

“(V) 70 percent of the total costs of construction and replacement of each unit or separable feature of a unit authorized by section 202(a)(5), including 100 percent of—

“(aa) the costs of operation and maintenance of each unit or separable feature of a unit authorized by that section; and

“(bb) the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(VI) 85 percent of the total costs of implementation of the on-farm measures authorized by section 202(c), including 85 percent of the total costs of the associated measures to replace incidental fish and wildlife values foregone.

“(i) SPECIAL RULE FOR NONREIMBURSABLE COSTS FOR FISCAL YEARS 2024 AND 2025.—Notwithstanding clause (i), for each of fiscal years 2024 and 2025, the following shall be nonreimbursable:

“(I) 75 percent of all costs described in clause (i)(I).

“(II) 75 percent of all costs described in clause (i)(II).

“(III) 70 percent of all costs described in clause (i)(V).

“(IV) The percentages of all costs described in subclauses (III), (IV), and (VI) of clause (i).

“(B) REIMBURSABLE COSTS.—The total costs remaining after the allocations under clauses (i) and (ii) of subparagraph (A) shall be reimbursable as provided for in paragraphs (2), (3), (4), and (5).”;

(3) in subsection (b), by striking the subsection designation and all that follows through “Costs of construction” in paragraph (1) and inserting the following:

“(b) COSTS PAYABLE FROM LOWER COLORADO RIVER BASIN DEVELOPMENT FUND.—

“(1) IN GENERAL.—Costs of construction”;

(4) in subsection (c), by striking “(c) Costs of construction” and inserting the following:

“(c) COSTS PAYABLE FROM UPPER COLORADO RIVER BASIN FUND.—Costs of construction”;

and

(5) in subsection (e), by striking “(e) The Secretary is” and inserting the following:

“(e) UPWARD ADJUSTMENT OF RATES FOR ELECTRICAL ENERGY.—The Secretary is”.

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

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

GRANT TRANSPARENCY ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 565, H.R. 5536.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 5536) to require transparency in notices of funding opportunity, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 5536) was ordered to a third reading, was read the third time, and passed.

SHIRLEY CHISHOLM CONGRESSIONAL GOLD MEDAL ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 4243 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4243) to award posthumously the Congressional Gold Medal to Shirley Chisholm.

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

Mr. SCHUMER. I ask unanimous consent that the Butler amendment, which is at the desk, be considered and agreed to; and that the bill, as amended, be considered read a third time.

The amendment (No. 3308) was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

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

Mr. SCHUMER. I know of no further debate on the bill, as amended.

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

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

The bill (S. 4243), as amended, was passed, as follows:

S. 4243

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Shirley Chisholm Congressional Gold Medal Act”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In 1968, Shirley Chisholm became the first African-American woman elected to Congress where she served until 1982.

(2) Shirley Chisholm inspired and led the march of political achievement by African Americans and women in the 3 decades since she ran for the Presidency of the United States.

(3) Her election to Congress and her candidacy for the Presidency raised the profile and aspirations of all African Americans and women in the field of politics.

(4) Shirley Chisholm was recognized for her activism, independence, and groundbreaking achievements in politics during and after the civil rights era.

(5) Shirley Chisholm was born in Brooklyn, New York, on November 30, 1924, attended Brooklyn College, and earned a master's degree from Columbia University.

(6) Shirley Chisholm worked in education and social services before being elected to the New York State Assembly in 1964.

(7) Shirley Chisholm established the Unity Democratic Club in 1960, which played a significant role in rallying Black and Hispanic voters in New York City.

(8) In 1969, Shirley Chisholm began her service in the 91st Congress, representing New York's 12th Congressional District in the House of Representatives.

(9) During her service in the House of Representatives, Shirley Chisholm promoted the

employment of women in Congress and was vocal in her support of civil rights, women's rights, and the poor, while fervently opposing the Vietnam War.

(10) In 1972, Shirley Chisholm was the first African American to seek the nomination of a major party for President of the United States.

(11) A historic figure in American political history, Shirley Chisholm died at the age of 80 in Ormond Beach, Florida, on New Year's Day 2005.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous presentation, on behalf of the Congress, of a gold medal of appropriate design in commemoration of Shirley Chisholm.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the “Secretary”) shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary. The design shall bear an image of, and an inscription of the name of, Shirley Chisholm.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—After the award of the gold medal referred to in subsection (a), the gold medal shall be given to the Smithsonian Institution, where it will be displayed as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under paragraph (1) for display elsewhere, particularly at other locations and events associated with Shirley Chisholm.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck under this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION IMPROVEMENT ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 5355 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 5355) to ensure that the National Advisory Council on Indian Education includes at least 1 member who is the president of a Tribal College or University.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 5355) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 5355

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Advisory Council on Indian Education Improvement Act” or the “NACIE Improvement Act”.

SEC. 2. NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION.

By not later than 180 days after the date of enactment of this Act and notwithstanding any other provision of section 6141 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7471), the President shall ensure that the National Advisory Council on Indian Education established under such section includes at least one member who is a president of a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

INVENT HERE, MAKE HERE ACT OF 2024

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration Calendar No. 475, S. 1956.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1956) to improve the commercialization of Federal research by domestic manufacturers, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike out all after the enacting clause and insert the part printed in italic as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Invent Here, Make Here Act of 2024”.

SEC. 2. IMPROVEMENT OF COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.

Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended by adding at the end the following:

“(f) **COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.**—In order for the Institute to meet the need described in section 1(a)(1) and most effectively carry out the activities under subsection (c)(1) of this section, the Director shall—

“(1) coordinate with the Secretary of Defense, the Secretary of Energy, the Director of the Na-

tional Science Foundation, and industry organizations to identify domestic manufacturers that can develop commercial products based on completed research conducted by Federal agencies;

“(2) work with the Administrator of the Small Business Administration to identify domestic investors to support the development of commercial products based on research conducted by Federal agencies; and

“(3) maintain a publicly accessible and searchable database of domestic manufacturers and their capabilities with respect to commercialization of federally funded research.”.

SEC. 3. STUDY AND COMPREHENSIVE REVIEW OF COMMERCIALIZATION OF FEDERAL RESEARCH BY DOMESTIC MANUFACTURERS.

Not later than 540 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall—

(1) complete a study and comprehensive review of the commercialization of Federal research by domestic manufacturers that—

(A) addresses—

(i) what barriers currently (as of the date on which the study is completed) exist for domestic manufacturers to commercialize Federal research; and

(ii) what role investment and the availability of investors plays in the encouragement or discouragement of the commercialization of Federal research by domestic manufacturers; and

(B) provides recommendations for modifications to the comprehensive strategic plan developed and implemented pursuant to section 107 of the American Innovation and Competitiveness Act (15 U.S.C. 272 note) to ensure that Federal science, engineering, and technology research is being transferred to domestic manufacturers to modernize manufacturing processes in accordance with section 2(b)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 272(b)(1)); and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on the Judiciary of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a report on the findings of the Director with respect to the study and review completed under paragraph (1).

SEC. 4. PREFERENCE FOR UNITED STATES INDUSTRY.

Section 204 of title 35, United States Code, is amended to read as follows:

“§ 204. Preference for United States industry

“(a) **DEFINITIONS.**—In this section:

“(1) **COUNTRY OF CONCERN.**—The term ‘country of concern’ has the meaning given the term ‘covered nation’ in section 4872(d) of title 10.

“(2) **RELEVANT CONGRESSIONAL COMMITTEES.**—The term ‘relevant congressional committees’ means—

“(A) the Committee on Commerce, Science, and Transportation of the Senate;

“(B) the Committee on the Judiciary of the Senate;

“(C) the Committee on Science, Space, and Technology of the House of Representatives; and

“(D) the Committee on the Judiciary of the House of Representatives.

“(b) **GENERAL PREFERENCE.**—Notwithstanding any other provision of this chapter, and subject to subsection (c), no small business firm or nonprofit organization which receives title to any subject invention and no assignee of any such small business firm or nonprofit organization shall grant to any person the exclusive right to use or sell any subject invention in the United States unless such person agrees that any products embodying the subject invention or produced through the use of the subject invention will be manufactured substantially in the United States.

“(c) **WAIVERS.**—

“(1) **IN GENERAL.**—In individual cases, subject to paragraphs (2) and (3), the Federal agency under whose funding agreement the applicable subject invention was made may waive the requirement for an agreement described in subsection (b) upon a showing by the applicable small business firm, nonprofit organization, or assignee that reasonable but unsuccessful efforts have been made to grant licenses on similar terms to potential licensees that would be likely to manufacture substantially in the United States or that under the circumstances domestic manufacture is not commercially feasible.

“(2) **REVIEW TIMELINE.**—Not later than 90 days after the date on which a Federal agency receives a request for a waiver described in paragraph (1) and with respect to which paragraph (3) does not apply, the Federal agency shall issue a decision regarding whether to grant the request.

“(3) **PROHIBITION ON GRANTING CERTAIN WAIVERS WITHOUT PRESIDENTIAL AUTHORIZATION.**—If granting a waiver under paragraph (1) would result in products embodying the applicable subject invention or produced through the use of the applicable subject invention being manufactured substantially in a country of concern, the applicable Federal agency may not grant the waiver without the written authorization of the President (or a designee of the President).

“(4) **ANNUAL REPORT TO CONGRESSIONAL COMMITTEES.**—

“(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of the Invent Here, Make Here Act of 2024, and annually thereafter, each Federal agency with respect to which, during the preceding year, a nonprofit organization or small business firm that is a party to a funding agreement with the Federal agency elected to retain title under section 202 to the subject invention that was the subject of that funding agreement shall submit to the relevant congressional committees a report that includes the information described in subparagraph (B).

“(B) **CONTENTS.**—Each report required under subparagraph (A) shall include, for the period covered by the report—

“(i) with respect to each request received by the applicable Federal agency for a waiver under this subsection, information regarding—

“(I) the subject invention that is the subject of the request;

“(II) the efforts made by the entity seeking the waiver to grant the exclusive right to use or sell the applicable subject invention to a person that would agree that any products embodying the subject invention or produced through the use of the subject invention would be manufactured substantially in the United States; and

“(III) in which markets the products embodying the applicable subject invention or produced through the use of the applicable subject invention will be sold; and

“(ii) with respect to a small business firm or nonprofit organization that is based in the United States and has elected to retain title to a subject invention pursuant to section 202, whether that firm or organization intends to manufacture that subject invention in a foreign country for a foreign market.

“(C) **PRESERVATION OF CONFIDENTIALITY.**—Each Federal agency that is required to submit a report under this paragraph shall preserve the confidentiality or trade sensitive nature of all information included in each such report.”.

SEC. 5. AMENDMENTS TO THE DIRECTORATE FOR TECHNOLOGY, INNOVATION, AND PARTNERSHIPS.

Subtitle G of title III of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19101 et seq.) is amended—

(1) in section 10382—

(A) in paragraph (2), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following: