exercise of discretion. In making such a determination, the Attorney General or Secretary of Homeland Security shall consider, if applicable, an alien's use of fraudulent documents to enter the United States, unless the alien arrived in the United States by air, sea, or land directly from the applicant's home country without transiting through any other country.

''(B) FAVORABLE EXERCISE OF DISCRETION NOT PERMITTED.—Except as provided in subparagraph (C), the Attorney General or Secretary of Homeland Security shall not favorably exercise discretion under this section for any alien who—

''(i) has accrued more than one year of unlawful presence in the United States, as defined in sections 212(a)(9)(B)(ii) and (iii), prior to filing an application for asylum;

''(ii) at the time the asylum application is filed with the immigration court or is referred from the Department of Homeland Security, has—

''(I) failed to timely file (or timely file a request for an extension of time to file) any required Federal, State, or local income tax returns;

''(II) failed to satisfy any outstanding Federal, State, or local tax obligations; or

''(III) income that would result in tax liability under section 1 of the Internal Revenue Code of 1986 and that was not reported to the Internal Revenue Service;

''(iii) has had two or more prior asylum applications denied for any reason;

''(iv) has withdrawn a prior asylum application with prejudice or been found to have abandoned a prior asylum application;

''(v) failed to attend an interview regarding his or her asylum application with the Department of Homeland Security, unless the alien shows by a preponderance of the evidence that—

''(I) exceptional circumstances prevented the alien from attending the interview; or

''(II) the interview notice was not mailed to the last address provided by the alien or the alien's representative and neither the alien nor the alien's representative received notice of the interview; or

''(vi) was subject to a final order of removal, deportation, or exclusion and did not file a motion to reopen to seek asylum based on changed country conditions within one year of the change in country conditions.

''(C) EXCEPTIONS.—If one or more of the adverse discretionary factors set forth in subparagraph (B) are present, the Attorney General or the Secretary, may, notwithstanding such subparagraph (B), favorably exercise discretion under section 208—

''(i) in extraordinary circumstances, such as those involving national security or foreign policy considerations; or

''(ii) if the alien, by clear and convincing evidence, demonstrates that the denial of the application for asylum would result in exceptional and extremely unusual hardship to the alien.

''(5) LIMITATION.—If the Secretary or the Attorney General determines that an alien fails to satisfy the requirement under paragraph (1), the alien may not be granted asylum based on membership in a particular social group, and may not appeal the determination of the Secretary or Attorney General, as applicable. A determination under this paragraph shall not serve as the basis for any motion to reopen or reconsider an application for asylum or withholding of removal for any reason, including a claim of ineffective assistance of counsel, unless the alien complies with the procedural requirements for such a motion and demonstrates that counsel's failure to define, or provide a basis for defining, a formulation of a particular social group was both not a strategic choice and constituted egregious conduct.

''(6) STEREOTYPES.—Evidence offered in support of an application for asylum that promotes cultural stereotypes about a country, its inhabitants, or an alleged persecutor, including stereotypes based on race, religion, nationality, or gender, shall not be admissible in adjudicating that application, except that evidence that an alleged persecutor holds stereotypical views of the applicant shall be admissible.

''(7) DEFINITIONS.—In this section:

''(A) The term 'membership in a particular social group' means membership in a group that is—

''(i) composed of members who share a common immutable characteristic;

''(ii) defined with particularity; and

''(iii) socially distinct within the society in question.

''(B) The term 'political opinion' means an ideal or conviction in support of the furtherance of a discrete cause related to political control of a state or a unit thereof.

''(C) The term 'persecution' means the infliction of a severe level of harm constituting an exigent threat by the government of a country or by persons or an organization that the government was unable or unwilling to control. Such term does not include—

''(i) generalized harm or violence that arises out of civil, criminal, or military strife in a country;

''(ii) all treatment that the United States regards as unfair, offensive, unjust, unlawful, or unconstitutional;

''(iii) intermittent harassment, including brief detentions;

''(iv) threats with no actual effort to carry out the threats, except that particularized threats of severe harm of an immediate and menacing nature made by an identified entity may constitute persecution; or

''(v) non-severe economic harm or property damage.''.

SEC. __208. FIRM RESETTLEMENT.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), as amended by this title, is further amended by adding at the end the following:

''(g) FIRM RESETTLEMENT.—In determining whether an alien was firmly resettled in another country prior to arriving in the United States under subsection (b)(2)(A)(xiv), the following shall apply:

''(1) IN GENERAL.—An alien shall be considered to have firmly resettled in another country if, after the events giving rise to the alien's asylum claim—

''(A) the alien resided in a country through which the alien transited prior to arriving in or entering the United States and—

''(i) received or was eligible for any permanent legal immigration status in that country;

''(ii) resided in such a country with any non-permanent but indefinitely renewable legal immigration status (including asylee, refugee, or similar status, but excluding status of a tourist); or

''(iii) resided in such a country and could have applied for and obtained an immigration status described in clause (ii);

''(B) the alien physically resided voluntarily, and without continuing to suffer persecution or torture, in any one country for one year or more after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States, except for any time spent in Mexico by an alien who is not a native or citizen of Mexico solely as a direct result of being returned to Mexico pursuant to section 235(b)(3) or of being subject to metering; or

''(C) the alien is a citizen of a country other than the country in which the alien alleges a fear of persecution, or was a citizen of such a country in the case of an alien who renounces such citizenship, and the alien was present in that country after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States.

''(2) BURDEN OF PROOF.—If an immigration judge determines that an alien has firmly resettled in another country under paragraph (1), the alien shall bear the burden of proving the bar does not apply.

''(3) FIRM RESETTLEMENT OF PARENT.—An alien shall be presumed to have been firmly resettled in another country if the alien's parent was firmly resettled in another country, the parent's resettlement occurred before the alien turned 18 years of age, and the alien resided with such parent at the time of the firm resettlement, unless the alien establishes that he or she could not have derived any permanent legal immigration status or any non-permanent but indefinitely renewable legal immigration status (including asylum, refugee, or similar status, but excluding status of a tourist) from the alien's parent.''.

SEC. __209. NOTICE CONCERNING FRIVOLOUS ASYLUM APPLICATIONS.

(a) IN GENERAL.—Section 208(d)(4) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(4)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General'';

(2) in subparagraph (A), by striking ''and of the consequences, under paragraph (6), of knowingly filing a frivolous application for asylum; and'' and inserting a semicolon;

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) ensure that a written warning appears on the asylum application advising the alien of the consequences of filing a frivolous application and serving as notice to the alien of the consequence of filing a frivolous application.''.

(b) CONFORMING AMENDMENT.—Section 208(d)(6) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(6)) is amended by striking ''If the'' and all that follows and inserting:

''(A) IN GENERAL.—If the Secretary of Homeland Security or the Attorney General determines that an alien has knowingly made a frivolous application for asylum and the alien has received the notice under paragraph (4)(C), the alien shall be permanently ineligible for any benefits under this chapter, effective as the date of the final determination of such an application.

''(B) CRITERIA.—An application is frivolous if the Secretary of Homeland Security or the Attorney General determines, consistent with subparagraph (C), that—

''(i) it is so insufficient in substance that it is clear that the applicant knowingly filed the application solely or in part to delay removal from the United States, to seek employment authorization as an applicant for asylum pursuant to regulations issued pursuant to paragraph (2), or to seek issuance of a Notice to Appear in order to pursue Cancellation of Removal under section 240A(b); or

''(ii) any of the material elements are knowingly fabricated.

''(C) SUFFICIENT OPPORTUNITY TO CLARIFY.—In determining that an application is frivolous, the Secretary or the Attorney General, must be satisfied that the applicant, during the course of the proceedings, has had sufficient opportunity to clarify any discrepancies or implausible aspects of the claim.

''(D) WITHHOLDING OF REMOVAL NOT PRECLUDED.—For purposes of this section, a finding that an alien filed a frivolous asylum application shall not preclude the alien from seeking withholding of removal under section 241(b)(3) or protection pursuant to the Convention Against Torture.''.

SEC. __210. TECHNICAL AMENDMENTS.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(D), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(B) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(C) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(3) in subsection (d)—

(A) in paragraph (1), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'' each place such term appears; and

(B) in paragraph (5)—

(i) in subparagraph (A), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(ii) in subparagraph (B), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''.

SEC. __211. REQUIREMENT FOR PROCEDURES RELATING TO CERTAIN ASYLUM APPLICATIONS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall establish procedures to expedite the adjudication of asylum applications for aliens—

(1) who are subject to removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a); and

(2) who are nationals of a Western Hemisphere country sanctioned by the United States, as described in subsection (b), as of January 1, 2023.

(b) WESTERN HEMISPHERE COUNTRY SANCTIONED BY THE UNITED STATES DESCRIBED.—Subsection (a) shall apply only to an asylum application filed by an alien who is a national of a Western Hemisphere country subject to sanctions pursuant to—

(1) the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 note);

(2) the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021 or the RENACER Act (50 U.S.C. 1701 note); or

(3) Executive Order 13692 (80 Fed. Reg. 12747; declaring a national emergency with respect to the situation in Venezuela).

(c) APPLICABILITY.—This section shall only apply to an alien who files an application for asylum after the date of the enactment of this Act.

TITLE III—BORDER SAFETY AND MIGRANT PROTECTION

SEC. __301. INSPECTION OF APPLICANTS FOR ADMISSION.

Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clauses (i) and (ii), by striking ''section 212(a)(6)(C)'' and inserting ''subparagraph (A) or (C) of section 212(a)(6)''; and

(II) by adding at the end the following:

''(iv) INELIGIBILITY FOR PAROLE.—An alien described in clause (i) or (ii) shall not be eligible for parole except as expressly authorized pursuant to section 212(d)(5), or for parole or release pursuant to section 236(a).''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''asylum.'' and inserting ''asylum and shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(II) in clause (iii)(IV)—

(aa) in the header by striking ''DETENTION'' and inserting ''DETENTION, RETURN, OR REMOVAL''; and

(bb) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''Subject to subparagraphs (B) and (C),'' and inserting ''Subject to subparagraph (B) and paragraph (3),''; and

(II) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(ii) by striking subparagraph (C);

(C) by redesignating paragraph (3) as paragraph (5); and

(D) by inserting after paragraph (2) the following:

''(3) RETURN TO FOREIGN TERRITORY CONTIGUOUS TO THE UNITED STATES.—

''(A) IN GENERAL.—The Secretary of Homeland Security may return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(B) MANDATORY RETURN.—If at any time the Secretary of Homeland Security cannot—

''(i) comply with its obligations to detain an alien as required under clauses (ii) and (iii)(IV) of subsection (b)(1)(B) and subsection (b)(2)(A); or

''(ii) remove an alien to a country described in section 208(a)(2)(A),

the Secretary of Homeland Security shall, without exception, including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5), return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(4) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—The attorney general of a State, or other authorized State officer, alleging a violation of the detention, return, or removal requirements under paragraph (1), (2), or (3) that affects such State or its residents, may bring an action against the Secretary of Homeland Security on behalf of the residents of the State in an appropriate United States district court to obtain appropriate injunctive relief.''; and

(2) by adding at the end the following:

''(e) AUTHORITY TO PROHIBIT INTRODUCTION OF CERTAIN ALIENS.—If the Secretary of Homeland Security determines, in his discretion, that the prohibition of the introduction of aliens who are inadmissible under subparagraph (A) or (C) of section 212(a)(6) or under section 212(a)(7) at an international land or maritime border of the United States is necessary to achieve operational control (as defined in section 2 of the Secure Fence Act of 2006 (8 U.S.C. 1701 note)) of such border, the Secretary may prohibit, in whole or in part, the introduction of such aliens at such border for such period of time as the Secretary determines is necessary for such purpose.''.

SEC. __302. OPERATIONAL DETENTION FACILITIES.

(a) IN GENERAL.—Not later than September 30, 2023, the Secretary of Homeland Security shall take all necessary actions to reopen or restore all U.S. Immigration and Customs Enforcement detention facilities that were in operation on January 20, 2021, that subsequently closed or with respect to which the use was altered, reduced, or discontinued after January 20, 2021. In carrying out the requirement under this subsection, the Secretary may use the authority under section 103(a)(11) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(11)).

(b) SPECIFIC FACILITIES.—The requirement under subsection (a) shall include at a minimum, reopening, or restoring, the following facilities:

(1) Irwin County Detention Center in Georgia.

(2) C. Carlos Carreiro Immigration Detention Center in Bristol County, Massachusetts.

(3) Etowah County Detention Center in Gadsden, Alabama.

(4) Glades County Detention Center in Moore Haven, Florida.

(5) South Texas Family Residential Center.

(c) EXCEPTION.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Secretary of Homeland Security is authorized to obtain equivalent capacity for detention facilities at locations other than those listed in subsection (b).

(2) LIMITATION.—The Secretary may not take action under paragraph (1) unless the capacity obtained would result in a reduction of time and cost relative to the cost and time otherwise required to obtain such capacity.

(3) SOUTH TEXAS FAMILY RESIDENTIAL CENTER.—The exception under paragraph (1) shall not apply to the South Texas Family Residential Center. The Secretary shall take all necessary steps to modify and operate the South Texas Family Residential Center in the same manner and capability it was operating on January 20, 2021.

(d) PERIODIC REPORT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until September 30, 2027, the Secretary of Homeland Security shall submit to the appropriate congressional committees a detailed plan for and a status report on—

(1) compliance with the deadline under subsection (a);

(2) the increase in detention capabilities required by this section—

(A) for the 90-day period immediately preceding the date such report is submitted; and

(B) for the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(3) the number of detention beds that were used and the number of available detention beds that were not used during—

(A) the 90-day period immediately preceding the date such report is submitted; and

(B) the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(4) the number of aliens released due to a lack of available detention beds; and

(5) the resources the Department of Homeland Security needs in order to comply with the requirements under this section.

(e) NOTIFICATION.—The Secretary of Homeland Security shall notify Congress, and include with such notification a detailed description of the resources the Department of Homeland Security needs in order to detain all aliens whose detention is mandatory or nondiscretionary under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.)—

(1) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 90 percent of capacity;

(2) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 95 percent of capacity; and

(3) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach full capacity.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on Appropriations of the House of Representatives;

(3) the Committee on the Judiciary of the Senate; and

(4) the Committee on Appropriations of the Senate.

TITLE IV—PREVENTING UNCONTROLLED MIGRATION FLOWS IN THE WESTERN HEMISPHERE

SEC. __401. UNITED STATES POLICY REGARDING WESTERN HEMISPHERE COOPERATION ON IMMIGRATION AND ASYLUM.

It is the policy of the United States to enter into agreements, accords, and memoranda of understanding with countries in the Western Hemisphere, the purposes of which are to advance the interests of the United States by reducing costs associated with illegal immigration and to protect the human capital, societal traditions, and economic growth of other countries in the Western Hemisphere. It is further the policy of the United States to ensure that humanitarian and development assistance funding aimed at reducing illegal immigration is not expended on programs that have not proven to reduce illegal immigrant flows in the aggregate.

SEC. __402. NEGOTIATIONS BY SECRETARY OF STATE.

(a) AUTHORIZATION TO NEGOTIATE.—The Secretary of State shall seek to negotiate agreements, accords, and memoranda of understanding between the United States, Mexico, Honduras, El Salvador, Guatemala, and other countries in the Western Hemisphere with respect to cooperation and burden sharing required for effective regional immigration enforcement, expediting legal claims by aliens for asylum, and the processing, detention, and repatriation of foreign nationals seeking to enter the United States unlawfully. Such agreements shall be designed to facilitate a regional approach to immigration enforcement and shall, at a minimum, provide that—

(1) the Government of Mexico authorize and accept the rapid entrance into Mexico of nationals of countries other than Mexico who seek asylum in Mexico, and process the asylum claims of such nationals inside Mexico, in accordance with both domestic law and international treaties and conventions governing the processing of asylum claims;

(2) the Government of Mexico authorize and accept both the rapid entrance into Mexico of all nationals of countries other than Mexico who are ineligible for asylum in Mexico and wish to apply for asylum in the United States, whether or not at a port of entry, and the continued presence of such nationals in Mexico while they wait for the adjudication of their asylum claims to conclude in the United States;

(3) the Government of Mexico commit to provide the individuals described in paragraphs (1) and (2) with appropriate humanitarian protections;

(4) the Government of Honduras, the Government of El Salvador, and the Government of Guatemala each authorize and accept the entrance into the respective countries of nationals of other countries seeking asylum in the applicable such country and process such claims in accordance with applicable domestic law and international treaties and conventions governing the processing of asylum claims;

(5) the Government of the United States commit to work to accelerate the adjudication of asylum claims and to conclude removal proceedings in the wake of asylum adjudications as expeditiously as possible;

(6) the Government of the United States commit to continue to assist the governments of countries in the Western Hemisphere, such as the Government of Honduras, the Government of El Salvador, and the Government of Guatemala, by supporting the enhancement of asylum capacity in those countries; and

(7) the Government of the United States commit to monitoring developments in hemispheric immigration trends and regional asylum capabilities to determine whether additional asylum cooperation agreements are warranted.

(b) NOTIFICATION IN ACCORDANCE WITH CASE-ZABLOCKI ACT.—The Secretary of State shall, in accordance with section 112b of title 1, United States Code, promptly inform the relevant congressional committees of each agreement entered into pursuant to subsection (a). Such notifications shall be submitted not later than 48 hours after such agreements are signed.

(c) ALIEN DEFINED.—In this section, the term ''alien'' has the meaning given such term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

SEC. __403. MANDATORY BRIEFINGS ON UNITED STATES EFFORTS TO ADDRESS THE BORDER CRISIS.

(a) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter until the date described in subsection (b), the Secretary of State, or the designee of the Secretary of State, shall provide to the appropriate congressional committees an in-person briefing on efforts undertaken pursuant to the negotiation authority provided by section __402 to monitor, deter, and prevent illegal immigration to the United States, including by entering into agreements, accords, and memoranda of understanding with foreign countries and by using United States foreign assistance to stem the root causes of migration in the Western Hemisphere.

(b) TERMINATION OF MANDATORY BRIEFING.—The date described in this subsection is the date on which the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, determines and certifies to the appropriate congressional committees that illegal immigration flows have subsided to a manageable rate.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE V—ENSURING UNITED FAMILIES AT THE BORDER

SEC. __501. CLARIFICATION OF STANDARDS FOR FAMILY DETENTION.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended by adding at the end the following:

''(j) CONSTRUCTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, the detention of any alien child who is not an unaccompanied alien child shall be governed by sections 217, 235, 236, and 241 of the Immigration and Nationality Act (8 U.S.C. 1187, 1225, 1226, and 1231). There is no presumption that an alien child who is not an unaccompanied alien child should not be detained.

''(2) FAMILY DETENTION.—The Secretary of Homeland Security shall—

''(A) maintain the care and custody of an alien, during the period during which the charges described in clause (i) are pending, who—

''(i) is charged only with a misdemeanor offense under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)); and

''(ii) entered the United States with the alien's child who has not attained 18 years of age; and

''(B) detain the alien with the alien's child.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the amendments in this section to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) are intended to satisfy the requirements of the Settlement Agreement in Flores v. Meese, No. 85–4544 (C.D. Cal), as approved by the court on January 28, 1997, with respect to its interpretation in Flores v. Johnson, 212 F. Supp. 3d 864 (C.D. Cal. 2015), that the agreement applies to accompanied minors.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to all actions that occur before, on, or after such date.

(d) PREEMPTION OF STATE LICENSING REQUIREMENTS.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, no State may require that an immigration detention facility used to detain children who have not attained 18 years of age, or families consisting of one or more of such children and the parents or legal guardians of such children, that is located in that State, be licensed by the State or any political subdivision thereof.

TITLE VI—PROTECTION OF CHILDREN

SEC. __601. FINDINGS.

Congress makes the following findings:

(1) Implementation of the provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children has incentivized multiple surges of unaccompanied alien children arriving at the southwest border in the years since the bill's enactment.

(2) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children treat unaccompanied alien children from countries that are contiguous to the United States disparately by swiftly returning them to their home country absent indications of trafficking or a credible fear of return, but allowing for the release of unaccompanied alien children from noncontiguous countries into the interior of the United States, often to those individuals who paid to smuggle them into the country in the first place.

(3) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 governing unaccompanied alien children have enriched the cartels, who profit hundreds of millions of dollars each year by smuggling unaccompanied alien children to the southwest border, exploiting and sexually abusing many such unaccompanied alien children on the perilous journey.

(4) Prior to 2008, the number of unaccompanied alien children encountered at the southwest border never exceeded 1,000 in a single year.

(5) The United States is currently in the midst of the worst crisis of unaccompanied alien children in our Nation's history, with over 350,000 such unaccompanied alien children encountered at the southwest border since Joe Biden became President.

(6) In 2022, during the Biden Administration, 152,057 unaccompanied alien children were encountered, the most ever in a single year and an over 400 percent increase compared to the last full fiscal year of the Trump Administration in which 33,239 unaccompanied alien children were encountered.

(7) The Biden Administration has lost contact with at least 85,000 unaccompanied alien children who entered the United States since Joe Biden took office.

(8) The Biden Administration dismantled effective safeguards put in place by the Trump Administration that protected unaccompanied alien children from being abused by criminals or exploited for illegal and dangerous child labor.

(9) A recent New York Times investigation found that unaccompanied alien children are being exploited in the labor market and ''are ending up in some of the most punishing jobs in the country.''.

(10) The Times investigation found unaccompanied alien children, ''under intense pressure to earn money'' in order to ''send cash back to their families while often being in debt to their sponsors for smuggling fees, rent, and living expenses,'' feared ''that they had become trapped in circumstances they never could have imagined.''.

(11) The Biden Administration's Department of Health and Human Services Secretary Xavier Becerra compared placing unaccompanied alien children with sponsors, to widgets in an assembly line, stating that, ''If Henry Ford had seen this in his plant, he would have never become famous and rich. This is not the way you do an assembly line.''.

(12) Department of Health and Human Services employees working under Secretary Xavier Becerra's leadership penned a July 2021 memorandum expressing serious concern that ''labor trafficking was increasing'' and that the agency had become ''one that rewards individuals for making quick releases, and not one that rewards individuals for preventing unsafe releases.''.

(13) Despite this, Secretary Xavier Becerra pressured then-Director of the Office of Refugee Resettlement Cindy Huang to prioritize releases of unaccompanied alien children over ensuring their safety, telling her ''if she could not increase the number of discharges he would find someone who could'' and then-Director Huang resigned one month later.

(14) In June 2014, the Obama-Biden Administration requested legal authority to exercise discretion in returning and removing unaccompanied alien children from non-contiguous countries back to their home countries.

(15) In August 2014, the House of Representatives passed H.R. 5320, which included the Protection of Children Act.

(16) This title ends the disparate policies of the Trafficking Victims Protection Reauthorization Act of 2008 by ensuring the swift return of all unaccompanied alien children to their country of origin if they are not victims of trafficking and do not have a fear of return.

SEC. __602. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by amending the heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States'';

(II) in clause (i), by inserting ''and'' at the end;

(III) in clause (ii), by striking ''; and'' and inserting a period; and

(IV) by striking clause (iii); and

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''(8 U.S.C. 1101 et seq.) may—'' and inserting ''(8 U.S.C. 1101 et seq.)—'';

(II) in clause (i), by inserting before ''permit such child to withdraw'' the following: ''may''; and

(III) in clause (ii), by inserting before ''return such child'' the following: ''shall''; and

(B) in paragraph (5)(D)—

(i) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to exceptions under subsection (a)(2),'' and inserting ''who does not meet the criteria listed in paragraph (2)(A)''; and

(ii) in clause (i), by inserting before the semicolon at the end the following: '', which shall include a hearing before an immigration judge not later than 14 days after being screened under paragraph (4)'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting before the semicolon the following: ''believed not to meet the criteria listed in subsection (a)(2)(A)''; and

(ii) in subparagraph (B), by inserting before the period the following: ''and does not meet the criteria listed in subsection (a)(2)(A)''; and

(B) in paragraph (3), by striking ''an unaccompanied alien child in custody shall'' and all that follows, and inserting the following: ''an unaccompanied alien child in custody—

''(A) in the case of a child who does not meet the criteria listed in subsection (a)(2)(A), shall transfer the custody of such child to the Secretary of Health and Human Services not later than 30 days after determining that such child is an unaccompanied alien child who does not meet such criteria; or

''(B) in the case of a child who meets the criteria listed in subsection (a)(2)(A), may transfer the custody of such child to the Secretary of Health and Human Services after determining that such child is an unaccompanied alien child who meets such criteria.''; and

(3) in subsection (c)—

(A) in paragraph (3), by inserting at the end the following:

''(D) INFORMATION ABOUT INDIVIDUALS WITH WHOM CHILDREN ARE PLACED.—

''(i) INFORMATION TO BE PROVIDED TO HOMELAND SECURITY.—Before placing a child with an individual, the Secretary of Health and Human Services shall provide to the Secretary of Homeland Security, regarding the individual with whom the child will be placed, information on—

''(I) the name of the individual;

''(II) the social security number of the individual;

''(III) the date of birth of the individual;

''(IV) the location of the individual's residence where the child will be placed;

''(V) the immigration status of the individual, if known; and

''(VI) contact information for the individual.

''(ii) ACTIVITIES OF THE SECRETARY OF HOMELAND SECURITY.—Not later than 30 days after receiving the information listed in clause (i), the Secretary of Homeland Security, upon determining that an individual with whom a child is placed is unlawfully present in the United States and not in removal proceedings pursuant to chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), shall initiate such removal proceedings.''; and

(B) in paragraph (5)—

(i) by inserting after ''to the greatest extent practicable'' the following: ''(at no expense to the Government)''; and

(ii) by striking ''have counsel to represent them'' and inserting ''have access to counsel to represent them''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any unaccompanied alien child (as such term is defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) apprehended on or after the date that is 30 days after the date of the enactment of this Act.

SEC. __603. SPECIAL IMMIGRANT JUVENILE STATUS FOR IMMIGRANTS UNABLE TO REUNITE WITH EITHER PARENT.

Section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) is amended—

(1) in clause (i), by striking '', and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law''; and

(2) in clause (iii)—

(A) in subclause (I), by striking ''and'' at the end;

(B) in subclause (II), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(III) an alien may not be granted special immigrant status under this subparagraph if the alien's reunification with any one parent or legal guardian is not precluded by abuse, neglect, abandonment, or any similar cause under State law;''.

SEC. __604. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit the following procedures or practices relating to an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))):

(1) Screening of such a child for a credible fear of return to his or her country of origin.

(2) Screening of such a child to determine whether he or she was a victim of trafficking.

(3) Department of Health and Human Services policy in effect on the date of the enactment of this Act requiring a home study for such a child if he or she is under 12 years of age.

TITLE VII—VISA OVERSTAYS PENALTIES

SEC. __701. EXPANDED PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended—

(1) in subsection (a) by inserting after ''for a subsequent commission of any such offense'' the following: ''or if the alien was previously convicted of an offense under subsection (e)(2)(A)'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''at least $50 and not more than $250'' and inserting ''not less than $500 and not more than $1,000''; and

(B) in paragraph (2), by inserting after ''in the case of an alien who has been previously subject to a civil penalty under this subsection'' the following: ''or subsection (e)(2)(B)''; and

(3) by adding at the end the following:

''(e) VISA OVERSTAYS.—

''(1) IN GENERAL.—An alien who was admitted as a nonimmigrant has violated this paragraph if the alien, for an aggregate of 10 days or more, has failed—

''(A) to maintain the nonimmigrant status in which the alien was admitted, or to which it was changed under section 248, including complying with the period of stay authorized by the Secretary of Homeland Security in connection with such status; or

''(B) to comply otherwise with the conditions of such nonimmigrant status.

''(2) PENALTIES.—An alien who has violated paragraph (1)—

''(A) shall—

''(i) for the first commission of such a violation, be fined under title 18, United States Code, or imprisoned not more than 6 months, or both; and

''(ii) for a subsequent commission of such a violation, or if the alien was previously convicted of an offense under subsection (a), be fined under such title 18, or imprisoned not more than 2 years, or both; and

''(B) in addition to, and not in lieu of, any penalty under subparagraph (A) and any other criminal or civil penalties that may be imposed, shall be subject to a civil penalty of—

''(i) not less than $500 and not more than $1,000 for each violation; or

''(ii) twice the amount specified in clause (i), in the case of an alien who has been previously subject to a civil penalty under this subparagraph or subsection (b).''.

TITLE VIII—IMMIGRATION PAROLE REFORM

SEC. __801. IMMIGRATION PAROLE REFORM.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended to read as follows:

''(5)(A) Except as provided in subparagraphs (B) and (C) and section 214(f), the Secretary of Homeland Security, in the discretion of the Secretary, may temporarily parole into the United States any alien applying for admission to the United States who is not present in the United States, under such conditions as the Secretary may prescribe, on a case-by-case basis, and not according to eligibility criteria describing an entire class of potential parole recipients, for urgent humanitarian reasons or significant public benefit. Parole granted under this subparagraph may not be regarded as an admission of the alien. When the purposes of such parole have been served in the opinion of the Secretary, the alien shall immediately return or be returned to the custody from which the alien was paroled. After such return, the case of the alien shall be dealt with in the same manner as the case of any other applicant for admission to the United States.

''(B) The Secretary of Homeland Security may grant parole to any alien who—

''(i) is present in the United States without lawful immigration status;

''(ii) is the beneficiary of an approved petition under section 203(a);

''(iii) is not otherwise inadmissible or removable; and

''(iv) is the spouse or child of a member of the Armed Forces serving on active duty.

''(C) The Secretary of Homeland Security may grant parole to any alien—

''(i) who is a national of the Republic of Cuba and is living in the Republic of Cuba;

''(ii) who is the beneficiary of an approved petition under section 203(a);

''(iii) for whom an immigrant visa is not immediately available;

''(iv) who meets all eligibility requirements for an immigrant visa;

''(v) who is not otherwise inadmissible; and

''(vi) who is receiving a grant of parole in furtherance of the commitment of the United States to the minimum level of annual legal migration of Cuban nationals to the United States specified in the U.S.-Cuba Joint Communiqué on Migration, done at New York September 9, 1994, and reaffirmed in the Cuba-United States: Joint Statement on Normalization of Migration, Building on the Agreement of September 9, 1994, done at New York May 2, 1995.

''(D) The Secretary of Homeland Security may grant parole to an alien who is returned to a contiguous country under section 235(b)(3) to allow the alien to attend the alien's immigration hearing. The grant of parole shall not exceed the time required for the alien to be escorted to, and attend, the alien's immigration hearing scheduled on the same calendar day as the grant, and to immediately thereafter be escorted back to the contiguous country. A grant of parole under this subparagraph shall not be considered for purposes of determining whether the alien is inadmissible under this Act.

''(E) For purposes of determining an alien's eligibility for parole under subparagraph (A), an urgent humanitarian reason shall be limited to circumstances in which the alien establishes that—

''(i)(I) the alien has a medical emergency; and

''(II)(aa) the alien cannot obtain necessary treatment in the foreign state in which the alien is residing; or

''(bb) the medical emergency is life threatening and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(ii) the alien is the parent or legal guardian of an alien described in clause (i) and the alien described in clause (i) is a minor;

''(iii) the alien is needed in the United States in order to donate an organ or other tissue for transplant and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(iv) the alien has a close family member in the United States whose death is imminent and the alien could not arrive in the United States in time to see such family member alive if the alien were to be admitted to the United States through the normal visa process;

''(v) the alien is seeking to attend the funeral of a close family member and the alien could not arrive in the United States in time to attend such funeral if the alien were to be admitted to the United States through the normal visa process;

''(vi) the alien is an adopted child with an urgent medical condition who is in the legal custody of the petitioner for a final adoption-related visa and whose medical treatment is required before the expected award of a final adoption-related visa; or

''(vii) the alien is a lawful applicant for adjustment of status under section 245 and is returning to the United States after temporary travel abroad.

''(F) For purposes of determining an alien's eligibility for parole under subparagraph (A), a significant public benefit may be determined to result from the parole of an alien only if—

''(i) the alien has assisted (or will assist, whether knowingly or not) the United States Government in a law enforcement matter;

''(ii) the alien's presence is required by the Government in furtherance of such law enforcement matter; and

''(iii) the alien is inadmissible, does not satisfy the eligibility requirements for admission as a nonimmigrant, or there is insufficient time for the alien to be admitted to the United States through the normal visa process.

''(G) For purposes of determining an alien's eligibility for parole under subparagraph (A), the term 'case-by-case basis' means that the facts in each individual case are considered and parole is not granted based on membership in a defined class of aliens to be granted parole. The fact that aliens are considered for or granted parole one by one and not as a group is not sufficient to establish that the parole decision is made on a 'case-by-case basis'.

''(H) The Secretary of Homeland Security may not use the parole authority under this paragraph to parole an alien into the United States for any reason or purpose other than those described in subparagraphs (B), (C), (D), (E), and (F).

''(I) An alien granted parole may not accept employment, except that an alien granted parole pursuant to subparagraph (B) or (C) is authorized to accept employment for the duration of the parole, as evidenced by an employment authorization document issued by the Secretary of Homeland Security.

''(J) Parole granted after a departure from the United States shall not be regarded as an admission of the alien. An alien granted parole, whether as an initial grant of parole or parole upon reentry into the United States, is not eligible to adjust status to lawful permanent residence or for any other immigration benefit if the immigration status the alien had at the time of departure did not authorize the alien to adjust status or to be eligible for such benefit.

''(K)(i) Except as provided in clauses (ii) and (iii), parole shall be granted to an alien under this paragraph for the shorter of—

''(I) a period of sufficient length to accomplish the activity described in subparagraph (D), (E), or (F) for which the alien was granted parole; or

''(II) 1 year.

''(ii) Grants of parole pursuant to subparagraph (A) may be extended once, in the discretion of the Secretary, for an additional period that is the shorter of—

''(I) the period that is necessary to accomplish the activity described in subparagraph (E) or (F) for which the alien was granted parole; or

''(II) 1 year.

''(iii) Aliens who have a pending application to adjust status to permanent residence under section 245 may request extensions of parole under this paragraph, in 1-year increments, until the application for adjustment has been adjudicated. Such parole shall terminate immediately upon the denial of such adjustment application.

''(L) Not later than 90 days after the last day of each fiscal year, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives and make available to the public, a report—

''(i) identifying the total number of aliens paroled into the United States under this paragraph during the previous fiscal year; and

''(ii) containing information and data regarding all aliens paroled during such fiscal year, including—

''(I) the duration of parole;

''(II) the type of parole; and

''(III) the current status of the aliens so paroled.''.

SEC. __802. IMPLEMENTATION.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date that is 30 days after the date of the enactment of this Act.

(b) EXCEPTIONS.—Notwithstanding subsection (a), each of the following exceptions apply:

(1) Any application for parole or advance parole filed by an alien before the date of the enactment of this Act shall be adjudicated under the law that was in effect on the date on which the application was properly filed and any approved advance parole shall remain valid under the law that was in effect on the date on which the advance parole was approved.

(2) Section 212(d)(5)(J) of the Immigration and Nationality Act, as added by section __801, shall take effect on the date of the enactment of this Act.

(3) Aliens who were paroled into the United States pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A)) before January 1, 2023, shall continue to be subject to the terms of parole that were in effect on the date on which their respective parole was approved.

SEC. __803. CAUSE OF ACTION.

Any person, State, or local government that experiences financial harm in excess of $1,000 due to a failure of the Federal Government to lawfully apply the provisions of this title or the amendments made by this title shall have standing to bring a civil action against the Federal Government in an appropriate district court of the United States for appropriate relief.

SEC. __804. SEVERABILITY.

If any provision of this title or any amendment by this title, or the application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and the application of such provision or amendment to any other person or circumstance shall not be affected.

TITLE IX—LEGAL WORKFORCE

SEC. __901. EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.

(a) IN GENERAL.—Section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)) is amended to read as follows:

''(b) EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.—

''(1) NEW HIRES, RECRUITMENT, AND REFERRAL.—The requirements referred to in paragraphs (1)(B) and (3) of subsection (a) are, in the case of a person or other entity hiring, recruiting, or referring an individual for employment in the United States, the following:

''(A) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(i) ATTESTATION.—During the verification period (as defined in subparagraph (E)), the person or entity shall attest, under penalty of perjury and on a form, including electronic format, designated or established by the Secretary by regulation not later than 6 months after the date of the enactment of the Secure the Border Act of 2024, that it has verified that the individual is not an unauthorized alien by—

''(I) obtaining from the individual the individual's social security account number or United States passport number and recording the number on the form (if the individual claims to have been issued such a number), and, if the individual does not attest to United States nationality under subparagraph (B), obtaining such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary of Homeland Security may specify, and recording such number on the form; and

''(II) examining—

''(aa) a document relating to the individual presenting it described in clause (ii); or

''(bb) a document relating to the individual presenting it described in clause (iii) and a document relating to the individual presenting it described in clause (iv).

''(ii) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION AND ESTABLISHING IDENTITY.—A document described in this subparagraph is an individual's—

''(I) unexpired United States passport or passport card;

''(II) unexpired permanent resident card that contains a photograph;

''(III) unexpired employment authorization card that contains a photograph;

''(IV) in the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I–94 or Form I–94A, or other documentation as designated by the Secretary specifying the alien's nonimmigrant status as long as the period of status has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified in the documentation;

''(V) passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I–94 or Form I–94A, or other documentation as designated by the Secretary, indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI; or

''(VI) other document designated by the Secretary of Homeland Security, if the document—

''(aa) contains a photograph of the individual and biometric identification data from the individual and such other personal identifying information relating to the individual as the Secretary of Homeland Security finds, by regulation, sufficient for purposes of this clause;

''(bb) is evidence of authorization of employment in the United States; and

''(cc) contains security features to make it resistant to tampering, counterfeiting, and fraudulent use.

''(iii) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document described in this subparagraph is an individual's social security account number card (other than such a card which specifies on the face that the issuance of the card does not authorize employment in the United States).

''(iv) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document described in this subparagraph is—

''(I) an individual's unexpired State issued driver's license or identification card if it contains a photograph and information such as name, date of birth, gender, height, eye color, and address;

''(II) an individual's unexpired United States military identification card;

''(III) an individual's unexpired Native American tribal identification document issued by a tribal entity recognized by the Bureau of Indian Affairs; or

''(IV) in the case of an individual under 18 years of age, a parent or legal guardian's attestation under penalty of law as to the identity and age of the individual.

''(v) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary of Homeland Security finds, by regulation, that any document described in clause (i), (ii), or (iii) as establishing employment authorization or identity does not reliably establish such authorization or identity or is being used fraudulently to an unacceptable degree, the Secretary may prohibit or place conditions on its use for purposes of this paragraph.

''(vi) SIGNATURE.—Such attestation may be manifested by either a handwritten or electronic signature.

''(B) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—During the verification period (as defined in subparagraph (E)), the individual shall attest, under penalty of perjury on the form designated or established for purposes of subparagraph (A), that the individual is a citizen or national of the United States, an alien lawfully admitted for permanent residence, or an alien who is authorized under this Act or by the Secretary of Homeland Security to be hired, recruited, or referred for such employment. Such attestation may be manifested by either a handwritten or electronic signature. The individual shall also provide that individual's social security account number or United States passport number (if the individual claims to have been issued such a number), and, if the individual does not attest to United States nationality under this subparagraph, such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary may specify.

''(C) RETENTION OF VERIFICATION FORM AND VERIFICATION.—

''(i) IN GENERAL.—After completion of such form in accordance with subparagraphs (A) and (B), the person or entity shall—

''(I) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during a period beginning on the date of the recruiting or referral of the individual, or, in the case of the hiring of an individual, the date on which the verification is completed, and ending—

''(aa) in the case of the recruiting or referral of an individual, 3 years after the date of the recruiting or referral; and

''(bb) in the case of the hiring of an individual, the later of 3 years after the date the verification is completed or one year after the date the individual's employment is terminated; and

''(II) during the verification period (as defined in subparagraph (E)), make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of an individual.

''(ii) CONFIRMATION.—

''(I) CONFIRMATION RECEIVED.—If the person or other entity receives an appropriate confirmation of an individual's identity and work eligibility under the verification system within the time period specified, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a final confirmation of such identity and work eligibility of the individual.

''(II) TENTATIVE NONCONFIRMATION RECEIVED.—If the person or other entity receives a tentative nonconfirmation of an individual's identity or work eligibility under the verification system within the time period specified, the person or entity shall so inform the individual for whom the verification is sought. If the individual does not contest the nonconfirmation within the time period specified, the nonconfirmation shall be considered final. The person or entity shall then record on the form an appropriate code which has been provided under the system to indicate a final nonconfirmation. If the individual does contest the nonconfirmation, the individual shall utilize the process for secondary verification provided under subsection (d). The nonconfirmation will remain tentative until a final confirmation or nonconfirmation is provided by the verification system within the time period specified. In no case shall an employer terminate employment of an individual because of a failure of the individual to have identity and work eligibility confirmed under this section until a nonconfirmation becomes final. Nothing in this clause shall apply to a termination of employment for any reason other than because of such a failure. In no case shall an employer rescind the offer of employment to an individual because of a failure of the individual to have identity and work eligibility confirmed under this subsection until a nonconfirmation becomes final. Nothing in this subclause shall apply to a rescission of the offer of employment for any reason other than because of such a failure.

''(III) FINAL CONFIRMATION OR NONCONFIRMATION RECEIVED.—If a final confirmation or nonconfirmation is provided by the verification system regarding an individual, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a confirmation or nonconfirmation of identity and work eligibility of the individual.

''(IV) EXTENSION OF TIME.—If the person or other entity in good faith attempts to make an inquiry during the time period specified and the verification system has registered that not all inquiries were received during such time, the person or entity may make an inquiry in the first subsequent working day in which the verification system registers that it has received all inquiries. If the verification system cannot receive inquiries at all times during a day, the person or entity merely has to assert that the entity attempted to make the inquiry on that day for the previous sentence to apply to such an inquiry, and does not have to provide any additional proof concerning such inquiry.

''(V) CONSEQUENCES OF NONCONFIRMATION.—

''(aa) TERMINATION OR NOTIFICATION OF CONTINUED EMPLOYMENT.—If the person or other entity has received a final nonconfirmation regarding an individual, the person or entity may terminate employment of the individual (or decline to recruit or refer the individual). If the person or entity does not terminate employment of the individual or proceeds to recruit or refer the individual, the person or entity shall notify the Secretary of Homeland Security of such fact through the verification system or in such other manner as the Secretary may specify.

''(bb) FAILURE TO NOTIFY.—If the person or entity fails to provide notice with respect to an individual as required under item (aa), the failure is deemed to constitute a violation of subsection (a)(1)(A) with respect to that individual.

''(VI) CONTINUED EMPLOYMENT AFTER FINAL NONCONFIRMATION.—If the person or other entity continues to employ (or to recruit or refer) an individual after receiving final nonconfirmation, a rebuttable presumption is created that the person or entity has violated subsection (a)(1)(A).

''(D) EFFECTIVE DATES OF NEW PROCEDURES.—

''(i) HIRING.—Except as provided in clause (iii), the provisions of this paragraph shall apply to a person or other entity hiring an individual for employment in the United States as follows:

''(I) With respect to employers having 10,000 or more employees in the United States on the date of the enactment of the Secure the Border Act of 2024, on the date that is 6 months after the date of the enactment of title.

''(II) With respect to employers having 500 or more employees in the United States, but less than 10,000 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, on the date that is 12 months after the date of the enactment of such title.

''(III) With respect to employers having 20 or more employees in the United States, but less than 500 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, on the date that is 18 months after the date of the enactment of such title.

''(IV) With respect to employers having one or more employees in the United States, but less than 20 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, on the date that is 24 months after the date of the enactment of such title.

''(ii) RECRUITING AND REFERRING.—Except as provided in clause (iii), the provisions of this paragraph shall apply to a person or other entity recruiting or referring an individual for employment in the United States on the date that is 12 months after the date of the enactment of the Secure the Border Act of 2024.

''(iii) AGRICULTURAL LABOR OR SERVICES.—With respect to an employee performing agricultural labor or services, this paragraph shall not apply with respect to the verification of the employee until the date that is 36 months after the date of the enactment of the Secure the Border Act of 2024. For purposes of the preceding sentence, the term 'agricultural labor or services' has the meaning given such term by the Secretary of Agriculture in regulations and includes agricultural labor as defined in section 3121(g) of the Internal Revenue Code of 1986, agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), the handling, planting, drying, packing, packaging, processing, freezing, or grading

prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state, all activities required for the preparation, processing or manufacturing of a product of agriculture (as such term is defined in such section 3(f)) for further distribution, and activities similar to all the foregoing as they relate to fish or shellfish facilities. An employee described in this clause shall not be counted for purposes of clause (i).

''(iv) EXTENSIONS.—

''(I) ON REQUEST.—Upon request by an employer having 50 or fewer employees, the Secretary shall allow a one-time 6-month extension of the effective date set out in this subparagraph applicable to such employer. Such request shall be made to the Secretary and shall be made prior to such effective date.

''(II) FOLLOWING REPORT.—If the study under section __914 of the Secure the Border Act of 2024 has been submitted in accordance with such section, the Secretary of Homeland Security may extend the effective date set out in clause (iii) on a one-time basis for 12 months.

''(v) TRANSITION RULE.—Subject to paragraph (4), the following shall apply to a person or other entity hiring, recruiting, or referring an individual for employment in the United States until the effective date or dates applicable under clauses (i) through (iii):

''(I) This subsection, as in effect before the enactment of the Secure the Border Act of 2024.

''(II) Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as in effect before the effective date in section __907(c) of the Secure the Border Act of 2024.

''(III) Any other provision of Federal law requiring the person or entity to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as in effect before the effective date in section __907(c) of the Secure the Border Act of 2024, including Executive Order 13465 (8 U.S.C. 1324a note; relating to Government procurement).

''(E) VERIFICATION PERIOD DEFINED.—

''(i) IN GENERAL.—For purposes of this paragraph:

''(I) In the case of recruitment or referral, the term 'verification period' means the period ending on the date recruiting or referring commences.

''(II) In the case of hiring, the term 'verification period' means the period beginning on the date on which an offer of employment is extended and ending on the date that is three business days after the date of hire, except as provided in clause (iii). The offer of employment may be conditioned in accordance with clause (ii).

''(ii) JOB OFFER MAY BE CONDITIONAL.—A person or other entity may offer a prospective employee an employment position that is conditioned on final verification of the identity and employment eligibility of the employee using the procedures established under this paragraph.

''(iii) SPECIAL RULE.—Notwithstanding clause (i)(II), in the case of an alien who is authorized for employment and who provides evidence from the Social Security Administration that the alien has applied for a social security account number, the verification period ends three business days after the alien receives the social security account number.

''(2) REVERIFICATION FOR INDIVIDUALS WITH LIMITED WORK AUTHORIZATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a person or entity shall make an inquiry, as provided in subsection (d), using the verification system to seek reverification of the identity and employment eligibility of all individuals with a limited period of work authorization employed by the person or entity during the three business days after the date on which the employee's work authorization expires as follows:

''(i) With respect to employers having 10,000 or more employees in the United States on the date of the enactment of the Secure the Border Act of 2024, beginning on the date that is 6 months after the date of the enactment of such title.

''(ii) With respect to employers having 500 or more employees in the United States, but less than 10,000 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, beginning on the date that is 12 months after the date of the enactment of such title.

''(iii) With respect to employers having 20 or more employees in the United States, but less than 500 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, beginning on the date that is 18 months after the date of the enactment of such title.

''(iv) With respect to employers having one or more employees in the United States, but less than 20 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, beginning on the date that is 24 months after the date of the enactment of such title.

''(B) AGRICULTURAL LABOR OR SERVICES.—With respect to an employee performing agricultural labor or services, or an employee recruited or referred by a farm labor contractor (as defined in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801)), subparagraph (A) shall not apply with respect to the reverification of the employee until the date that is 36 months after the date of the enactment of the Secure the Border Act of 2024. For purposes of the preceding sentence, the term 'agricultural labor or services' has the meaning given such term by the Secretary of Agriculture in regulations and includes agricultural labor as defined in section 3121(g) of the Internal Revenue Code of 1986, agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state, all activities required for the preparation, processing, or manufacturing of a product of agriculture (as such term is defined in such section 3(f)) for further distribution, and activities similar to all the foregoing as they relate to fish or shellfish facilities. An employee described in this subparagraph shall not be counted for purposes of subparagraph (A).

''(C) REVERIFICATION.—Paragraph (1)(C)(ii) shall apply to reverifications pursuant to this paragraph on the same basis as it applies to verifications pursuant to paragraph (1), except that employers shall—

''(i) use a form designated or established by the Secretary by regulation for purposes of this paragraph; and

''(ii) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during the period beginning on the date the reverification commences and ending on the date that is the later of 3 years after the date of such reverification or 1 year after the date the individual's employment is terminated.

''(3) PREVIOUSLY HIRED INDIVIDUALS.—

''(A) ON A MANDATORY BASIS FOR CERTAIN EMPLOYEES.—

''(i) IN GENERAL.—Not later than the date that is 6 months after the date of the enactment of the Secure the Border Act of 2024, an employer shall make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of any individual described in clause (ii) employed by the employer whose employment eligibility has not been verified under the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

''(ii) INDIVIDUALS DESCRIBED.—An individual described in this clause is any of the following:

''(I) An employee of any unit of a Federal, State, or local government.

''(II) An employee who requires a Federal security clearance working in a Federal, State, or local government building, a military base, a nuclear energy site, a weapons site, or an airport or other facility that requires workers to carry a Transportation Worker Identification Credential (TWIC).

''(III) An employee assigned to perform work in the United States under a Federal contract, except that this subclause—

''(aa) is not applicable to individuals who have a clearance under Homeland Security Presidential Directive 12 (HSPD 12 clearance), are administrative or overhead personnel, or are working solely on contracts that provide Commercial Off The Shelf goods or services as set forth by the Federal Acquisition Regulatory Council, unless they are subject to verification under subclause (II); and

''(bb) only applies to contracts over the simple acquisition threshold as defined in section 2.101 of title 48, Code of Federal Regulations.

''(B) ON A MANDATORY BASIS FOR MULTIPLE USERS OF SAME SOCIAL SECURITY ACCOUNT NUMBER.—In the case of an employer who is required by this subsection to use the verification system described in subsection (d), or has elected voluntarily to use such system, the employer shall make inquiries to the system in accordance with the following:

''(i) The Commissioner of Social Security shall notify annually employees (at the employee address listed on the Wage and Tax Statement) who submit a social security account number to which more than one employer reports income and for which there is a pattern of unusual multiple use. The notification letter shall identify the number of employers to which income is being reported as well as sufficient information notifying the employee of the process to contact the Social Security Administration Fraud Hotline if the employee believes the employee's identity may have been stolen. The notice shall not share information protected as private, in order to avoid any recipient of the notice from being in the position to further commit or begin committing identity theft.

''(ii) If the person to whom the social security account number was issued by the Social Security Administration has been identified and confirmed by the Commissioner, and indicates that the social security account number was used without their knowledge, the Secretary and the Commissioner shall lock the social security account number for employment eligibility verification purposes and shall notify the employers of the individuals who wrongfully submitted the social security account number that the employee may not be work eligible.

''(iii) Each employer receiving such notification of an incorrect social security account number under clause (ii) shall use the verification system described in subsection (d) to check the work eligibility status of the applicable employee within 10 business days of receipt of the notification.

''(C) ON A VOLUNTARY BASIS.—Subject to paragraph (2), and subparagraphs (A) through (C) of this paragraph, beginning on the date that is 30 days after the date of the enactment of the Secure the Border Act of 2024, an employer may make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of any individual employed by the employer. If an employer chooses voluntarily to seek verification of any individual employed by the employer, the employer shall seek verification of all individuals employed at the same geographic location or, at the option of the employer, all individuals employed within the same job category, as the employee with respect to whom the employer seeks voluntarily to use the verification system. An employer's decision about whether or not voluntarily to seek verification of its current workforce under this subparagraph may not be considered by any government agency in any proceeding, investigation, or review provided for in this Act.

''(D) VERIFICATION.—Paragraph (1)(C)(ii) shall apply to verifications pursuant to this paragraph on the same basis as it applies to verifications pursuant to paragraph (1), except that employers shall—

''(i) use a form designated or established by the Secretary by regulation for purposes of this paragraph; and

''(ii) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during the period beginning on the date the verification commences and ending on the date that is the later of 3 years after the date of such verification or 1 year after the date the individual's employment is terminated.

''(4) EARLY COMPLIANCE.—

''(A) FORMER E-VERIFY REQUIRED USERS, INCLUDING FEDERAL CONTRACTORS.—Notwithstanding the deadlines in paragraphs (1) and (2), beginning on the date of the enactment of the Secure the Border Act of 2024, the Secretary is authorized to commence requiring employers required to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), including employers required to participate in such program by reason of Federal acquisition laws (and regulations promulgated under those laws, including the Federal Acquisition Regulation), to commence compliance with the requirements of this subsection (and any additional requirements of such Federal acquisition laws and regulation) in lieu of any requirement to participate in the E-Verify Program.

''(B) FORMER E-VERIFY VOLUNTARY USERS AND OTHERS DESIRING EARLY COMPLIANCE.—Notwithstanding the deadlines in paragraphs (1) and (2), beginning on the date of the enactment of the Secure the Border Act of 2024, the Secretary shall provide for the voluntary compliance with the requirements of this subsection by employers voluntarily electing to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) before such date, as well as by other employers seeking voluntary early compliance.

''(5) COPYING OF DOCUMENTATION PERMITTED.—Notwithstanding any other provision of law, the person or entity may copy a document presented by an individual pursuant to this subsection and may retain the copy, but only (except as otherwise permitted under law) for the purpose of complying with the requirements of this subsection.

''(6) LIMITATION ON USE OF FORMS.—A form designated or established by the Secretary of Homeland Security under this subsection and any information contained in or appended to such form, may not be used for purposes other than for enforcement of this Act and any other provision of Federal criminal law.

''(7) GOOD FAITH COMPLIANCE.—

''(A) IN GENERAL.—Except as otherwise provided in this subsection, a person or entity is considered to have complied with a requirement of this subsection notwithstanding a technical or procedural failure to meet such requirement if there was a good faith attempt to comply with the requirement.

''(B) EXCEPTION IF FAILURE TO CORRECT AFTER NOTICE.—Subparagraph (A) shall not apply if—

''(i) the failure is not de minimus;

''(ii) the Secretary of Homeland Security has explained to the person or entity the basis for the failure and why it is not de minimus;

''(iii) the person or entity has been provided a period of not less than 30 calendar days (beginning after the date of the explanation) within which to correct the failure; and

''(iv) the person or entity has not corrected the failure voluntarily within such period.

''(C) EXCEPTION FOR PATTERN OR PRACTICE VIOLATORS.—Subparagraph (A) shall not apply to a person or entity that has engaged or is engaging in a pattern or practice of violations of subsection (a)(1)(A) or (a)(2).

''(8) SINGLE EXTENSION OF DEADLINES UPON CERTIFICATION.—In a case in which the Secretary of Homeland Security has certified to the Congress that the employment eligibility verification system required under subsection (d) will not be fully operational by the date that is 6 months after the date of the enactment of the Secure the Border Act of 2024, each deadline established under this section for an employer to make an inquiry using such system shall be extended by 6 months. No other extension of such a deadline shall be made except as authorized under paragraph (1)(D)(iv).''.

(b) DATE OF HIRE.—Section 274A(h) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)) is amended by adding at the end the following:

''(4) DEFINITION OF DATE OF HIRE.—As used in this section, the term 'date of hire' means the date of actual commencement of employment for wages or other remuneration, unless otherwise specified.''.

SEC. __902. EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.

Section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) is amended to read as follows:

''(d) EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.—

''(1) IN GENERAL.—Patterned on the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Secretary of Homeland Security shall establish and administer a verification system through which the Secretary (or a designee of the Secretary, which may be a nongovernmental entity)—

''(A) responds to inquiries made by persons at any time through a toll-free electronic media concerning an individual's identity and whether the individual is authorized to be employed; and

''(B) maintains records of the inquiries that were made, of verifications provided (or not provided), and of the codes provided to inquirers as evidence of their compliance with their obligations under this section.

''(2) INITIAL RESPONSE.—The verification system shall provide confirmation or a tentative nonconfirmation of an individual's identity and employment eligibility within 3 working days of the initial inquiry. If providing confirmation or tentative nonconfirmation, the verification system shall provide an appropriate code indicating such confirmation or such nonconfirmation.

''(3) SECONDARY CONFIRMATION PROCESS IN CASE OF TENTATIVE NONCONFIRMATION.—In cases of tentative nonconfirmation, the Secretary shall specify, in consultation with the Commissioner of Social Security, an available secondary verification process to confirm the validity of information provided and to provide a final confirmation or nonconfirmation not later than 10 working days after the date on which the notice of the tentative nonconfirmation is received by the employee. The Secretary, in consultation with the Commissioner, may extend this deadline once on a case-by-case basis for a period of 10 working days, and if the time is extended, shall document such extension within the verification system. The Secretary, in consultation with the Commissioner, shall notify the employee and employer of such extension. The Secretary, in consultation with the Commissioner, shall create a standard process of such extension and notification and shall make a description of such process available to the public. When final confirmation or nonconfirmation is provided, the verification system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(4) DESIGN AND OPERATION OF SYSTEM.—The verification system shall be designed and operated—

''(A) to maximize its reliability and ease of use by persons and other entities consistent with insulating and protecting the privacy and security of the underlying information;

''(B) to respond to all inquiries made by such persons and entities on whether individuals are authorized to be employed and to register all times when such inquiries are not received;

''(C) with appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information;

''(D) to have reasonable safeguards against the system's resulting in unlawful discriminatory practices based on national origin or citizenship status, including—

''(i) the selective or unauthorized use of the system to verify eligibility; or

''(ii) the exclusion of certain individuals from consideration for employment as a result of a perceived likelihood that additional verification will be required, beyond what is required for most job applicants;

''(E) to maximize the prevention of identity theft use in the system; and

''(F) to limit the subjects of verification to the following individuals:

''(i) Individuals hired, referred, or recruited, in accordance with paragraph (1) or (4) of subsection (b).

''(ii) Employees and prospective employees, in accordance with paragraph (1), (2), (3), or (4) of subsection (b).

''(iii) Individuals seeking to confirm their own employment eligibility on a voluntary basis.

''(5) RESPONSIBILITIES OF COMMISSIONER OF SOCIAL SECURITY.—As part of the verification system, the Commissioner of Social Security, in consultation with the Secretary of Homeland Security (and any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under paragraphs (2) and (3), compares the name and social security account number provided in an inquiry against such information maintained by the Commissioner in order to validate (or not

validate) the information provided regarding an individual whose identity and employment eligibility must be confirmed, the correspondence of the name and number, and whether the individual has presented a social security account number that is not valid for employment. The Commissioner shall not disclose or release social security information (other than such confirmation or nonconfirmation) under the verification system except as provided for in this section or section 205(c)(2)(I) of the Social Security Act.

''(6) RESPONSIBILITIES OF SECRETARY OF HOMELAND SECURITY.—As part of the verification system, the Secretary of Homeland Security (in consultation with any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under paragraphs (2) and (3), compares the name and alien identification or authorization number (or any other information as determined relevant by the Secretary) which are provided in an inquiry against such information maintained or accessed by the Secretary in order to validate (or not validate) the information provided, the correspondence of the name and number, whether the alien is authorized to be employed in the United States, or to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States.

''(7) UPDATING INFORMATION.—The Commissioner of Social Security and the Secretary of Homeland Security shall update their information in a manner that promotes the maximum accuracy and shall provide a process for the prompt correction of erroneous information, including instances in which it is brought to their attention in the secondary verification process described in paragraph (3).

''(8) LIMITATION ON USE OF THE VERIFICATION SYSTEM AND ANY RELATED SYSTEMS.—

''(A) NO NATIONAL IDENTIFICATION CARD.—Nothing in this section shall be construed to authorize, directly or indirectly, the issuance or use of national identification cards or the establishment of a national identification card.

''(B) CRITICAL INFRASTRUCTURE.—The Secretary may authorize or direct any person or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to use the verification system to the extent the Secretary determines that such use will assist in the protection of the critical infrastructure.

''(9) REMEDIES.—If an individual alleges that the individual would not have been dismissed from a job or would have been hired for a job but for an error of the verification mechanism, the individual may seek compensation only through the mechanism of the Federal Tort Claims Act, and injunctive relief to correct such error. No class action may be brought under this paragraph.''.

SEC. __903. RECRUITMENT, REFERRAL, AND CONTINUATION OF EMPLOYMENT.

(a) ADDITIONAL CHANGES TO RULES FOR RECRUITMENT, REFERRAL, AND CONTINUATION OF EMPLOYMENT.—Section 274A(a) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)) is amended—

(1) in paragraph (1)(A), by striking ''for a fee'';

(2) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) to hire, continue to employ, or to recruit or refer for employment in the United States an individual without complying with the requirements of subsection (b).''; and

(3) in paragraph (2), by striking ''after hiring an alien for employment in accordance with paragraph (1),'' and inserting ''after complying with paragraph (1),''.

(b) DEFINITION.—Section 274A(h) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)), as amended by section __901(b), is further amended by adding at the end the following:

''(5) DEFINITION OF RECRUIT OR REFER.—As used in this section, the term 'refer' means the act of sending or directing a person who is in the United States or transmitting documentation or information to another, directly or indirectly, with the intent of obtaining employment in the United States for such person. Only persons or entities referring for remuneration (whether on a retainer or contingency basis) are included in the definition, except that union hiring halls that refer union members or nonunion individuals who pay union membership dues are included in the definition whether or not they receive remuneration, as are labor service entities or labor service agencies, whether public, private, for-profit, or nonprofit, that refer, dispatch, or otherwise facilitate the hiring of laborers for any period of time by a third party. As used in this section, the term 'recruit' means the act of soliciting a person who is in the United States, directly or indirectly, and referring the person to another with the intent of obtaining employment for that person. Only persons or entities referring for remuneration (whether on a retainer or contingency basis) are included in the definition, except that union hiring halls that refer union members or nonunion individuals who pay union membership dues are included in this definition whether or not they receive remuneration, as are labor service entities or labor service agencies, whether public, private, for-profit, or nonprofit that recruit, dispatch, or otherwise facilitate the hiring of laborers for any period of time by a third party.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act, except that the amendments made by subsection (a) shall take effect 6 months after the date of the enactment of this Act insofar as such amendments relate to continuation of employment.

SEC. __904. GOOD FAITH DEFENSE.

Section 274A(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)(3)) is amended to read as follows:

''(3) GOOD FAITH DEFENSE.—

''(A) DEFENSE.—An employer (or person or entity that hires, employs, recruits, or refers (as defined in subsection (h)(5)), or is otherwise obligated to comply with this section) who establishes that it has complied in good faith with the requirements of subsection (b)—

''(i) shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good-faith reliance on information provided through the system established under subsection (d); and

''(ii) has established compliance with its obligations under subparagraphs (A) and (B) of paragraph (1) and subsection (b) absent a showing by the Secretary of Homeland Security, by clear and convincing evidence, that the employer had knowledge that an employee is an unauthorized alien.

''(B) MITIGATION ELEMENT.—For purposes of subparagraph (A)(i), if an employer proves by a preponderance of the evidence that the employer uses a reasonable, secure, and established technology to authenticate the identity of the new employee, that fact shall be taken into account for purposes of determining good faith use of the system established under subsection (d).

''(C) FAILURE TO SEEK AND OBTAIN VERIFICATION.—Subject to the effective dates and other deadlines applicable under subsection (b), in the case of a person or entity in the United States that hires, or continues to employ, an individual, or recruits or refers an individual for employment, the following requirements apply:

''(i) FAILURE TO SEEK VERIFICATION.—

''(I) IN GENERAL.—If the person or entity has not made an inquiry, under the mechanism established under subsection (d) and in accordance with the timeframes established under subsection (b), seeking verification of the identity and work eligibility of the individual, the defense under subparagraph (A) shall not be considered to apply with respect to any employment, except as provided in subclause (II).

''(II) SPECIAL RULE FOR FAILURE OF VERIFICATION MECHANISM.—If such a person or entity in good faith attempts to make an inquiry in order to qualify for the defense under subparagraph (A) and the verification mechanism has registered that not all inquiries were responded to during the relevant time, the person or entity can make an inquiry until the end of the first subsequent working day in which the verification mechanism registers no nonresponses and qualify for such defense.

''(ii) FAILURE TO OBTAIN VERIFICATION.—If the person or entity has made the inquiry described in clause (i)(I) but has not received an appropriate verification of such identity and work eligibility under such mechanism within the time period specified under subsection (d)(2) after the time the verification inquiry was received, the defense under subparagraph (A) shall not be considered to apply with respect to any employment after the end of such time period.''.

SEC. __905. PREEMPTION AND STATES' RIGHTS.

Section 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)) is amended to read as follows:

''(2) PREEMPTION.—

''(A) SINGLE, NATIONAL POLICY.—The provisions of this section preempt any State or local law, ordinance, policy, or rule, including any criminal or civil fine or penalty structure, insofar as they may now or hereafter relate to the hiring, continued employment, or status verification for employment eligibility purposes, of unauthorized aliens.

''(B) STATE ENFORCEMENT OF FEDERAL LAW.—

''(i) BUSINESS LICENSING.—A State, locality, municipality, or political subdivision may exercise its authority over business licensing and similar laws as a penalty for failure to use the verification system described in subsection (d) to verify employment eligibility when and as required under subsection (b).

''(ii) GENERAL RULES.—A State, at its own cost, may enforce the provisions of this section, but only insofar as such State follows the Federal regulations implementing this section, applies the Federal penalty structure set out in this section, and complies with all Federal rules and guidance concerning implementation of this section. Such State may collect any fines assessed under this section. An employer may not be subject to enforcement, including audit and investigation, by both a Federal agency and a State for the same violation under this section. Whichever entity, the Federal agency or the State, is first to initiate the enforcement action, has the right of first refusal to

proceed with the enforcement action. The Secretary must provide copies of all guidance, training, and field instructions provided to Federal officials implementing the provisions of this section to each State.''.

SEC. __906. REPEAL.

(a) IN GENERAL.—Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is repealed.

(b) REFERENCES.—Any reference in any Federal law, Executive order, rule, regulation, or delegation of authority, or any document of, or pertaining to, the Department of Homeland Security, Department of Justice, or the Social Security Administration, to the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is deemed to refer to the employment eligibility confirmation system established under section 274A(d) of the Immigration and Nationality Act, as amended by section __902.

(c) EFFECTIVE DATE.—This section shall take effect on the date that is 30 months after the date of the enactment of this Act.

(d) CLERICAL AMENDMENT.—The table of sections, in section 1(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, is amended by striking the items relating to subtitle A of title IV.

SEC. __907. PENALTIES.

Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended—

(1) in subsection (e)(1)—

(A) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(B) in subparagraph (D), by striking ''Service'' and inserting ''Department of Homeland Security'';

(2) in subsection (e)(4)—

(A) in subparagraph (A), in the matter before clause (i), by inserting '', subject to paragraph (10),'' after ''in an amount'';

(B) in subparagraph (A)(i), by striking ''not less than $250 and not more than $2,000'' and inserting ''not less than $2,500 and not more than $5,000'';

(C) in subparagraph (A)(ii), by striking ''not less than $2,000 and not more than $5,000'' and inserting ''not less than $5,000 and not more than $10,000'';

(D) in subparagraph (A)(iii), by striking ''not less than $3,000 and not more than $10,000'' and inserting ''not less than $10,000 and not more than $25,000''; and

(E) by moving the margin of the continuation text following subparagraph (B) two ems to the left and by amending subparagraph (B) to read as follows:

''(B) may require the person or entity to take such other remedial action as is appropriate.'';

(3) in subsection (e)(5)—

(A) in the paragraph heading, strike ''PAPERWORK'';

(B) by inserting '', subject to paragraphs (10) through (12),'' after ''in an amount'';

(C) by striking ''$100'' and inserting ''$1,000'';

(D) by striking ''$1,000'' and inserting ''$25,000''; and

(E) by adding at the end the following: ''Failure by a person or entity to utilize the employment eligibility verification system as required by law, or providing information to the system that the person or entity knows or reasonably believes to be false, shall be treated as a violation of subsection (a)(1)(A).'';

(4) by adding at the end of subsection (e) the following:

''(10) EXEMPTION FROM PENALTY FOR GOOD FAITH VIOLATION.—In the case of imposition of a civil penalty under paragraph (4)(A) with respect to a violation of subsection (a)(1)(A) or (a)(2) for hiring or continuation of employment or recruitment or referral by person or entity and in the case of imposition of a civil penalty under paragraph (5) for a violation of subsection (a)(1)(B) for hiring or recruitment or referral by a person or entity, the penalty otherwise imposed may be waived or reduced if the violator establishes that the violator acted in good faith.

''(11) MITIGATION ELEMENT.—For purposes of paragraph (4), the size of the business shall be taken into account when assessing the level of civil money penalty.

''(12) AUTHORITY TO DEBAR EMPLOYERS FOR CERTAIN VIOLATIONS.—

''(A) IN GENERAL.—If a person or entity is determined by the Secretary of Homeland Security to be a repeat violator of paragraph (1)(A) or (2) of subsection (a), or is convicted of a crime under this section, such person or entity may be considered for debarment from the receipt of Federal contracts, grants, or cooperative agreements in accordance with the debarment standards and pursuant to the debarment procedures set forth in the Federal Acquisition Regulation.

''(B) DOES NOT HAVE CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such a person or entity does not hold a Federal contract, grant, or cooperative agreement, the Secretary or Attorney General shall refer the matter to the Administrator of General Services to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(C) HAS CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such person or entity holds a Federal contract, grant, or cooperative agreement, the Secretary or Attorney General shall advise all agencies or departments holding a contract, grant, or cooperative agreement with the person or entity of the Government's interest in having the person or entity considered for debarment, and after soliciting and considering the views of all such agencies and departments, the Secretary or Attorney General may refer the matter to any appropriate lead agency to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(D) REVIEW.—Any decision to debar a person or entity in accordance with this paragraph shall be reviewable pursuant to part 9.4 of the Federal Acquisition Regulation.

''(13) OFFICE FOR STATE AND LOCAL GOVERNMENT COMPLAINTS.—The Secretary of Homeland Security shall establish an office—

''(A) to which State and local government agencies may submit information indicating potential violations of subsection (a), (b), or (g)(1) that were generated in the normal course of law enforcement or the normal course of other official activities in the State or locality;

''(B) that is required to indicate to the complaining State or local agency within five business days of the filing of such a complaint by identifying whether the Secretary will further investigate the information provided;

''(C) that is required to investigate those complaints filed by State or local government agencies that, on their face, have a substantial probability of validity;

''(D) that is required to notify the complaining State or local agency of the results of any such investigation conducted; and

''(E) that is required to report to the Congress annually the number of complaints received under this paragraph, the States and localities that filed such complaints, and the resolution of the complaints investigated by the Secretary.''; and

(5) by amending paragraph (1) of subsection (f) to read as follows:

''(1) CRIMINAL PENALTY.—Any person or entity which engages in a pattern or practice of violations of subsection (a) (1) or (2) shall be fined not more than $5,000 for each unauthorized alien with respect to which such a violation occurs, imprisoned for not more than 18 months, or both, notwithstanding the provisions of any other Federal law relating to fine levels.''.

SEC. __908. FRAUD AND MISUSE OF DOCUMENTS.

Section 1546(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''identification document,'' and inserting ''identification document or document meant to establish work authorization (including the documents described in section 274A(b) of the Immigration and Nationality Act),''; and

(2) in paragraph (2), by striking ''identification document'' and inserting ''identification document or document meant to establish work authorization (including the documents described in section 274A(b) of the Immigration and Nationality Act),''.

SEC. __909. PROTECTION OF SOCIAL SECURITY ADMINISTRATION PROGRAMS.

(a) FUNDING UNDER AGREEMENT.—Effective for fiscal years beginning on or after October 1, 2023, the Commissioner of Social Security and the Secretary of Homeland Security shall enter into and maintain an agreement which shall—

(1) provide funds to the Commissioner for the full costs of the responsibilities of the Commissioner under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section __902, including—

(A) acquiring, installing, and maintaining technological equipment and systems necessary for the fulfillment of the responsibilities of the Commissioner under such section 274A(d), but only that portion of such costs that are attributable exclusively to such responsibilities; and

(B) responding to individuals who contest a tentative nonconfirmation provided by the employment eligibility verification system established under such section;

(2) provide such funds annually in advance of the applicable quarter based on estimating methodology agreed to by the Commissioner and the Secretary (except in such instances where the delayed enactment of an annual appropriation may preclude such quarterly payments); and

(3) require an annual accounting and reconciliation of the actual costs incurred and the funds provided under the agreement, which shall be reviewed by the Inspectors General of the Social Security Administration and the Department of Homeland Security.

(b) CONTINUATION OF EMPLOYMENT VERIFICATION IN ABSENCE OF TIMELY AGREEMENT.—In any case in which the agreement required under subsection (a) for any fiscal year beginning on or after October 1, 2023, has not been reached as of October 1 of such fiscal year, the latest agreement between the Commissioner and the Secretary of Homeland Security providing for funding to cover the costs of the responsibilities of the Commissioner under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) shall be deemed in effect on an interim basis for such fiscal year until such time as an agreement required under subsection (a) is subsequently reached, except

that the terms of such interim agreement shall be modified by the Director of the Office of Management and Budget to adjust for inflation and any increase or decrease in the volume of requests under the employment eligibility verification system. In any case in which an interim agreement applies for any fiscal year under this subsection, the Commissioner and the Secretary shall, not later than October 1 of such fiscal year, notify the Committee on Ways and Means, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives and the Committee on Finance, the Committee on the Judiciary, and the Committee on Appropriations of the Senate of the failure to reach the agreement required under subsection (a) for such fiscal year. Until such time as the agreement required under subsection (a) has been reached for such fiscal year, the Commissioner and the Secretary shall, not later than the end of each 90-day period after October 1 of such fiscal year, notify such Committees of the status of negotiations between the Commissioner and the Secretary in order to reach such an agreement.

SEC. __910. FRAUD PREVENTION.

(a) BLOCKING MISUSED SOCIAL SECURITY ACCOUNT NUMBERS.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program in which social security account numbers that have been identified to be subject to unusual multiple use in the employment eligibility verification system established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section __902, or that are otherwise suspected or determined to have been compromised by identity fraud or other misuse, shall be blocked from use for such system purposes unless the individual using such number is able to establish, through secure and fair additional security procedures, that the individual is the legitimate holder of the number.

(b) ALLOWING SUSPENSION OF USE OF CERTAIN SOCIAL SECURITY ACCOUNT NUMBERS.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program which shall provide a reliable, secure method by which victims of identity fraud and other individuals may suspend or limit the use of their social security account number or other identifying information for purposes of the employment eligibility verification system established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section __902. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

(c) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program which shall provide a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the employment eligibility verification system established under 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section __902. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

SEC. __911. USE OF EMPLOYMENT ELIGIBILITY VERIFICATION PHOTO TOOL.

An employer who uses the photo matching tool used as part of the E-Verify System shall match the photo tool photograph to both the photograph on the identity or employment eligibility document provided by the employee and to the face of the employee submitting the document for employment verification purposes.

SEC. __912. IDENTITY AUTHENTICATION EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAMS.

Not later than 24 months after the date of the enactment of this Act, the Secretary of Homeland Security, after consultation with the Commissioner of Social Security and the Director of the National Institute of Standards and Technology, shall establish by regulation not less than 2 Identity Authentication Employment Eligibility Verification pilot programs, each using a separate and distinct technology (the ''Authentication Pilots''). The purpose of the Authentication Pilots shall be to provide for identity authentication and employment eligibility verification with respect to enrolled new employees which shall be available to any employer that elects to participate in either of the Authentication Pilots. Any participating employer may cancel the employer's participation in the Authentication Pilot after one year after electing to participate without prejudice to future participation. The Secretary shall report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate the Secretary's findings on the Authentication Pilots, including the authentication technologies chosen, not later than 12 months after commencement of the Authentication Pilots.

SEC. __913. INSPECTOR GENERAL AUDITS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Social Security Administration shall complete audits of the following categories in order to uncover evidence of individuals who are not authorized to work in the United States:

(1) Workers who dispute wages reported on their social security account number when they believe someone else has used such number and name to report wages.

(2) Children's social security account numbers used for work purposes.

(3) Employers whose workers present significant numbers of mismatched social security account numbers or names for wage reporting.

(b) SUBMISSION.—The Inspector General of the Social Security Administration shall submit the audits completed under subsection (a) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate for review of the evidence of individuals who are not authorized to work in the United States. The Chairmen of those Committees shall then determine information to be shared with the Secretary of Homeland Security so that such Secretary can investigate the unauthorized employment demonstrated by such evidence.

SEC. __914. AGRICULTURE WORKFORCE STUDY.

Not later than 36 months after the date of the enactment of this Act, the Secretary of the Department of Homeland Security, in consultation with the Secretary of the Department of Agriculture, shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, a report that includes the following:

(1) The number of individuals in the agricultural workforce.

(2) The number of United States citizens in the agricultural workforce.

(3) The number of aliens in the agricultural workforce who are authorized to work in the United States.

(4) The number of aliens in the agricultural workforce who are not authorized to work in the United States.

(5) Wage growth in each of the previous ten years, disaggregated by agricultural sector.

(6) The percentage of total agricultural industry costs represented by agricultural labor during each of the last ten years.

(7) The percentage of agricultural costs invested in mechanization during each of the last ten years.

(8) Recommendations, other than a path to legal status for aliens not authorized to work in the United States, for ensuring United States agricultural employers have a workforce sufficient to cover industry needs, including recommendations to—

(A) increase investments in mechanization;

(B) increase the domestic workforce; and

(C) reform the H–2A program.

SEC. __915. SENSE OF CONGRESS ON FURTHER IMPLEMENTATION.

It is the sense of Congress that in implementing the E-Verify Program, the Secretary of Homeland Security shall ensure any adverse impact on the Nation's agricultural workforce, operations, and food security are considered and addressed.

SA 1453. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 4 through 21.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have nine 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, February 8, 2024, at 12 p.m., to establish a quorum and 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, February 8, 2024, at 9 a.m., to conduct a hearing.

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, February 8, 2024, at 10 a.m., to conduct a business meeting.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet