There are certain provisions in the legislation that fall within the rule X jurisdiction of the Committee on Appropriations.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill. I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Appropriations does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its rule X jurisdiction. I request that you urge the Speaker to name members of this Committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerly,

ROSA L. DELAURO,
Chair.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 30, 2022.

Hon. ROSA L. DELAURO,
Chair, Committee on Appropriations,
House of Representatives, Washington, DC.

DEAR CHAIR DELAURO: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Appropriations has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Appropriations is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, June 27, 2022.

Hon. ADAM SMITH,
Chair, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIR SMITH: I write to confirm our mutual understanding regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. H.R. 7900 contains provisions that fall within the rule X jurisdiction of the Committee on the Budget. However, the committee agrees to waive formal consideration of the bill.

The Committee on the Budget takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. The committee also reserves the right to seek appointment to any House-Senate conference convened on this legislation or similar legislation and requests your support if such a request is made.

Finally, I would appreciate your response to this letter confirming this understanding, and I ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of the bill. I look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JOHN YARMUTH,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 30, 2022.

Hon. JOHN YARMUTH,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR CHAIRMAN YARMUTH: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on the Budget has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Budget is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, June 28, 2022.

Hon. ADAM SMITH,
Chair, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIR SMITH: I write concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Education and Labor.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Education and Labor does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of the Education and Labor Committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ROBERT C. ''BOBBY'' SCOTT,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 30, 2022.

Hon. ROBERT C. ''BOBBY'' SCOTT,
Chairman, Committee on Education and Labor,
House of Representatives, Washington, D.C.

DEAR CHAIRMAN SCOTT: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Education and Labor has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Education and Labor is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, June 28, 2022.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 7900, the ''National Defense Authorization Act for Fiscal Year 2023.'' There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Energy and Commerce.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Energy and Commerce does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

FRANK PALLONE, Jr.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 30, 2022.

Hon. FRANK PALLONE. Jr.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Energy and Commerce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, June 29, 2022.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Financial Services.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive the Financial Services Committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Financial

Services does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name Members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

MAXINE WATERS,
Chairwoman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 30, 2022.

Hon. MAXINE WATERS,
Chairwoman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRWOMAN WATERS: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Financial Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

June 27, 2022.

Hon. ADAM SMITH,
Chair, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIR SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the House Committee on Foreign Affairs.

In the interest of permitting expeditious consideration of this legislation, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Foreign Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter, and the House Foreign Affairs Committee looks forward to continue working with the House Armed Services Committee on the FY 2023 National Defense Authorization Act.

Sincerely,

GREGORY W. MEEKS,
Chair.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 30, 2022.

Hon. GREGORY W. MEEKS,
Chair, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR CHAIR MEEKS: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON HOMELAND SECURITY,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 24, 2022.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Homeland Security.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Homeland Security does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter in the committee report on H.R. 7900 and in the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 30, 2022.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR CHAIRMAN THOMPSON: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Homeland Security has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Homeland Security is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
June 28, 2022.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I write in response to your committee's request concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. Certain provisions in the legislation fall within the jurisdiction of the Permanent Select Committee on Intelligence (the ''Committee''), as established by Rule X of the Rules of the House of Representatives for the 117th Congress.

In the interest of expediting floor consideration of this important bill, I am willing to waive the Committee's right to request a sequential referral. By doing so, the Committee does not waive any future claim over subjects addressed in the bill which fall within the Committee's jurisdiction. I also request that you urge the Speaker to name members of the Committee to any conference committee on the bill.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ADAM B. SCHIFF,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 30, 2022.

Hon. ADAM B. SCHIFF,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR CHAIRMAN SCHIFF: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Permanent Select Committee on Intelligence is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 28, 2022.

Hon. ADAM SMITH,
Chair, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIR SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on the Judiciary.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on the Judiciary does not waive any future jurisdictional claim over the subject matters contained in the bill that fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee that is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

JERROLD NADLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 30, 2022.

Hon. JERROLD NADLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, June 24, 2022.

Hon. ADAM SMITH,
Chair, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIR SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Natural Resources.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Natural Resources does not waive any future jurisdictional claim over the subject matters contained in the bill that fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee that is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

RAÚL M. GRIJALVA,
Chair, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 30, 2022.

Hon. RAÚL M. GRIJALVA,
Chair, Committee on Natural Resources, House of Representatives Washington, DC.

DEAR CHAIR GRIJALVA, Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Natural Resources is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND REFORM,
Washington, DC, June 27, 2022.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIR SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Oversight and Reform.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, Committee on Oversight and Reform does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

CAROLYN B. MALONEY,
Chairwoman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 30, 2022.

Hon. CAROLYN B. MALONEY,
Chairwoman, Committee on Oversight and Reform, House of Representatives, Washington, DC.

DEAR CHAIRWOMAN MALONEY: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Oversight and Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, June 27, 2022.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Science, Space, and Technology.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Science, Space, and Technology does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

EDDIE BERNICE JOHNSON,
Chairwoman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 30, 2022.

Hon. EDDIE BERNICE JOHNSON,
Chairwoman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CHAIRWOMAN JOHNSON: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, June 27, 2022.

Hon. ADAM SMITH,
Chair, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIR SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Small Business.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

NYDIA M. VELÁZQUEZ,
Chairwoman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 30, 2022.

Hon. NYDIA M. VELÁZQUEZ,
Chairwoman, Committee on Small Business, House of Representatives, Washington, DC.

DEAR CHAIRWOMAN VELÁZQUEZ: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Small Business has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative

of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Small Business is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, June 24, 2022.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Transportation and Infrastructure does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

PETER A. DEFAZIO,
Chair.

COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,
Washington, DC, June 30, 2022.

Hon. PETER A. DEFAZIO,
Chair, Committee on Transportation and Infrastructure, House of Representatives, Washington, D.C.

DEAR CHAIR DEFAZIO: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, June 29, 2022.

Hon. ADAM SMITH,
Chair, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Veterans' Affairs.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this Committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Veterans' Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill that fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this Committee to any conference committee that is named to consider such provisions.

Please place this letter into the committee report on H.R. 7900 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

MARK TAKANO,
Chairman.

COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,
Washington, DC, June 30, 2022.

Hon. MARK TAKANO,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, DC.

DEAR CHAIRMAN TAKANO: Thank you for your letter regarding H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023.

H.R. 7900 represents a truly bipartisan bill. I thank Chairman SMITH for his tremendous leadership and cooperation in helping to fashion it.

Over the last year, we have seen the best of our soldiers, sailors, marines, airmen, and guardians. They performed in the toughest environments and have done so with the greatest level of skill and professionalism. Without a doubt, these men and women are the greatest force for good the world has ever seen.

Providing the authorities and resources our warfighters need to defend our Nation is the greatest responsibility we have in Congress. We fulfilled that responsibility with this NDAA.

We put our servicemembers first, providing a 4.6 percent pay increase and expanding benefits for military spouses and families. To counteract the effects of record inflation on our servicemembers and their families, our bill provides an additional 2.4 percent bonus to enlisted personnel.

It includes an additional $500 million for housing allowances to offset the skyrocketing rents and an additional $750 million to reduce the price of food and other necessities at our military commissaries.

The investments we make in this bill are focused on ensuring our warfighters are the best equipped and trained in the world. We increased funding for readiness, reversing cuts in our military construction and housing projects; expanding training availabilities for servicemembers; and improving the safety of the ships, aircraft, combat vehicles, and facilities where our warfighters serve.

To ensure our warfighters prevail on future battlefields, we focused on modernization. That means divesting less capable legacy systems and investing in emerging technologies that will help us stay ahead of our adversaries.

This bill saves the taxpayer over $6 billion by divesting hundreds of older, less capable ships, aircraft, and other legacy systems. We use those savings and more to invest in emerging technologies such as AI, quantum computing, hypersonic weapons, and autonomous systems.

These investments are so critical because China and Russia are rapidly modernizing their militaries.

China is outpacing us with advancements in emerging technologies and weapons systems, and we know China isn't building these capabilities purely for defense. In recent years, we have seen China use its military to push out its borders, threaten our allies, and gain footholds on new continents.

H.R. 7900 is laser-focused on preparing our military to prevail in a conflict with China. It makes critical investments in new systems capable of surviving in contested environments. It includes provisions that will further harden our supply chain and industrial base against infiltration from China. It reaffirms our support to allies in the region, especially Taiwan.

It also strengthens our European alliance as these democracies face grave threats from the unhinged crackpot currently leading Russia.

Threats from adversaries like China and Russia are not the only ones we face. Terrorists continue to plot to destroy our way of life. We must continue to take the fight to them anywhere at any time they threaten us. With strong investments in new capabilities and readiness, this bill enables our warfighters to do just that.

This bill passed out of our committee 57–1, with all Republicans voting for it. It is the definition of a bipartisan bill. It will enhance the congressional oversight of DOD, improve the quality of life for our servicemembers and families, and ensure the military is properly resourced and equipped to defend our Nation and its allies.

Mr. Speaker, I urge all Members to vote for this bill, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COOPER), the chairman of the Subcommittee on Strategic Forces.

Mr. COOPER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023. Chairman SMITH and Ranking Member ROGERS have put together an outstanding piece of legislation.

I also thank my ranking member, Mr. LAMBORN, for his tremendous cooperation throughout the year and all the members of the Subcommittee on Strategic Forces for their valuable contributions to the bill.

This bill strengthens our national security at a time when our country is facing new and evolving threats in almost every theater. This bill takes care of our soldiers, sailors, airmen, marines, and guardians, and it invests in the tools that we need to protect ourselves, our allies, and our partners, as well as to deter our strategic competitors.

The Subcommittee on Strategic Forces has within its jurisdiction some of the most technical, complex, and consequential issues involved in our national security. At the top of that list are nuclear weapons. It is absolutely essential that American nuclear forces and their command and control infrastructure remain safe, secure, and reliable.

This bill makes certain that the Departments of Defense and Energy are well positioned for the immense task of sustaining our legacy forces while also recapitalizing our nuclear enterprise for the next 70 years.

□ 1515

This bill ensures that both Departments are pursuing balanced approaches, emphasizing deterrence but also nonproliferation and arms control. We must remain focused on the highest priority efforts and realistic in our plans for future programs. Plutonium pit production is a prime example of where greater realism is needed.

Regarding space, the subcommittee this year focused on the ability of China and Russia to degrade and destroy our national security satellites. This bill presses the Department to publicly release a strategy on how they will defend our on-orbit assets. It also requires the new Space Force to continue tactically responsive space efforts, authorizes additional funds to do so, and encourages increased competition within phase 3.

Please support H.R. 7900.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GALLAGHER), the ranking member of the Military Personnel Subcommittee.

Mr. GALLAGHER. Mr. Speaker, I am proud to join my colleagues in strong support of this bipartisan defense bill that we successfully voted out of the committee just 3 weeks ago.

The chairman and the ranking member mentioned some of the most important provisions in the bill, not only the overall top-line number, which represents a $37 billion increase over President Biden's request, but also a 4.6 percent pay raise, a 2.4 percent pay bonus for enlisted personnel to counteract the effects of inflation on low-income military families, the $500 million additional housing allowance to counteract the skyrocketing cost of rent on military families, as well as an additional $750 million to reduce the cost of food and other necessities for our servicemembers.

I think it is worth understanding why this is important, not only just in light of our overall duty to take care of our men and women in uniform at a critical time, but we also have a looming recruiting crisis on our hands.

I am very concerned about the inability of any of the services to meet their recruiting goals, and we are going to have to spend a lot of time thinking about that problem and how we fix it before we proactively lower standards because, at the end of the day, notwithstanding any advance in technology, it all comes down to the men and women who volunteer and risk their lives to defend this country.

It is about the warfighter. That is where we need to stay focused. It is also why I am proud that this bill includes many reforms to the professional military education process, with the intent of regaining our focus on warfighting so that our war colleges teach how to fight and win our Nation's wars.

This is a critical time for U.S. national security. Our enemies are on the march, and we are being asked to hold the line. It is absolutely critical that Congress stays focused on the defense of this country and does not allow the defense of this country to be politicized in the way other issues have, which is why I so very much appreciate the work of the chairman and the ranking member in setting that bipartisan tone, and I am very proud to support this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), the chairman of the Seapower and Projection Forces Subcommittee.

Mr. COURTNEY. Mr. Speaker, I rise in support of the 2023 National Defense Authorization Act. This measure fulfills our duty to strengthen our national security and to serve those who serve us.

That is particularly true of the efforts of the Seapower and Projection Forces Subcommittee which, pursuant to Article I, Section 8 of the Constitution, has responsibility to provide and maintain the Navy.

Our subcommittee has a record $32.6 billion for shipbuilding, authorizes procurement of 13 battle force ships, and fully funds the Navy's number one priority, the Columbia Submarine Program. It funds high-end warfighting capabilities, including three destroyers, two Virginia-class subs, and two fast frigates that will fill a critical need to conduct antisubmarine warfare. This bill also blocks the early termination of the LPD production line and sets a statutory floor on amphibious warships.

The bill invests a record $750 million in our submarine industrial base to grow its workforce and manufacturing supply chains across the country, which is critical to maintain production cadence. It fully funds the Maritime and Tanker Security Programs and designates the Maritime Administration as the lead agency to design and construct up to 10 sealift vessels, built by American workers, for use in the National Defense Reserve Fleet.

It also takes an important step in furthering the Australia, U.K., and U.S., AUKUS, security agreement. It authorizes entry of Australian submariners into our naval nuclear training programs to provide them with the experience necessary to command their own nuclear-powered, undersea fleet of the future.

For aviation projection forces, it authorizes procurement of five additional tactical airlifters, two Osprey tiltrotors, and two early warning aircraft. It also authorizes full funding for the B–21 Raider and sets statutory floors for the C–130 and aerial refueling tanker fleets.

Mr. Speaker, this bill, which passed out of our committee with strong bipartisan support—and I particularly salute my ranking member, ROB WITTMAN—provides our Nation with the capability to assure allies, deter conflict, and defend our homeland.

Mr. Speaker, I urge support for this bill.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BANKS), the ranking member of the Cyber, Innovative Technologies, and Information Systems Subcommittee.

Mr. BANKS. Mr. Speaker, I thank the ranking member for yielding and for his leadership, and I thank the chairman for his commitment to bipartisanship as well. I believe this NDAA is a true testament to that.

I rise today in support of H.R. 7900, the NDAA for Fiscal Year 2023 because our investments in modernization and innovation are more important than ever.

Our adversaries are focused on our defeat, on and off the battlefield. China is pouring money into research and development of emerging technologies, recruiting top scientists, and stealing intellectual property to gain a tactical edge.

This NDAA pushes the Department to accelerate innovation and strengthen its cyber posture, both of which are critical to maintaining superiority in this era of great power competition.

I am proud of the work that my subcommittee has accomplished, the Cyber, Innovative Technologies, and Information Systems Subcommittee, along with Chairman LANGEVIN, throughout this bill. Our commitment to work together, I believe, is shown in

the input that we have both worked across the aisle to include in this year's NDAA.

We included provisions to improve opportunities for early-career scientists to work with DARPA. This NDAA authorizes great work that the Defense Innovation Unit is doing to field commercial technology by doubling its funding, and it expands the critical work being done in biotechnology and batteries.

We bolstered and strengthened the Department's information security systems and gave Cyber Command the tools that it needs to succeed.

As the ranking member of the Cyber, Innovative Technologies, and Information Systems Subcommittee, I support this bill fully and encourage my colleagues to do the same.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI), the chairman of the Readiness Subcommittee.

Mr. GARAMENDI. Mr. Speaker, this bill provides the necessary support and direction for our national security. It also provides the necessary support for our servicemembers' families, and I am particularly pleased with the work completed by the Subcommittee on Readiness.

A big thank you to Ranking Member WALTZ and LAMBORN for their partnership in the subcommittee and also to the staff and all the members of the subcommittee, and particularly to Jeanine Womble, who was the staff director in this effort.

The Readiness Subcommittee's broad scope means that we cover everything from sustainment of weapons systems and facilities, including the safety of the men and women, military construction, climate change, energy, and environmental policy. While the readiness-related provisions are extensive, I would like to take a few minutes to highlight just a few.

In line with the work over the last 2 years, we continue to address vulnerabilities in installation and energy resiliency, both in response to extreme weather events and to ensure the Department can continue to accomplish its missions in the event of power disruptions. This bill works also to mitigate the military's effect of climate change and supports clean energy innovation, some of which you heard about just a moment ago.

We also continue to focus on sustaining and modernizing the organic industrial base. We cannot continue the readiness risk that neglect of our ports, depots, shipyards, and arsenals create. This is essential to ensuring that our state-of-the-art weapons systems can meet the challenges of near-peer competitors, not only the first day they arrive in the hands of the military, but in the days and years thereafter.

The health and safety of our military and civilian personnel will continue to be a top priority. This means that we will continue to address military housing, the PFAS contamination and mitigation issues, and also safety.

I am proud to represent two of the key military bases, Travis and Beale Air Force Bases and the men and women who work there.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. JACKSON), one of our outstanding freshman members of the committee.

Mr. JACKSON. Mr. Speaker, I rise in support of one of the most important bills that comes before Congress, the NDAA.

The NDAA includes important wins for all Americans, and for my district included. It provides support for servicemembers and families at Sheppard Air Force Base while continuing to modernize Sheppard's fleet of fighter trainer aircraft. It supports work at Pantex in Amarillo, including accelerated funding to improve critical infrastructure at the plant.

This legislation also includes:

Resources needed to compete and win in any potential conflict.

Support for our allies, like Taiwan and Israel.

Investments in Future Vertical Lift.

Increased funding to improve our fleet of V–22s.

Critical oversight of the Military Health System.

The reinstatement of the Medical Officer of the Marine Corps, which reinforces our commitment to the absolute best medical care for our marines on the battlefield.

It also provides protections for any servicemember who has reservations about taking the COVID–19 vaccine.

As we consider amendments, I hope this bill remains focused on national security and can be passed in good faith, as we did almost unanimously in committee.

Mr. Speaker, I thank Ranking Member ROGERS for his leadership on this year's NDAA.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. NORCROSS), the chair of the Tactical Air and Land Forces Subcommittee.

Mr. NORCROSS. Mr. Speaker, this bill once again demonstrates the long and proud tradition of bipartisan work by the Tactical Air and Land Forces Subcommittee. Our members have shared the great responsibility to keep America's land and air forces the best in the world.

I especially want to recognize our ranking member, Mrs. HARTZLER, for her contributions to this bipartisan bill. Many of us know that this will be her final defense authorization bill in this Chamber, and I thank her for her hard work. Her efforts have made America stronger.

Mr. Speaker, this bill supports the investment of resources necessary to equip and modernize our military while continuing the necessary oversight to ensure responsible execution and accountability for Department of Defense programs.

The bill includes:

Aggressive oversight of strike fighter aircraft programs, including the most expensive, the F–35.

Particular attention to and management of risk associated with the Department's manned and unmanned ISR systems.

Continued oversight of the Army and Marine Corps modernization strategies.

And of particular importance to me and Mrs. HARTZLER is the bill's support for the resources required to reduce risk to our defense industrial base.

Mr. Speaker, I express my strong support for the pro-worker provisions included in this bill that I championed that would boost domestic manufacturing and guarantee Federal contractors a $15 an hour minimum wage.

Finally, to the Tactical Air and Land Forces Subcommittee staff who have done a great job, both majority and minority: Bill Sutey, Heath Bope, Carla Zeppieri, Liz Griffin, Kelly Repair, and certainly our clerk, Payson Ruhl.

I also thank my personal staff who have done a great job: Katie Lee, Lucy Perkins, and Kevin Seger.

I also take a moment of privilege to thank the ranking member and chairman for setting the tone for this great bill. I urge everybody to support this.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 1 minute to the gentleman from Alabama (Mr. CARL), another of our outstanding freshman members.

Mr. CARL. Mr. Speaker, I rise today in support of H.R. 7900, the NDAA 2023.

We have worked across the aisle on this bill, and I take great pride in it. We have successfully fought back against the President's cut in our defense budget, obviously due to inflation.

For example, it gets the Navy back on track to build a large enough fleet to counter threats like China, with 355 ships. This includes much-needed ships that will be built by Austal USA in Mobile, Alabama, and we are very proud of that.

It also takes care of our servicemen and their families by giving a 4.6 percent pay raise to counter Bidenflation. I encourage my colleagues from both sides of the aisle to support the bill because it is critical to the defense of this country.

□ 1530

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), who chairs the Subcommittee on Cyber, Innovative Technologies, and Information Systems.

Mr. LANGEVIN. Mr. Speaker, I am very proud of the work the Subcommittee on Cyber, Innovative Technologies, and Information Systems has done on this legislation. It is our subcommittee's job to get cutting-edge technologies into the hands of our warfighters as quickly as possible so that they never enter a fair fight.

I am certain now, more than ever, that we are putting the Department on the right track when it comes to confronting emerging challenges with innovative solutions. This bill strengthens the R&D ecosystem and more closely aligns the Pentagon with the successes happening throughout private industry.

The bill also prioritizes research and development efforts in other key technology areas, such as hypersonics, software, artificial intelligence, electronic warfare, and directed energy, among others, and it makes robust investments to accelerate quantum applications.

It also makes long-overdue investments in our laboratories and test and evaluation infrastructure. We know that we simply cannot develop 21st century technologies and attract the Nation's top talent with crumbling infrastructure.

We provide robust support for our teammates at innovation centers, like DIU and DARPA, across the Department, who are taking risks in pursuit of game-changing payoffs.

It provides the U.S. Cyber Command and the Cyber Mission Force the resources they need to keep us safe in cyberspace and ensures that our cyber operators have the training and career trajectories they need to succeed.

This bill also includes a provision that I am very proud of, the Joint Collaborative Environment, which would enable the sharing and fusing of threat information and other relevant cybersecurity indicators across the Federal Government and between the public and private sectors, strengthening those public-private partnerships that are so vital to protecting our country in cyberspace.

It is this subcommittee that has always looked ahead to a dynamic future, seeking to fundamentally change the balance of power between the United States and our adversaries. Our warfighters are depending on our success here today.

In closing, I thank Chairman SMITH, Ranking Member ROGERS, and Ranking Member BANKS for their partnership and their leadership over the years. Serving on this committee throughout my time in Congress has been a true honor and a privilege.

I would also like to thank the subcommittee's professional staff, as well as my personal staff, for their hard work on this legislation.

Mr. Speaker, I urge my colleagues to support the bill.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2½ minutes to the gentleman from Mississippi (Mr. KELLY), the ranking member of the Subcommittee on Intelligence and Special Operations.

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in strong support of the fiscal year 2023 National Defense Authorization Act. Our military is facing unprecedented challenges in a volatile environment, and this body is charged with the duty of raising and supporting our military to ensure our safety both home and abroad.

As the ranking member of the Subcommittee on Intelligence and Special Operations, I am incredibly proud of the items in this bill that enable our intelligence and special operations communities to keep our adversaries at bay. I thank Chairman GALLEGO and my ISO colleagues for working in a bipartisan fashion to ensure ISO equities are represented throughout the NDAA process.

In particular, the codification of the Special Operations Command's 1202 authority is significant. This authority authorizes SOCOM to conduct irregular warfare operations. The expansion of this authority is critical to our ability to compete and win in a great power competition environment.

I remain concerned about our force posture and counterterrorism capabilities in Afghanistan resulting from last year's withdrawal. The administration has failed to provide the congressionally mandated report from Section 1069 of last year's NDAA. We continue to ask for greater detail on the so-called ''over the horizon'' capability the administration has touted. It remains clear this strategy was completely not thought out from the beginning.

That said, I do want to mention a few noteworthy provisions in this bill. This bill includes an amendment to fund the priorities that our Nation's top military leadership told us they needed but the White House failed to support. The topline increase counters this administration's dangerous ''divest to invest'' strategy, which would leave us ill-equipped to deter or defeat China, our pacing threat, in the next 5 to 10 years. It also provides an increase in military personnel pay and benefits to combat the impacts of inflation so that our servicemembers who dedicate their lives to our Nation do not struggle to support themselves and their families.

I also cannot understate the importance this bill has in securing our defense industrial base and ensuring millions of jobs for Americans. The hardworking Mississippians who work for our defense industry companies in my district and across the State to keep our Nation safe, secure, and prosperous deserve our support in Congress.

Colleagues, the spirit of patriotism is not enough to support our troops. We have an obligation to ensure our military is properly funded to compete and win wars against China, Russia, and any other adversary that threatens our way of life and democratic values. We have a responsibility to take care of our servicemembers and their families in this period of record-high inflation so that we retain the best talent, and we have a commitment to enact policies that honor our values, improve our national security, and empower our military leaders. We do all this by voting ''yes'' on this bill.

Lastly, I would be remiss if I did not thank my teammates on this committee and my staff for working tirelessly on this year's bill. Special shout-out to my ISO battle buddies: Chairman GALLEGO; professional staffer Patrick Nevins; my defense team, Rodney Hall and Lauren Emmi.

Mr. Speaker, I ask support for this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. ESCOBAR), a member of the committee.

Ms. ESCOBAR. Mr. Speaker, as the vice chair of the House Armed Services Subcommittee on Military Personnel, and representing Fort Bliss in my home district of El Paso, Texas, I am proud to speak in support of this bill, which passed out of our committee with overwhelming bipartisan support.

The bill supports a military basic pay raise of 4.6 percent and includes a targeted bonus to address the challenges of inflation. It provides additional resources to decrease out-of-pocket costs for housing and for our commissaries so they can keep their prices low.

It mitigates the tragedy of suicide by supporting an increase in the number of behavioral health providers to ensure access to care for those who need it most. And, given concerns about the increasing number of vacancies of military and civilian providers across the Military Health System, this bill prohibits the Department from realigning or reducing military medical end strength until additional analysis on the impacts is complete.

We also built on last year's historic reforms to the Uniform Code of Military Justice, ensuring our criminal litigators are getting the best training, resources, and experience possible to support our troops.

We are also taking care of our military children. In 2021, more than 20,000 children of servicemembers who had immediate need for childcare were stuck on waitlists. In order to address the root causes, we are requiring the Department of Defense to complete a study on adequate pay for military childcare center employees.

To better support families with special needs, the bill establishes a grant program to help them navigate school districts after every move and ensures children with disabilities receive appropriate and high-quality educational services.

Together, servicemembers and their families make countless sacrifices for our Nation, which is why we must continue our commitment to them.

I am grateful to Chairwoman JACKIE SPEIER for her leadership, and I am grateful to the ranking member and proud of the contributions our subcommittee made to this bill.

Mr. Speaker, this bill would make a tremendous difference in the lives of our military families, and I urge my colleagues to support it.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2½ minutes to the gentleman from Colorado (Mr. LAMBORN), the ranking member of the Subcommittee on Strategic Forces.

Mr. LAMBORN. Mr. Speaker, I rise today in support of the fiscal year 2023 National Defense Authorization Act.

As the ranking member of the Committee on Strategic Forces, I am particularly proud of the work put forward by this subcommittee led by Chairman JIM COOPER. I will miss working with my good friend from Tennessee.

Among the many excellent provisions put forward by the Committee on Strategic Forces is one I am very pleased with that directs the establishment and funding of a National Hypersonic Initiative to bring an all-of-government approach to catching up to China and Russia in hypersonics.

The Subcommittee on Strategic Forces mark also directed an asymmetric hypersonic defeat strategy and provides additional funds for directed energy technologies to defeat these hypersonic threats. The bill also provides funds to complete a 16th Patriot Battalion, accelerates the Guam defense system, and seeks to reinvigorate an East Coast missile defense site.

I am particularly proud that Chairman COOPER and I were able to find compromise and fund the nuclear sea launched cruise missile. I understand that our Senate counterparts, Senators King and Fischer, did so as well, and I look forward to reconciling our provisions in conference to continue research and development of this critical capability. I think that the four of us are proving that funding a safe, secure, reliable, and modern nuclear deterrent need not be a partisan exercise.

We also have made valuable progress in the space domain, including requiring the Department of Defense to make publicly available a strategy to defend and protect our on-orbit satellites. I am also glad to be directing the Space Force to establish requirements for defense and resilience of space systems, as China and Russia become more aggressive in space.

In a bill this size, Mr. Speaker, with more amendments offered than any other single bill in the history of Congress, a person can always find something to disagree with. But if you truly value and support our Nation's defense, and if you truly understand the threats we face, you will look at all the major advances this bill makes for our security and you will support this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 2½ minutes to the gentleman from Arizona (Mr. GALLEGO), who is the chair of the Subcommittee on Intelligence and Special Operations.

Mr. GALLEGO. Mr. Speaker, I rise today in support of H.R. 7900, the National Defense Authorization Act for fiscal year 2023.

I congratulate my colleagues on the House Armed Services Committee for bringing forward a bipartisan National Defense Authorization Act for the 62nd consecutive year.

I especially want to thank Ranking Member TRENT KELLY of the Subcommittee on Intelligence and Special Operations for his leadership and contributions to this bill. I also thank the subcommittee staff—Shannon, Craig, William, and Patrick—for their tireless efforts, as well as my personal office staff members Michelle and Charlie.

This year's bill contains crucial investments in America's allies and partners to address the threat the world faces from Vladimir Putin, including $225 million for the Baltic Security Initiative, which I started last year with my friend and cochair of the House Baltic Caucus, Congressman DON BACON.

This bill also takes historic strides to prevent and mitigate civilian harm by creating mechanisms to increase transparency and accountability at the Department.

As chairman of the Subcommittee on Intelligence and Special Operations, I am proud of this bill's critical investments in intelligence modernization and special operations forces. Specifically, our bill invests in agility across the defense intelligence enterprise, protects our warfighters, and builds pandemic preparedness by adding $91 million to the Chemical and Biological Defense Program's top priority of accelerating the Department's biodefense capabilities.

Our bill provides the resources to ensure Special Operations Command has the hardware it needs to conduct our Nation's most sensitive operations.

This year's bill strengthens oversight of intelligence collection, information operations, and irregular warfare to ensure our intelligence professionals and special operations forces are positioned to prevail in the complex threat environment they face every day.

Colleagues, in addition to meeting the most pressing security challenges we face today, this bill supports our servicemembers with a 4.6 percent pay raise, codifies the $15 minimum wage for all workers, includes $111 million in research activities at HBCUs, and improves women's healthcare.

This an important bill, and I urge my colleagues to support it.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2½ minutes to the gentleman from Virginia (Mr. WITTMAN), the ranking member of the Subcommittee on Seapower and Projection Forces.

Mr. WITTMAN. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, I will begin by saying that I do not agree with everything in this bill, but the committee passed a bill worthy of support.

I especially commend Chairman SMITH and Ranking Member ROGERS for navigating a markup that was 16 hours and 12 minutes long, including the debate of almost 900 amendments.

The House Armed Services Committee agreed on a bipartisan basis to increase our national security topline by over $35 billion, accounting for the damaging impacts of inflation or our military, and the rising threats we face today. I am particularly proud of the decisive final bipartisan vote of 57 to 1 that passed this bill out of committee.

Unfortunately, this bipartisan national security effort is in peril. The Rules Committee has allowed a series of particularly harmful and sometimes unrelated provisions that Speaker PELOSI would like to, once again, tack to the backs of our servicemembers, endangering Congress' support of their service and our national security. I specifically hope during our floor debate we can move to exclude these harmful riders.

As to the committee mark, we started once again with an anemic budget request from the Biden administration that in the Seapower portfolio requested only 8 ships and proposed the retirement of 24 ships, many of these ships well before the end of their expected service life.

Fortunately, with the additional topline funding provided, we authorized 13 battle force ships and rebuffed the administration's request to retire 12 ships early, committing ourselves to growing the Navy instead of shrinking it. We also invested in our strategic deterrence capabilities, providing funding for the Columbia-class ballistic missile submarine and the B–21 bomber programs. In the end, this is a strong Seapower statement.

Before I conclude, I specifically thank Chairman JOE COURTNEY, and thank him for his leadership in the Seapower Subcommittee. He is a navalist. He is a teammate and a dear friend who has the vision to see our national security perils and the political fortitude to respond to our most serious threats.

My friends, this is good legislation that, in its current form, is worthy of support. We must remain focused on delivering a bill that provides the resources our servicemembers need to advance the common defense of our Nation.

□ 1545

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from Virginia (Mrs. LURIA), the vice chair of the committee.

Mrs. LURIA. Mr. Speaker, Congress must continue to supply the finest fighting force in the world with the funding, equipment, resources, and support they need, and I am proud to work with my colleagues on both sides of the aisle to do just that.

The FY23 NDAA represents a bipartisan effort to support our Active-Duty personnel with a 4.6 percent pay raise and invest in the critical capabilities that our Armed Forces need to defend our Nation and our interests abroad.

This year's NDAA also includes my request to increase defense spending by $37 billion, including at least $7.4 billion to combat inflation, more than $4 billion for ship procurement, over $1.6 billion in research and development funding, and over $500 million for security assistance to Ukraine.

At a time when we face growing threats from China, this bill provides needed funding for 13 new battle force

ships, including two Virginia-class submarines, three guided-missile destroyers, two guided-missile frigates, and one landing platform dock. This sends a strong message to our allies and our enemies and ensures that we have the resources to counter the threats we face from China, Iran, and Russia.

Additionally, the NDAA includes several of my amendments to directly address access to mental health care and suicide prevention and improve the quality of life for sailors during complex refueling overhauls, many of which were learned from lessons aboard the USS *George Washington*.

While I am proud of the bipartisan effort we have made so far, there is still more work that needs to be done. I hope that the final version of the NDAA will include my bill, the Health Care Fairness for Military Families Act, which will eliminate the disparity that TRICARE dependents face when compared to those on private health insurance.

The bipartisan progress we have made in this year's NDAA will grow our Navy, strengthen our military, and give a well-deserved pay raise to our Armed Forces. I will continue to work with my colleagues on both sides of the aisle to support our military, and I look forward to negotiating with the Senate on the final top-line number.

I thank the chair and the ranking member for their support in these efforts, especially in growing and strengthening our Navy and our entire Armed Forces.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. WALTZ), the ranking member of the Readiness Subcommittee.

Mr. WALTZ. Mr. Speaker, I thank Chairman SMITH and Ranking Member ROGERS for their strong bipartisan product that is worthy of our servicemembers. I also thank the chairman of the Readiness Subcommittee, Representative GARAMENDI, for his thoughtful and collaborative work on this bill.

Mr. Speaker, the threats are growing: Russia, Iran, North Korea, and, most significantly, China's most rapid military buildup that we have seen in modern history.

The bipartisan top-line increase above inflation is a positive step, but our defense investments still fail to keep pace with the Chinese Communist Party and their rapid military buildup.

Mr. Speaker, I don't want to keep pace. Our servicemembers deserve better. We need to have overmatch over that military buildup. That is how we then keep the peace and maintain deterrence.

As the ranking member of the Readiness Subcommittee, I know we cannot continue to afford to use our operations and maintenance accounts to pay for other priorities. Russia's invasion of Ukraine is a teachable moment for all of us. The entire world is witnessing that logistics, training, and maintenance win or lose wars.

China's own growing aggression in the vast Indo-Pacific requires more operations and maintenance funding for our partners and allies. We have to keep our forces forward, again, in order to maintain deterrence, and I will oppose amendments that thoughtlessly take from those accounts. We cannot, as a body, continue to rob Peter to pay Paul.

Overall, I believe this is a strong bill. It does hold our military accountable but also makes significant steps toward deterrence.

Some key priorities: We authorize interoperable military exercises with Taiwan. We permanently prohibit purchases of goods by the Defense Department from the Xinjiang province. We require universities in China that support the CCP and the military to be identified and listed. We allocate funding for incredibly important new construction projects at Florida's military bases. We set gender-neutral fitness standards for our combat military occupational specialties in the U.S. Army. Perhaps most importantly, we passed a wounded warrior bill of rights.

Finally, Mr. Speaker, as we continue to aid Ukraine, we must be accountable for those taxpayer dollars, and this bill would appoint an inspector general to oversee the aid that we are providing.

Mr. Speaker, the number one job of the Federal Government is to keep the country safe. I urge my colleagues' support for this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield myself the balance of my time.

Substantively, I reiterate my initial remarks. I think this is a good bill that was put together. You have heard a lot of comments from the individual subcommittee chairs. Many other Members also contributed significant and important policy to this piece of legislation that gives us the opportunity to properly exercise oversight of the Pentagon, which is our job. This bill does an excellent job of that, and I think, as I mentioned, we have made some progress in recent years.

The one big point I did not emphasize sufficiently at the start of my remarks is how important innovation and new technologies are right now. I don't think there has been a time in the history of warfare where things have been changing as rapidly. We have certainly seen that play out on the battlefield in Ukraine but also in other fights that have happened in smaller conflicts in Armenia and Azerbaijan in the Middle East.

You have to develop the new, best innovative technology, and as anyone would recognize, the Pentagon is not typically good at moving fast. It is a large bureaucracy. It takes them time to process ideas. What we have done is we have put forth innovative legislation to move that along faster so that we can develop the better technologies, take advantage of drone technology, take advantage of AI, and make sure that our systems are secure. That has really made a huge difference to make sure that we get the most out of the money we spend and that we are in the best position to have the technologies that we need. So, a number of these policies have made a huge difference.

I will use the balance of my time to thank six members of our committee on the Democratic side who are retiring at the end of this Congress: Congress Members LANGEVIN, COOPER, SPEIER, BROWN, MURPHY, and KAHELE. I thank them very much for their service. As you have heard many times, the cornerstone of this committee is our bipartisan approach and our commitment to regular order, to sending our bills through the normal process in committee, having markups, debates, and then doing the same on the floor in a bipartisan way, which makes an enormous difference. These Members have contributed to that. I will especially recognize a couple of Members because a number have served for a long time on the committee.

JIM LANGEVIN is the chairman of the subcommittee with the really complicated name that I have to have written down to remember, but it has to do with cyber and intelligence matters. JIM has dove into these issues. When I talk, as I did, about innovative technologies, it is his subcommittee that focuses on putting us in the best position to deal with artificial intelligence, to figure out how to use directed-energy weapons and drones, to do the innovation that is crucial. JIM's knowledge level on this is above anybody in Congress. He has done an outstanding job over, I guess it is, 22 years as a Member of Congress and now a subcommittee chair. His leadership has been invaluable in those crucial issues.

JIM COOPER, also retiring, is a subcommittee chair. He is very responsible for getting us to properly focus on space. There is a lot of talk about the Space Force. Certainly, that is part of it, but that was never really the entire point. The point was that space has become crucial in modern warfare. Literally, everything we do gets shut down if we don't have robust access to our space assets. Recognize the importance of that and how much that has changed, certainly in the last 50 years but even in the last 10. Chairman COOPER has worked with now-Ranking Member ROGERS, also a past chairman of that subcommittee, to make this happen. JIM's intelligence and leadership have made a huge difference in those issues.

JACKIE SPEIER is retiring as the chair of the Military Personnel Subcommittee. It is impossible to overstate the work she has done to look after the men and women who serve in our forces, most notably, of course, with her commitment to battling sexual assault and to getting the major sexual assault reform passed, which we passed last year, to set up a special prosecutor who will focus on sexual assault cases. That was a 10-year effort.

A lot of people, when they get involved in politics, they get frustrated

that things aren't happening. They don't happen quickly. They get frustrated by the whole process. I have come up with the saying that, in politics and public policy, you have to be patient and persistent. Nobody personifies that better than JACKIE SPEIER. She was absolutely doggedly persistent in getting the changes necessary to help improve the way we handle sexual assault and on a wide range of other issues that have helped protect the personnel who serve in our military.

Lastly, I specifically thank ANTHONY BROWN, a past vice chair of the committee who has worked so hard on diversity issues. We were able, 2 years ago now, to finally get passed and put in place a commission to change the names of the military bases in this country and facilities, as well—not just base names, but those buildings, streets, and a whole bunch of other things that had been named after white supremacist Confederate traitors. He did the work to get that through the entire process, all the way to the point of having to override the President's veto to get that done.

Now we have a commission that is working on this issue. Certainly, it is crucial that they change the names, but what the commission is doing is they have held hearings all across the country in the communities where these bases are named to talk about the history, about how we got to this point, what is it that we are actually talking about, how these bases weren't actually named immediately after the Civil War—they were named at the turn of the 20th century when there was an effort to reestablish white supremacy—to really educate and include the community in the process and, ultimately, in the names that were selected. That never would have happened without ANTHONY's hard work.

We have some outstanding members of the committee leading us this year. I appreciate their service. Again, I thank Ranking Member ROGERS and the Republican staff. We have worked well together—not that we don't disagree. We absolutely disagree frequently, but we do so in a way that allows us to resolve those differences, which is the essence of how a representative democracy is not just supposed to work but how it must work if it is to survive. I appreciate the opportunity to be part of that process.

Mr. Speaker, I urge Members to support this bill. It is an outstanding product. Please vote ''yes.'' I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself the balance of my time.

This is truly a bipartisan product, and I thank Chairman SMITH for his leadership in that effort. I know there will be an effort later today and tomorrow to add extraneous issues to this bill that have nothing to do with the defense of our Nation. It happens every year. But like previous years, we will work through those in conference. We will weed out the ones that don't need to come back to the floor.

Before us today is a critical piece of legislation. It is a good piece of legislation, and I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. AGUILAR). All time for debate has expired.

Each further amendment printed in part A of House Report 117–405 not earlier considered as part of amendments en bloc pursuant to section 3 of House Resolution 1224, shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of further amendments printed in part A of House Report 117–405, not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SCHIFF

The SPEAKER pro tempore. It is now in order to consider amendment No. 1 printed in part A of House Report 117–405.

Mr. SCHIFF. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title V, add the following new section:

SEC. 5___. PUBLIC AVAILABILITY OF MILITARY COMMISSION PROCEEDINGS.

Section 949d(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) In the case of any proceeding of a military commission under this chapter that is made open to the public, the military judge may order arrangements for the availability of the proceeding to be watched remotely by the public through the internet.''.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from California (Mr. SCHIFF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this amendment, which has passed the House three times and which clarifies the authority of military commission judges to order court proceedings at Guantanamo Bay to be broadcast on the internet.

At its core, this amendment has a simple goal: transparency. By passing this amendment, we will show the American people that we believe they have the right to observe military commission proceedings, including those against the individuals who planned the 9/11 attacks.

□ 1600

We owe transparency to the loved ones and families of the victims. We should also provide transparency for journalists, academics, NGOs, and all concerned Americans who are understandably deeply interested in these vital proceedings.

Importantly, this bill does not require particular proceedings to be in open session—that will still be for the judges to decide. When they are open to the public, they should be accessible, so victims do not need to travel to Guantanamo to bear witness.

I will continue to work to permanently close the prison at Guantanamo Bay, but in the meantime, Congress must act to ensure transparency for the American people.

This bill is fully protective of classified information, I encourage all Members to support our amendment, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this legislation.

The SPEAKER pro tempore (Mr. CUELLAR). The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, I oppose the gentleman's amendment.

It allows some of the most hardened terrorists in U.S. custody a platform to publicly broadcast their message.

Our military commissions process at Guantanamo Bay has already been substantially delayed. Letting hardened terrorists know there is a public audience for their hate will do far more harm than good.

Federal courts have stuck to their guns against broadcasting major terrorism cases, such as the trial of Zacarias Moussaoui, and I see no reason to make an exception for terrorists at Guantanamo Bay.

Mr. Speaker, even the Biden administration has fought against prior versions of this amendment. I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, is there time remaining in opposition or should I close?

The SPEAKER pro tempore. The gentleman from Alabama has time remaining.

Mr. SCHIFF. Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I urge support for the bill. Again, this bill does not require proceedings to be available

online, but it does ensure that judges have that authority.

I think that this is something that the victims would like because the victims would like to be able to observe the proceedings without having to travel all the way to Guantanamo. In the interest of those victims, I would urge support for the passage of this amendment, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, again, this amendment undermines the military commissions process and gives hardened terrorists a public platform. The Biden administration has opposed this.

Mr. Speaker, I urge my colleagues to vote ''no,'' and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POSEY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 2 OFFERED BY MR. JONES

The SPEAKER pro tempore. It is now in order to consider amendment No. 2 printed in part A of House Report 117–405.

Mr. JONES. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle F of title VIII the following new section:

SEC. 8___. PROHIBITION ON CONTRACTING WITH EMPLOYERS THAT VIOLATED THE NATIONAL LABOR RELATIONS ACT.

(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of Defense may not enter into a contract with an employer found to have violated section 8(a) of the National Labor Relations Act (29 U.S.C. 158) during the three-year period preceding the proposed date of award of the contract.

(b) EXCEPTIONS.—The Secretary of Defense may enter into a contract with a employer described in subsection (a) if—

(1) before awarding a contract, such employer has settled all violations described under subsection (a) in a manner approved by the National Labor Relations Board and the employer is in compliance with the requirements of any settlement relating to any such violation; or

(2)(A) each employee of such employer is represented by a labor organization for the purposes of collective bargaining; and

(B) such labor organization certifies to the Secretary that the employer—

(i) is in compliance with any relevant collective bargaining agreement on the date on which such contract is awarded and will continue to preserve the rights, privileges, and benefits established under any such collective bargaining agreement; or

(ii) before, on, and after the date on which such contract is awarded, has bargained and will bargain in good faith to reach a collective bargaining agreement.

(c) DEFINITIONS.—In this section, the terms ''employer'', ''employee'', and ''labor organization'' have the meanings given such terms, respectively, in section 2 of the National Labor Relations Act (29 U.S.C. 152).

(d) APPLICABILITY.—This section and the requirements of this section shall apply to a contract entered into on or after September 30, 2023.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from New York (Mr. JONES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. JONES. Mr. Speaker, I rise in support of my amendment, amendment No. 2, which prohibits the Department of Defense from awarding contracts to companies engaged in illegal anti-union activity.

Every worker in this country deserves a living wage, a safe workplace, and the opportunity to join a union if they so choose. We know that some companies spend millions of dollars illegally fighting employee unionization efforts and get rewarded with government contracts.

Companies that engage in unfair labor practices—including threats, bribery, coercion, spying, and punishing workers for their attempts at unionization—are not barred from receiving these lucrative government deals.

This amendment would change that. It bars the Department of Defense from awarding any of their more than $400 billion in annual contracts to companies engaged in these illegal activities.

President Biden promised to ''be the most pro-union President leading the most pro-union administration in American history.'' I hope that we can make this goal a reality.

Mr. Speaker, I encourage all of my colleagues to vote ''yes'' on amendment No. 2, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment completely undermines the existing contractor debarment processes at DOD. Federal contractors and subcontractors are already required to comply with the National Labor Relations Act.

There are already tools to bring contractors into compliance. This amendment takes the decision out of the hands of the contracting officer to determine whether or not a contractor is responsible. Something as small as a single paperwork violation would prohibit DOD from contracting with a company.

This is an unprecedented prohibition that exists nowhere else in the Federal Government.

It is a departure from the processes we use to prevent contracting with bad actors and would undermine our national security. If enacted, this would severely limit the Department's ability to contract for goods and services needed to support the warfighter and execute critical mission sets around the globe.

Mr. Speaker, I urge Members to oppose the amendment, and I reserve the balance of my time.

Mr. JONES. Mr. Speaker, I would just note that unfair labor practice violations will only disqualify an employer from DOD contracts if an employer refuses to settle a violation or remains out of compliance with the terms of that settlement. When an employer settles a violation with the NLRB and remains in compliance with the terms of their settlement, they will regain eligibility for DOD contracts.

Respectfully, my colleague's concern on the other side of the aisle is misplaced. There is also a broader issue at hand.

Why are we being asked to sacrifice the rights of working people to support defense capabilities?

These are not mutually exclusive priorities.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I rise in opposition to this amendment. Prohibiting employers from Federal contracts for violations of the National Labor Relations Act, NLRA, circumvents longstanding compliance procedures and would have a significant impact on Federal contractors.

The prohibition duplicates existing safeguards in the Federal contracting process that already has a system in place to deny Federal contracts to companies that break the law. This flawed blacklisting amendment will threaten Federal contractors' due process rights because a Federal contractor could be prohibited from DOD contracts before a charge has been fully adjudicated.

An employer can be found to have violated the NLRA by an administrative law judge, but the employer has the right to appeal that decision to the National Labor Relations Board. Employers also have the right to appeal NLRB decisions to the U.S. Court of Appeals.

It is unfair and unjust to bar employers from Federal contracts before they have exhausted all remedies of relief.

This amendment also provides unfair special treatment to employers with employees who are represented by a union. The amendment prohibitions can be waived if the employees of an employer are represented by a union, giving unionized Federal contractors a significant advantage over non-union firms in the Federal procurement process.

These prohibitions will encourage frivolous NLRA complaints and provide

labor unions leverage to organize non-Federal union contractors. The Federal procurement process works best when the bidding process is open and fair and not dependent on whether the Federal contractor is unionized.

Mr. Speaker, this is in the best interest of taxpayers, and I urge my colleagues to reject this amendment.

Mr. JONES. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, the gentleman is correct. We all want an open, competitive, and fair contracting process. The Department of Defense, as we know, is the largest government contractor—over $400 billion a year in contracts—60 percent are by the Department of Defense.

This amendment would ensure that the DOD contractors are not violating labor law—things that we all agree on. They do not have the privilege of receiving taxpayer dollars if they are violating this. These taxpayer dollars should go to companies that are helping to build and strengthen our country, not tear it down.

American workers are why we are the greatest country in the world. It is their strength that makes us a reality.

Under this amendment, unfair labor practices are more than just an accusation, they are to be found in violation of the NLRA. The idea of having this, it has been proven you have violated—you still have an option—you settle the problem and then you can get on the bid list. Right now the Department of Defense does have that issue.

Mr. Speaker, I urge my colleagues to vote ''yes'' on this very important amendment.

Mr. ROGERS of Alabama. Mr. Speaker, I reserve the balance of my time.

Mr. JONES. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 2 minutes remaining.

Mr. JONES. Mr. Speaker, I yield myself the balance of my time.

The freedom to join a union is essential—essential to the dignity of workers to secure living wages and good benefits and building an economy that works for everyone, not just the wealthy and the well-connected.

Current law recognizes how essential this freedom is and how the deck is too often stacked against workers. This is the very reason the National Labor Relations Act exists and why unfair labor practices are illegal.

When employers are rewarded for suppressing worker rights, we undermine the very purpose of having labor laws at all.

I think we should be very clear about what is going on here.

The Democrats are fighting for middle-class jobs with good pay and benefits and an economy where one job is enough, where 40 hours of work is enough to live with dignity.

Republicans are not interested in protecting workers. They are interested in protecting the corporations that exploit workers for profit and corporations whose bottom line depends on keeping wages low and suppressing worker power. My Republican colleagues want to protect the government contracts of companies that violate labor law.

Mr. Speaker, I urge all of my colleagues to protect the rights of working people by voting ''yes'' on amendment No. 2, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I urge all Members to oppose this effort. It could stop procurement of critical systems needed to counter China. It could delay construction of military housing projects, and it could stop work on vital programs to improve the safety of ships, aircrafts, and combat vehicles.

Mr. Speaker, this is a bad amendment. I urge all Members to oppose it, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from New York (Mr. JONES).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POSEY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 3 OFFERED BY MS. SCHAKOWSKY

The SPEAKER pro tempore. It is now in order to consider amendment No. 3 printed in part A of House Report 117–405.

Ms. SCHAKOWSKY. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle A of title VIII the following:

SEC. 8___. PREFERENCE FOR OFFERORS THAT MEET CERTAIN REQUIREMENTS.

(a) IN GENERAL.—Chapter 241 of title 10, United States Code, is amended by adding at the end the following new section:

''SEC. 3310. PREFERENCE FOR OFFERORS THAT MEET CERTAIN REQUIREMENTS.

''(a) IN GENERAL.—In awarding contracts for the procurement of goods or services, the Secretary of Defense shall prioritize offerors that meet any of the following qualifications:

''(1) The offeror has entered into an agreement—

''(A) with a labor organization;

''(B) that provides the manner in which the offeror will—

''(i) act with respect to lawful efforts by such labor organization to organize the employees of such offeror, including an agreement that the offeror will not assist, deter, or promote such efforts; and

''(ii) engage in collective bargaining with such labor organization; and

''(C) that is effective for the duration of the contract to be awarded.

''(2) The offeror has entered into an agreement with a majority of the employees of the offeror or a labor organization, effective for the duration of the contract to be awarded, not to hire individuals to replace any employee of the offeror engaged in any strike, picketing, or other concerted refusal to work or to close a business in response to such a strike, picketing, or other refusal to work.

''(3) The offeror has a collective bargaining agreement with a labor organization or a majority of the employees of the offeror.

''(b) PRIORITIZATION ORDER.—The Secretary of Defense shall further prioritize an offeror under subsection (a) for each qualification described in such subsection that such offeror meets.

''(c) APPLICATION.—The prioritization required under this section shall—

''(1) be applied after any other preference or priority applicable to the award of the contract;

''(2) be accorded weight that is not less than such other preference or priority; and

''(3) not be construed as superseding or replacing any such other preference or priority.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt, displace, or supplant any provision of the National Labor Relations Act (29 U.S.C. 151 et seq.).

''(e) EMPLOYEE; EMPLOYER; LABOR ORGANIZATION DEFINED.—In this section, the terms 'employee', 'employer', and 'labor organization' have the meanings given such terms in section 2 of the National Labor Relations Act (29 U.S.C. 152).''.

(b) CLERICAL AMENDMENT.—The table of sections for Chapter 241 of title 10, United States Code, is amended by adding at the end the following new item:

''3310. Preference for offerors that meet certain requirements.''.

(c) APPLICABILITY.—This section and the amendments made by this section shall apply only with respect to contracts entered into on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

□ 1615

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my amendment is very simple. It gives a preference to defense contractors who will remain neutral in union organizing. I say neutral—not pro and not con. Contractors who commit to remain neutral in organizing campaigns commit to not breaking strikes, and it gives preferences also to those who would have a union bargaining agreement. These are not requirements. These are preferences, the kind of preferences that we have for small businesses and that we have for veterans and a number of other preferences that are given.

Now, let's understand that we are talking about $422 billion in contracts that are given to businesses. By the way, small businesses also have a preference out of a $778 billion defense act. So these are big taxpayer expenditures that we are talking about.

It seems to me given that we want to make sure that workers are also acknowledged that we say that it would be a good thing if we don't have companies like Amazon, for example, that get a lot of money in defense contracts and spend a lot of money trying to make sure that workers cannot bargain collectively. So let's give preferences to those who actually do acknowledge workers. That is the only idea of this amendment.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GARAMENDI) in support of this amendment.

Mr. GARAMENDI. Mr. Speaker, I thank Representative SCHAKOWSKY for this amendment. It is very important. This is about fairness in the workplace. This is about the opportunity for workers to have a say in their work life. This is about an opportunity for major companies that want a contract with the United States Government Department of Defense to stay neutral in any unionizing opportunity that a union may be putting forward.

The rights of workers who support our defense industry would be protected by this amendment, and the Department of Defense would continue to have the flexibility in the contracting programs that they have.

With billions of dollars that we are going to be spending as a result of this and previous bills, let's be fair to the workers. If they want to organize, fine. For the companies, it is time for them to be neutral and not do the kind of practices that we have seen from companies such as Amazon and a few others.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in strong opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment completely undermines the existing contractor debarment processes at the DOD. Federal contractors and subcontractors are already required to comply with the National Labor Relations Act. There are already tools to bring contractors into compliance. But this amendment takes the decision out of the hands of the contracting officer to determine whether a contractor is responsible.

If enacted, this amendment would limit the Department's ability to receive quality goods and services and drive up costs unnecessarily.

Federal contractors and subcontractors are already required to comply with the National Labor Relations Act. Yet this amendment would go further and seek to prefer contract awards based on compliance with labor agreements in a new and unprecedented way regardless of its negative impact on small businesses and national security.

I will note that this amendment is opposed by the National Federation of Independent Businesses, as well as the Workplace Policy Institute and the Associated Builders and Contractors.

Mr. Speaker, I urge all Members to oppose the amendment, and I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, I thank the gentlewoman for yielding.

Once again, we are talking about our most valuable asset in this country, its workers, and the ability to treat them with fairness and giving them the ability to achieve the American Dream; that starts with their ability to go after contracts through their company. However, if their company is not playing by the rules, they are flooding their ability to have a voice in the workplace, to vote for a union, this is where the issue begins and where the amendment addresses.

Very simply, it says: Play by the rules, have a neutrality agreement, and you should be given a preference, a preference for the American worker.

That is just so incredibly important given the challenges of the supply chain. At a time when we are challenged throughout the globe of getting the parts and the supplies we need to build the greatest defense in the world, we are being challenged because of something we have control over—our workforce and treating them well and fairly under the rules of the government are incredibly important.

That is why this amendment is just so important. It says that to be a responsible contractor, treat your employees fairly, level the playing field, and let them have the choice.

Mr. Speaker, I urge all my colleagues to vote ''yes'' on this amendment.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I rise in opposition to this amendment.

Mr. Speaker, this amendment has one goal: to eliminate all nonunion contractors from DOD contracts. It does not represent the modern workforce. The modern workforce is not interested in jurisdictional rules. They are interested in incentives to get the job done on time and on budget. It achieves this goal by favoring employers who want to do business with the DOD that sign neutrality agreements or already have collective bargaining agreements with labor unions.

These so-called neutrality agreements are anything but neutral. They stifle employee free choice and prohibit employers from communicating with their employees about the downsides of union representation.

Mr. Speaker, can you imagine an employer not being able to talk with their employees?

One common provision in a neutrality agreement takes away a worker's right to a secret ballot in an election. That is guaranteed in our elections and allows unions to organize under the radical card check scheme that exposes workers to well-documented instances of harassment and intimidation. Even the U.S. Supreme Court describes card check is an admittedly inferior election process.

Another provision in neutrality agreements places gag orders on employer speech that prohibits them from informing their employees about the impact that unionization can have on the workplace and their income.

This amendment could also put workers' private information at risk. Many neutrality agreements require employers to provide union access to employees' personal information including home address, phone numbers, and email addresses for the purpose of pressuring employees to sign U.N. authorization cards.

Workers should be able to freely choose for themselves whether they want a union through a secret ballot election. Instead, this amendment encourages employers to work with labor unions to impose union representation on workers. It is not the American way.

Hardworking taxpayers deserve efficient and effective procurement policies, not rules that provide preferential treatment to special interest groups like labor unions.

Mr. Speaker, I urge my colleagues to reject this amendment.

Ms. SCHAKOWSKY. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore. The gentlewoman from Illinois has 30 seconds remaining.

Ms. SCHAKOWSKY. Mr. Speaker, I just want to point out that this has nothing to do with stifling the rights of companies to communicate. It does prevent them from harassing workers and preventing them from doing what they need to do. I just want to point out that there are companies that include UPS, Levi Strauss, AT&T, Verizon, and, most recently, Microsoft, that have these agreements.

Big companies do it. They can do it.

Let's protect workers and the rights of the companies as well. We can do both.

Mr. ROGERS of Alabama. Mr. Speaker, I urge all Members to oppose this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POSEY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 4 OFFERED BY MR. KIM OF NEW JERSEY

The SPEAKER pro tempore. It is now in order to consider amendment No. 4

printed in part A of House Report 117–405.

Mr. KIM of New Jersey. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle A of title XXVIII the following new section:

SEC. 28___. LOCAL HIRE REQUIREMENTS FOR MILITARY CONSTRUCTION CONTRACTS.

(a) LOCAL HIRE REQUIREMENTS.—

(1) IN GENERAL.—To the extent practicable, in awarding a covered contract, the Secretary concerned (as defined in section 101 of title 10, United States Code) shall give a preference to a person who certifies that at least 51 percent of the total number of employees hired to perform the covered contract (including any employees hired by a subcontractor (at any tier) for such covered contract) shall reside in the same State as, or within a 60-mile radius of, the location of the work to be performed pursuant to the covered contract.

(2) JUSTIFICATION REQUIRED.—The Secretary concerned shall prepare a written justification, and make such justification available on the Internet site required under section 2851(c) of title 10, United States Code, for the award of any covered contract to a person that is not described under paragraph (1).

(b) LICENSING.—A contractor and any subcontractors (at any tier) performing a covered contract shall be licensed to perform the work under such covered contract in the State in which the work will be performed.

(c) COVERED CONTRACT DEFINED.—In this section, the term ''covered contract'' means a contract for a military construction project, military family housing project, or other project described in section 2851(c)(1) of title 10, United States Code.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from New Jersey (Mr. KIM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. KIM of New Jersey. Mr. Speaker, I rise to offer my amendment that will help small businesses and highly skilled workers in the building trades access new opportunities and unlock the local economic potential of military bases across the country.

This amendment is not new. We passed it through the House before on a bipartisan basis, and I hope we will do it again today.

My amendment would incentivize the use of local workers for military construction projects by asking the Secretary of Defense to provide preference for businesses that commit to hire qualified skilled workers from within the same State or within a 60-mile radius of the project.

I represent Joint Base McGuire-Dix-Lakehurst, which for decades has been an economic engine in my community with thousands of jobs tied to operations on the base. However, too often construction contracts at the base don't go to these local businesses and local workers and instead go out of State.

I introduced the Put Our Neighbors to Work Act and offer it as an amendment here for those skilled and qualified construction workers, electricians, painters, and other local contractors in my district who are looking for that next opportunity and who are ready and able to do this work and build DOD infrastructure right in their own community; a community they are proud to live in and work that they want to do for our country.

I am proud that another key provision of my bill was adopted in the Armed Services Committee markup which would require more transparency to provide small businesses a fair chance to compete for subcontracting opportunities under military construction contracts.

Mr. Speaker, I thank Congressman PFLUGER, Congressman NORCROSS, and Congressman GARAMENDI for cosponsoring this bipartisan bill. I urge my colleagues on both sides of the aisle to stand up for local workers and local economies by passing this amendment which has passed the House, as I have said, on a bipartisan basis the past 2 years.

Mr. Speaker, I reserve the balance of my time.

Mr. WALTZ. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. WALTZ. Mr. Speaker, this amendment requires local preferences and State construction licenses for all facility sustainment and military construction projects.

Mr. Speaker, it is notable the opposition to this amendment includes the Chamber of Commerce, the National Defense Industrial Association, the Associated General Contractors of America, the Association of Building Contractors, and the American Council of Engineering Companies. All of them oppose this, and notably, this provision last year was strongly opposed by the Biden Administration.

Mr. Speaker, this provision would increase time and money to an already difficult, lengthy, and often slow military construction process. These are facilities that our fighting men and women desperately need.

Mr. Speaker, it also impacts the skilled workforce. The local hiring preferences would significantly impact a military construction contractor's workforce by creating scenarios where long-term, highly skilled workers may have to be released and may have to be laid off in order to meet the local hire mandate. Then in order to comply with the requirements, employers would have to bring in unnecessary and unskilled workers to fill these now vacant positions, creating additional costs and creating additional safety concerns.

□ 1630

Local preference requirements falsely assume—and here is the fundamental issue. It is a false assumption that there is this automatic pool of qualified military contractors and workers wherever this military construction project may take place. Often, there is, in some locations. But often, in our most rural locations, there is not. There is an assumption that they are capable of performing this work.

Mr. Speaker, the bottom line is the provision would increase costs. Again, it would expand an already bloated military construction timeline, and it will reduce skilled employment and decrease the quality of construction in these vital projects.

Mr. Speaker, I urge opposition to this amendment. I reserve the balance of my time.

Mr. KIM of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, this is something I know quite a bit about because I was one of those young electricians in an area hoping to get a job, and then I see somebody come from hundreds of miles away with their company and undercut by literally cutting their wages and kicking back to their employers.

Now, I am not suggesting that happens everywhere. But there is nothing more frustrating than to have a job in your local community that goes to outsiders who travel from very far distances to replace the workers who live there.

Each of us understands how much we care about our districts. Each of us understands that on a level that is proven every November. We love our districts. We want to help those in our districts.

This is why I find it so surprising that we wouldn't want to fight for a local hire agreement, a 60-mile radius. Take any point in this country, in 60 miles, you will find qualified workers. If, God forbid, that is not available, there are waivers allowed here for the Department of Defense.

That is the important part to understand. There are qualified people throughout this country who do construction work on an annual basis, who do specialized work. They are the ones who live in that community. They are the ones who pay the taxes in that community.

To have somebody come in from distances outside the State, who don't pay the taxes, and take that money back to their area, God bless them.

Where we have the ability to fight for our constituents in our districts through local hire, this is the smart thing to do. It is not only smart for the local people, but they are good workers who have been trained well.

Mr. Speaker, I urge all of my colleagues to vote for their districts and vote for this amendment.

Mr. WALTZ. Mr. Speaker, I reserve the balance of my time.

Mr. KIM of New Jersey. Mr. Speaker, I yield myself the balance of my time.

I just want to say on this front that I have had the great opportunity to go around my State, to go around a lot of

other States, to visit different military installations. Every single place I have been to, in every State, including mine, New Jersey, we are so proud to host these military bases, these military installations. It is a duty of ours and something that we consider very sacred, to be able to support and contribute to our national security in that kind of way.

Oftentimes, that requires our States and our communities to step up in different ways, to take on different actions to be able to be accommodating and to support these bases.

We are proud, though, to be able to host, and we hope that these bases are proud of their relationship with us, of being able to be part of our community. That is all we are asking about here.

This isn't about trying to have unskilled workers be able to take jobs of skilled workers. It is exactly the opposite of that. This is something that is only to require DOD to give preference to firms that will hire locally, and it is to the extent practical. If that is not practical, there are, as was said, waivers and other reasons why we can push this forward. I don't want this to be something that pushes in that direction.

Mr. Speaker, I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Mr. WALTZ. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Speaker, I rise in opposition to this amendment.

Again, this is really about making sure that there is the proper workforce placed in the right areas where the work is to be done.

We have heard time and time again today that the unavailability of skilled workforce in many areas is causing delays in construction jobs. The last thing we need is delays in military construction jobs because of this inconsistency in the availability of a skilled workforce.

It also undermines competition. Competition is a good thing. Why wouldn't we want to open it up and make sure that everybody who has the capability to do this work is able to compete? I think those things are incredibly important.

When we don't have competition, we know that that increases the cost to the United States Government. Why would we want to increase costs on these projects so we do fewer projects?

There is already a backlog of these military construction projects. This will only add to the backlog. It will only make it more difficult to complete these projects. It will add to the costs. It will add to delays. All of these things are counter to what we need to be doing.

With a backlog of these projects, we need to be assuring that there is competition reducing costs and reducing timeframes.

Mr. WALTZ. Mr. Speaker, I yield myself the balance of my time.

Military construction and sustainment is bureaucratic; it is cumbersome; it is slow; and it is not providing our servicemembers what they need. That needs to be the focus, period.

This provision would represent a momentous shift, a sea change in the way the Department of Defense and defense contractors perform work, with unknown costs to both the government and the contractors, especially small business contractors.

We have to get these projects done timely and on budget and get the facilities that we need to our servicemembers.

Mr. Speaker, I urge opposition, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from New Jersey (Mr. KIM).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALTZ. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

The Chair understands that amendment No. 5 will not be offered.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. SMITH OF WASHINGTON

Mr. SMITH of Washington. Mr. Speaker, pursuant to House Resolution 1224, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 6, 7, 9, 10, 11, 17, 21, 22, 23, 24, 26, 27, 28, 30, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69, 71, 72, 73, 74, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, and 163, printed in part A of House Report 117–405, offered by Mr. SMITH of Washington:

AMENDMENT NO. 6 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of subtitle G of title X, insert the following:

SEC. 10____. AVAILABILITY OF INFORMATION REGARDING PROCUREMENT OF EQUIPMENT BY STATE AND LOCAL GOVERNMENTS THROUGH THE DEPARTMENT OF DEFENSE.

Section 281 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

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

''(d) AVAILABILITY OF INFORMATION.—(1) The Secretary, in coordination with the Administrator of General Services, shall establish and maintain a publicly available internet website that provides up-to-date and comprehensive information, in a searchable format, on the purchase of equipment under the procedures established under subsection (a) and the recipients of such equipment.

''(2) The information required to be made publicly available under paragraph (1) includes all unclassified information pertaining to such purchases, including—

''(A) the catalog of equipment available for purchase under subsection (c);

''(B) for each purchase of equipment under the procedures established under subsection (a)—

''(i) the recipient State or unit of local government;

''(ii) the purpose of the purchase;

''(iii) the type of equipment;

''(iv) the cost of the equipment; and

''(v) the administrative costs under subsection (b); and

''(C) other information the Secretary determines is necessary.

''(3) The Secretary shall update the information included on the internet website required under paragraph (1) on a quarterly basis.''.

AMENDMENT NO. 7 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle J of title V, add the following:

SEC. 5____. SENSE OF CONGRESS REGARDING WOMEN INVOLUNTARILY SEPARATED FROM THE ARMED FORCES DUE TO PREGNANCY OR PARENTHOOD.

(a) FINDINGS.—Congress finds the following:

(1) In June 1948, Congress enacted the Women's Armed Services Integration Act of 1948, which formally authorized the appointment and enlistment of women in the regular components of the Armed Forces.

(2) With the expansion of the Armed Forces to include women, the possibility arose for the first time that members of the regular components of the Armed Forces could become pregnant.

(3) The response to such possibilities and actualities was Executive Order 10240, signed by President Harry S. Truman in 1951, which granted the Armed Forces the authority to involuntarily separate or discharge a woman if she became pregnant, gave birth to a child, or became a parent by adoption or a stepparent.

(4) The Armed Forces responded to the Executive order by systematically discharging any woman in the Armed Forces who became pregnant, regardless of whether the pregnancy was planned, unplanned, or the result of sexual abuse.

(5) Although the Armed Forces were required to offer women who were involuntarily separated or discharged due to pregnancy the opportunity to request retention in the military, many such women were not offered such opportunity.

(6) The Armed Forces did not provide required separation benefits, counseling, or assistance to the members of the Armed Forces who were separated or discharged due to pregnancy.

(7) Thousands of members of the Armed Forces were involuntarily separated or discharged from the Armed Forces as a result of pregnancy.

(8) There are reports that the practice of the Armed Forces to systematically separate or discharge pregnant members caused some such members to seek an unsafe or inaccessible abortion, which was not legal at the time, or to put their children up for adoption, and that, in some cases, some women died by suicide following their involuntary

separation or discharge from the Armed Forces.

(9) Such involuntary separation or discharge from the Armed Forces on the basis of pregnancy was challenged in Federal district court by Stephanie Crawford in 1975, whose legal argument stated that this practice violated her constitutional right to due process of law.

(10) The Court of Appeals for the Second Circuit ruled in Stephanie Crawford's favor in 1976 and found that Executive Order 10240 and any regulations relating to the Armed Forces that made separation or discharge mandatory due to pregnancy were unconstitutional.

(11) By 1976, all regulations that permitted involuntary separation or discharge of a member of the Armed Forces because of pregnancy or any form of parenthood were rescinded.

(12) Today, women comprise 17 percent of the Armed Forces, and many are parents, including 12 percent of whom are single parents.

(13) While military parents face many hardships, today's Armed Forces provides various lengths of paid family leave for mothers and fathers, for both birth and adoption of children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that women who served in the Armed Forces before February 23, 1976, should not have been involuntarily separated or discharged due to pregnancy or parenthood.

(c) EXPRESSION OF REMORSE.—Congress hereby expresses deep remorse for the women who patriotically served in the Armed Forces, but were forced, by official United States policy, to endure unnecessary and discriminatory actions, including the violation of their constitutional right to due process of law, simply because they became pregnant or became a parent while a member of the Armed Forces.

AMENDMENT NO. 9 OFFERED BY MR. LEVIN OF CALIFORNIA

Page 398, after line 17, insert the following new section:

SEC. 599. ARMED FORCES WORKPLACE AND GENDER RELATIONS SURVEYS.

Subsection (c) of section 481 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) Indicators of the assault (including unwanted sexual contact) that give reason to believe that the victim was targeted, or discriminated against, or both, for a real or perceived status in a minority group based on race, color, national origin, religion, sex (including gender identity, sexual orientation, or sex characteristics), and any other factor considered appropriate by the Secretary.''.

AMENDMENT NO. 10 OFFERED BY MS. OMAR OF MINNESOTA

Page 788, line 12, strike ''and''.

Page 788, line 16, strike the period and insert ''; and''.

Page 788, beginning line 17, insert the following:

(C) a description of efforts to prevent civilian harm and human rights violations.

AMENDMENT NO. 11 OFFERED BY MR. KHANNA OF CALIFORNIA

At the end of subtitle F of title X, insert the following:

SEC. 10___. REPORT ON DEPARTMENT OF DEFENSE PRACTICES REGARDING DISTINCTION BETWEEN COMBATANTS AND CIVILIANS IN UNITED STATES MILITARY OPERATIONS.

(a) REPORT.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct an independent report on Department of Defense practices regarding distinguishing between combatants and civilians in United States military operations.

(b) ELEMENTS.—The report required under subsection (a) shall include the following matters:

(1) A description of how the Department of Defense and individual members of the Armed Forces have differentiated between combatants and civilians in both ground and air operations since 2001, including in Afghanistan, Iraq, Syria, Somalia, Libya, and Yemen, including—

(A) relevant policy and legal standards and how these standards were implemented in practice;

(B) target engagement criteria; and

(C) whether military-aged males were presumptively targetable.

(2) A description of how the Department of Defense has differentiated between combatants and civilians when assessing allegations of civilian casualties since 2001, including in Afghanistan, Iraq, Syria, Somalia, Libya, and Yemen, including—

(A) relevant policy and legal standards and the factual indicators these standards were applied to in assessing claims of civilian casualties; and

(B) any other matters the Secretary of Defense determines appropriate.

(c) SUBMISSION OF REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an unaltered copy of the assessment under this section, together with the views of the Secretary on the assessment.

(d) DEFINITION OF UNITED STATES MILITARY OPERATION.—In this section, the term ''United States military operations'' includes any mission, strike, engagement, raid, or incident involving United States Armed Forces.

AMENDMENT NO. 17 OFFERED BY MR. VEASEY OF TEXAS

At the end of subtitle B of title I, add the following new section:

SEC. 1___. FUNDING FOR ADDITIONAL JOINT STRIKE FIGHTER AIRCRAFT.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Navy, as specified in the corresponding funding table in section 4101, for Joint Strike Fighter CV, line 002, is hereby increased by $354,000,000 (with the amount of such increase to used for the procurement of three additional Joint Strike Fighter aircraft).

(b) OFFSETS.—

(1) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Army, as specified in the corresponding funding table in section 4301, for operating forces, maneuver units, line 010, is hereby reduced by $50,000,000.

(2) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Army, as specified in the corresponding funding table in section 4301, for operating forces, aviation assets, line 060, is hereby reduced by $100,000,000.

(3) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Army, as specified in the corresponding funding table in section 4301, for training and recruiting, training support, line 340, is hereby reduced by $16,000,000.

(4) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Army, as specified in the corresponding funding table in section 4301, for administration and service-wide activities, other personnel support, line 480, is hereby reduced by $23,000,000.

(5) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Navy, as specified in the corresponding funding table in section 4301, for operating forces, weapons maintenance, line 250, is hereby reduced by $62,500,000.

(6) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Navy, as specified in the corresponding funding table in section 4301, for administration and service-wide activities, military manpower and personnel management, line 470, is hereby reduced by $30,000,000.

(7) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Marine Corps, as specified in the corresponding funding table in section 4301, for operating forces, operational forces, line 010, is hereby reduced by $16,500,000.

(8) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Air Force, as specified in the corresponding funding table in section 4301, for operating forces, base support, line 090, is hereby reduced by $56,000,000.

AMENDMENT NO. 21 OFFERED BY MS. TLAIB OF MICHIGAN

Page 299, line 25, strike ''and'' at the end.

Page 300, line 4, strike the period at the end and insert ''; and''.

Page 300, after line 4, insert the following:

(3) the historically discriminatory manner in which laws related to marijuana offenses have been enforced, the potential for the continued discriminatory application of the law (whether intentional or unintentional), and recommendations for actions that can be taken to minimize the risk of such discrimination.

AMENDMENT NO. 22 OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

Page 502, line 2, strike ''**MEDICINAL CANNABIS**'' and insert ''**QUALIFIED ALTERNATIVE THERAPIES**''.

Page 502, line 6, strike ''medicinal cannabis as an alternatives'' and insert ''qualified alternative therapies as alternative therapies''.

Page 503, beginning on line 19, strike ''medicinal cannabis'' and insert ''a qualified alternative therapy''.

Page 503, beginning on line 25, strike ''medicinal cannabis'' and insert ''a qualified alternative therapy''.

Page 504, line 11, strike ''medicinal cannabis'' and insert ''qualified alternative therapies''.

Page 504, after line 22, add the following:

(3) The term ''qualified alternative therapy'' means—

(A) medicinal cannabis;

(B) methylenedioxymethamphetamine (commonly referred to as MDMA); and

(C) psilocybin.

AMENDMENT NO. 23 OFFERED BY MR. CRENSHAW OF TEXAS

Add at the end of subtitle D of title VII the following new section:

SEC. 7___. GRANT PROGRAM TO STUDY TREATMENT OF POST-TRAUMATIC STRESS DISORDER USING CERTAIN PSYCHEDELIC SUBSTANCES.

(a) GRANT PROGRAM.—The Secretary of Defense shall carry out a program to award grants to eligible entities to conduct research on the treatment of members of the Armed Forces serving on active duty with post-traumatic stress disorder using covered psychedelic substances.

(b) CRITERION FOR APPROVAL.—The Secretary may award a grant under this section to an eligible entity to conduct research if the Secretary determines that the research involves a therapy that has the potential to demonstrate significant medical evidence of a therapeutic advantage.

(c) ELIGIBLE ENTITIES.—The Secretary may award a grant under this section to any of the following:

(1) A department or agency of the Federal Government or a State government.

(2) An academic institution.

(3) A nonprofit entity.

(d) USE OF GRANT FUNDS.—A recipient of a grant awarded under this section may use the grant to—

(1) conduct one or more phase two clinical trials for the treatment of post-traumatic stress disorder that—

(A) include members of the Armed Forces serving on active duty as participants in the clinical trial; and

(B) use individual or group therapy assisted by covered psychedelic substances; or

(2) train practitioners to provide treatment to members of the Armed Forces serving on active duty for post-traumatic stress disorder using covered psychedelic substances.

(e) PARTICIPATION IN CLINICAL TRIALS.—The Secretary may authorize a member of the Armed Forces to participate in a clinical trial that is conducted using a grant awarded under this section or funds provided under subsection (f) and is authorized pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), without regard to—

(1) whether the clinical trial involves a substance included in the schedule under section 202 of the Controlled Substances Act (21 U.S.C. 812); or

(2) section 912a of title 10, United States Code (article 112a of the Uniform Code of Military Justice).

(f) ADDITIONAL AUTHORITY.—In addition to awarding grants under this section, the Secretary may provide funds for a clinical research trial using covered psychedelic substances that is authorized pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and includes members of the Armed Forces as participants in the trial.

(g) DEFINITIONS.—In this section:

(1) The term ''covered psychedelic substances'' means any of the following:

(A) 3,4-methylenedioxy-methamphetamine (commonly known as ''MDMA'').

(B) Psilocybin.

(C) Ibogaine.

(D) 5–Methoxy-N,N-dimethyltryptamine (commonly known as ''5–MeO–DMT'').

(2) The term ''State'' includes any State, district, territory, or possession of the United States.

AMENDMENT NO. 24 OFFERED BY MS. NORTON OF THE DISTRICT OF COLUMBIA

At the end of subtitle F of title V, add the following new section:

SEC. 5___. INCREASE IN THE NUMBER OF INDIVIDUALS FROM THE DISTRICT OF COLUMBIA WHO MAY BE APPOINTED TO MILITARY SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 7442 of title 10, United States Code, is amended—

(1) in subsection (a)(5), by striking ''Five'' and inserting ''Fifteen''; and

(2) in subsection (b)(5), by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''.

(b) UNITED STATES NAVAL ACADEMY.—Section 8454 of title 10, United States Code, is amended—

(1) in subsection (a)(5), by striking ''Five'' and inserting ''Fifteen''; and

(2) in subsection (b)(5), by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9442 of title 10, United States Code, is amended—

(1) in subsection (a)(5), by striking ''Five'' and inserting ''Fifteen''; and

(2) in subsection (b)(5), by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''.

AMENDMENT NO. 26 OFFERED BY MR. KAHELE OF HAWAII

At the end of subtitle I of title V, insert the following:

SEC. 5___. RESCISSION OF MEDALS OF HONOR AWARDED FOR ACTS AT WOUNDED KNEE CREEK ON DECEMBER 29, 1890.

(a) IN GENERAL.—Each Medal of Honor awarded for acts at Wounded Knee Creek, Lakota Pine Ridge Indian Reservation, South Dakota, on December 29, 1890, is rescinded.

(b) MEDAL OF HONOR ROLL.—The Secretary concerned shall remove the name of each individual awarded a Medal of Honor for acts described in subsection (a) from the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll maintained under section 1134a of title 10, United States Code.

(c) RETURN OF MEDAL NOT REQUIRED.—No person may be required to return to the Federal Government a Medal of Honor rescinded under subsection (a).

(d) NO DENIAL OF BENEFITS.—This Act shall not be construed to deny any individual any benefit from the Federal Government.

AMENDMENT NO. 27 OFFERED BY MS. SLOTKIN OF MICHIGAN

At the end of subtitle G of title V, insert the following:

SEC. 5___. TRAINING ON CONSEQUENCES OF COMMITTING A CRIME IN PRESEPARATION COUNSELING OF THE TRANSITION ASSISTANCE PROGRAM.

(a) ESTABLISHMENT.—Subsection (b) of section 1142 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(20) Training regarding the consequences to such a member who is convicted of a crime, specifically regarding the loss of benefits from the Federal Government to such member.''.

(b) IMPLEMENTATION DATE.—The Secretary concerned shall carry out paragraph (20) of such subsection, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(c) DEVELOPMENT.—The Secretary of Defense shall develop the training under such paragraph.

(d) PROGRESS BRIEFING.—Not later than 180 days of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives regarding progress of the Secretary in preparing the training under such paragraph.

AMENDMENT NO. 28 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle D of title X, add the following new section:

SEC. 10___. REPORT ON THREAT POSED BY DOMESTIC TERRORISTS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the officials specified in subsection (c), shall submit to the congressional defense committees a report that includes an evaluation of the nature and extent of the domestic terror threat and domestic terrorist groups.

(b) ELEMENTS.—The report under subsection (a) shall—

(1) describe the manner in which domestic terror activity is tracked and reported;

(2) identify all known domestic terror groups, whether formal in nature or loosely affiliated ideologies, including groups motivated by a belief system of white supremacy such as the Proud Boys and Boogaloo;

(3) include a breakdown of the ideology of each group; and

(4) describe the efforts of such groups, if any, to infiltrate or target domestic constitutionally protected activity by citizens for cooption or to carry out attacks, and the number of individuals associated or affiliated with each group that engages in such efforts.

(c) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

(1) The Director of the Federal Bureau of Investigation

(2) The Under Secretary of Homeland Security for Intelligence and Analysis.

(3) The Director of National Intelligence.

AMENDMENT NO. 30 OFFERED BY MS. MANNING OF NORTH CAROLINA

At the appropriate place in subtitle B of title XIII, insert the following:

SEC. ___. ANNUAL REPORT ON ROLE OF ANTISEMITISIM IN VIOLENT EXTREMIST MOVEMENTS.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State and the Office of the Special Envoy To Monitor and Combat Antisemitism, shall submit to the appropriate congressional committees an annual report on—

(1) the rise in global antisemitism;

(2) the role of antisemitism in violent extremist movements;

(3) the threat of global antisemitism to the United States Armed Forces; and

(4) the threat of global antisemitism to United States national security and interests.

(b) FORM; PUBLICATION.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex. The unclassified portion of such report shall be published on a publicly available website of the Department of Defense.

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

(1) the Committee on Armed Services and the Committee on Foreign Affairs, of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 35 OFFERED BY MS. JACOBS OF CALIFORNIA

At the end of subtitle G of title X, add the following:

SEC. 10___. REPORT ON PURCHASE AND USE BY DEPARTMENT OF DEFENSE OF LOCATION DATA GENERATED BY AMERICANS' PHONES AND THEIR INTERNET METADATA.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees and make available to the public on an internet website of the Department of Defense a report that—

(1) identifies each covered entity that is currently, or during the five year period ending on the date of the enactment of this Act was, without a court order—

(A) obtaining in exchange for anything of value any covered records; and

(B) intentionally retaining or intentionally using such covered records; and

(2) for each covered entity identified pursuant to paragraph (1), identifies—

(A) each category of covered record the covered entity, without a court order, is obtaining or obtained, in exchange for anything of value;

(B) whether the covered entity intentionally retained or is intentionally retaining each category of covered records pursuant to subparagraph (A);

(C) whether the covered entity intentionally uses or used each category of covered records identified pursuant to subparagraph (A); and

(D) whether such obtaining, retention, and use ceased before the date of the enactment of this Act or is ongoing.

(b) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form.

(c) DETERMINATION OF PARTIES TO A COMMUNICATION.—In determining under this section whether a party to a communication is likely to be located inside or outside the United States, the Secretary shall consider the Internet Protocol (IP) address used by the party to the communication, but may also consider other information known to the Secretary.

(d) DEFINITIONS.—In this section:

(1) The term ''covered entities'' means the Defense Agencies, Department of Defense activities, and components of the Department that—

(A) are under the authority, direction, and control of the Under Secretary of Defense for Intelligence and Security; or

(B) over which the Under Secretary exercises planning, policy, funding, or strategic oversight authority.

(2) The term ''covered records'' includes the following:

(A) Location data generated by phones that are likely to be located in the United States.

(B) Domestic phone call records.

(C) International phone call records.

(D) Domestic text message records.

(E) International text message records.

(F) Domestic netflow records.

(G) International netflow records.

(H) Domestic Domain Name System records.

(I) International Domain Name System records.

(J) Other types of domestic internet metadata.

(K) Other types of international internet metadata.

(3) The term ''domestic'' means a telephone or an internet communication in which all parties to the communication are likely to be located in the United States.

(4)(A) The term ''international'' means a telephone or an internet communication in which one or more parties to the communication are likely to be located in the United States and one or more parties to the communication are likely to be located outside the United States.

(B) The term ''international'' does not include a telephone or an internet communication in which all parties to the communication are likely to be located outside the United States.

(5) The term ''obtain in exchange for anything of value'' means to obtain by purchasing, to receive in connection with services being provided for consideration, or to otherwise obtain in exchange for consideration, including an access fee, service fee, maintenance fee, or licensing fee.

(6)(A) Except as provided in subparagraph (B), the term ''retain'' means the storage of a covered record.

(B) The term ''retain'' does not include the temporary storage of a covered record that will be, but has not yet been, subjected to a process in which the covered record, which is part of a larger compilation containing records that are not covered records, are identified and deleted.

(7)(A) Except as provided in subparagraph (B), the term ''use'', with respect to a covered record, includes analyzing, processing, or sharing the covered record.

(B) The term ''use'' does not include subjecting the covered record to a process in which the covered record, which is part of a larger compilation containing records that are not covered records, are identified and deleted.

AMENDMENT NO. 36 OFFERED BY MR. LIEU OF CALIFORNIA

At the end of subtitle B of title XIII, add the following:

SEC. 13__. USE OF UNITED STATES-ORIGIN DEFENSE ARTICLES IN YEMEN.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Defense, shall develop specific guidance for investigating any indications that United States-origin defense articles have been used in Yemen by the Saudi-led coalition in substantial violation of relevant agreements with countries participating in the coalition, including for unauthorized purposes.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on—

(A) the guidance developed pursuant to subsection (a); and

(B) all current information on each of the certification elements required by section 1290 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(2) FORM.—The report required by this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.

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

(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

AMENDMENT NO. 37 OFFERED BY MS. JAYAPAL OF WASHINGTON

At the end of subtitle C of title VII, insert the following new section:

SEC. 7___. REPORT ON FEASABILITY OF CERTAIN LICENSING MODELS FOR DEPARTMENT OF DEFENSE-OWNED VACCINES AND OTHER MEDICAL INTERVENTIONS RELATING TO COVID–19.

(a) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of a licensing model under which, with respect to Department of Defense-owned vaccines or other medical interventions relating to COVID–19 that are approved, licensed, or otherwise authorized for use in accordance with applicable law, the Secretary would grant to Government-owned contractor-operated manufacturers nonexclusive licenses to manufacture such vaccines or other interventions.

(b) MATTERS.—The report under subsection (a) shall include an evaluation of the estimated differences in the pricing of, and equitable access to, the vaccines and other interventions specified in such subsection, that may arise as a result of—

(1) the Secretary granting exclusive licenses to manufacture such vaccines and other interventions, as compared with nonexclusive licenses; and

(2) the Secretary granting either such license to Government-owned contractor-operated manufacturers, as compared with other manufacturers.

AMENDMENT NO. 38 OFFERED BY MR. BIGGS OF ARIZONA

Add at the end of subtitle B of title XIII of division A the following:

SEC. 13___. SENSE OF CONGRESS REGARDING ISRAEL.

It is the sense of Congress that—

(1) since 1948, Israel has been one of the strongest friends and allies of the United States;

(2) Israel is a stable, democratic country in a region often marred by turmoil;

(3) it is essential to the strategic interest of the United States to continue to offer security assistance and related support to Israel; and

(4) such assistance and support is especially vital as Israel confronts a number of potential challenges at the present time, including continuing threats from Iran.

AMENDMENT NO. 39 OFFERED BY MR. KINZINGER OF ILLINOIS

At the appropriate place in subtitle D of title XII, insert the following:

SEC. _____. EXPANSION OF COOPERATION AND TRAINING WITH UKRAINE.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $100,000,000 to build the capacity of foreign security forces pursuant to relevant authorities under title 10, United States Code. Amounts so authorized shall be made available to provide assistance to Ukrainian military pilots and associated persons for the following purposes:

(1) Training and familiarity building with United States fixed-wing aircraft and other air platforms as appropriate for air-to-air and air-to-ground combat.

(2) Training on the use of munitions sets determined appropriate by the Secretary of Defense.

(3) Establishing a rapport between the Armed Forces of the United States and the armed forces of Ukraine to build partnerships for the future.

(4) Enhancement of capabilities for aerial combat operations.

(5) Focusing on the ability of Ukraine to teach current and future pilots on fixed-wing aircraft and other air platforms in Ukraine and elsewhere, especially during the ongoing Russian invasion of Ukraine.

(6) Fostering a better understanding of the air platforms, tactics, and techniques of the United States and other member countries of the North Atlantic Treaty Organization.

(b) NOTICE TO CONGRESS.—Not later than 15 days before providing assistance or support using amounts made available pursuant to the authorization under subsection (a), the Secretary of Defense shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a notification containing the following elements:

(1) A detailed description of the assistance or support to be provided, including—

(A) the objectives of such assistance or support.

(B) the budget for such assistance or support; and

(C) the expected or estimated timeline for delivery of such assistance or support.

(2) A description of such other matters as the Secretary considers appropriate.

(c) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Air Force, Flying Hour Program, Line 080, as specified in the corresponding funding table in section 4301, is hereby reduced by $100,000,000.

AMENDMENT NO. 41 OFFERED BY MRS. KIM OF CALIFORNIA

At the appropriate place in title LVIII, insert the following:

SEC. ___. ARMS EXPORTS DELIVERY SOLUTIONS ACT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) prioritizing the defense needs of United States allies and partners globally is a national security priority; and

(2) sustained support to key partners for interoperable defense systems is critical to preserve—

(A) the safety and security of American persons;

(B) the free flow of commerce through international trade routes;

(C) the United States commitment to collective security agreements, territorial integrity, and recognized maritime boundaries; and

(D) Taiwan's defense capability both in quantitative and qualitative terms.

(b) REPORT REQUIRED.—Not later than March 1, 2023, and March 1, 2024, the Secretary of State and the Secretary of Defense shall jointly transmit to the appropriate congressional committees a report with respect to the transfer of all defense articles or defense services, on or after October 1, 2017, pursuant to the authorities provided by—

(1) section 3, 21, or 36 of the Arms Export Control Act (22 U.S.C. 2753, 2761, or 2776); or

(2) section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)).

(c) ELEMENTS.—The report required by subsection (b) shall also contain the following:

(1) A list of all approved transfers of defense articles and services authorized by Congress pursuant to sections 25 and 36 of the Arms Export Control Act (22 U.S.C. 2765 and 2776) with a total value of $25,000,000 or more, to Taiwan, Japan, South Korea, Australia, or New Zealand, that have not been fully delivered by the start of the fiscal year in which the report is being submitted.

(2) The estimated start and end dates of delivery for each approved and incomplete transfer listed pursuant to paragraph (1), including additional details and dates for any transfers that involve multiple tranches of deliveries.

(3) With respect to each approved and incomplete transfer listed pursuant to paragraph (1), a detailed description of—

(A) any changes in the delivery dates of defense articles or services relative to the dates anticipated at the time of congressional approval of the transfer, including specific reasons for any delays related to the United States Government, defense suppliers, or a foreign partner;

(B) the feasibility and advisability of providing the partner subject to such delayed delivery with an interim capability or solution, including drawing from United States stocks, and any challenges to implementing such a capability or solution; and

(C) authorities, appropriations, or waiver requests that Congress could provide to improve delivery timelines or authorize the provision of interim capabilities or solutions identified pursuant to subparagraph (B).

(4) A description of ongoing interagency efforts to support attainment of operational capability of the corresponding defense articles and services once delivered, including advance training with United States or allied forces on the systems to be received. The description of any such training shall also include an identification of the training implementer.

(5) If a transfer listed pursuant to paragraph (1) has been terminated prior to the date of the submission of the report for any reason—

(A) the case information for such transfer;

(B) a description of the reasons for which the transfer is no longer in effect; and

(C) the impact this termination will have on the intended end-user and the consequent implications for regional security.

(6) A separate description of the actions the United States is taking to expedite deliveries of defense articles and services to Taiwan, including in particular, whether the United States intends to divert defense articles from United States stocks to provide an interim capability or solution with respect to any delayed deliveries to Taiwan and the plan, if applicable, to replenish any such diverted stocks.

(7) A description of other potential actions undertaken by the Department of State to improve delivery timelines for the transfers listed pursuant to paragraph (1).

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

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

AMENDMENT NO. 42 OFFERED BY MR. BARR OF KENTUCKY

At the appropriate place in subtitle A of title XIII, insert the following:

SEC. ___. TAIWAN DEFENSE COOPERATION.

(a) STUDY.—Not later than April 1, 2023, the Secretary of Defense, in consultation with the Joint Chiefs of Staff and the heads of such other agencies as the Secretary determines appropriate, shall complete a study on the feasibility of additional Department of Defense resources necessary to facilitate increased military cooperation between the United States and Taiwan.

(b) ELEMENTS.—The study required by subsection (a) shall assess the following:

(1) A description of the military cooperation handled by the Department of Defense between the United States and Taiwan during the preceding calendar year, including arm sales, mutual visits, exercises, and training.

(2) The additional manpower required to facilitate the arms sales process to Taiwan and other matters as specified in subsection (a).

(3) The overall cost and anticipated efficiency of such additional resources.

(4) Such other matters as may be determined relevant by the Secretary.

(c) BRIEFING.—Not later than April 1, 2023, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the findings of the study under subsection (a), including with respect to each element specified in subsection (b).

AMENDMENT NO. 43 OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of subtitle G of title X, insert the following:

SEC. 10___. NATIONAL TABLETOP EXERCISE.

(a) REQUIREMENT.—Not later than 365 days of enactment of this Act, the Secretary of Defense shall conduct a tabletop exercise designed to test the resiliency of the United States across all aspects of national power in the event of an invasion of a covered defense partner. The Secretary may conduct subsequent similar exercises on a biennial basis.

(b) PLANNING AND PREPARATION.—A tabletop exercise under this section shall be prepared by Department of Defense personnel.

(c) PRIVATE SECTOR.—In accordance with applicable laws and regulations regarding the protection of national security information, the Secretary may invite non-Government individuals or entities to participate in a tabletop exercise under this section.

(d) INTERNATIONAL PARTNERS.—The Secretary may invite allies and partners of the United States to participate in a tabletop exercise under this section.

(e) OBSERVERS.—The Secretary may invite representatives from the executive and legislative branches of the Federal Government to observe a tabletop exercise under this section.

(f) CONSULTATION REQUIREMENT.—The Secretary shall plan and execute a tabletop exercise under this section in consultation with the heads of the Federal departments and agencies who participate in the exercise, as determined by the Secretary.

(g) ELEMENTS.—A tabletop exercise under this section shall be designed to evaluate the following elements:

(1) The Federal Government response across all elements of national power to an invasion of a covered defense partner.

(2) The ability of the United States covered Armed Forces, alongside allied and partner militaries, to defeat an invasion of a covered defense partner.

(3) The resilience of domestic critical infrastructure and logistical chokepoints that may inhibit the mobility of the United States covered Armed Forces in responding to an invasion of a covered defense partner.

(4) The ability of the United States to coordinate an effective international public and private sector response.

(h) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date on which at tabletop exercise is conducted under this section, the Secretary shall provide to the appropriate congressional committees a briefing on the exercise.

(2) CONTENTS.—A briefing under paragraph (1) shall include—

(A) an assessment of the decision-making, capability, and response gaps observed in the tabletop exercise;

(B) recommendations to improve the response of the United States across all elements of national power in the case of an invasion of a covered defense partner;

(C) recommendations to improve the domestic resiliency and vulnerability of critical infrastructure of the United States in the case of an invasion of a covered defense partner; and

(D) appropriate strategies to address the recommendations identified in subparagraphs (B) and (C).

(i) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Oversight and Reform of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Homeland Security and Government Affairs of the Senate.

(2) The term ''covered Armed Force'' means—

(A) The Army.

(B) The Navy.

(C) The Marine Corps.

(D) The Air Force.

(E) The Space Force.

(3) The term ''covered defense partner'' means a country that is—

(A) identified as a partner in the document entitled ''Department of Defense Indo-Pacific Strategy Report'' issued on June 1, 2019; and

(B) located within 100 miles of the coast of a strategic competitor.

(4) The term ''tabletop exercise'' means an activity—

(A) in which key personnel assigned high-level roles and responsibilities are gathered to deliberate various simulated emergency or rapid response situations; and

(B) that is designed to be used to assess the adequacy of plans, policies, procedures, training, resources, and relationships or agreements that guide prevention of, response to, and recovery from a defined event.

AMENDMENT NO. 44 OFFERED BY MR. BERA OF CALIFORNIA

At the end of division E, add the following:

TITLE LIX—TAIWAN PEACE AND STABILITY ACT

SEC. 5901. SHORT TITLE.

This title may be cited as the ''Taiwan Peace and Stability Act''.

SEC. 5902. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States has consistently sought to advance peace and stability in East Asia as a central element of U.S. foreign policy toward the region.

(2) The Government of the People's Republic of China (PRC), especially since the election of Tsai Ing-Wen in 2016, has conducted a coordinated campaign to weaken Taiwan diplomatically, economically, and militarily in a manner that threatens to erode U.S. policy and create a fait accompli on questions surrounding Taiwan's future.

(3) In order to ensure the longevity of U.S. policy and preserve the ability of the people of Taiwan to determine their future independently, it is necessary to reinforce Taiwan's diplomatic, economic, and physical space.

(b) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) maintain the position that peace and stability in the Western Pacific are in the political, security, and economic interests of the United States, and are matters of international concern; and

(2) work with allies and partners to promote peace and stability in the Indo-Pacific and deter military acts or other forms of coercive behavior that would undermine regional stability.

SEC. 5903. DEFINITIONS.

In this title—

(1) the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Foreign Relations of the Senate;

(2) the term ''international organization'' includes United Nations funds, programs, specialized agencies, entities, and bodies, and other organizations outside of the United Nations system, as the Secretary of State or the Secretary's designee deems appropriate, and in consultation with other Federal departments and agencies;

(3) the term 'One-China Principle' means the PRC's policy toward Taiwan;

(4) the term ''civil society organizations'' means international civil society organizations that are critical to maintaining Taiwan's international space and enabling Taiwan to play a positive and constructive role in the global community; and

(5) the term ''potential PLA campaigns'' means—

(A) a naval blockade of Taiwan;

(B) an amphibious assault and ground invasion of Taiwan, especially such invasion designed to accomplish a fiat accompli before intervention is possible; and

(C) a seizure of one or more of Taiwan's outlying islands.

Subtitle A—Supporting Taiwan's Meaningful Participation in the International Community

SEC. 5911. FINDINGS.

Congress makes the following findings:

(1) Taiwan has provided monetary, humanitarian, and medical assistance to combat diseases such as AIDS, tuberculosis, Ebola, and dengue fever in countries around the world. During the COVID–19 pandemic, Taiwan donated millions of pieces of personal protective equipment and COVID–19 tests to countries in need.

(2) Since 2016, the Gambia, Sao Tome and Principe, Panama, the Dominican Republic, Burkina Faso, El Salvador, the Solomon Islands, and Kiribati have severed diplomatic relations with Taiwan in favor of diplomatic relations with China.

(3) Taiwan was invited to participate in the World Health Assembly, the decision-making body of the World Health Organization (WHO), as an observer annually between 2009 and 2016. Since the 2016 election of President Tsai, the PRC has increasingly resisted Taiwan's participation in the WHA. Taiwan was not invited to attend the WHA in 2017, 2018, 2019, 2020, or 2021.

(4) The Taipei Flight Information Region reportedly served 1.75 million flights and 68.9 million passengers in 2018 and is home to Taiwan Taoyuan International airport, the eleventh busiest airport in the world. Taiwan has been excluded from participating at the International Civil Aviation Organization (ICAO) since 2013.

(5) United Nations (UN) General Assembly Resolution 2758 does not address the issue of representation of Taiwan and its people at the United Nations, nor does it give the PRC the right to represent the people of Taiwan.

SEC. 5912. SENSE OF CONGRESS ON TAIWAN'S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL COMMUNITY.

It is the sense of Congress that—

(1) Taiwan is free, democratic, and prosperous, and is home to 23.5 million people. It is an important contributor to the global community, as a model for democracy, and by providing expertise in global health, international aviation security, emerging technology development, and with forward looking environmental policies;

(2) multiple United States Government administrations of both political parties have taken important steps to advance Taiwan's meaningful participation in international organizations;

(3) existing efforts to enhance U.S. cooperation with Taiwan to provide global public goods, including through development assistance, humanitarian assistance, and disaster relief in trilateral and multilateral fora is laudable and should continue;

(4) nonetheless, significant structural, policy, and legal barriers remain to advancing Taiwan's meaningful participation in the international community; and

(5) efforts to share Taiwan's expertise with other parts of the global community could be further enhanced through a systematic approach, along with greater attention from Congress and the American public to such efforts.

SEC. 5913. STRATEGY TO SUPPORT TAIWAN'S MEANINGFUL PARTICIPATION IN INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with other Federal departments and agencies as appropriate, shall submit to the appropriate congressional committees a strategy—

(1) to advance Taiwan's meaningful participation in a prioritized set of international organizations (IOs); and

(2) that responds to growing pressure from the PRC on foreign governments, IOs, commercial actors, and civil society organizations to comply with its ''One-China Principle'', with respect to Taiwan.

(b) MATTERS TO BE INCLUDED.—

(1) IN GENERAL.—The strategy required in paragraph (a) shall include:

(A) An assessment of the methods the PRC uses to coerce actors to into adhering to its ''One-China Principle.'' The methods shall include those employed against governments, IOs, and civil society organizations. The assessment shall also include pressure on commercial actors, to the extent it is relevant in the context of Taiwan's meaningful participation in IOs.

(B) An assessment of the policies of foreign governments toward the PRC and Taiwan, to identify likeminded allies and partners who might become public or private partners in the strategy.

(C) A systematic analysis of all IOs, as practicable, to identify IOs that best lend themselves to advancing Taiwan's participation. The analysis shall include, but is not limited to the IOs'—

(i) policy on the requirements to obtain membership and observer status, as well as the foundational documents defining membership requirements and observer status within the IO;

(ii) participation rules;

(iii) processes for developing membership requirements and participation rules;

(iv) policies of current members regarding Taiwan's political status; and

(v) relative reliance on contributions from the PRC and how it may affect internal decision making.

(D) An evaluation of the feasibility and advisability of expanding economic, security, and diplomatic engagement with nations that have demonstrably strengthened, enhanced, or upgraded relations with Taiwan, where it aligns with U.S. interests.

(E) A survey of IOs that have allowed Taiwan's meaningful participation, including an assessment of whether any erosion in Taiwan's engagement has occurred within those organizations and how Taiwan's participation has positively strengthened the capacity and activity of these organizations, thereby providing positive models for Taiwan's inclusion in other similar forums.

(F) A list of no more than 20 IOs at which the U.S. Government will prioritize for using its voice, vote, and influence to advance Taiwan's meaningful participation over the three-year period following the date of enactment of this Act. The list shall be derived from the IOs identified in paragraph (1)(C).

(G) A description of the diplomatic strategies and the coalitions the U.S. Government plans to develop to implement paragraph (b)(1)(F).

(c) FORM OF REPORT.—The strategy required in subsection (a) shall be classified, but it may include an unclassified summary, if the Secretary of State determines it appropriate.

(d) CONSULTATION.—The Secretary of State or his or her designee, shall consult with the appropriate congressional committees—

(1) no later than 90 days after the date of enactment of this Act, on the list of IOs identified in subsection (b)(1)(C); and

(2) 180 days after submitting the strategy required in subsection (a), and 180 days thereafter for two years, regarding the development and implementation of the strategy.

SEC. 5914. EXPANDING UNITED STATES-TAIWAN DEVELOPMENT COOPERATION.

(a) IN GENERAL.—No later than 120 days following the date of enactment of this Act, the Administrator of the United States Agency for International Development (USAID), in consultation with the U.S. International Development Finance Corporation (DFC), shall submit to the appropriate congressional committees a report on cooperation with Taiwan on trilateral and multilateral development initiatives through the American Institute in Taiwan as appropriate.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include:

(1) A comprehensive review of existing cooperation mechanisms and initiatives between USAID or DFC, and relevant departments and agencies in Taiwan, including, but not limited to Taiwan's International Cooperation and Development Fund (ICDF).

(2) An assessment of how USAID and DFC development cooperation with relevant departments and agencies in Taiwan compares to comparable cooperation with partners of similar economic size and foreign assistance capacity.

(3) An analysis of the opportunities and challenges the cooperation reviewed in paragraph (1) has offered to date. The analysis shall include, but is not limited to—

(A) opportunities collaboration has offered to expand USAID's and DFC's ability to deliver assistance into a wider range communities;

(B) sectors where USAID, DFC, ICDF, other relevant agencies and departments in Taiwan, or the organizations' implementing partners have a comparative advantage in providing assistance;

(C) opportunities to transition virtual capacity building events with relevant departments and agencies in Taiwan, through the Global Cooperation and Training Framework (GCTF) as well as other forums, into in-person, enduring forms of development cooperation.

(4) An assessment of any legal, policy, logistical, financial, or administrative barriers to expanding cooperation in trilateral or multilateral development. The analysis shall include, but is not limited to—

(A) availability of personnel at the American Institute in Taiwan (AIT) responsible for coordinating development assistance cooperation;

(B) volume of current cooperation initiatives and barriers to expanding it;

(C) diplomatic, policy, or legal barriers facing the United States or other partners to including Taiwan in formal and informal multilateral development cooperation mechanisms;

(D) resource or capacity barriers to expanding cooperation facing the United States or Taiwan; and

(E) geopolitical barriers that complicate U.S.-Taiwan cooperation in third countries.

(5) Recommendations to address the challenges identified in paragraph (b)(4).

(6) A description of any additional resources or authorities that expanding cooperation might require.

(c) FORM OF REPORT.—The strategy required in subsection (a) shall be unclassified, but it may include a classified annex if the Administrator of USAID determines it appropriate.

Subtitle B—Advancing Taiwan's Economic Space

SEC. 5921. SENSE OF CONGRESS ON EXPANDING U.S. ECONOMIC RELATIONS WITH TAIWAN.

It is the sense of the Congress that—

(1) expanding U.S. economic relations with Taiwan has benefited the people of both the United States and Taiwan. Taiwan is now the United States 10th largest goods trading partner, 13th largest export market, 13th largest source of imports, and a key destination for U.S. agricultural exports;

(2) further integration, consistent with robust environmental standard and labor rights, would benefit both peoples and is in the strategic and diplomatic interests of the United States; and

(3) the United States should explore opportunities to expand economic agreements between Taiwan and the United States, through dialogue, and by developing the legal templates required to support potential future agreements.

Subtitle C—Enhancing Deterrence Over Taiwan

SEC. 5931. SENSE OF CONGRESS ON PEACE AND STABILITY IN THE TAIWAN STRAIT.

It is the sense of Congress that—

(1) PRC attempts to intimidate Taiwan, including through high rates of PRC sorties into air space near Taiwan, and PRC amphibious assault exercises near Taiwan, jeopardizes the long-standing U.S. position that differences in cross-Strait relations must be resolved peacefully;

(2) given the potential for a cross-Strait conflict to be highly destructive and destabilizing, any increase in the risk of conflict demands attention and obligates leaders to reinforce deterrence, as the most viable means to prevent war;

(3) Taiwan should continue to implement its asymmetric defense strategy, including investing in cost-effective and resilient capabilities, while also strengthening recruitment and training of its reserve and civil defense forces, and those capabilities include coastal defense cruise missiles; and

(4) while enhancing deterrence, it is also essential to maintain open and effective crisis communication and risk reduction mechanisms, as a means to reduce the risk of misunderstanding and ultimately, conflict.

SEC. 5932. STRATEGY TO ENHANCE DETERRENCE OVER A CROSS-STRAIT CONFLICT.

(a) IN GENERAL.—No later than 90 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a whole-of-government strategy to enhance deterrence over a cross-Strait military conflict between the PRC and Taiwan.

(b) MATTERS TO BE INCLUDED.—The strategy shall include:

(1) A comprehensive review of existing diplomatic, economic, and military tools to establish deterrence over a cross-Strait conflict and an assessment of their efficacy.

(2) An examination of the present and future capabilities of the United States and Taiwan to respond to the potential PLA campaigns against Taiwan in 5, 10, and 15 years. The analysis shall include an assessment of the progress Taiwan has made in developing the cost-effective and resilient capabilities needed to respond to its strategic environment, as well as any additional personnel, procurement, or training reforms required.

(3) An evaluation of the feasibility of expanding coordination with U.S. allies and partners to enhance deterrence over a cross-Strait conflict. The review shall include, but is not limited to, a review of the following matters:

(A) Expanding coordination of public or private messaging on deterrence vis-à-vis Taiwan.

(B) Coordinating use of economic tools to raise the costs of PRC military action that could precipitate a cross-Strait conflict.

(C) Enhancing co-development and co-deployment of military capabilities related to deterrence over a cross-Strait conflict, or enhancing coordinated training of Taiwan's military forces.

(4) Recommendations on significant additional diplomatic, economic, and military steps available to the U.S. Government, unilaterally and in concert with U.S. allies and partners, to enhance the clarity and credibility of deterrence over a cross-Strait conflict.

(5) A description of any additional resources or authorities needed to implement the recommendations identified in paragraph (5).

(c) FORM OF REPORT.—The strategy required in subsection (b) shall be classified, but it may include an unclassified annex, if determined appropriate by the President.

(d) CONSULTATION.—No later than 90 days after the date of enactment of this Act, and not less frequently than every 180 days thereafter for seven years, the President or his or her designee, as well as representatives from the agencies and departments involved in developing the strategy required in paragraph (a) shall consult with the appropriate congressional committees regarding the development and implementation of the strategy required in this section. The representatives shall be at the Undersecretary level or above.

SEC. 5933. STRENGTHENING TAIWAN'S CIVILIAN DEFENSE PROFESSIONALS.

(a) IN GENERAL.—No later than 180 days following enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall present to the appropriate congressional committees a plan for strengthening the community of civilian defense professionals in Taiwan, facilitated through the American Institute in Taiwan as appropriate.

(b) MATTERS TO BE INCLUDED.—The report shall include the following:

(1) A comprehensive review of existing U.S. Government and non-U.S. Government programmatic and funding modalities to support Taiwan's civilian defense professionals in pursuing professional development, educational, and cultural exchanges in the United States. The review shall include, but is not limited to—

(A) opportunities through U.S. Department of State-supported programs, such as the International Visitor Leaders Program; and

(B) opportunities offered through non-governmental institutions, such as think tanks, to the extent the review can practicably make such an assessment.

(2) A description of the frequency that civilian defense professionals from Taiwan pursue or are selected for the programs reviewed in paragraph (1).

(3) An analysis of any funding, policy, administrative, or other barriers preventing greater participation from Taiwan's civilian defense professionals in the opportunities identified in paragraph (1).

(4) An evaluation of the value expanding the opportunities reviewed in paragraph (1) would offer for strengthening Taiwan's existing civilian defense community, and for increasing the perceived value of the field for young professionals in Taiwan.

(5) An assessment of options the United States Government could take individually, with partners in Taiwan, or with foreign governments or non-governmental partners, to expand the opportunities reviewed in paragraph (1).

(6) A description of additional resources and authorities that may be required to execute the options in paragraph (5).

(c) FORM OF REPORT.—The report required in subsection (a) shall be unclassified, but it may include a classified annex, if determined appropriate.

AMENDMENT NO. 45 OFFERED BY MR. HORSFORD OF NEVADA

At the end of subtitle B of title III, insert the following:

SEC. 3___. PROGRAM TO TRACK AND REDUCE SCOPE 3 EMISSIONS AND ENERGY COSTS.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense shall establish a program, to be known as the ''Scope 3 Emissions Reduction Program'', under which the Secretary shall use innovative software to—

(1) establish full accountability with respect to the Scope 3 greenhouse gas emissions in the supply chain of the Department of Defense; and

(2) produce actionable data to reduce emissions and save energy costs.

(b) GOALS OF THE PROGRAM.—The goals of the Scope 3 Emissions Reduction Program are—

(1) to prove emerging technologies, methodologies, and capabilities to effectively track and compile transparent and reliable scope 3 emissions data and energy costs in real time;

(2) to produce actionable emissions and climate data; and

(3) to increase efficiencies and reduce costs.

AMENDMENT NO. 46 OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of subtitle G of title X, insert the following:

SEC. 10___. GREENHOUSE GAS MITIGATION ACTIONS AND RESULTS DASHBOARD.

The Secretary of Defense shall establish a dashboard on an appropriate website of the Department of Defense and make publicly available on such dashboard relevant information on investments in non-GHG technologies, numbers of demonstrations completed, and information on links to commercialization in the civilian sector. Such dashboard shall be similar to the dashboard on the Department of Defense's internal Advana Dashboard.

AMENDMENT NO. 50 OFFERED BY MS. WILD OF PENNSYLVANIA

At the appropriate place in subtitle A of title XII, insert the following:

SEC. ___. STRATEGY FOR SECURITY COOPERATION.

(a) STRATEGY REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a strategy to improve security partner cooperation, increase the safety of United States personnel in partner countries, and increase the safety of the personnel of such countries, by working to improve partner military operations. Such strategy shall seek to advance accurate targeting and avoid unintentionally targeting civilians or life-sustaining civilian infrastructure, which has the potential to put United States and partner country personnel in life-threatening danger by radicalizing local populations, and shall include improvements to the ability of partner countries with respect to—

(1) intelligence collection, evaluation, and dissemination, including by improving the evaluation of hostile intent and discernment between hostile intent and hostile action; and

(2) the evaluation and accuracy of determining correct targets by increasing understanding of civilian populations, population centers, and local civilian infrastructure such as water systems infrastructure, food infrastructure, and education and health care infrastructure.

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

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 51 OFFERED BY MS. MANNING OF NORTH CAROLINA

At the appropriate place in subtitle B of title XIII, insert the following:

SEC. ___. SENSE OF CONGRESS AND BRIEFING ON MULTINATIONAL FORCE AND OBSERVERS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Multinational Force and Observers has helped strengthen stability and kept the peace in Sinai Peninsula; and

(2) the United States should continue to maintain its strong support for the Multinational Force and Observers.

(b) BRIEFING.—Not later than 60 days before the implementation of any plan to move a Multinational Force and Observer site, the Secretary of Defense shall brief the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate on the resulting impact of such plan existing security arrangements between Israel and Egypt.

AMENDMENT NO. 52 OFFERED BY MR. WILSON OF SOUTH CAROLINA

At the end of title LVIII, add the following:

SEC. __. PROHIBITION ON TRANSFERS TO BADR ORGANIZATION.

None of the amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be made available, directly or indirectly, to the Badr Organization.

AMENDMENT NO. 54 OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of subtitle C of title XIII, add the following:

SEC. 13__. COMPREHENSIVE STRATEGY TO COUNTER GRAY ZONE OPERATIONS AND OTHER HYBRID WARFARE METHODS.

(a) IN GENERAL.—The President shall develop and submit to the appropriate congressional committees a comprehensive strategy to counter gray zone operations and other hybrid warfare methods of foreign adversaries and competitors and develop pro-active efforts to put forth United States interests to counter such operations and methods.

(b) MATTERS TO BE INCLUDED.—The strategy required by subsection (a) shall include—

(1) an identification of United States interests described in such subsection; and

(2) a description of the means to achieve such interests.

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

(1) congressional defense committees; and

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 55 OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of subtitle C of title XIII, add the following:

SEC. 13__. STUDY ON DEPARTMENT OF DEFENSE SUPPORT FOR STABILIZATION ACTIVITIES IN NATIONAL SECURITY INTEREST OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study on the use and implementation of the authority of section 1210A of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626), relating to Department of Defense support for stabilization activities in national security interest of the United States.

(b) MATTERS TO BE INCLUDED.—The study required by subsection (a) shall include the following:

(1) A review of the use and implementation of the authority of section 1210A of the National Defense Authorization Act for Fiscal Year 2020.

(2) An identification of the number of requests for support made by the Department of State, the United States Agency for International Development, and other Federal agencies pursuant to such authority and number of such requests granted by the Department of Defense.

(3) An identification of the total amount of support provided by the Department of Defense pursuant to such requests so granted.

(c) REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the appropriate congressional committees a report that contains the results of the study required by subsection (a).

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

(A) congressional defense committees; and

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 56 OFFERED BY MS. CASTOR OF FLORIDA

At the end of subtitle B of title III, insert the following new section:

SEC. 3___. REQUIREMENT TO INCLUDE INFORMATION RELATING TO ELECTRIC VEHICLE CHARGING IN CERTAIN MILITARY CONSTRUCTION PROJECT PROPOSALS.

(a) REQUIREMENT.—As part of the Department of Defense Form 1391 submitted to the appropriate committees of Congress for a military construction project for a facility that includes (or is planned to include) parking for covered motor vehicles, the Secretary concerned shall include the following:

(1) A proposal for the provision of charging stations and other covered infrastructure sufficient to cover the anticipated electricity demand of the electric charging, concurrently, for not less than 15 percent of all covered motor vehicles planned to be parked at the facility.

(2) The cost of constructing such stations and infrastructure in the overall cost of the project.

(3) An analysis of whether a parking structure or lot will be the primary charging area for covered motor vehicles or if another area, such as public works or the motor pool, will be the primary charging area.

(b) APPLICABILITY.—The requirement under subsection (a) shall apply with respect to military construction projects for which a Department of Defense Form 1391 is submitted to the appropriate committees of Congress beginning on or after the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

(1) The terms ''charging station'' and ''covered infrastructure'' have the meanings given those terms in section 314(e).

(2) The term ''covered motor vehicle'' means a Federal Government motor vehicle, including a motor vehicle leased by the Federal Government.

(3) The term ''Defense Agency'' has the meaning given that term in section 101(a) of title 10, United States Code.

(4) The term ''Secretary concerned'' means—

(A) the Secretary of a military department, with respect to facilities under the jurisdiction of that Secretary; and

(B) the Secretary of Defense, with respect to matters concerning—

(i) facilities of the Defense Agencies; or

(ii) facilities of a reserve component owned by a State rather than the United States.

AMENDMENT NO. 57 OFFERED BY MR. GOMEZ OF CALIFORNIA

At the end of subtitle B of title III, add the following:

SEC. ___. SENSE OF CONGRESS REGARDING ELECTRIC OR ZERO-EMISSION VEHICLES FOR NON-COMBAT VEHICLE FLEET.

It is the sense of Congress that any new non-tactical Federal vehicle purchased by the Department of Defense for use outside of combat should, to the greatest extent practicable, be an electric or zero-emission vehicles.

AMENDMENT NO. 58 OFFERED BY MS. STRICKLAND OF WASHINGTON

At the end of subtitle B of title V, add the following new section:

SEC. 5___. INCLUSION OF ADDITIONAL INFORMATION ON THE SENIOR RESERVE OFFICERS' TRAINING CORPS IN REPORTS ACCOMPANYING THE NATIONAL DEFENSE STRATEGY.

Section 113(m) of title 10, United States Code, is amended—

(1) by redesignating the second paragraph (8) as paragraph (11);

(2) by redesignating the first paragraph (8), as paragraph (10);

(3) by redesignating paragraphs (5), (6), and (7) paragraphs (7), (8), and (9), respectively; and

(4) by inserting after paragraph (4) the following new paragraphs:

''(5) The number of Senior Reserve Officers' Training Corps scholarships awarded during the fiscal year covered by the report, disaggregated by gender, race, and ethnicity, for each military department.

''(6) The program completion rates and program withdrawal rates of Senior Reserve Officers' Training Corps scholarship recipients during the fiscal year covered by the report, disaggregated by gender, race, and ethnicity, for each military department.''.

AMENDMENT NO. 59 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 398, insert after line 17 the following:

SEC. 599. TASK FORCE ON HISTORICAL AND CURRENT BARRIERS TO AFRICAN AMERICAN PARTICIPATION AND EQUAL TREATMENT IN THE ARMED SERVICES.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish within the Department of Defense a task force to be known as the ''Task Force on Historical and Current Barriers to African American Participation and Equal Treatment in the Armed Services'' (hereafter referred to as the ''Task Force'').

(b) DUTIES.—The Task Force shall advise, consult with, report to, and make recommendations to the Secretary, as appropriate, on the development, refinement, and implementation of policies, programs, planning, and training which will provide redress for historical barriers to African American participation and equal treatment in the Armed Services.

(c) STUDIES AND INVESTIGATIONS.—

(1) INVESTIGATION OF HISTORICAL RECORD OF SLAVERY.—As part of its duties, the Task Force shall identify, compile, examine, and synthesize the relevant corpus of evidentiary documentation regarding the military or Armed Service's involvement in the institution of slavery. The Task Force's documentation and examination shall include facts related to—

(A) the capture and procurement of Africans;

(B) the transport of Africans to the United States and the colonies that became the United States for the purpose of enslavement, including their treatment during transport;

(C) the sale and acquisition of Africans and their descendants as chattel property in interstate and intrastate commerce;

(D) the treatment of African slaves and their descendants in the colonies and the United States, including the deprivation of their freedom, exploitation of their labor, and destruction of their culture, language, religion, and families; and

(E) the extensive denial of humanity, sexual abuse, and the chatellization of persons.

(2) STUDY OF EFFECTS OF DISCRIMINATORY POLICIES IN THE ARMED SERVICES.—As part of its duties, the Task Force shall study and analyze the official policies or routine practices of the Armed Services with discriminatory intent or discriminatory effect on the formerly enslaved Africans and their descendants in the Armed Services following the overdue recognition of such persons as United States citizens beginning in 1868.

(3) STUDY OF OTHER FORMS OF DISCRIMINATION.—As part of its duties, the Task Force shall study and analyze the other forms of discrimination in the Armed Services against freed African slaves and their descendants who were belatedly accorded their rightful status as United States citizens from 1868 to the present.

(4) STUDY OF LINGERING EFFECTS OF DISCRIMINATION.—As part of its duties, the Task Force shall study and analyze the lingering negative effects of the institution of slavery and the matters described in the preceding paragraphs on living African Americans and their participation in the Armed Services.

(d) RECOMMENDATIONS FOR REMEDIES.—

(1) RECOMMENDATIONS.—Based on the results of the investigations and studies carried out under subsection (c), the Task Force shall recommend appropriate remedies to the Secretary.

(2) ISSUES ADDRESSED.—In recommending remedies under this subsection, the Task Force shall address the following:

(A) How Federal laws and policies that continue to disproportionately and negatively affect African Americans as a group in the Armed Services, and those that perpetuate the lingering effects, materially and psycho-socially, can be eliminated.

(B) How the injuries resulting from the matters described in subsection (c) can be reversed through appropriate policies, programs, and projects.

(C) How, in consideration of the Task Force's findings, to calculate any form of repair for inequities to the descendants of enslaved Africans.

(D) The form of that repair which should be awarded, the instrumentalities through which the repair should be provided, and who should be eligible for the repair of such inequities.

(e) ANNUAL REPORT.—

(1) SUBMISSION.—Not later than 90 days after the end of each year, the Task Force shall submit a report to the Secretary on its activities, findings, and recommendations during the preceding year.

(2) PUBLICATION.—Not later than 180 days after the date on which the Secretary receives an annual report for a year under paragraph (1), the Secretary shall publish a public version of the report, and shall include such related matters as the Secretary finds would be informative to the public during that year.

(f) COMPOSITION; GOVERNANCE.—

(1) COMPOSITION.—The Task Force shall be composed of such number of members as the Secretary may appoint from among individuals whom the Secretary finds are qualified to serve by virtue of their military service, education, training, activism or experience, particularly in the field of history, sociology, and African American studies.

(2) PUBLICATION OF LIST OF MEMBERS.—The Secretary shall post and regularly update on a public website of the Department of Defense the list of the members of the Task Force.

(3) MEETINGS.—The Task Force shall meet not less frequently than quarterly, and may convene additional meetings during a year as necessary. At least one of the meetings during each year shall be open to the public.

(4) GOVERNANCE.—The Secretary shall establish rules for the structure and governance of the Task Force.

(5) DEADLINE.—The Secretary shall complete the appointment of the members of the Task Force not later than 180 days after the date of the enactment of this Act.

AMENDMENT NO. 60 OFFERED BY MR. SOTO OF FLORIDA

Page 507, after line 22, insert the following new subsection (and redesignate the following subsections accordingly):

(d) INCLUSION OF CERTAIN DEMOGRAPHIC DATA.—The data specified in subparagraphs (A) through (D) of subsection (b)(1) shall include a description and analysis of the demographic information of the medical personnel covered by each such subparagraph, including with respect to the following:

(1) Race (presented in the aggregate and disaggregated by the same major race categories as are used in the decennial census of population and housing conducted by the Director of the Census Bureau).

(2) Ethnicity.

(3) Gender identity.

AMENDMENT NO. 61 OFFERED BY MR. EVANS OF PENNSYLVANIA

At the end of subtitle F of title V, insert the following:

SEC. 5___. MODIFICATION OF ANNUAL REPORT ON DEMOGRAPHICS OF MILITARY SERVICE ACADEMY APPLICANTS.

Subsection (c)(2) of section 575 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 7442 note) is amended by adding at the end the following new subparagraph:

''(C) Any significant disparity in gender, race, ethnicity, or other demographic category described in subsection (b), and any suspected cause of such disparity within the application or nominating process.''.

AMENDMENT NO. 62 OFFERED BY MS. TLAIB OF MICHIGAN

Page 446, after line 25, insert the following:

(E) The unique needs or challenges facing the population of such military installation that may require additional tailored resources, including—

(i) the needs of non-English speaking members of that population; and

(ii) the needs of English as a second language members of that population.

AMENDMENT NO. 63 OFFERED BY MS. MOORE OF WISCONSIN

In subtitle C of title VII, add at the end the following:

SEC. 746. STUDY ON THE IMPACT OF MILITARY TRAUMA AND INTIMATE PARTNER VIOLENCE ON MATERNAL HEALTH OUTCOMES.

(a) STUDY.—The Secretary of Defense shall carry out a study on the impact of military trauma and intimate partner violence on maternal health outcomes, with a focus on racial and ethnic backgrounds.

(b) REPORT.—The Secretary of Defense shall issue a report to the Congress containing all findings and determinations made

in carrying out the study required under subsection (a).

AMENDMENT NO. 64 OFFERED BY MR. JOHNSON OF GEORGIA

At the end of subtitle F of title X, insert the following:

SEC. 10___. REPORT ON DEPARTMENT OF DEFENSE RECRUITMENT ADVERTISING TO RACIAL AND ETHNIC MINORITY COMMUNITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) efforts by the Armed Forces to ensure diversity among the force are commendable;

(2) it is cause for concern that efforts by the Armed Forces to ensure that the Armed Forces of the United States reflect the society of the United States are being reduced by the use of advertising that does not adequately target racial and ethnic minority communities;

(3) the Armed Forces face many challenges but should maintain, and where possible, increase advertising within racial and ethnic minority communities to support the commitment of the Armed Forces to ensuring a strong diverse force;

(4) to adequately reach minority communities, the Armed Forces should use minority-owned media outlets and advertising agencies that have demonstrated an ability to connect with racial and ethnic minority communities;

(5) recruitment advertising within minority communities is an important avenue toward building interest and understanding in serving the United States in uniform; and

(6) the Armed Forces and the Department of Defense should maintain a commitment to diversity recruiting and retention.

(b) REPORT.—Not later than June 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on the efforts of the Department of Defense to increase marketing and advertising with minority-owned media outlets and advertising agencies to adequately reach racial and ethnic minority communities.

AMENDMENT NO. 66 OFFERED BY MRS. DINGELL OF MICHIGAN

At the end of subtitle E of title V, insert the following:

SEC. 5___. INSPECTOR GENERAL INVESTIGATION INTO DISCRIMINATION AGAINST MEMBERS AND EMPLOYEES OF MIDDLE EASTERN AND NORTH AFRICAN DESCENT.

(a) INVESTIGATION.—The Assistant Inspector General for Diversity and Inclusion of the Department of Defense shall conduct an investigation into discrimination faced by members of the Armed Forces, and civilian employees of the Department, who are of Middle Eastern or North African descent.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, Assistant Inspector General shall submit to the Committees on Armed Services of the House of Representatives and Senate a report containing the results of such investigation.

AMENDMENT NO. 67 OFFERED BY MR. MALINOWSKI OF NEW JERSEY

SEC. 5806. PROHIBITION OF FEDERAL FUNDING FOR INDUCED OR REQUIRED UNDERMINING OF SECURITY OF CONSUMER COMMUNICATIONS GOODS.

(a) PROHIBITION.—None of the funds made available in this or any other Act may be used by any Federal agency to require, support, pay, or otherwise induce any private sector provider of consumer software and hardware to—

(1) intentionally add any security vulnerability or weaken or omit any safeguard in the standards, items, or services of the provider;

(2) remove or omit any information security function, mechanism, service, or solution from the items or services of the provider; or

(3) take any action that—

(A) undermines, circumvents, defeats, bypasses, or otherwise counteracts the end-to-end encryption of the item or service of the provider;

(B) prevents an item or service from adopting end-to-end encryption; or

(C) otherwise makes an unencrypted version of the end-to-end encrypted content of any communication, file, or data of the item or service of the provider available to any person or entity other than the intended recipients.

(b) FEDERAL AGENCY DEFINED.—In this section, the term ''Federal agency'' means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency.

AMENDMENT NO. 68 OFFERED BY MR. BERGMAN OF MICHIGAN

Add at the end of title LVIII of division E the following:

SEC. _____. FOREIGN STATE COMPUTER INTRUSIONS.

(a) IN GENERAL.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605B the following:

''§ 1605C. Computer intrusions by a foreign state

''A foreign state shall not be immune from the jurisdiction of the courts of the United States or of the States in any case not otherwise covered by this chapter in which money damages are sought against a foreign state by a national of the United States for personal injury, harm to reputation, or damage to or loss of property resulting from any of the following activities, whether occurring in the United States or a foreign state:

''(1) Unauthorized access to or access exceeding authorization to a computer located in the United States.

''(2) Unauthorized access to confidential, electronic stored information located in the United States.

''(3) The transmission of a program, information, code, or command to a computer located in the United States, which, as a result of such conduct, causes damage without authorization.

''(4) The use, dissemination, or disclosure, without consent, of any information obtained by means of any activity described in paragraph (1), (2), or (3).

''(5) The provision of material support or resources for any activity described in paragraph (1), (2), (3), or (4), including by an official, employee, or agent of such foreign state.''.

(b) APPLICATION.—This section and the amendments made by this section shall apply to any action pending on or filed on or after the date of the enactment of this Act.

AMENDMENT NO. 69 OFFERED BY MR. HORSFORD OF NEVADA

Add at the end of subtitle D of title VII the following new section:

SEC. 782. PILOT PROGRAMS OF DEFENSE HEALTH AGENCY RELATING TO SEXUAL HEALTH.

(a) TELEHEALTH PILOT PROGRAM ON SEXUAL HEALTH.—

(1) ESTABLISHMENT.—The Director of the Defense Health Agency shall carry out a five-year telehealth pilot program for sexual health (in this subsection referred to as the ''telehealth pilot program'').

(2) ELIGIBILITY.—An individual is eligible to participate in the telehealth pilot program if the individual is a member of the uniformed services on active duty enrolled in TRICARE Prime, without regard to whether a health care professional has referred the individual for such participation.

(3) APPLICATIONS.—

(A) IN GENERAL.—Eligible individuals seeking to participate in the telehealth pilot program shall submit to the Director an application for participation at such time, in such form, and containing such information as the Director may prescribe.

(B) ONLINE ACCESSIBILITY.—Any application form under subparagraph (A) shall be accessible online.

(4) NUMBER OF PARTICIPANTS.—In selecting participants for the telehealth pilot program from among eligible individuals who have submitted an application in accordance with paragraph (3), the Director may establish a cap limiting the number of such participants only if—

(A) the Director determines that such limited participation is necessary as a result of limited provider availability; and

(B) not later than 30 days after making such determination, the Director submits to the congressional defense committees a report that includes—

(i) a description of the limited provider availability upon which the Director has based such determination;

(ii) an identification of the total number of eligible individuals who have submitted an application in accordance with paragraph (3); and

(iii) an estimated timeline for lifting the cap established.

(5) TELEHEALTH SCREENINGS.—

(A) IN GENERAL.—Under the telehealth pilot program, the Director shall furnish to any eligible individual who elects to participate in such program a telehealth screening. During such screening, a health care provider shall—

(i) conduct a remote assessment with respect to the individual's sexual health, including any medication conditions related to the individual's sexual health

(ii) provide comprehensive counseling on the full range of methods of contraception available to the individual, in accordance with the clinical practice guidelines established under section 718 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 686; 10 U.S.C. 1074d note);

(iii) as applicable, diagnose the individual or, pursuant to subparagraph (B), order appropriate follow-up diagnostic services as necessary as a result of the assessment under clause (i); and

(iv) prescribe such prescription medications, including contraceptives or Pre-Exposure Prophylaxis, as may be determined necessary by the provider as a result of such assessment.

(B) LABORATORY DIAGNOSTIC SERVICES.—In diagnosing an individual under subparagraph (A)(iii), a health care provider may furnish to the individual such laboratory diagnostic services as may be necessary for the diagnosis (including mail-order laboratory diagnostic services).

(C) PRESCRIPTIONS.—The Director shall ensure that prescriptions under subparagraph (A)(iv) may be filled through either military medical treatment facility pharmacies or the national mail-order pharmacy program under the TRICARE program.

(6) FOLLOW-UP REMOTE APPOINTMENTS.—If a health care provider prescribes medications to an individual pursuant to a screening under the telehelath pilot program, that health care provider shall conduct such follow-up remote appointments as may be necessary to monitor the health of the individual following fulfilment of the prescription.

(7) COORDINATION WITH FACILITIES.—The Director shall coordinate with each military commander or director of a military medical treatment facility to facilitate the provision through the facility of laboratory and other services necessary for the furnishment of screenings and the fulfilment of prescriptions under the telehealth pilot program.

(8) CONTRACT AUTHORITY.—In carrying out the telehealth pilot program, the Director may enter into contracts under such program with providers of mail-order laboratory services and providers of mail-order contraceptives or Pre-Exposure Prophylaxis for the furnishment of laboratory services or the fulfilment of prescriptions under paragraph (5).

(9) REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of Defense shall submit to the congressional defense committees a report on the status and effects of the telehealth pilot program. Each such report shall include, with respect to the year covered by the report, the following:

(A) The number of health care providers who have furnished services under the telehealth pilot program, dissagregated by whether the provider is a TRICARE network provider.

(B) The average wait time for screenings under the telehealth pilot program.

(C) Any effect of the telehealth pilot program with respect to the Defense Health Agency.

(D) Such other information relating to the status or effect of the telehealth pilot program as may be determined relevant by the Secretary.

(b) PILOT PROGRAM ON REQUIRED SEXUAL HEALTH SCREENINGS.—

(1) IN GENERAL.—The Director of the Defense Health Agency shall carry out a five-year pilot program to require certain sexual health screenings (in this subsection referred to as the ''pilot program'').

(2) SEXUAL HEALTH SCREENINGS.—

(A) IN GENERAL.—Under the pilot program, the Director shall ensure that, during the period in which the pilot program is carried out, each covered member completes a sexual health screening on an annual basis and prior to any deployment of the covered member.

(B) NOTICE REQUIREMENT.—The Director shall ensure that, prior to a covered member receiving a sexual health screening under the pilot program, the covered member is provided notice, and submits an acknowledgment, that the results of such screening shall be subject to the confidentiality provisions under paragraph (3).

(C) OPTION FOR FOLLOW-UP APPOINTMENT.—Following the provision of a sexual health screening to a covered member under the pilot program, the covered member may elect to receive a follow-up appointment related to such screening. Any such follow-up appointment shall be conducted by the provider specified in paragraph (4) responsible for reviewing the results of the screening.

(3) CONFIDENTIALITY.—

(A) TRANSMISSION OF RESULTS OUTSIDE CHAIN OF COMMAND.—Except as provided in subparagraph (B), the results of a sexual health screening furnished to a covered member under the pilot program shall be transmitted for review to the provider specified in paragraph (4) at the military medical treatment facility nearest to the location at which the screening was furnished. Such results may not be transmitted to or otherwise accessed by the following:

(i) Any individual in the chain of command of the covered member.

(ii) The primary health care provider for the unit of the covered member.

(B) EXCEPTION AT ELECTION OF MEMBER.—The results of a sexual health screening furnished to a covered member under the pilot program may be transmitted for review to, or otherwise accessed by, the primary health care provider for the unit of the covered member at the election of the covered member.

(C) SEVERABILITY OF RESULTS.—If a sexual health screening under the pilot program is furnished as part of a periodic health assessment (or other similar assessment) provided to a covered member, the results of such screening shall be separated from the other results of the assessment for purposes of separate transmission and review in accordance with subparagraph (A).

(4) SEXUAL HEALTH OR INFECTIOUS DISEASE HEALTH CARE PROVIDERS.—The Director shall ensure that at each military medical treatment facility there is a health care provider with a specialty in sexual health or infectious diseases who shall review screening results under the pilot program.

(5) REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of Defense shall submit to the congressional defense committees a report on the status and effects of the pilot program.

(c) DEFINITIONS.—In this section:

(1) The term ''covered member'' means a member of a uniformed service described in section 1074(a)(2) of title 10, United States Code.

(2) The term ''military medical treatment facility'' means a facility specified in section 1073d of title 10, United States Code.

(3) The terms ''TRICARE Prime'' and ''TRICARE program'' have the meaning given those terms in section 1072 of such title.

AMENDMENT NO. 71 OFFERED BY MR. JONES OF NEW YORK

At the end of subtitle J of title V, add the following:

SEC. 5____. PLAN TO COMBAT RACIAL BIAS, DISCRIMINATION, AND HARASSMENT AGAINST ASIAN AMERICAN SERVICE MEMBERS, CIVILIANS, AND CONTRACTOR PERSONNEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) Asian American service members, civilians, and contractors serve with honor and distinction in the Department of Defense.

(2) Asian Americans continue to be underrepresented in the Department of Defense and other national security agencies, especially at senior leadership and general and flag officer levels.

(3) Greater recruitment, retention, and inclusion of Asian American personnel, particularly those with language skills and cultural competencies, is critical to implementation of the Administration's Interim National Security Strategic Guidance and National Defense Strategy, both of which place greater emphasis on strategic competition in the Indo-Pacific region.

(4) The Department of Defense has a responsibility to take meaningful action in addressing the higher rates of racially or ethnically rooted bias, discrimination, and harassment experienced and reported by service members, civilians, and contractor personnel of Asian American descent, especially women.

(5) Protecting and upholding our values in diversity, equity, and inclusion at home are essential to our efforts in promoting democracy and inclusion abroad.

(b) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) submit to the congressional defense committees a report that includes—

(A) an assessment of the extent to which Department of Defense service members, civilians, and contractor personnel experience anti-Asian bias, discrimination, or harassment, including contributing factors such as the security clearance review process;

(B) a review of Department of Defense programs, policies, and practices that impact diversity, equity, and inclusion goals, especially with respect to such service members, civilians, and contractor personnel who are Asian Americans; and

(C) recommendations, developed in consultation with Asian American organizations, to address unconscious bias, discrimination, and harassment targeted at Asian Americans and to improve recruitment and retention of Asian American service members, civilians, and contractor personnel, including accountability measures and improvements to services to inform and support personnel with resolving discrimination complaints through administrative or judicial processes; and

(2) make the report required under paragraph (1) publicly available on the website of the Department of Defense.

(c) IMPLEMENTATION AND UPDATE.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall—

(1) implement the recommendations described in subsection (b)(1)(C); and

(2) provide to the congressional defense committees an update on the implementation of such recommendations.

AMENDMENT NO. 72 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle G of title X, insert the following:

SEC. 10____. ADMINISTRATION OF RISK-BASED SURVEYS TO CERTAIN EDUCATIONAL INSTITUTIONS.

(a) DEVELOPMENT REQUIRED.—The Secretary of Defense, acting though the Voluntary Education Institutional Compliance Program of the Department of Defense, shall develop a risk-based survey for oversight of covered educational institutions.

(b) SCOPE.—

(1) IN GENERAL.—The scope of the risk-based survey developed under subsection (a) shall be determined by the Secretary.

(2) SPECIFIC ELEMENTS.—At a minimum the scope determined under paragraph (1) shall include the following:

(A) Rapid increase or decrease in enrollment.

(B) Rapid increase in tuition and fees.

(C) Complaints tracked and published from students pursuing programs of education, based on severity or volume of the complaints.

(D) Student completion rates.

(E) Indicators of financial stability.

(F) Review of the advertising and recruiting practices of the educational institution, including those by third-party contractors of the educational institution.

(G) Matters for which the Federal Government or a State Government brings an action in a court of competent jurisdiction against an educational institution, including matters in cases in which the Federal Government or the State comes to a settled agreement on such matters outside of the court.

(c) ACTION OR EVENT.—

(1) SUSPENSION.—If, pursuant to a risk-based survey under this section. the Secretary determines that an educational institution has experienced an action or event described in paragraph (2), the Secretary may suspend the participation of the institution in Department of Defense programs for a period of two-year, or such other period as the Secretary determines appropriate.

(2) ACTION OR EVENT DESCRIBED.—An action or event described in this paragraph is any of the following:

(A) The receipt by an educational institution of payments under the heightened cash monitoring level 2 payment method pursuant to section 487(c)(1)(B) of the Higher Education Act of 1965 (20 U.S.C. 1094).

(B) Punitive action taken by the Attorney General, the Federal Trade Commission, or any other Federal department or agency for misconduct or misleading marketing practices that would violate the standards defined by the Secretary of Veterans Affairs.

(C) Punitive action taken by a State against an educational institution.

(D) The loss, or risk of loss, by an educational institution of an accreditation from an accrediting agency or association, including notice of probation, suspension, an order to show cause relating to the educational institution's academic policies and practices or to its financial stability, or revocation of accreditation.

(E) The placement of an educational institution on provisional certification status by the Secretary of Education.

(d) DATABASE.—The Secretary shall establish a searchable database or use an existing system, as the Secretary considers appropriate, to serve as a central repository for information required for or collected during site visits for the risk-based survey developed under subsection (a), so as to improve future oversight of educational institutions.

(e) COVERED EDUCATIONAL INSTITUTION.—In this section, the term ''covered educational institution'' means an educational institution selected by the Secretary based on quantitative, publicly available metrics indicating risk designed to separate low-risk and high-risk institutions, to focus on high-risk institutions.

AMENDMENT NO. 73 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of subtitle H of title III, insert the following new section:

SEC. 3___. REQUIREMENT FOR PUBLIC DISCLOSURE OF RESULTS OF DEPARTMENT OF DEFENSE LEAD TESTING.

Section 345 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1645; 10 U.S.C. 2715 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''or lead'' after ''(commonly referred to as 'PFAS')''; and

(B) in paragraph (2), by inserting ''or lead'' after ''substances''; and

(2) in subsections (b), (d), and (e), by inserting ''or lead'' after ''polyfluoroalkyl substances'' each place such term appears.

AMENDMENT NO. 74 OFFERED BY DEUTCH OF FLORIDA

At the end of division E, add the following:

TITLE LIX—LIBYA STABILIZATION ACT

SEC. 5901. SHORT TITLE.

This title may be cited as the ''Libya Stabilization Act''.

SEC. 5902. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to advance a peaceful resolution to the conflict in Libya through a United Nations-facilitated Libyan-led and Libyan-owned political process as the best way to secure United States interests and to ensure the sovereignty, independence, territorial integrity, and national unity of Libya;

(2) to engage regularly at the senior-most levels in support of the continued observance of the ceasefire in Libya, the fair and transparent allocation of Libya's resources, the reunification of security and economic institutions, and agreement among Libyans on a consensual constitutional basis that would lead to credible presidential and parliamentary elections as soon as possible;

(3) to support the implementation of United Nations Security Council Resolutions 1970 (2011) and 1973 (2011), which established an arms embargo on Libya, and subsequent resolutions modifying and extending the embargo;

(4) to enforce Executive Order 13726 (81 Fed. Reg. 23559; relating to blocking property and suspending entry into the United States of persons contributing to the situation in Libya (April 19, 2016)), designed to target individuals or entities who ''threaten the peace, security, and stability of Libya'';

(5) to oppose attacks on civilians, medical workers, and critical infrastructure, including water supplies, in Libya, and to support accountability for those engaged in such heinous actions;

(6) to support Libya's sovereignty, independence, territorial integrity, and national unity consistent with United Nations Security Council Resolution 2510 (2020) and all predecessor resolutions with respect to Libya, including by—

(A) taking action to end the violence and flow of arms;

(B) rejecting attempts by any party to illicitly export Libya's oil; and

(C) urging the withdrawal of foreign military and mercenary forces;

(7) to engage in diplomacy to convince parties to conflict and political dispute in Libya to support the continuity of the October 2020 ceasefire and persuade foreign powers to withdraw personnel, including mercenaries, weapons, and financing that may reignite or exacerbate conflict;

(8) to support political dialogue among Libyans and advance an inclusive Libyan-led and Libyan-owned political process;

(9) to support the nearly 2.8 million Libyans who registered to vote;

(10) to help protect Libya's civilian population and implementing humanitarian and international organizations from the risk of harm resulting from explosive hazards such as landmines, improvised explosive devices (IEDs), and unexploded ordnance (UXO);

(11) to support constant, unimpeded, and reliable humanitarian access to those in need and to hold accountable those who impede or threaten the delivery of humanitarian assistance;

(12) to seek to bring an end to severe forms of trafficking in persons such as slavery, forced labor, and sexual exploitation, including with respect to migrants;

(13) to advocate for the immediate release and safe evacuations of detained refugees and migrants trapped by the fighting in Libya;

(14) to encourage implementation of UNSMIL's plan for the organized and gradual closure of migrant detention centers in Libya;

(15) to support greater defense institutional capacity building after a comprehensive political settlement;

(16) to discourage all parties from heightening tensions in Libya and its environs, through unhelpful and provocative actions.

(17) to support current and future democratic development and economic recovery of Libya both during and after a negotiated peaceful political solution, pursuant to Libya's status as a Global Fragility Act partner state; and

(18) to partner with various U.S. government agencies, multilateral organizations, and local partners to strengthen security, prosperity, and stability in Libya, pursuant to Libya's status as a Global Fragility Act partner state.

Subtitle A—Identifying Challenges to Stability in Libya

SEC. 5911. REPORT ON ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS AND ACTORS IN LIBYA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury and the Director of National Intelligence, should submit to the appropriate congressional committees a report that includes—

(1) a description of the full extent of involvement in Libya by foreign governments, including the Governments of Russia, Turkey, the United Arab Emirates, Egypt, Sudan, Chad, China, Saudi Arabia, and Qatar, including—

(A) a description of which governments have conducted or facilitated drone and aircraft strikes in Libya since April 2019 not related to efforts to combat Al Qaeda, the Islamic State, or affiliated entities;

(B) a list of the types and estimated amounts of equipment transferred since April 2019 by each government described in this paragraph to the parties to conflict in Libya, including foreign military contractors, mercenaries, or paramilitary forces operating in Libya;

(C) an estimate of the financial support provided since April 2019 by each government described in this paragraph to the parties to conflict in Libya, including foreign military contractors, mercenaries, or paramilitary forces operating in Libya; and

(D) a description of the activities of any regular, irregular, or paramilitary forces, including foreign military contractors, mercenary groups, and militias operating inside Libya, at the direction or with the consent of the governments described in this paragraph;

(2) an analysis of whether the actions by the governments described in paragraph (1)—

(A) violate the arms embargo on Libya established under United Nations Security Council Resolution 1970 (2011) as reaffirmed by subsequent Security Council resolutions;

(B) may contribute to violations of international humanitarian law; or

(C) involve weapons of United States origin or were in violation of United States end user agreements;

(3) a description of United States diplomatic engagement with any governments found to be in violation of the arms embargo regarding strengthened implementation of the embargo;

(4) a list of the specific offending materiel, training, or financial support transfers provided by a government described in paragraph (1) that violate the arms embargo on Libya under United Nations Security Council Resolution 2571 (2021) and predecessor Security Council resolutions;

(5) an analysis of the activities of foreign armed groups, including the Russian Wagner Group, military contractors and mercenaries employed or engaged by the governments of Turkey and the United Arab Emirates, affiliates of the Islamic State (ISIS), al-Qaida in the Islamic Maghreb (AQIM), and other extremist groups, in Libya;

(6) a discussion of whether and to what extent conflict or instability in Libya is enabling the recruitment and training efforts of armed groups, including affiliates of ISIS, AQIM, and other extremist groups;

(7) a description of efforts by the European Union, North Atlantic Treaty Organization (NATO), and the Arab League, and their respective member states, to implement and enforce the arms embargo and maintain a sustainable ceasefire;

(8) a description of any violations of the arms embargo by European Union member states; and

(9) a description of United States diplomatic engagement with the European Union, NATO, and the Arab League regarding implementation and enforcement of the United Nations arms embargo, ceasefire monitoring, and election support.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

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

(1) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

SEC. 5912. REPORT OF RUSSIAN ACTIVITIES AND OBJECTIVES IN LIBYA.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Defense, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report that contains an assessment of Russian activities and objectives in Libya, including—

(1) an assessment of Russian influence and objectives in Libya;

(2) the potential threat such activities pose to the United States, southern Europe, NATO, and partners in the Mediterranean Sea and North African region;

(3) the direct role of Russia in Libyan financial affairs, to include issuing and printing currency;

(4) Russia's use of mercenaries, military contractors, equipment, and paramilitary forces in Libya;

(5) an assessment of sanctions and other policies adopted by United States partners and allies against the Wagner Group and its destabilizing activities in Libya, including sanctions on Yevgeny Prigozhin; and

(6) an identification of foreign companies and persons that have provided transportation, logistical, administrative, air transit, border crossing, or money transfer services to Russian mercenaries or armed forces operating on behalf of the Russian Government in Libya, and an analysis of whether such entities meet the criteria for imposition of sanctions under section 1(a) of Executive Order 13726 (81 Fed. Reg. 23559; relating to blocking property and suspending entry into the United States of persons contributing to the situation in Libya).

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 5913. DETERMINATION OF SANCTIONABLE ACTIVITIES OF THE LIBYAN NATIONAL ARMY WITH RESPECT TO SYRIA.

Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a list of any members of the Libyan National Army (LNA), and details of their activities, which the President has determined are knowingly responsible for sanctionable offenses pursuant to—

(1) section 7412 of the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note; 133 Stat. 2292); or

(2) Executive Order 13582 (76 Fed. Reg. 52209; relating to blocking property of the Government of Syria and prohibiting certain transactions with respect to Syria (August 17, 2011)).

Subtitle B—Actions to Address Foreign Intervention in Libya

SEC. 5921. SANCTIONS WITH RESPECT TO FOREIGN PERSONS LEADING, DIRECTING, OR SUPPORTING CERTAIN FOREIGN GOVERNMENT INVOLVEMENT IN LIBYA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall impose each of the sanctions described in section 5924 with respect to each foreign person who the President determines knowingly engages in an activity described in subsection (b).

(b) ACTIVITIES DESCRIBED.—A foreign person engages in an activity described in this subsection if the person leads, directs, or provides significant financial, material, or technological support to, or knowingly engages in a significant transaction with, a non-Libyan foreign person who is—

(1) in Libya in a military or commercial capacity as a military contractor, mercenary, or part of a paramilitary force; and

(2) engaged in significant actions that threaten the peace, security, or stability of Libya.

SEC. 5922. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THREATENING THE PEACE OR STABILITY OF LIBYA.

(a) IMPOSITION OF SANCTIONS.—The President shall impose each of the sanctions described in section 5924 with respect to each foreign person on the list required by subsection (b).

(b) LIST.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of—

(1) foreign persons, including senior government officials, militia leaders, paramilitary leaders, and other persons who provide significant support to militia or paramilitary groups in Libya, that the President determines are knowingly—

(A) engaged in significant actions or policies that threaten the peace, security, or stability of Libya, including any supply of significant arms or related materiel in violation of a United Nations Security Council resolution on Libya;

(B) engaged in significant actions or policies that obstruct, undermine, delay, or impede, or pose a significant risk of obstructing, undermining, delaying, or impeding the United Nations-mediated political processes that seek a negotiated and peaceful solution to the Libyan crisis, including a consensual constitutional basis that would lead to credible presidential and parliamentary elections as soon as possible and ongoing maintenance of the October 2020 ceasefire;

(C) engaged in significant actions that may lead to or result in the misappropriation of significant state assets of Libya;

(D) involved in the significant illicit exploitation of crude oil or any other natural resources in Libya, including the significant illicit production, disruption of production, refining, brokering, sale, purchase, or export of Libyan oil;

(E) significantly threatening or coercing Libyan state financial institutions or disrupting the operations of the Libyan National Oil Company; or

(F) significantly responsible for actions or policies that are intended to undermine efforts to maintain peace and promote stabilization and economic recovery in Libya;

(2) foreign persons who the President determines are successor entities to persons designated for engaging in activities described in subparagraphs (A) through (F) of paragraph (1); and

(c) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under subsection (b)—

(1) not later than 180 days after the date of the enactment of this Act and annually thereafter for a period of 5 years; or

(2) as new information becomes available.

(d) FORM.—The list required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

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

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 5923. SANCTIONS WITH RESPECT TO FOREIGN PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS COMMITTED IN LIBYA.

(a) IMPOSITION OF SANCTIONS.—The President may impose 5 out of the 12 sanctions described in section 235 of Countering America's Adversaries Through Sanctions Act (Public Law 115–44) with respect to each foreign person on the list required by subsection (b).

(b) LIST OF PERSONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of senior foreign persons, including senior government officials, militia leaders, para-military leaders, and other persons who provide significant support to militia or paramilitary groups in Libya, that the President determines are each knowingly responsible for or complicit in, or have directly or in- directly engaged in, on or after the date of enactment gross violations of internationally recognized human rights committed in Libya.

(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1)—

(A) not later than 180 days after the date of the enactment of this Act and annually thereafter for a period of 5 years; or

(B) as new information becomes available.

(3) FORM.—The list required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

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

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 5924. SANCTIONS DESCRIBED.

(a) SANCTIONS DESCRIBED.—The sanctions described in this section are the following:

(1) BLOCKING OF PROPERTY.—The President may exercise all of the powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to block and prohibit all transactions in property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INADMISSIBILITY OF CERTAIN INDIVIDUALS.—

(A) INELIGIBILITY FOR VISAS, ADMISSION,OR PAROLE.—A foreign person who is an individual and who meets any of the criteria described section 5921 or 5922 may be determined by the Secretary of State to be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—A foreign person who is an individual and who meets any of the criteria described section 5921 or 5922 may be subject to the following:

(i) Revocation of any visa or other entry documentation by the Secretary of State regardless of when the visa or other entry documentation is or was issued.

(ii) A revocation under clause (i) shall—

(I) take effect immediately in accordance with section 221(i) of the Immigration and Nationality Act, (8 U.S.C. 1201(i)); and

(II) cancel any other valid visa or entry documentation that is in the foreign person's possession.

(b) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person who violates, attempts to violate, conspires to violate, or causes a violation of regulations issued under section 5926(2) of this title to carry out subsection (a)(1) to the same extent that such penalties apply to a person who commits an unlawful act described in section 206(a) of the International Emergency Economic Powers Act.

(c) EXCEPTION.—Sanctions under subsection (a)(2) shall not apply to an alien if admitting or paroling the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

(d) EXCEPTION TO COMPLY WITH NATIONAL SECURITY.—The following activities shall be exempt from sanctions under this section:

(1) Activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).

(2) Any authorized intelligence or law enforcement activities of the United States.

SEC. 5925. WAIVER.

(a) IN GENERAL.—The Secretary of State may waive, for one or more periods not to exceed 90 days, the application of sanctions imposed on a foreign person under this subtitle if the President—

(1) determines and reports to Congress that such a waiver is in the national security interest of the United States; and

(2) thereafter submits to the appropriate congressional committees a justification for such waiver.

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

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 5926. IMPLEMENTATION AND REGULATORY AUTHORITY.

The President—

(1) is authorized to exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this title; and

(2) shall issue such regulations, licenses, and orders as are necessary to carry out this title.

SEC. 5927. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements to impose sanctions under this subtitle shall not include the authority or requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment and excluding technical data.

SEC. 5928. DEFINITIONS.

In this subtitle:

(1) ADMITTED; ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity who is not a United States person.

(3) FOREIGN GOVERNMENT.—The term ''foreign government'' means any government of a country other than the United States.

(4) KNOWINGLY.—The term ''knowingly'' with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(5) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

(6) GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS.—The term ''gross vio- lations of internationally recognized human rights'' has the meaning given such term in section 502B(d)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(1)).

SEC. 5929. SUSPENSION OF SANCTIONS.

(a) IN GENERAL.—The President may suspend in whole or in part the imposition of sanctions otherwise required under this subtitle for periods not to exceed 90 days if the President determines that the parties to the conflict in Libya have agreed to and are upholding a sustainable, good-faith ceasefire in support of a lasting political solution in Libya.

(b) NOTIFICATION REQUIRED.—Not later than 30 days after the date on which the President makes a determination to suspend the imposition of sanctions as described in subsection (a), the President shall submit to the appropriate congressional committees a notification of the determination.

(c) REIMPOSITION OF SANCTIONS.—Any sanctions suspended under subsection (a) shall be reimposed if the President determines that the criteria described in that subsection are no longer being met.

SEC. 5930. SUNSET.

The requirement to impose sanctions under this subtitle shall cease to be effective on December 31, 2026.

Subtitle C—Assistance for Libya

SEC. 5931. HUMANITARIAN RELIEF FOR THE PEOPLE OF LIBYA AND INTERNATIONAL REFUGEES AND MIGRANTS IN LIBYA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Government should, including in alignment with Libya's status inclusion in the U.S. Global Fragility Act Strategy—

(A) continue senior-level efforts to address humanitarian needs in Libya, which has been exacerbated by conflict and the COVID-19 pandemic;

(B) engage diplomatically with Libyan entities to guarantee constant, reliable humanitarian access by frontline providers in Libya;

(C) engage diplomatically with the Libyan entities, the United Nations, and the European Union to encourage the voluntary safe passage of detained vulnerable migrants and refugees from the conflict zones in Libya; and

(D) support efforts to document and publicize gross violations of internationally recognized human rights and international humanitarian law, including efforts related to severe forms of trafficking in persons such as slavery, forced labor, and sexual exploitation, and hold perpetrators accountable; and

(2) deliver humanitarian assistance targeted toward those most in need and delivered through partners that uphold internationally recognized humanitarian principles, with robust monitoring to ensure assistance is reaching intended beneficiaries.

(b) ASSISTANCE AUTHORIZED.—The Administrator of the United States Agency for International Development, in coordination with the Secretary of State, should continue to support humanitarian assistance to individuals and communities in Libya, including—

(1) health assistance, including logistical and technical assistance to hospitals, ambulances, and health clinics in affected communities, including migrant communities, and provision of basic public health commodities, including support for an effective response to the COVID-19 pandemic;

(2) services, such as medicines and medical supplies and equipment;

(3) assistance to provide—

(A) protection, food, and shelter, including to migrant communities;

(B) water, sanitation, and hygiene (commonly referred to as ''WASH''); and

(C) resources and training to increase communications and education to help communities slow the spread of COVID-19 and to increase vaccine acceptance; and

(4) technical assistance to ensure health, food, and commodities are appropriately selected, procured, targeted, monitored, and distributed.

(c) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a strategy on the following:

(1) How the United States, working with relevant foreign governments and multilateral organizations, plans to address the humanitarian situation in Libya.

(2) Diplomatic efforts by the United States to encourage strategic burden-sharing and the coordination of donations with international donors, including foreign governments and multilateral organizations to advance the provision of humanitarian assistance to the people of Libya and international migrants and refugees in Libya.

(3) How to address humanitarian access challenges and ensure protection for vulnerable refugees and migrants, including protection from severe forms of trafficking in persons such as slavery, forced labor, and sexual exploitation.

(4) How the United States is mitigating risk, utilizing third party monitors, and ensuring effective delivery of assistance.

(5) How to address the tragic and persistent deaths of migrants and refugees at sea and human trafficking.

(d) INTEGRATION OF DEPARTMENT OF STATE-LED STABILIZATION EFFORTS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State, working with United States allies, international organizations, and implementing partners, including local implementing partners, to the extent practicable, should continue coordinated international stabilization efforts in Libya to—

(A) build up the capacity of implementers and national mine action authorities engaged in conventional weapons destruction efforts and mine risk education training and programs; and

(B) conduct operational clearance of explosive remnants of war resulting from the 2011 revolution and current military conflict in Libya, including in territory previously occupied by ISIS-Libya, and particularly in areas where unexploded ordnance, booby traps, and anti-personnel and anti-vehicle mines contaminate areas of critical infrastructure and large housing districts posing a risk of civilian casualties.

(2) IN GENERAL.—To the maximum extent practicable, humanitarian assistance authorized under subsection (b) and the strategy required by subsection (c) shall take into account and integrate Department of State-led stabilization efforts—

(A) to address—

(i) contamination from landmines and other explosive remnants of war left from the 2011 revolution and current military conflict in Libya, including in territory previously occupied by ISIS-Libya; and

(ii) proliferation of illicit small arms and light weapons resulting from such conflict and the destabilizing impact the proliferation of such weapons has in Libya and neighboring countries; and

(B) to mitigate the threat that destruction of conventional weapons poses to development, the delivery of humanitarian assistance, and the safe and secure return of internally displaced persons.

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

(1) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 5932. SUPPORT FOR DEMOCRATIC GOVERNANCE, ELECTIONS, AND CIVIL SOCIETY.

(a) IN GENERAL.—The Secretary of State should coordinate United States Government efforts to—

(1) work with the United Nations Support Mission in Libya and transitional authorities in Libya to prepare for national elections, as called for by the Libyan Political Dialogue, and a subsequent political transition;

(2) support efforts to resolve the current civil conflict in Libya;

(3) work to help the people of Libya and a future Libyan government develop functioning, unified Libyan economic, security, and governing institutions;

(4) work to ensure free, fair, inclusive, and credible elections organized by an independent and effective High National Elections Commission in Libya, including through supporting electoral security and international election observation and by providing training and technical assistance to institutions with election-related responsibilities, as appropriate;

(5) work with the people of Libya, nongovernmental organizations, and Libya institutions to strengthen democratic governance, reinforce civilian institutions and support decentralization, in line with relevant Libyan laws and regulations, in order to address community grievances, promote social cohesion, mitigate drivers of violent extremism, and help communities recover from Islamic State occupation;

(6) defend against gross violations of internationally recognized human rights in Libya, including by supporting efforts to document such violations;

(7) to combat corruption and improve the transparency and accountability of Libyan government institutions; and

(8) to support the efforts of independent media outlets to broadcast, distribute, and share information with the Libyan people.

(b) RISK MITIGATION AND ASSISTANCE MONITORING.—The Secretary of State and Administrator of the United States Agency for International Development should ensure that appropriate steps are taken to mitigate risk of diversion of assistance for Libya and ensure reliable third-party monitoring is utilized for projects in Libya that United States Government personnel are unable to access and monitor.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, should submit to the appropriate congressional committees a report on the activities carried out under subsection (a).

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

(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated $30,000,000 for fiscal year 2022 to carry out subsection (a).

(2) NOTIFICATION REQUIREMENTS.—Any expenditure of amounts made available to carry out subsection (a) shall be subject to the notification requirements applicable to—

(A) expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)); and

(B) expenditures from the Development Assistance Fund under section 653(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 16 2413(a)).

SEC. 5933. ENGAGING INTERNATIONAL FINANCIAL INSTITUTIONS TO ADVANCE LIBYAN ECONOMIC RECOVERY AND IMPROVE PUBLIC SECTOR FINANCIAL MANAGEMENT.

(a) IN GENERAL.—The Secretary of the Treasury should instruct the United States Executive Director at each international financial institution to use the voice, vote, and influence of the United States to support, in a way that is consistent with broader United States national interests, a Libyan-led process to develop a framework for the economic recovery of Libya and improved public sector financial management, complementary to United Nations-led peace efforts and in support of democratic institutions and the rule of law in Libya.

(b) ADDITIONAL ELEMENTS.—To the extent consistent with broader United States national interests, the framework described in subsection (a) should include the following policy proposals:

(1) To restore, respect, and safeguard the integrity, unity, and lawful governance of Libya's key economic ministries and institutions, in particular the Central Bank of Libya, the Libya Investment Authority, the National Oi Corporation, and the Audit Bureau (AB).

(2) To improve the accountability and effectiveness of Libyan authorities, including sovereign economic institutions, in providing services and opportunity to the Libyan people.

(3) To assist in improving public financial management and reconciling the public accounts of national financial institutions and letters of credit issued by private Libyan financial institutions as needed pursuant to a political process.

(4) To restore the production, efficient management, and development of Libya's oil and gas industries so such industries are resilient against disruption, including malign foreign influence, and can generate prosperity on behalf of the Libyan people.

(5) To promote the development of private sector enterprise.

(6) To improve the transparency and accountability of public sector employment and wage distribution.

(7) To strengthen supervision of and reform of Libyan financial institutions.

(8) To eliminate exploitation of price controls and market distorting subsidies in the Libyan economy.

(9) To support opportunities for United States businesses.

(c) CONSULTATION.—In supporting the framework described in subsection (a), the Secretary of the Treasury should instruct the United States Executive Director at each international financial institution to encourage the institution to consult with relevant stakeholders in the financial, governance, and energy sectors.

(d) DEFINITION OF INTERNATIONAL FINANCIAL INSTITUTION.—In this section, the term ''international financial institution'' means the International Monetary Fund, International Bank for Reconstruction and Development, European Bank for Reconstruction and Development, International Development Association, International Finance Corporation, Multilateral Investment Guarantee Agency, African Development Bank, African Development Fund, Asian Development Bank, Inter-American Development Bank, Bank for Economic Cooperation and Development in the Middle East and North Africa, and Inter-American Investment Corporation.

(e) TERMINATION.—The requirements of this section shall cease to be effective on December 31, 2026.

SEC. 5934. RECOVERING ASSETS STOLEN FROM THE LIBYAN PEOPLE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State, the Secretary of the Treasury, and the Attorney General should, to the extent practicable, advance a coordinated international effort—

(1) to carry out special financial investigations to identify and track assets taken from the people and institutions of Libya through theft, corruption, money laundering, or other illicit means; and

(2) to work with foreign governments—

(A) to share financial investigations intelligence, as appropriate;

(B) to oversee the assets identified pursuant to paragraph (1); and

(C) to provide technical assistance to help governments establish the necessary legal framework to carry out asset forfeitures.

(b) ADDITIONAL ELEMENTS.—The coordinated international effort described in subsection (a) should include input from—

(1) the Office of Terrorist Financing and Financial Crimes of the Department of the Treasury;

(2) the Financial Crimes Enforcement Network of the Department of the Treasury; and

(3) the Money Laundering and Asset Recovery Section of the Department of Justice.

SEC. 5935. AUTHORITY TO EXPAND EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH LIBYA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should expand educational and cultural exchange programs with Libya to promote mutual understanding and people-to-people linkages between the United States and Libya.

(b) AUTHORITY.—The President is authorized to expand educational and cultural exchange programs with Libya, including programs carried out under the following:

(1) The J. William Fulbright Educational Exchange Program referred to in paragraph (1) of section 112(a) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460(a)).

(2) The International Visitors Program referred to in paragraph (3) of such section.

(3) The U.S.–Middle East Partnership Initiative (MEPI) Student Leaders Program.

(4) The Youth Exchange and Study Program.

(5) Other related programs administered by the Department of State.

AMENDMENT NO. 76 OFFERED BY MS. SPANBERGER OF VIRGINIA

At the end of subtitle B of title XV, add the following:

SEC. 15___. REQUIREMENT TO NOTIFY CHIEF OF MISSION OF MILITARY OPERATION IN THE INFORMATION ENVIRONMENT.

Section 398 of title 10, United States Code, as added and amended by section 1511, is further amended—

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

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

''(g) REQUIREMENT TO NOTIFY CHIEF OF MISSION.—The Secretary may not authorize a military operation in the information environment under this title intended to cause an effect in a country unless the Secretary fully informs the chief of mission for that country under section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) of the planned operation.''.

AMENDMENT NO. 78 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Add at the end of subtitle G of title III the following:

SEC. 373. SECRETARY OF DEFENSE REPORT ON ESTABLISHING PROCEDURE FOR ALERTING ABOUT EXPOSURE TO PERFLUOROALKYL SUBSTANCES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall submit a report to Congress detailing how to establish a process for alerting active and retired members of the Armed Forces (and their families) about any applicable exposure of such individuals to perfluoroalkyl substances, and any potential health risks resulting from such exposure.

(b) APPLICABLE EXPOSURE DEFINED.—For purposes of subsection (a), ''applicable exposure'' means exposure while serving on a military base that contains perfluoroalkyl substance contamination of more than the acceptable exposure limits provided by the Environmental Protection Agency (0.004 parts per trillion (ppt) for perfluorooctanoic acid (PFOA) and 0.02 ppt for perfluorooctane sulfonic acid (PFOS)).

AMENDMENT NO. 80 OFFERED BY MR. LEVIN OF MICHIGAN

Page 1327, line 9, insert '', including schools operated by the Department of Defense Education Activity'' after ''other sites''.

Page 1330, line 23, insert '', the Committee on Education and Labor,'' after ''Commerce''.

At the end of title LVIII of division E, insert the following:

SEC. ___. SCHOOL PFAS TESTING AND FILTRATION PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary of Defense, in coordination with the Administrator of the Environmental Protection Agency, shall establish a program to—

(1) test for perfluoroalkyl and polyfluoroalkyl substances in drinking water at eligible entities, which testing shall be conducted by an entity approved by the Administrator or the applicable State to conduct the testing;

(2) install, maintain, and repair water filtration systems effective for reducing perfluoroalkyl and polyfluoroalkyl substances in drinking water at eligible entities that contains a level of any perfluoroalkyl or polyfluoroalkyl substance that exceeds—

(A) an applicable maximum contaminant level established by the Administrator under section 1412 of the Safe Drinking Water Act (42 U.S.C. 300g–1); or

(B) an applicable standard established by the applicable State that is more stringent than the level described in subparagraph (A); and

(3) safely dispose of spent water filtration equipment used to reduce perfluoroalkyl and polyfluoroalkyl substances in drinking water at schools.

(b) PUBLIC AVAILABILITY.—The Secretary of Defense shall—

(1) make publicly available, including, to the maximum extent practicable, on the website of the eligible entity, a copy of the results of any testing carried out under this section; and

(2) notify relevant parent, teacher, and employee organizations of the availability of the results described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) The term ''eligible entity'' means a school operated by the Department of Defense Education Activity.

AMENDMENT NO. 82 OFFERED BY MR. LYNCH OF MASSACHUSETTS

At the end of subtitle G of title VI, insert the following:

SEC. 6___. PLAN FOR REIMBURSEMENT OF CERTAIN EXPENSES OF CERTAIN MEMBERS AND VETERANS RELATED TO AFGHANISTAN EVACUATION.

(a) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a plan (in this section referred to as the ''Plan'') to reimburse members of the Armed Forces serving on active duty and veterans who expended personal funds in support of efforts to evacuate, from Afghanistan, Afghan nationals who previously supported military or reconstruction missions of the United States in Afghanistan.

(b) CONSULTATION.—In developing the plan, the Secretary shall consult with the following:

(1) The Secretary of State.

(2) The Secretary of Veterans Affairs.

(3) Non-governmental organizations and veterans service organizations with expertise in supporting the evacuation of Afghan nationals from Afghanistan.

(c) ELEMENTS.—The Plan shall include the following elements:

(1) Eligibility requirements for members of the Armed Forces serving on active duty and veterans to file a reimbursement claim under the Plan.

(2) The criteria for reimbursement, including the types of reimbursable claims and maximum reimbursement limit.

(3) The process for filing a reimbursement claim.

(4) The supporting documentation required to file a reimbursement claim.

(5) An estimate of the costs that would be associated with implementing the Plan.

(d) PUBLIC AVAILABILITY.—Not later than one year after the date of the enactment of this Act, the Secretary shall of Defense post the plan on a publicly available website of the Department of Defense.

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

(1) With respect to the House of Representatives:

(A) The Committee on Oversight and Reform.

(B) The Committee on Armed Services.

(2) With respect to the Senate:

(A) The Committee on Homeland Security and Government Affairs.

(B) The Committee on Armed Services.

AMENDMENT NO. 83 OFFERED BY MR. STAUBER OF MINNESOTA

At the end of subtitle J of title V, insert the following:

SEC. 5___. RECURRING REPORT REGARDING COVID-19 MANDATE.

Not later than 60 days after the date of the enactment of this Act and every 60 days thereafter until the Secretary of Defense lifts the requirement that a member of the Armed Forces shall receive a vaccination against COVID–19, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report, without any personally identifiable information, containing the following:

(1) With regard to religious exemptions to such requirement—

(A) the number of such exemptions for which members applied;

(B) the number of such religious exemptions denied;

(C) the reasons for such denials;

(D) the number of members denied such a religious exemption who complied with the requirement; and

(E) the number of members denied such a religious exemption who did not comply with the requirement who were separated, and with what characterization.

(2) With regard to medical exemptions to such requirement—

(A) the number of such medical exemptions for which members applied;

(B) the number of such medical exemptions denied;

(C) the reasons for such denials;

(D) the number of members denied such a medical exemption who complied with the requirement; and

(E) the number of members denied such a medical exemption who did not comply with the requirement who were separated, and with what characterization.

AMENDMENT NO. 84 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle H of title V, insert the following:

SEC. 5___. MYSTEP: PROVISION ONLINE AND IN MULTIPLE LANGUAGES.

The Secretary concerned shall provide all services of the Military Spouse Transition Program (commonly referred to as ''MySTeP'') online and in English, Spanish, Tagalog, and the rest of the 10 most commonly spoken languages in the United States.

AMENDMENT NO. 85 OFFERED BY MR. AGUILAR OF CALIFORNIA

Insert at the end of title LVIII the following:

SEC. ___. REPORT ON EMT NATIONAL LICENSING STANDARDS.

The Secretary of Defense, in coordination with each branch of the United States military, shall submit a report to Congress on how the Department of Defense can feasibly incorporate EMT national licensing standards into their existing training.

AMENDMENT NO. 86 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Add at the end of subtitle F of title VIII the following:

SEC. 867. GAO REPORT ON DEPARTMENT OF DEFENSE CONTRACT FINANCING AND COMMERCIAL BEST PRACTICES.

(a) FINDINGS.—Congress finds as follows:

(1) In a 2019 report, the Comptroller General of the United States directed the Department of Defense to ensure it conducts a comprehensive assessment of the effect that its contract financing and profit policies have on the defense industry and update that assessment on a recurring basis.

(2) The Department of Defense has commissioned an independent study to evaluate—

(A) free cash flow in the defense sector;

(B) impacts to cash flow depending on contract type and financing;

(C) financing and its impact on small businesses; and

(D) the government accounting system requirements for contractors.

(b) STUDY AND REPORT.—Not later than 6 months after the date of the completion of the study described in subsection (a)(2), the Comptroller General of the United States shall submit to the congressional defense committees a report assessing such study, including an evaluation of the tools and authorities the Department of Defense has available to ensure fair and reasonable pricing of commercial products and services.

AMENDMENT NO. 87 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Page 1011, after line 7, insert the following:

SEC. 2004. DIRECTING THE SECRETARY OF DEFENSE TO CONTINUE MILITARY HOUSING REFORMS.

(a) IN GENERAL.—The Secretary of Defense shall consider—

(1) partnerships with innovative housing production companies to build cost-effective multi-family housing that is energy efficient and improve energy resiliency in order to increase the supply of affordable housing available to active duty members of the Armed Forces; or

(2) purchasing multiple multi-family housing if this results in an additional lower cost.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall report to Congress on the considerations under subsection (a).

(c) INNOVATIVE HOUSING PRODUCTION COMPANY DEFINED.—In this section, the term ''innovative housing production company'' means a company that offers housing in an area for which the costs per unit is lower than the cost per unit of other housing in the area that meets Federal, State, and local housing standards, based on quality, accessibility, and durability.

AMENDMENT NO. 88 OFFERED BY MRS. AXNE OF IOWA

At the end of subtitle G of title V, insert the following:

SEC. ___. PARTICIPATION OF MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES IN THE SKILLBRIDGE PROGRAM.

Section 1143(e)(2) of title 10, United States Code, is amended to read as follows:

''(2) A member of the armed forces is eligible for a program under this subsection if—

''(A) the member—

''(i) has completed at least 180 days on active duty in the armed forces; and

''(ii) is expected to be discharged or released from active duty in the armed forces within 180 days of the date of commencement of participation in such a program; or

''(B) the member is a member of a reserve component.''.

AMENDMENT NO. 89 OFFERED BY MR. BACON OF NEBRASKA

At the end of subtitle D of title XII, add the following:

SEC. 12__. STATEMENT OF POLICY.

It is the policy of the United States that the NATO-Russia Founding Act, signed May 27, 1997, in Paris, does not constrain the deployment of United States or NATO forces in any way.

AMENDMENT NO. 90 OFFERED BY MR. BACON OF NEBRASKA

At the end of subtitle B of title II, add the following new section:

SEC. 2___. ALLOWABLE USES OF FUNDS UNDER THE COMMERCIAL WEATHER DATA PILOT PROGRAM OF THE AIR FORCE.

Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Air Force for the Commercial Weather Data Pilot Program may be used only for the piloting and demonstration of radio occultation data for use in weather models.

AMENDMENT NO. 91 OFFERED BY MR. BANKS OF INDIANA

At the end of subtitle F of title V, insert the following:

SEC. 5___. REPORT ON TREATMENT OF CHINA IN CURRICULA OF PROFESSIONAL MILITARY EDUCATION.

(a) IN GENERAL.—Not later than December 1, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding the treatment of China in the curricula of institutions of military education, including changes to such treatment implemented in the five years preceding the date of such report.

(b) DEFINITIONS.—In this section:

(1) The term ''institutions of military education'' means—

(A) the professional military education schools;

(B) the senior level service schools;

(C) the intermediate level service schools;

(D) the joint intermediate level service school; and

(E) the Naval Postgraduate School.

(2) The terms ''intermediate level service school'', ''joint intermediate level service school'', and ''senior level service school'' have the meaning given such terms in section 2151 of title 10, United States Code.

(3) The term ''professional military education schools'' means the schools specified in section 2162 of title 10, United States Code.

AMENDMENT NO. 92 OFFERED BY MR. BARR OF KENTUCKY

Add at the end of subtitle B of title XIII the following:

SEC. ___. REPORT ON AMERICAN INSTITUTE IN TAIWAN EFFORTS TO COMBAT CERTAIN DISINFORMATION AND PROPAGANDA.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense (as appropriate), shall submit a report to the appropriate Congressional Committees—

(1) on the efforts of the American Institute in Taiwan to combat disinformation or propaganda perpetuated by the Chinese Communist Party and People's Republic of China in regards to—

(A) United States commitment to Taiwan's self-defense, pursuant to the Taiwan Relations Act;

(B) United States Foreign Military Sales to Taiwan; and

(C) United States economic cooperation with Taiwan; and

(2) that contains—

(A) an assessment of the effectiveness of the efforts of the American Institute in Taiwan in combating disinformation or propaganda perpetuated by the Chinese Communist Party and People's Republic of China; and

(B) recommendations on how to better combat such disinformation or propaganda.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section the term, ''appropriate Congressional Committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 93 OFFERED BY MR. BARR OF KENTUCKY

Add at the end of subtitle G of title XXVIII the following new section:

SEC. 28___. FEASIBILITY STUDY FOR BLUE GRASS CHEMICAL AGENT-DESTRUCTION PILOT PLANT.

(a) STUDY.—The Secretary of Defense, in consultation with the Secretary of the Army, shall conduct a feasibility study to assess potential missions, plants, or industries feasible for Army or Department of Defense needs at the Blue Grass Chemical Agent-Destruction Pilot Plant following the demolition and remediation of the Blue Grass Chemical Agent-Destruction Pilot Plant located at the Blue Grass Army Depot in Richmond, Kentucky. The study shall include the following:

(1) Identification of any buildings and infrastructure in the Blue Grass Chemical Agent-Destruction Pilot Plant that could remain for future Army or Department of Defense use.

(2) Cost savings associated with repurposing existing infrastructure for Army or Department of Defense purposes.

(3) Opportunities to fulfil requirements for defense organic industrial base operations.

(4) Opportunities to fulfil requirements of Army Materiel Command strategic planning, including ammunition production.

(5) Opportunities to fulfil Army or Department of Defense modernization requirements.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under subsection (a).

AMENDMENT NO. 94 OFFERED BY MR. BARR OF KENTUCKY

Add at the end of subtitle B of title VII the following:

SEC. ___. SLEEP APNEA SCREENING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Health Affairs shall provide a plan to the congressional defense committees for a pilot program to screen for obstructive sleep apnea among persons going through the officer accession program.

(b) PLAN CONTENTS.—This plan required under subsection (a) shall include—

(1) how many individuals will be tested under the pilot program; and

(2) how much the pilot program would cost.

AMENDMENT NO. 95 OFFERED BY MR. BENTZ OF OREGON

At the end of subtitle C of title I, add the following new section:

SEC. 1___. LIMITATION ON DIVESTMENT OF F–15 AIRCRAFT.

(a) LIMITATION.—Beginning on October 1, 2023, Secretary of the Air Force may not divest, or prepare to divest, any covered F–15 aircraft until a period of 180 days has elapsed following the date on which the Secretary submits the report required under subsection (b).

(b) REPORT REQUIRED.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the following:

(1) Any plans of the Secretary to divest covered F–15 aircraft during the period covered by the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code, including—

(A) a description of each proposed divestment by fiscal year and location;

(B) an explanation of the anticipated effects of such divestments on the missions, personnel, force structure, and budgeting of the Air Force;

(C) a description of the actions the Secretary intends to carry out—

(i) to mitigate any negative effects identified under subparagraph (B); and

(ii) to modify or replace the missions and capabilities of any units and military installations affected by such divestments; and

(D) an assessment of how such divestments may affect the ability of the Air Force to maintain minimum tactical aircraft inventories.

(2) Any plans of the Secretary to procure covered F–15 aircraft.

(3) Any specific plans of the Secretary to deviate from procurement of new F–15EX aircraft as articulated by the validated requirements contained in Air Force Requirements Decision Memorandum, dated February 1, 2019, regarding F–15EX Rapid Fielding Requirements Document, dated January 16, 2019.

(c) COVERED F–15 AIRCRAFT DEFINED.—In this section, the term ''covered F–15 aircraft'' means the following:

(1) F–15C aircraft.

(2) F–15D aircraft.

(3) F–15E aircraft.

(4) F–15EX aircraft.

AMENDMENT NO. 96 OFFERED BY MR. BEYER OF VIRGINIA

Page 961, strike lines 20 through 22 and insert the following:

(A) each of the reports under subsection (b), an unclassified version of the 2022 Nuclear Posture Review, and a detailed, unclassified summary of the analysis of alternatives regarding the nuclear-capable sea-launched cruise missile, have been submitted to the congressional defense committees; and

AMENDMENT NO. 97 OFFERED BY MR. BEYER OF VIRGINIA

At the end of subtitle B of title II, add the following new section:

SEC. 2___. PILOT PROGRAM ON USE OF DIGITAL TWIN TECHNOLOGIES IN THE ARMED FORCES.

(a) IN GENERAL.—Each Secretary of a military department shall carry out a pilot program under which the Secretary identifies, for each Armed Force under the jurisdiction of such Secretary, not fewer than one and not more than three new areas in which digital twin technology may be implemented to improve the operations of the Armed Force. To the extent practicable, consideration shall be given to operations involving reduced manpower and autonomous systems.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, each Secretary of a military department shall submit to the congressional defense committees a report that includes—

(1) a description of each proposed area in which digital twin technology may be implemented in accordance with subsection (a);

(2) a plan for such implementation; and

(3) an explanation of any additional funding required for such implementation.

AMENDMENT NO. 98 OFFERED BY MR. BLUMENAUER OF OREGON

Page 142, line 23, insert ''and distribution centers of the Defense Logistics Agency''.

Page 142, line 25, insert ''or centers, as the case may be,'' after ''installations''.

Page 143, line 3, insert ''AND DISTRIBUTION CENTERS'' after ''INSTALLATIONS''.

Page 143, line 4, insert ''OF MILITARY INSTALLATIONS'' after ''SELECTION''.

Page 145, after line 17, insert the following new paragraph:

(4) SELECTION OF DISTRIBUTION CENTERS.—

(A) SELECTION.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Logistics Agency shall select at least one distribution center of the Defense Logistics Agency at which to carry out the pilot program under subsection (a) and submit to the Committees on Armed Services of the House of Representatives and notification containing an identification of any such selected distribution center.

(B) PRIORITY.—In selecting a distribution center under subparagraph (A), the Director of the Defense Logistics Agency shall apply the same priorities as the Secretaries of the military departments apply with respect to the selection of a military installation under paragraph (2) (including by taking into account the same considerations specified in paragraph (3)), except that, in addition to the priorities specified in paragraph (2), the Director shall also give priority to the following:

(i) Distribution centers with significant on-center use by vehicles of class 3 or heavier, as determined pursuant to table II of section 565.15 of title 49, Code of Federal Regulations.

(ii) Distribution centers at which there is, or are plans to develop, renewable energy resource generation.

Page 145, line 19, strike ''IN GENERAL'' and insert ''MILITARY INSTALLATIONS''.

Page 148, after line 2, insert the following new paragraph:

(4) DISTRIBUTION CENTERS.—Not later than one year after the date on which the Director of the Defense Logistics Agency submits a notification identifying a distribution center under subsection (b)(1), the Director shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan specified in paragraph (1) with respect to the distribution center. Such plan shall include, with respect to the distribution center, each of the same elements required under paragraph (2) for a military installation, and the Director may use expertise to the same extent and in the same manner specified in paragraph (3).

Page 148, line 5, insert ''or distribution center'' after ''installation''.

Page 150, after line 11, insert the following new paragraph:

(10) The term ''renewable energy resources'' has the meaning given that term in section 403 of the Renewable Energy Resources Act of 1980 (42 U.S.C. 7372).

AMENDMENT NO. 99 OFFERED BY MS. BLUNT ROCHESTER OF DELAWARE

At the end of subtitle C of title VII, insert the following new section:

SEC. 3___. REPORT ON COVERAGE OF BEHAVIORAL AND MENTAL HEALTH CRISIS SERVICES UNDER TRICARE PROGRAM.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the scope of coverage under the TRICARE program of inpatient and outpatient behavioral and mental health crisis services.

(b) MATTERS.—The report under subsection (a) shall include, with respect to the period beginning on January 1, 2019, and ending on December 31, 2021, an identification of the following:

(1) The total amount of funds expended under the TRICARE program on behavioral and mental health crisis services, disaggregated by the site at which the service was furnished.

(2) The total amount of funds expended under such program for other services furnished to individuals in behavioral or mental health crisis.

(3) The provider types that billed for the services specified in paragraphs (1) and (2).

(c) DEFINITIONS.—In this section:

(1) The term ''crisis services'' means the services identified as such in the document of the Substance Abuse and Mental Health Service Administration published in 2020, titled ''National Guidelines for Behavioral Health Crisis Care: Best Practice Toolkit''.

(2) The term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

AMENDMENT NO. 100 OFFERED BY MS. BLUNT ROCHESTER OF DELAWARE

At the end of subtitle C of title VII, insert the following new section:

SEC. 7___. REPORT ON MENTAL HEALTH PROVIDER READINESS DESIGNATIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall update the registry and provider lists under subsection (b) of section 717 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 868; 10 U.S.C. 1073 note) and submit to the congressional defense committees a report containing—

(1) the number of providers that have received a mental health provider readiness designation under such section 717, disaggregated by geographic region and provider specialty; and

(2) recommendations to incentivize, or otherwise increase the number of, providers with such designation.

AMENDMENT NO. 101 OFFERED BY MS. BLUNT ROCHESTER OF DELAWARE

At the end of subtitle E of title VI, insert the following:

SEC. [6___] EXPANSION OF THE SPACE-AVAILABLE TRAVEL PROGRAM TO ALLOW CERTAIN DISABLED VETERANS TO TRAVEL WITH A CAREGIVER OR DEPENDENT ON CERTAIN AIRCRAFT.

(a) EXCEPTION TO LIMITATION ON USE OF TRAVEL PROGRAM FUNDS.—Section 2641b(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) The limitation in paragraph (2) shall not apply to the use of funds to purchase or design new equipment to carry out paragraphs (4) and (5) of subsection (c).''.

(b) CERTAIN CAREGIVER OR DEPENDENT ELIGIBILITY FOR TRAVEL PROGRAM.—Section 2641b(c) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(2) in paragraph (6) (as redesignated by paragraph (1)), by striking ''paragraphs (1) through (3)'' and inserting ''paragraphs (1) through (4)''; and

(3) by inserting after paragraph (4) the following new paragraph:

''(5) Subject to subsection (f) and under conditions and circumstances as the Secretary shall specify in regulations under subsection (a), a caregiver or family caregiver

(as such terms are defined in section 1720G of title 38) of a veteran with a permanent service-connected disability rated as total.''.

(c) LIMITATION ON PRIORITY IN TRAVEL PROGRAM.—Section 2641b(f) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''a veteran eligible for travel pursuant to subsection (c)(4)'' and inserting ''an individual eligible for travel pursuant to paragraph (4) or (5) of subsection (c)''; and

(2) in paragraphs (2) and (3), by striking ''The authority in subsection (c)(4)'' each place it appears and inserting ''The authority in paragraph (4) or (5) of subsection (c)''.

AMENDMENT NO. 102 OFFERED BY MS. BLUNT ROCHESTER OF DELAWARE

At the end of subtitle C of title VII, insert the following new section:

SEC. 7____. STUDY ON PROVIDER TRAINING GAPS WITH RESPECT TO SCREENING AND TREATMENT OF MATERNAL MENTAL HEALTH CONDITIONS.

(a) STUDY.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Health Affairs, shall conduct a study to identify gaps in the training of covered providers with respect to the screening and treatment of maternal mental health conditions. Such study shall include—

(1) an assessment of the level of experience of covered providers with, and the attitudes of such providers regarding, the treatment of pregnant and postpartum women with mental or substance use disorders; and

(2) recommendations for the training of covered providers, taking into account any training gaps identified pursuant to the study.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the findings of the study under section (a).

(c) DEFINITIONS.—In this section:

(1) The term ''covered provider'' means a maternal health care provider or behavioral health provider furnishing services under the military health system (including under the TRICARE program).

(2) The term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

AMENDMENT NO. 103 OFFERED BY MR. BOWMAN OF NEW YORK

At the end of subtitle C of title V, insert the following:

SEC. 5____. IMPROVING OVERSIGHT OF MILITARY RECRUITMENT PRACTICES IN PUBLIC SECONDARY SCHOOLS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on military recruitment practices in public secondary schools during calendar years 2018 through 2022, including—

(1) the zip codes of public secondary schools visited by military recruiters; and

(2) the number of recruits from public secondary schools by zip code and local education agency.

AMENDMENT NO. 104 OFFERED BY MR. BOWMAN OF NEW YORK

Page 432, line 13, strike ''equal to 2.4 percent'' and insert ''determined by the Secretary concerned, based on prevailing economic conditions that adversely affect members, but in no case shall be less than 2.4 percent''.

Page 785, line 17, strike ''equal to 2.4 percent'' and insert ''determined by the Secretary, based on prevailing economic conditions that adversely affect civilian employees, but in no case shall be less than 2.4 percent''.

Page 786, line 9, strike ''equal to 2.4 percent'' and insert ''determined by the Secretary, based on prevailing economic conditions that adversely affect civilian employees, but in no case shall be less than 2.4 percent''.

AMENDMENT NO. 105 OFFERED BY MR. BOWMAN OF NEW YORK

At the end of subtitle F of title X, insert the following:

SEC. 10____. PUBLIC AVAILABILITY OF INFORMATION ABOUT COST OF UNITED STATES OVERSEAS MILITARY FOOTPRINT.

Section 1090 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by adding at the end the following new subsections:

''(c) ADDITIONAL INFORMATION.—For fiscal year 2023 and each subsequent fiscal year, the Secretary of Defense, in consultation with the Commissioner of the Internal Revenue Service and the Director of the Bureau of Economic Analysis, shall post on the public Internet website of the Department of Defense the costs to each United States taxpayer of the overseas military footprint of the United States, including—

''(1) the costs of building, maintaining, staffing and operating all overseas military bases and installations;

''(2) the personnel costs, including compensation, housing and health care, for all members of the Armed Forces deployed overseas at any point throughout the fiscal year;

''(3) the costs paid to contractors providing goods and services in support of overseas military bases, installations, and operations;

''(4) the costs of conducting all overseas military operations, including operations conducted by United States Armed Forces, operations conducted using unmanned weapons systems, covert operations, and operations undertaken by, with, and through partner forces;

''(5) the costs of all overseas military exercises involving United States Armed Forces; and

''(6) the costs of all military training and assistance provided by the United States to overseas partner forces.

''(d) DISPLAY OF INFORMATION.—The information required to be posted under subsections (a) and (c) shall—

''(1) be posted directly on the website of the Department of Defense, in an accessible and clear format;

''(2) include corresponding documentation as links or attachments; and—

''(3) include, for each overseas operation—

''(A) both the total cost to each taxpayer, and the cost to each taxpayer for each fiscal year, of conducting the overseas operation;

''(B) a list of countries where the overseas operations have taken place; and

''(C) for each such country, both the total cost to each taxpayer, and the cost to each taxpayer for each fiscal year, of conducting the overseas operations in that country.''.

AMENDMENT NO. 106 OFFERED BY MS. BROWN OF OHIO

Add at the end of subtitle B of title VIII the following:

SEC. 8____. REQUIRE FULL DOMESTIC PRODUCTION OF FLAGS OF THE UNITED STATES ACQUIRED BY THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 4862 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting ''and in subsection (l)'' after ''subsections (c) through (h)''; and

(2) by adding at the end the following new subsection:

''(l) FLAG OF THE UNITED STATES.—Notwithstanding subsection (a), funds appropriated or otherwise available to the Department of Defense may not be used for the procurement of a flag of the United States unless such flag is manufactured—

''(1) in the United States; and

''(2) from articles, materials, and supplies grown, mined, produced, or manufactured in the United States.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply only with respect to contracts entered into on or after the date of the enactment of this Act.

AMENDMENT NO. 107 OFFERED BY MS. BROWN OF OHIO

Add at the end of subtitle C of title VII the following:

SEC. ____. REPORT ON MENTAL HEALTH CONDITIONS AND METABOLIC DISEASE AMONG CERTAIN MEMBERS OF ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall conduct a study, and submit to Congress a report, on the rate of incidence of the simultaneous presence among members of the Armed Forces serving on active duty of a metabolic disease and a mental health condition (including post traumatic stress disorder, depression, and anxiety) or substance use disorder.

AMENDMENT NO. 108 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle C of title I, add the following new section:

SEC. 1____. FUNDING FOR C–130 MODULAR AIRBORNE FIREFIGHTING SYSTEM.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Air Force, as specified in the corresponding funding table in section 4101, for other aircraft, C–130, line 049, is hereby increased by $60,000,000 (with the amount of such increase to be used for the modular airborne firefighting system).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for administration and service-wide activities, Office of the Secretary of Defense, line 440, is hereby reduced by $60,000,000.

AMENDMENT NO. 109 OFFERED BY MR. BUCHANAN OF FLORIDA

At the end of subtitle F of title X, add the following new section:

SEC. 10____. STUDY AND REPORT ON POTENTIAL INCLUSION OF BLACK BOX DATA RECORDERS IN TACTICAL VEHICLES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to evaluate the feasability and advisability of equipping all tactical vehicles of the Armed Forces with black box data recorders.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the results of the study conducted under subsection (a).

AMENDMENT NO. 110 OFFERED BY MR. BUCHANAN OF FLORIDA

At the end of subtitle D of title VII, insert the following new section:

SEC. 7____. DROP BOXES ON MILITARY INSTALLATIONS FOR DEPOSIT OF UNUSED PRESCRIPTION DRUGS.

(a) DROP BOXES.—The Secretary of Defense shall ensure there is maintained on each military installation a drop box that is accessible to members of the Armed Forces and the family members thereof, into which such members and family members may deposit unused prescription drugs.

(b) PRESCRIPTION DRUG DEFINED.—In this section, the term ''prescription drug'' has the meaning given that term in section 1074g(i) of title 10, United States Code.

AMENDMENT NO. 111 OFFERED BY MR. BUCHANAN OF FLORIDA

At the end of subtitle C of title VII, insert the following new section:

SEC. 7___. STUDY ON ACCESSABILITY OF MENTAL HEALTH PROVIDERS AND SERVICES FOR ACTIVE DUTY MEMBERS OF THE ARMED FORCES.

(a) STUDY.—The Secretary of Defense shall conduct a study on the accessibility of mental health care providers and services for members of the Armed Forces serving on active duty, including an assessment of—

(1) the accessibility of mental health care providers on military installations;

(2) the accessibility of inpatient services for mental health care for such members; and

(3) steps that may be taken to improve such accessibility.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the findings of the study under subsection (a).

AMENDMENT NO. 112 OFFERED BY MR. BUCK OF COLORADO

At the end of subtitle I of title V, insert the following:

SEC. 5___. SENSE OF CONGRESS REGARDING SERVICE OF GARY ANDREW CYR.

(a) FINDINGS.—Congress finds the following:

(1) On February 23, 1971, Corporal Gary Andrew Cyr was 19 years old.

(2) Corporal Cyr was assigned to the 10th Pathfinder Detachment in May of 1970 and served as a Special Operations Pathfinder until January 1972.

(3) In February 1971, Corporal Cyr's Pathfinder Unit was tasked with supporting Operation Dak Soo Ri 71–1, a joint operation with Korean infantry units.

(4) On February 23, 1971, Corporal Cyr was the Pathfinder air traffic controller and cargo loadmaster for four flights and twelve landing pickup zones for the Operation, including the primary insertion point.

(5) This Operation involved the insertion of over 1,000 Korean soldiers from two divisions and 31 sling loads of cargo transported by 35 helicopters over the course of the evening of February 23, 1971.

(6) Corporal Cyr was responsible for coordinating incoming helicopter flights and providing accurate on-the-ground information to the pilots, essentially operating as a one-man air traffic control tower inside a combat zone.

(7) Corporal Cyr's leadership and execution enabled the mission to be completed in a minimum time period with no damaged cargo or casualties.

(8) Corporal Cyr's actions were hailed by helicopter pilots and officers from the inserting battalions.

(9) Corporal Cyr's actions on February 23 epitomized the Pathfinder motto of ''First in, Last out,''.

(10) William P. Murphy, Commander of the 10th Pathfinder Detachment, submitted a recommendation for the award of a Bronze Star to Corporal Cyr to 10th Combat Aviation Battalion Commander, Captain Charles E. Markham.

(11) Captain Markham approved the recommendation and submitted it to 17th Aviation Group Commander, Lieutenant Colonel Jack A. Walker.

(12) Lieutenant Colonel Walker approved the recommendation.

(13) The 10th Pathfinder Detachment began to stand down in December 1971 and deactivated in January 1972, before Corporal Cyr could be awarded the Bronze Star.

(14) Corporal Cyr's initial award was lost as a result of the deactivation.

(b) PURPOSE.—That the House of Representatives—

(1) honors the heroism of Corporal Gary Andrew Cyr to successfully insert troops and ammunition on time and on target; and

(2) believes the United States Army, in light of new information, should consider revisiting decorating and honoring the courage and leadership of Corporal Gary Andrew Cyr.

AMENDMENT NO. 114 OFFERED BY MR. BURGESS OF TEXAS

At the end of subtitle D of title XII, add the following:

SEC. 12__. REPORT ON DEPARTMENT OF DEFENSE PLAN FOR RESPONDING TO RUSSIA'S INVASION OF UKRAINE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 6 months thereafter, the Secretary of Defense, in consultation with the heads of other relevant Federal agencies, shall submit to the congressional defense committees a report outlining in detail the Department of Defense plan for responding to Russia's invasion of Ukraine, initiated on February 24, 2022.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) military assistance provided to Ukraine by the Department of Defense and the programs, operations, and contracts to be carried out under the plan described in subsection (a); and

(2) both the short-term (the next 6 months) and long-term (the next 12 months) strategic outlook or plan with respect to such programs, operations, and contracts.

AMENDMENT NO. 115 OFFERED BY MS. BUSH OF MISSOURI

Page 988, after line 21, insert the following:

(B) An analysis of the amount of funding provided to defense contractors to procure replacement stocks of covered systems for the United States.

AMENDMENT NO. 116 OFFERED BY MS. BUSH OF MISSOURI

Page 138, after line 22, insert the following:

(9) Tidal and wave power technologies.

AMENDMENT NO. 117 OFFERED BY MS. BUSH OF MISSOURI

At the end of subtitle B of title III, insert the following:

SEC. 3___. STUDY ON ENVIRONMENTAL CONTAMINATION AND CLEANUP ASSOCIATED WITH THORIUM-230 AND RELATED SUBSTANCES.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall submit to the congressional defense committees a report containing the results of a study on the environmental contamination and associated remediation efforts at sites in the United States where weapons containing Thorium-230 were developed, transported, stored, or otherwise used.

(b) ELEMENTS.— The report required under subsection (a) shall include the following:

(1) A list of sites with known or suspected Thorium-230 contamination due to weapons development, transportation or storage, or waste disposal.

(2) A discussion of the current characterization of each such site as a formerly used defense site, a site subject to a Base Realignment and Closure action, an active site, or other type of site.

(3) A specific discussion of the area surrounding Coldwater Creek in Saint Louis, Missouri.

(4) The status of each site identified under paragraph (1) including—

(A) any environmental remediation that has been completed or is underway at the site, including contamination levels, if known;

(B) any significant illness cluster associated with the geographic proximity of the site

(5) A detailed plan for any necessary environmental remediation as well as site prioritization associated with the sites identified under paragraph (1).

AMENDMENT NO. 118 OFFERED BY MRS. BUSTOS OF ILLINOIS

Add at the end of title LI the following:

SEC. 51___. SENSE OF CONGRESS REGARDING WOMEN WHO SERVED AS CADET NURSES DURING WORLD WAR II.

(a) FINDINGS.—Congress makes the following findings:

(1) In June of 1943, Congress enacted the Bolton Act, establishing the United States Cadet Nurse Corps as a uniformed service of the Public Health Administration. Through the Corps, women received free, expedited nursing education in exchange for ''service in essential nursing for the duration of the war''.

(2) During World War II, the Nation faced a severe shortage of qualified nurses, threatening the ability of the United States to meet domestic and military medical needs.

(3) In total, 124,065 women graduated from training under the Cadet Nurse program, going on to serve in military hospitals, Veterans Administration hospitals, Marine hospitals, private hospitals, public health agencies, and public hospitals until the program ended in 1948.

(4) In 1944, the Federal Security Agency identified ''national recognition for rendering a vital war service'' as a privilege of service in the Corps.

(5) By 1945, Cadet Nurses accounted for 80 percent of the domestic nursing workforce.

(6) The Cadet Nurse Corps has been credited with preventing the collapse of the domestic nursing workforce.

(b) SENSE OF CONGRESS.—It is the sense of Congress that women who served in the Cadet Nurse Corps honorably stepped up for their country during its time of need in World War II, significantly contributing to the war effort and the safety and security of the Nation.

(c) EXPRESSION OF GRATITUDE.—Congress hereby expresses deep gratitude for the women who answered the call to duty and served in the Cadet Nurse Corps.

AMENDMENT NO. 119 OFFERED BY MR. CARBAJAL OF CALIFORNIA

Add at the end of title LVIII of division E the following:

SEC. ___. REQUIREMENT FOR CUT FLOWERS AND CUT GREENS DISPLAYED IN CERTAIN FEDERAL BUILDINGS TO BE PRODUCED IN THE UNITED STATES.

(a) IN GENERAL.—A cut flower or a cut green may not be officially displayed in any public area of a building of the Executive Office of the President, of the Department of State, or of the Department of Defense that is in a State of the United States or in the District of Columbia, unless the cut flower or cut green is produced in the United States.

(b) WAIVER.—The prohibition under subsection (a) may be waived by the head of the agency concerned with respect to a cut flower or cut green that is a gift from a foreign country.

(c) RULE OF CONSTRUCTION.—The limitation in subsection (a) may not be construed to apply to any cut flower or cut green used by a Federal officer or employee for personal display.

(d) DEFINITIONS.—In this section:

(1) The term ''cut flower'' means a flower removed from a living plant for decorative use.

(2) The term ''cut green'' means a green, foliage, or branch removed from a living plant for decorative use.

(3) The term ''produced in the United States'' means grown in—

(A) any of the several States;

(B) the District of Columbia;

(C) a territory or possession of the United States; or

(D) an area subject to the jurisdiction of a federally recognized Indian Tribe.

(e) EFFECTIVE DATE.—This section shall take effect on the date that is 1 year after the date of the enactment of this Act.

AMENDMENT NO. 120 OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the end of subtitle B of title VII, insert the following new section:

SEC. 7_____. DEMONSTRATION PROJECT ON INFANT AND EARLY CHILDHOOD MENTAL HEALTH SERVICES FOR CHILDREN OF MEMBERS OF THE ARMED FORCES.

(a) ASSESSMENT OF AVAILABILITY OF SERVICES.—The Secretary of Defense shall conduct an assessment of the availability at military installations (and in the surrounding communities) of covered services at the Federal, State, and local level for covered children, for the purpose of ensuring access to such services for covered children with infant and early childhood mental health needs. Such assessment shall address, at a minimum, the following:

(1) The availability of covered services that advance social and emotional development for covered children, including any relevant certification or endorsement programs for professionals serving as infant and early childhood mental health consultants for military child development centers.

(2) The availability of adequate diagnostic and non-medical intervention covered services for covered children.

(3) The availability of supplemental covered services for covered children, such as consultation services provided by licensed professionals who are appropriately certified or endorsed in infant and early childhood mental health, as determined by the Secretary.

(4) The ease of access to adequate covered educational or treatment services for covered children, as appropriate, such as the average duration of time spent on waiting lists prior to receiving such services.

(b) REVIEW OF BEST PRACTICES.—In developing the assessment under subsection (a), the Secretary of Defense shall conduct a review of best practices across the United States for the provision of covered services to covered children. Such review shall include an assessment of any covered services of the Federal or State government available in each State, with an emphasis on the availability in locations where members of the Armed Forces with children reside.

(c) DEMONSTRATION PROJECTS.—

(1) PROJECTS AUTHORIZED.—The Secretary of Defense may conduct one or more demonstration projects under this subsection to test and evaluate various approaches to the provision of covered services to covered children, for the purposes of determining the efficacy of such approaches, reducing incidents of behavioral issues among those with infant and early childhood mental health needs, ensuring the early identification of such needs that may require non-medical intervention, and such other related purposes as may be determined appropriate by the Secretary.

(2) PARTICIPANTS.—The Secretary may select for participation in the study—

(A) members of the Armed Forces with covered children who elect to so participate; and

(B) military child development centers that are located on or near military installations or that otherwise provide services to covered children.

(3) PERSONNEL.—In carrying out a demonstration project under this subsection, the Secretary of Defense may assign personnel who hold a covered degree that the Secretary determines appropriate for the provision of covered services to act as consultants for the provision of such services to covered children who are participants in the demonstration project. Under such demonstration project, such assigned personnel may—

(A) develop and monitor promotion and prevention, and non-medical intervention, plans for such participants;

(B) provide appropriate training in the provision of covered services to such participants;

(C) provide non-medical counseling services to such participants, and any members of the Armed Forces who are the caregivers of such participants, as appropriate;

(D) coordinate and collaborate with other relevant service providers on the military installation or in the surrounding community regarding covered services; and

(E) become endorsed, or work towards becoming endorsed, by an organization that provides licensing or professional certifications recognized by the Federal or State government for infant and early childhood mental health professionals.

(4) INFANT AND EARLY CHILDHOOD MENTAL HEALTH CONSULTATIONS.—

(A) CURRICULUM.—As an activity under the demonstration project, the Secretary of Defense may authorize the development of a comprehensive professional development curriculum for use in training non-medical counselors in infant and early childhood mental health consultation services, so that such counselors may serve as infant early childhood mental health consultants for covered children who are participants in the demonstration project.

(B) COMPETENCY GUIDELINES.—The curriculum under subparagraph (A) shall be based on a set of competency guidelines that are—

(i) designed to enhance culturally sensitive, relationship-focused practice within the framework of infant and early childhood mental health; and

(ii) recognized by an organization specified in paragraph (3)(E) for the purposes of certification or endorsement as a infant and early childhood mental health practitioner.

(5) CONTRACT AUTHORITY.—

(A) AUTHORITY.—The Secretary of Defense may enter into a contract, or multiple contracts, for the conduct of any demonstration project under this subsection.

(B) REQUIREMENT FOR SUPERVISORY-LEVEL PROVIDERS.—As a term of any contract that is entered into pursuant to subparagraph (A) for the implementation of special educational and behavioral intervention plans for covered children who are participants in the demonstration project, the Secretary shall require that any such plan be developed, reviewed, and maintained by supervisory-level providers approved by the Secretary.

(C) CONTRACTOR REQUIREMENTS.—The Secretary shall establish, and ensure the implementation of, the following:

(i) Minimum required criteria for the education, training, and experience of any contractor furnishing covered services pursuant to a contract under subparagraph (A).

(ii) Requirements for the supervision and oversight of contractors who are infant and early childhood mental health consultants, including requirements for relevant credentials for such consultants and the frequency and intensity of such supervision.

(iii) Such other requirements as the Secretary considers appropriate to ensure the safety and protection of covered children who are participants in the demonstration project.

(6) DEADLINE TO COMMENCE; MINIMUM PERIOD.—For each demonstration project conducted under this subsection—

(A) the Secretary shall commence the demonstration project not later than 180 days after the date of the enactment of this Act; and

(B) the demonstration project shall be conducted for a period of not less than two years.

(7) EVALUATION.—

(A) REQUIREMENT.—The Secretary of Defense shall conduct an evaluation of the outcomes of each demonstration project conducted under this subsection, to determine the efficacy of covered services provided under the demonstration project.

(B) MATTERS.— Each evaluation under subparagraph (A) shall include, with respect to the relevant demonstration project, an assessment of the extent to which activities under the demonstration project contributed to the following:

(i) Positive outcomes for covered children.

(ii) Improvements to the services and continuity of care for covered children.

(iii) Improvements to military family readiness and enhanced military retention.

(d) REPORTS ON DEMONSTRATION PROJECTS.—Not later than two years and 180 days after the date of the commencement of a demonstration project under subsection (c), the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the demonstration project. Such report shall include the following:

(1) A description of the demonstration project.

(2) The results of the evaluation under subsection (c)(7) with respect to the demonstration project.

(3) A description of plans for the future provision of covered services, in accordance with the model or approach evaluated pursuant to the demonstration project.

(e) RELATIONSHIP TO OTHER BENEFITS.—Nothing in this section shall be construed as precluding a member of the Armed Forces, or a dependent of such a member, from eligibility for benefits under chapter 55 of title 10, United States Code, to which such member or dependent would otherwise be eligible.

(f) DEFINITIONS.—In this section:

(1) The term ''child'' has the meaning given that term in section 1072 of title 10, United States Code.

(2) The term ''covered child'' means the infant, toddler, or young child (from birth to age five, inclusive) of a member of the Armed Forces.

(3) The term ''covered degree'' means a postsecondary degree that—

(A) is awarded by an institution of higher of education eligible to participate in programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

(B) is in the field of mental health, human development, social work, or a related field, as determined by the Secretary of Defense.

(4) The term ''covered educational or treatment service''—

(A) means a service, including a supportive service, that provides quality early childhood education by promoting healthy social and emotional development and providing support for children experiencing mental health challenges; and

(B) includes the conduct of assessments, coaching for educators and parents, and referrals to health care professionals with specialties in infant and early childhood mental health for diagnosis, therapeutic treatment, and early intervention.

(5) The term ''covered service'' means a covered educational and treatment service or any other medical or non-medical service, including consultation services, relating to the improvement of infant and early childhood mental health in the context of family, community, and culture.

(6) The term ''infant and early childhood mental health'' means the developing capacity of an infant, toddler, or young child (from birth to age five, inclusive), to—

(A) form close and secure adult and peer relationships;

(B) experience, manage, and express a full range of emotions; and

(C) explore the environment and learn.

AMENDMENT NO. 121 OFFERED BY MR. CÁRDENAS OF CALIFORNIA

At the end of subtitle B of title XIII, add the following:

SEC. 13__. REPORT ON AZERBAIJAN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to Congress a report on the following:

(1) United States parts and technology discovered in Turkish Bayraktar unmanned aerial vehicles deployed by Azerbaijan against Nagorno Karabakh between September 27, 2020 and November 9, 2020, including an assessment of any potential violations of United States arms export laws, sanctions policies, or other provisions of United States law related to the discovery of such parts and technology.

(2) Azerbaijan's use of white phosphorous, cluster bombs and other prohibited munitions deployed by Azerbaijan against Nagorno Karabakh between September 27, 2020, and November 9, 2020, including an assessment of any potential violations of United States or international law related to the use of these munitions.

(3) Turkey's and Azerbaijan's recruitment of foreign terrorist fighters to participate in Azerbaijan's offensive military operations against Nagorno Karabakh between September 27, 2020, and November 9, 2020, including an assessment of any related potential violations of United States law, the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, or other international or multilateral treaties.

AMENDMENT NO. 122 OFFERED BY MR. CARSON OF INDIANA

At the end of subtitle D of title VII, add the following new section:

SEC. 7___. FUNDING FOR PANCREATIC CANCER RESEARCH.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Defense Health Program, R&D research is hereby increased by $5,000,000 (with the amount of such increase to be used in support of the CRDMP Program for Pancreatic Cancer Research).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for administration and service-wide activities, Defense Human Resources Activity, line 240, is hereby reduced by $5,000,000.

AMENDMENT NO. 123 OFFERED BY MR. CASE OF HAWAII

At the end of subtitle G of title X, insert the following:

SEC. 28___. BRIEFING ON GUAM AND NORTHERN MARIANA ISLANDS MILITARY CONSTRUCTION COSTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on Guam and the Northern Mariana Islands on the future military construction requirements based on emerging threats in the region, ongoing relocations of members of the Armed Forces, and the total amount of funds obligated or expended from amounts appropriated or otherwise made available and for implementing the Record of Decision for the relocation of Marine Corps. Such briefing shall include—

(1) the projected funding for military construction through fiscal year 2030;

(2) the projected sustainment costs associated with military infrastructure through fiscal year 2030; and

(3) military infrastructure requirements through fiscal year 2030 exceeding the current funding restriction.

AMENDMENT NO. 124 OFFERED BY MR. CASE OF HAWAII

At the appropriate place in subtitle F of title X, insert the following new section:

SEC. 10___ REPORT ON THE STRATEGY AND ENGAGEMENT EFFORTS OF THE ARMED FORCES IN HAWAII.

(a) IN GENERAL.—The Commander of the United States Indo-Pacific Command shall, in collaboration with installation commanders and the relevant service commands, develop and implement—

(1) a strategy to improve the engagement efforts of the military with the local community in the State of Hawaii; and

(2) enhanced coordinated community engagement efforts (as described in section 587 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81)) in the State of Hawaii.

(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Commander shall submit to the congressional defense committees a report that describes the results of the strategy and engagement efforts implemented pursuant to subsection (a).

AMENDMENT NO. 125 OFFERED BY MR. CASE OF HAWAII

At the end of subtitle G of title XXVIII:

SEC. 28___. COMPTROLLER GENERAL ASSESSMENT OF MILITARY CONSTRUCTION, MAINTENANCE, AND UPGRADES OF JOINT BASE INFRASTRUCTURE AND FACILITIES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct an assessment of possible inequitable prioritization of military construction, maintenance, and upgrades of joint base infrastructure and facilities, with a focus on facilities as they relate to subordinate components relative to the supporting component on joint bases.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following elements:

(1) Historical analysis of investments made in infrastructure used by supported components, including allocation of new infrastructure spending between supported and supporting components.

(2) The policies and procedures at the departmental and installation level designed to ensure the proper sustainment, restoration, modernization, recapitalization, new construction, and demolition of infrastructure used by supported components.

(3) Efforts to address the priorities of the supported components through military construction and facility upgrades.

(4) Potential benefits of using the supported components' service-specific construction agents for major infrastructure investments.

AMENDMENT NO. 126 OFFERED BY MR. CASE OF HAWAII

At the end of subtitle F of title X of division A, add the following:

SEC. 10___. DEPARTMENT OF DEFENSE ENGAGEMENT WITH NATIVE HAWAIIAN ORGANIZATIONS.

(a) IN GENERAL.—Not later than March 30, 2023, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the Committee on Armed Services of the House of Representatives a report on Department of Defense plans to identify, standardize, and coordinate best practices with respect to consultation and engagement with the Native Hawaiian community.

(b) CONTENTS OF REPORT.—The report required under subsection (a) shall include, at a minimum, the following:

(1) Plans for conducting education and training programs relating to consultation and engagement with the Native Hawaiian community, including—

(A) outreach activities for fiscal years 2023 and 2024; and

(B) the degree to which Native Hawaiian community members have been involved in development of curricula, tentative dates, locations, required attendees, and topics for the education and training programs.

(2) A list of all Native Hawaiian community groups involved or to be involved in the consultation process to update Department of Defense Instruction 4710.03 (or any successor document).

(3) A description of how Department of Defense Instruction 4710.03 can be improved to reflect best practices and provide continuity across the military departments in practices, policies, training, and personnel who conduct consultation with the Native Hawaiian community.

(4) A timeline for issuing the next update or successor document to Department of Defense Instruction 4710.03.

(5) A description of how the Department of Defense can enhance and expand education and training programs relating to consultation and engagement with the Native Hawaiian community and outreach activities for all commands and installations within the State of Hawaii.

AMENDMENT NO. 127 OFFERED BY MR. CASE OF HAWAII

At the end of subtitle G of title XXVIII, add the following:

SEC. 28___. REPORT ON UNDERGROUND TUNNELS AND FACILITIES IN HAWAII.

(a) REQUIREMENTS SURVEY.—Not later than 120 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Sustainment shall submit to the congressional defense committees a report containing the results of a survey of underground tunnels and facilities on Department of Defense property located in Hawaii, and such report shall include—

(1) a description of the location, size, and condition of underground tunnels and facilities currently in use;

(2) a description of the location, size, and condition of unused underground tunnels and facilities;

(3) a description of any current proposed future uses for each of the unused underground tunnels and facilities, if any;

(4) a summary of existing unmet requirements for hardened underground facilities for each service; and

(5) efforts to coordinate across the services the assessments and potential future use of hardened underground facilities.

(b) FORM.—The survey required under subsection (a) shall be submitted in unclassified form, but shall include a classified annex to include all information responsive to the study directive that is classified.

AMENDMENT NO. 128 OFFERED BY MR. CASE OF HAWAII

At the appropriate place in title LVIII, insert the following:

SEC. _____. RENEGOTIATION OF COMPACTS OF FREE ASSOCIATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress as follows:

(1) The United States shares deep ties, history and interests with the Freely Associated States of the Republic of the Marshall Islands, Federated States of Micronesia, and Palau and continues a special, unique and mutually beneficial relationship with them under the decades-old Compacts of Free Association.

(2) Under the Compacts, the United States has undertaken the responsibility and obligation to provide and ensure the security and defense of the Freely Associated States.

(3) The Compacts are critical to the national security of the United States and its allies and partners and are the bedrock of the United States role in the Pacific.

(4) Renewal of key provisions of the Compacts, now being negotiated with each nation, is critical for regional security.

(5) Maintaining and strengthening the Compacts supports both United States national security and the United States responsibility for the security and defense of the Freely Associated States.

(6) As the Department charged with fulfilling the security mandates of the Compacts, the Department of Defense is an integral partner with the Departments of State and Interior in the Compact renewal negotiations, has a vested interest in the outcome, and should play an active role in the negotiations for their renewal.

(7) The Department of Defense should continue its engagement in the negotiations of the Compacts of Free Association, in coordination with the Departments of State and Interior and the Special Presidential Envoy for Compact Negotiations.

(8) It would be beneficial for the Secretary of Defense to detail a senior officer — or such other personal and assistance as the Envoy may request — to the Special Presidential Envoy for Compact Negotiations to support the negotiations for the renewal of Compact provisions.

(b) BRIEFING ON NEGOTIATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief the following committees on the role of the Department in the renegotiations of the Compacts and opportunities to expand its support for the negotiations:

(1) the congressional defense committees;

(2) the Committee on Foreign Affairs and the Committee on Natural Resources of the House of Representatives; and

(3) the Committee on Foreign Relations and the Committee on Energy and Natural Resources of the Senate.

AMENDMENT NO. 129 OFFERED BY MR. CASE OF HAWAII

At the end of subtitle F of title X, insert the following:

SEC. 10____. FFRDC STUDY ON SHIPYARD INFRASTRUCTURE OPTIMIZATION PROGRAM EFFORTS TO OPTIMIZE, RECAPITALIZE AND RECONFIGURE FACILITIES AND INDUSTRIAL PLANT EQUIPMENT.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Navy shall seek to enter into an agreement with an appropriate federally funded research and development center for the conduct of a detailed analysis of the efforts of the Shipyard Infrastructure Optimization Program to optimize, recapitalize, and reconfigure facilities and industrial plant equipment at the Navy's public shipyard. Such analysis shall not cover any dry dock project.

(b) MATTERS FOR CONSIDERATION.—An analysis conducted pursuant to an agreement under subsection (a) shall include a consideration of each of the following items with respect to the Shipyard Infrastructure Optimization Program:

(1) The adequacy of the cost estimate guidance and methodology used by the Navy.

(2) The estimated long-term cost and maintenance availability time savings offered from the specific, major proposed facility and equipment improvements.

(3) The methodology of the Navy for prioritizing the proposed facility and equipment improvements beyond their expected service lives.

(4) A comparison of current Navy policies and procedures for large facility improvements in excess of $500,000,000 to best practices used by other Federal agencies and the private sector.

(5) Options for improving the management and oversight of the program, including staffing and contracting options for ensuring the adequate oversight of contracted activities, support provided to the public shipyards and local shipyard construction agents, and best practices for the management of large multi-contractor projects.

(6) Estimates for current public shipyard facility restoration and modernization backlogs and the plans of the Secretary of the Navy to mitigate the current backlog either within the Shipyard Infrastructure Optimization Program or through another program.

(7) Recommendations for improving the Shipyard Infrastructure Optimization Program based on the results of the analysis.

(c) BRIEFING.—Not later than 60 days after the completion of an analysis pursuant to an agreement under subsection (a), the Secretary of Navy shall submit to the congressional defense committees a report on the results of the analysis.

(d) PUBLIC AVAILABILITY.—An agreement entered into pursuant to subsection (a) shall specify that the federally funded research and development center shall make an unclassified version of the report provided by the Secretary publicly available on an appropriate website of the center.

AMENDMENT NO. 130 OFFERED BY MR. CASE OF HAWAII

Add at the end of subtitle A of title XXVIII the following new section:

SEC. 8___. SUPERVISION OF LARGE MILITARY CONSTRUCTION PROJECTS.

(a) SUPERVISION OF LARGE MILITARY CONSTRUCTION PROJECTS.—Section 2851 of title 10, United States Code, is amended—

(1) by redesignating subsection (h) (as added by section 2809 of this Act) as subsection (i);

(2) by redesignating subsection (g) (as designated by section 2809 of this Act) as subsection (h);

(3) by inserting after subsection (f) section 2809 of this Act (as added by the following new subsection:

''(g) REPORT ON SUPERVISION OF LARGE MILITARY CONSTRUCTION PROJECTS.—Before the award of a contract of a value greater than $500,000,000 in connection with a military construction project, the individual directing and supervising such military construction project under subsection (a) or the individual designated pursuant to subsection (b) (as applicable) shall submit to the appropriate committees of Congress a report on the intended supervision, inspection, and overhead plan to manage such military construction project. Each report shall include the following:

''(1) A determination of the overall funding intended to manage the supervision, inspection, and overhead of the military construction project.

''(2) An assessment of whether a Department of Defense Field Activity that shall directly report to such individual should be established.

''(3) A description of the quality assurance approach to the military construction project.

''(4) The independent cost estimate described in section 3221(b)(6)(A) of this title.

''(5) The overall staffing approach to oversee the military construction project for each year of the contract term.''.

(b) COFORMING AMENDMENT TO DUTIES OF THE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.—Section 3221(b)(6)(A) of title 10, United States Code, is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) by adding at the end the following new clause:

''(v) any decision to enter into a contract in connection with a military construction project of a value greater than $500,000,000; and''.

AMENDMENT NO. 131 OFFERED BY MR. CASE OF HAWAII

At the end of subtitle G of title XXVIII, insert the following:

SEC. 28___. COMPTROLLER GENERAL REPORT ON COMMUNITY ENGAGEMENT ACTIVITIES AT MILITARY INSTALLATIONS IN FOREIGN COUNTRIES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report containing the results of a study conducted by the Comptroller General on community engagement activities at military installations located in foreign countries. The report shall address the following:

(1) The programs and processes that exist at military installations located in foreign countries to manage relationships with the local community.

(2) Whether existing programs and authorities are effective at fostering positive community relations at military installations located in foreign countries.

(3) An identification of any authorities or changes to existing programs that could help the Department of Defense improve relationships with local communities at military installations located in foreign countries.

AMENDMENT NO. 132 OFFERED BY MR. CASTRO OF TEXAS

At the end of subtitle B of title VII, insert the following new section:

SEC. 7___. IMPROVEMENTS TO PROCESSES TO REDUCE FINANCIAL HARM CAUSED TO CIVILIANS FOR CARE PROVIDED AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) CLARIFICATION OF FEE WAIVER PROCESS.—Section 1079b of title 10, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b) WAIVER OF FEES.—Each commander (or director, as applicable) of a military medical treatment facility shall issue a waiver for a fee that would otherwise be charged under the procedures implemented under subsection (a) to a civilian provided medical care at the facility who is not a covered beneficiary if the provision of such care enhances the knowledge, skills, and abilities of health care providers, as determined by the respective commander or director.''; and

(2) by redesignating subsection (c) as subsection (d).

(b) MODIFIED PAYMENT PLAN FOR CERTAIN CIVILIANS.—

(1) IN GENERAL.—Such section is further amended—

(A) by inserting after subsection (b), as amended by subsection (a), the following:

''(c) MODIFIED PAYMENT PLAN FOR CERTAIN CIVILIANS.—(1)(A) If a civilian specified in subsection (a) is covered by a covered payer at the time care under this section is provided, the civilian shall only be responsible to pay, for any services not covered by such covered payer, copays, coinsurance, deductibles, or nominal fees.

''(B)(i) The Secretary of Defense may bill only the covered payer for care provided to a civilian described in subparagraph (A).

''(ii) Payment received by the Secretary from the covered payer of a civilian for care provided under this section that is provided to the civilian shall be considered payment in full for such care.

''(2) If a civilian specified in subsection (a) does not meet the criteria under paragraph (1), is underinsured, or has a remaining balance and is at risk of financial harm, the Secretary of Defense shall reduce each fee that would otherwise be charged to the civilian under this section according to a sliding fee discount program.

''(3) If a civilian specified in subsection (a) does not meet the criteria under paragraph (1) or (2), the Secretary of Defense shall implement an additional catastrophic waiver to prevent financial harm.

''(4) The modified payment plan under this subsection may not be administered by a Federal agency other than the Department of Defense.''; and

(B) by adding at the end the following new subsection:

''(e) DEFINITIONS.—In this section:

''(1) The term 'covered payer' means a third-party payer or other insurance, medical service, or health plan.

''(2) The terms 'third-party payer' and 'insurance, medical service, or health plan' have the meaning given those terms in section 1095(h) of this title.''.

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall apply with respect to care provided on or after the date that is 180 days after the date of the enactment of this Act.

AMENDMENT NO. 133 OFFERED BY MR. CHABOT OF OHIO

At the end of subtitle B of title II, add the following new section:

SEC. 2___. FUNDING FOR ADVANCED ABOVE WATER SENSORS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Navy, as specified in the corresponding funding table in section 4201, for system development & demonstration, advanced above water sensors (PE 0604501N), line 129, is hereby increased by $24,004,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for administration and service-wide activities, Office of the Secretary of Defense, line 440, is hereby reduced by $24,004,000.

AMENDMENT NO. 134 OFFERED BY MR. CHABOT OF OHIO

At the end of subtitle C of title X, insert the following:

SEC. 10___. BRIEFING ON FIELDING OF SPEIR ON ALL SURFACE COMBATANT VESSELS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall provide to the congressional defense committees a briefing on an assessment, including cost, of fielding SPEIR on all surface combatant vessels.

AMENDMENT NO. 135 OFFERED BY MR. COHEN OF TENNESSEE

At the end of subtitle F of title X, add the following new section:

SEC. 10___. STUDY ON EFFORTS OF THE DEPARTMENT OF DEFENSE TO REDUCE THE USE OF SINGLE-USE PLASTICS.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the efforts of the Department of Defense to reduce reliance on single-use plastics.

(2) ELEMENTS.—The study required under paragraph (1) shall address—

(A) the extent to which the Department of Defense—

(i) collects and tracks data on its use of single-use plastics; and

(ii) has set targets for reducing the use of such plastics;

(B) the status of the implementation of Department of Defense Instruction 4715.23 and Executive Order 14057 as that instruction and order relate to single-use plastics;

(C) any Department-wide or military service-specific initiatives to reduce reliance on single use plastics;

(D) any challenges that the Department faces in reducing its reliance on single-use plastics and possible mechanisms to address those challenges;

(E) any recommendations to improve the Department's efforts to reduce single-use plastics; and

(F) any other matter the Comptroller General determines is significant and relevant to the purposes of the study.

(b) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall provide to the congressional defense committees a briefing on any preliminary findings of the study conducted under subsection (a).

(c) FINAL RESULTS.—The Comptroller General shall provide the final results of the study conducted under subsection (a) to the congressional defense committees at such time and in such format as is mutually agreed upon by the committees and the Comptroller General.

AMENDMENT NO. 136 OFFERED BY MR. COOPER OF TENNESSEE

At the end of subtitle B of title XXXI, add the following:

SEC. 31___. FUNDING FOR W80–4 LIFE EXTENSION PROGRAM.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 3101 for the National Nuclear Security Administration, as specified in the corresponding funding table in section 4701, for Stockpile Major Modernization, W80–4 Life Extension Program is hereby increased by $5,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 3101 for the National Nuclear Security Administration, as specified in the corresponding funding table in section 4701, for Maintenance and Repair of Facilities, Deferred Maintenance is hereby reduced by $5,000,000.

AMENDMENT NO. 137 OFFERED BY MR. COURTNEY OF CONNECTICUT

Add at the end of title XI the following:

SEC. 11___. GAO STUDY ON FEDERAL WAGE SYSTEM PARITY WITH LOCAL PREVAILING WAGE RATE.

(a) STUDY.—The Comptroller General of the United States shall review the parity between the Federal Wage System and the prevailing wage rate for wage grade workers who maintain or repair, or help support those who maintain or repair U.S. Navy ships or submarines and—

(1) are employed at the four U.S. Navy public shipyards;

(2) are employed at domestic U.S. naval bases with facilities to maintain or repair U.S. Navy ships or submarines and are in vicinity of competitive private defense industry; or

(3) are employed at domestic U.S. naval bases with facilities to maintain or repair U.S. Navy ships or submarines and are located within close commuting distance from a high-income area, such that wage grade jobs must compete with other means of employment for workers of equivalent skillsets and academic achievement.

(b) OTHER REQUIREMENTS.—Such study shall also review—

(1) the Government-wide administration of the Federal Wage System including the regulations, policies, and processes for establishing or modifying geographic boundaries of local wage areas;

(2) the process of developing and administering the local wage surveys and setting wage schedules for all Federal Wage System workers including those discussed in subsection (a);

(3) the use of Federal contractors to perform work skills and occupational duties comparable to Federal Wage System employees at the four U.S. Navy public shipyards and domestic U.S. naval bases with facilities to maintain or repair U.S. Navy ships or submarines;

(4) the legal framework of the Federal Wage System and Department of Defense and Office of Personnel Management policies as compared to the General Schedule system, including differences in the local wage areas for workers, such as occupational coverage, geographic coverage, pay ranges, pay increase limits, and pay adjustment cycles; and

(5) provide recommendations to Congress, as applicable, based on the findings.

(c) BRIEFING.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on preliminary findings of such review.

(d) REPORT.—The Comptroller General shall submit to the committees identified in subsection (c) a report containing the final results of such review on a date agreed to at the time of the briefing.

AMENDMENT NO. 138 OFFERED BY MS. CRAIG OF MINNESOTA

At the end of subtitle A of title III, insert the following:

SEC. 3___. FUNDING FOR ARMY COMMUNITY SERVICES.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance for Army, base operations support, line 110, as specified in the corresponding funding table in section 4301, is hereby increased by $20,000,000, for the purpose of Army Community Services.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Army, as specified in the corresponding funding table in section 4301, for Army Administration, line 450, is hereby reduced by $10,000,000.

(c) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in

section 301 for operation and maintenance, Army, as specified in the corresponding funding table in section 4301, for Army Other Service Support, line 490, is hereby reduced by $10,000,000.

AMENDMENT NO. 139 OFFERED BY MR. CRAWFORD OF ARKANSAS

At the end of subtitle F of title X, insert the following:

SEC. 10___. REPORT ON LITTORAL EXPLOSIVE ORDNANCE NEUTRALIZATION PROGRAM OF RECORD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Marine Corps shall submit to the congressional defense committees a report on the Littoral Explosive Ordnance Neutralization (in this section referred to as ''LEON'') program of record.

(b) MATTERS FOR INCLUSION.—The report required under subsection (a) shall include each of the following:

(1) A detailed plan of action and milestones for the implementation plan for the LEON program of record to enable such program to reach fully operational capable status.

(2) An identification of any manning, training, equipping, or funding shortfalls or other barriers that could prevent the LEON program of record from reaching fully operational capable status.

(3) A review of achievable, effective, and suitable capabilities supporting technical architectures to collect, store, manage, and disseminate information collected by LEON sensors.

(c) CONSIDERATION.—In preparing the report required under subsection (a), the Commandant shall take into consideration the necessity of the Marine Corps explosive ordnance disposal requirements pertaining to the very shallow water mine countermeasures mission.

AMENDMENT NO. 140 OFFERED BY MR. CRENSHAW OF TEXAS

At the end of subtitle C of title V, insert the following:

SEC. 5___. ENLISTMENTS: COMPILATION OF DIRECTORY AND OTHER PROSPECTIVE RECRUIT INFORMATION.

(a) COMPILATION OF PROSPECTIVE RECRUIT INFORMATION.—Section 503 of title 10, United States Code, is amended—

(1) by striking the section designation and heading and inserting the following:

''§ 503. Enlistments: recruiting campaigns; compilation of directory and other prospective recruit information'';

(2) in subsection (a)(1), by striking ''Regular Army'' and all that follows before the period at the end and inserting ''regular and reserve components of the armed forces'';

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(4) by inserting after subsection (b) the following new subsection:

''(c) COMPILATION OF OTHER PROSPECTIVE RECRUIT INFORMATION.—(1) The Secretary of Defense may collect and compile other prospective recruit information pertaining to individuals who are—

''(A) 17 years of age or older or in the eleventh grade (or its equivalent) or higher; and

''(B) enrolled in a secondary school in the United States (including its territories and possessions) or the Commonwealth of Puerto Rico.

''(2) The Secretary may make prospective recruit information collected and compiled under this subsection available to the armed forces for military recruiting purposes. Such information may not be disclosed for any other purpose.

''(3) Other prospective recruit information collected and compiled under 1 this subsection shall be confidential, and a person who has had access to such information may not disclose the information except for the purposes described in paragraph (2).

''(4) In this subsection, the term 'prospective recruit information' means information for use in identifying prospective recruits, tailoring marketing efforts to reach the primary recruit market, and measuring the return on investment of ongoing marketing efforts. Citizens will be made aware of the categories of personally identifiable information (PII), as well as non-PII information, to be collected and the purposes for which the categories of personal information are collected and used. Categories of information may include, but are not limited to—

''(A) identifiers (such as Internet Protocol address, social media handles);

''(B) information about your connected devices and how you interact with our apps and websites (such as browser type, unique device identifier, cookie data, and associated identifying and usage information);

''(C) demographic (such as date of birth, high school or college graduation year, grade currently enrolled in, citizenship, marital status, household composition, or veteran or military status);

''(D) protected classification characteristics under state or federal law (such as age and gender);

''(E) audio or video information (social media content, photographs and videos shared on recruitment digital properties, images and likeness captured at events);

''(F) fitness activity data (for example, exercise length, duration, activities); and

''(G) login and profile information, including screen name, password and unique user ID for recruitment digital properties.

''(5) The collection, use, and retention of a citizen's personal information shall be reasonably necessary and proportionate to military recruitment objectives.

''(6) Where possible, citizens will have the ability to manage and/or opt-out of data collection via a clear and easy to access process in compliance with state legislation.''.

(c) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out the amendments made by this section.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 31 of such 10 title is amended by striking the item relating to section 503 and inserting the following new item:

''503. Enlistments: recruiting campaigns; compilation of directory and other prospective recruit information.''.

AMENDMENT NO. 141 OFFERED BY MR. CRENSHAW OF TEXAS

At the end of subtitle C of title V, insert the following:

SEC. 5___. CONTINUING MILITARY SERVICE FOR CERTAIN MEMBERS ELIGIBLE FOR CHAPTER 61 RETIREMENT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this act, the Secretary of Defense shall prescribe regulations that allow a covered member to continue to elect to serve in the Armed Forces—

(1) in the current military occupational specialty of such covered member, for which the covered member may not be deployable; or

(2) in a military occupational specialty for which the covered member is deployable.

(b) RULE OF CONSTRUCTION.—A covered member who completes 20 years of service computed under section 1208 of title 10, United States Code shall not be denied any benefit under laws administered by the Secretary of Defense or the Secretary of Veterans Affairs solely on the basis that the covered member elected to continue to serve in the Armed Forces instead of taking retirement under chapter 61 of title 10, United States Code

(c) COVERED MEMBER DEFINED.—In this section, the term ''covered member'' means a member of the Armed Forces—

(1) whom the Secretary concerned determines possesses skill or experience vital to the Armed Force concerned;

(2) who incurs a disability—

(A) while eligible for special pay under section 310 of title 37, United States Code; and

(B) that renders the member eligible for retirement under chapter 61 of title 10, United States Code; and

(3) who elects to continue to serve in the Armed Forces instead of such retirement.

AMENDMENT NO. 142 OFFERED BY MR. CROW OF COLORADO

At the end of subtitle B of title V, add the following:

SEC. 520. ADDITIONAL MATTERS RELATING TO SUPPORT FOR FIREGUARD PROGRAM.

Section 515 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), as amended by section 517, is further amended—

(1) by inserting ''**(a) IN GENERAL.—**'' before ''Until'';

(2) by striking ''support'' and inserting ''carry out'';

(3) by striking ''personnel of the California National Guard'' and inserting ''National Guard personnel (including from the Colorado National Guard and the California National Guard)''; and

(4) by adding at the end the following:

''(b) TRANSFER.—Until the date specified in subsection (a), no component (including any analytical responsibility) of the FireGuard program may be transferred from the Department of Defense to another entity. If the Secretary seeks to make such a transfer, the Secretary shall, at least three years before such transfer, provide to the appropriate congressional committees a written report and briefing that detail—

''(1) plans of the Secretary for such transfer; and

''(2) how such transfer will sustain and improve detection and monitoring of wildfires.

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

''(1) The Committee on Armed Services of the Senate.

''(2) The Committee on Armed Services of the House of Representatives.

''(3) The Select Committee on Intelligence of the Senate.

''(4) The Permanent Select Committee on Intelligence of the House of Representatives.''.

AMENDMENT NO. 143 OFFERED BY MR. DESAULNIER OF CALIFORNIA

At the end of subtitle C of title V, insert the following:

SEC. 5___. SENSE OF CONGRESS REGARDING THE PORT CHICAGO 50.

It is the sense of Congress that—

(1) the American people should recognize the role of racial bias in the prosecution and convictions of the Port Chicago 50 following the deadliest home front disaster in World War II;

(2) the military records of each of the Port Chicago 50 should reflect such exoneration of any and all charges brought against them in the aftermath of the explosion; and

(3) the Secretary of the Navy should upgrade the general and summary discharges of each of the Port Chicago 50 sailors to honorable discharges.

AMENDMENT NO. 144 OFFERED BY MR. DEUTCH OF FLORIDA

At the appropriate place in subtitle B of title XIII, insert the following:

SEC. ___. DEFENSE AND DIPLOMATIC STRATEGY FOR LIBYA.

(a) REPORT REQUIRED.—Not later than 240 days after the date of the enactment of this Act and annually thereafter through 2027, the Secretary of State, in concurrence with the Secretary of Defense, shall submit to the appropriate congressional committees a report that contains a description of the United States defense and diplomatic strategy for Libya.

(b) ELEMENTS.—The report required by subsection (a) shall include the following elements:

(1) An explanation of the defense and diplomatic strategy for Libya, including a description of the ends, ways, and means inherent to the strategy, the role of the Armed Forces in supporting the strategy, and its integration with the U.S. Strategy to Prevent Conflict and Promote Stability.

(2) An explanation of how the existing authorities and available resources of the Department of Defense and the Department of State are being utilized to support the strategy.

(3) A detailed description of Libyan and external security actors and an assessment of how those actors advance or undermine stability in Libya and United States strategic interests in Libya, including United States interests in a political settlement to the conflict in Libya.

(4) A detailed description of the military activities of external actors in Libya, including assessments and detailed analysis of situations in which those activities—

(A) have undermined progress towards stabilization of Libya, including the United Nations-led negotiations

(B) involve United States-origin equipment and violate contractual conditions of acceptable use of such equipment; or

(C) violate or seek to violate the United Nations arms embargo on Libya imposed pursuant to United Nations Security Council Resolution 1970 (2011).

(5) An update on assessments relating to reopening the United States Embassy in Libya, including any existing or potential barriers to implementation, financial cost estimates, security considerations, and possible timelines.

(6) An identification and assessment of the root causes of migration through Libya into Europe, including—

(A) the extent to which such migratory trends correlate to increased instances of human trafficking and slavery, including actors attributed to such behavior

(B) an analysis of Libyan Government and international efforts to reduce migration and prevent human trafficking, slavery, and abuse of migrants' human rights in Libya; and

(C) United States policy options to reduce flows of migrants to and through Libya and to support the humane treatment of migrants and their lawful departure from Libya in cooperation with Libyan authorities, United Nations entities, and partner governments.

(7) A plan for any potential stabilization operations support for Libya, as a designated priority country under the Global Fragility Act of 2019 (22 U.S.C. 9804), including—

(A) A detailed description of the stability and threat environment in Libya and related stabilization objectives, including the desired end-state for the United States.

(B) Any potential limitations to existing resources of either Department affecting the ability to support stabilization operations in Libya.

(C) A detailed analysis of whether barriers exist to the use of authorities pursuant to section 1210A of the National Defense Authorization Act for Fiscal Year 2020 (133 Stat. 1626) to support United States stabilization efforts in Libya, and any congressional or departmental action that could reduce such barriers.

(D) An identification of interagency deployments in Libya, including the rationale for such deployments and plans for future interagency deployments.

(8) Any other matters the Secretary of Defense considers appropriate.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

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

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

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

AMENDMENT NO. 145 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

Page 1113, after line 15, insert the following:

(e) BRIEFING.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the appropriate congressional committees a briefing that assesses the options for partnering with covered entities to seek cost efficiencies and mitigate supply chain risks related to the production of plutonium pits, including the production and integration of glove boxes.

(2) COVERED ENTITIES DEFINED.—In this subsection, the term ''covered entities'' means entities from private industry with expertise in advanced manufacturing and production techniques related to plutonium pits.

AMENDMENT NO. 146 OFFERED BY MR. ELLZEY OF TEXAS

At the end of subtitle G of title V, insert the following:

SEC. 5___. ANNUAL REPORT ON MEMBERS SEPARATING FROM ACTIVE DUTY WHO FILE CLAIMS FOR DISABILITY BENEFITS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, and not later than each January 1 thereafter, the Secretary of Defense and the Secretary of Veterans Affairs, shall jointly submit to the appropriate congressional committees a report on members of the Armed Forces who file claims for disability benefits.

(b) ELEMENTS.—The report under this section shall include, for the period beginning on October 1, 2019, through the month that ended most recently before the date of the report, the number of members serving on active duty, disaggregated by Armed Force, who filed a claim for disability benefits—

(1) more than 180 days before the discharge or release of such member from active duty;

(2) between 180 and 90 days before the discharge or release of such member from active duty;

(3) fewer than 90 days before the discharge or release of such member from active duty;

(4) before separation and was issued a decision letter before the discharge or release of such member from active duty;

(5) before separation and was issued a decision letter after the discharge or release of such member from active duty;

(6) completed a mental health evaluation before the discharge or release of such member from active duty; and

(7) did not complete a mental health evaluation before the discharge or release of such member from active duty.

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

(1) The Committees on Armed Services of the Senate and House of Representatives.

(2) The Committees on Veterans' Affairs of the Senate and House of Representatives.

AMENDMENT NO. 147 OFFERED BY MS. ESCOBAR OF TEXAS

Page 118, line 8, insert '', including fellowships and internships,'' after ''the Department''.

AMENDMENT NO. 148 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of subtitle E of title XXVIII, insert the following:

SEC. 28___. STUDY OF MILITARY HOUSING RESILIENCE AND ENERGY EFFICIENCY.

(a) STUDY.—The Secretary of Defense shall conduct a study of military housing resilience and energy efficiency to assess compliance with the Unified Facilities Criteria for Housing and with the latest published editions of relevant codes, specifications, and standards that incorporate the latest hazard-resistant and energy-efficient designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures.

(b) ELEMENTS.—The study shall include the following elements:

(1) An identification and assessment of deficiencies, costs, and timelines to relocate, rehabilitate, repair, or retrofit as needed all military housing, including barracks, family housing, and privatized family and unaccompanied housing, to ensure health, safety, energy security, and resilience.

(2) An inventory of all housing structures that are located in floodprone areas and within the Wildland-Urban Interface.

(3) An identification and inventory of all housing structures that experienced loss or damage due to weather or other natural hazards during the preceding five years.

(4) An identification of any needed updates to the Unified Facilities Criteria to ensure such Criteria comports with the latest published editions of relevant codes, specifications, and standards that incorporate the latest hazard-resistant and energy-efficient designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures.

(c) INITIAL REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study required under subsection (a).

(d) ANNUAL REPORTS.—One year after the date of the submittal of the initial report under subsection (c), and annually thereafter, the Secretary shall submit to the congressional defense committees a report on the progress of the Department of defense in addressing deficiencies identified in the initial report, with the goal of addressing all deficiencies for all military housing within five years and to ensure that all military housing is sited, designed, and maintained to comply with the latest codes, specifications, and standards for health, safety, energy security, and resilience.

AMENDMENT NO. 149 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of subtitle B of title VII, insert the following new section:

SEC. 7___. IMPROVEMENTS TO MILITARY MEDICAL TREATMENT FACILITIES AND OTHER FACILITIES UNDER MILITARY HEALTH SYSTEM.

(a) STUDY.—The Secretary of Defense shall conduct a study on any deficiencies of, and necessary improvements to, military medical treatment facilities and other covered facilities, to ensure the design, construction, and maintenance of such facilities are in compliance with each covered code, specification, and standard. Such study shall include an identification of any necessary updates to the Unified Facilities Criteria relating to military construction planning and design with respect to such facilities, to ensure such compliance.

(b) REPORTS.—

(1) FIRST REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the study under subsection (a). Such report shall include—

(A) for each covered facility, a description of any deficiencies identified pursuant to such study; and

(B) the plans of the Secretary, including costs and timelines, to address such deficiencies through the rehabilitation, repair, or retrofit of the facility, as applicable.

(2) ANNUAL REPORTS.—Not later than one year after the date on which the report under paragraph (1) is submitted, and on an annual basis thereafter until the date on which the Secretary determines all covered facilities are in compliance with each covered code, specification, and standard, the Secretary shall submit to the congressional defense committees a report on the progress made toward addressing any deficiency of a covered facility and maintaining covered facilities, to ensure such compliance.

(c) DEFINITIONS.—In this section:

(1) The term ''covered code, specification, and standard''—

(A) means the latest published edition of any code, specification, or standard that incorporates the latest hazard-resistant and energy-efficient designs, establishes minimum acceptable criteria for design, construction, or maintenance, and is at least as stringent as the previously published edition; and

(B) includes the following (or the latest published edition thereof that is at least as stringent as the previously published edition):

(i) The 2021 International Energy Conservation Code.

(ii) The ASHRAE Standard 90.1.

(iii) The ASHRAE Standard 170.

(iv) The ASHRAE Standard 189.3.

(v) The American Society of Civil Engineers Minimum Design Loads for Buildings and Other Structures (ASCE Standard ASCE 7).

(vi) The International Wildland-Urban Interface Code.

(vii) Executive Order 13690 of January 30, 2015 (80 Fed. Reg. 6425) (relating to a Federal Flood Risk Management Standard for critical facilities).

(2) The term ''covered facility'' means any Department of Defense-owned facility used for activities under the military health system, including military medical treatment facilities, military ambulatory care and occupational health facilities, and defense health research facilities.

AMENDMENT NO. 150 OFFERED BY MR. FEENSTRA OF IOWA

At the end of subtitle B of title II, add the following new section:

SEC. 2___. BIOFUEL AND FUEL CELL VEHICLE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall establish a research, development, and demonstration program for a commercially viable fuel cell system that uses biofuel as a fuel source for a vehicle.

(b) RESEARCH GOALS.—The Secretary of Defense shall establish interim research and development goals that will result in the demonstration of commercially viable fuel cell systems that utilize biofuels as a fuel source, including the following:

(1) Innovative stack designs and components, including—

(A) catalysts;

(B) membranes and electrolytes;

(C) interconnects;

(D) seals; and

(E) metal- or electrolyte-supported stack cell designs.

(2) Variety of renewable energy sources, including ethanol and other biomass.

(3) Technologies that enable fuel cell durability and fuel cell durability testing.

(4) Systems designs and component integration that optimize efficiency, cost, transient response, and lifetime.

(c) COORDINATION.—In carrying out the activities under this section, the Secretary of Defense shall coordinate with—

(1) appropriate Federal agencies, including the Department of Agriculture and the Department of Transportation;

(2) National Laboratories; and

(3) relevant industry stakeholders, nongovernment organizations, and trade associations.

AMENDMENT NO. 151 OFFERED BY MR. FEENSTRA OF IOWA

At the end of subtitle B of title II, add the following new section:

SEC. 2___. RADAR OBSTRUCTION RESEARCH, DEVELOPMENT, TEST, AND EVALUATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense, in conjunction with the Director of the National Weather Service, the Administrator of the Federal Aviation Administration, the Secretary of Commerce, and the Secretary of Energy shall establish a research, development, test, and evaluation program (in this Act referred to as the ''Program'') to ensure the continued performance of weather radar detection and prediction capabilities with physical obstructions in the radar line of sight.

(b) REQUIREMENTS.—In carrying out the Program, the Secretary of Defense, in consultation with the Interagency Council for Advancing Meteorological Services, shall—

(1) partner with industry, academia, Federal, State, and local government entities, and any other entity that the Secretary considers appropriate;

(2) identify and test existing or near-commercial technologies and solutions that mitigate the potential impact of obstructions on a weather radar;

(3) research additional solutions that could mitigate the effects of an obstruction on weather radar, including—

(A) signal processing algorithms;

(B) short-term forecasting algorithms to replace contaminated data; and

(C) the use of dual polarization characteristics in mitigating the effects of wind turbines on weather radar; and

(4) develop commercially viable technical mitigation solutions for obstructions to weather radar capabilities.

(c) PRIORITY.—In carrying out the requirements described in subsection (b), the Secretary of Defense shall prioritize consideration of—

(1) multifunction phased array radar;

(2) the replacement of contaminated data with commercial radar data;

(3) the utilization of data from private-sector-associated meteorological towers;

(4) providing wind farm boundaries and consolidated wind farm areas to display on local forecasting equipment;

(5) installing and providing access to rain gauges; and

(6) any other technology-based mitigation solution that the Director of the National Weather Service determines could overcome beam blockage or ghost echoes.

(d) TERMINATION.—The authority of the Secretary of Defense to carry out the Program shall terminate on the earlier of—

(1) September 30, 2026; or

(2) 1 year after date on which the final recommendation required by subsection (e)(2) is submitted by the Secretary.

(e) REPORT; RECOMMENDATION.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this section, and annually thereafter until the Program terminates pursuant to subsection (d), the Secretary of Defense shall submit to Congress a report on the implementation of the Program, including an evaluation of each technology-based mitigation solution identified for priority consideration in subsection (c), and a recommendation regarding additional identification and testing of new technologies based on such consideration.

(2) FINAL RECOMMENDATION.—Not later than 5 years after the date of enactment of this section, the Secretary of Defense shall provide to Congress a recommendation on whether additional research, testing, and development through the Program established by subsection (a) is needed, and a determination of whether a cessation of field research, development, testing, and evaluation is appropriate.

(f) DEFINITIONS.—In this section:

(1) BEAM BLOCKAGE.—The term ''beam blockage'' means a signal that is partially or fully blocked due to an obstruction.

(2) GHOST ECHO.—The term ''ghost echo'' means radar signal reflectivity or velocity return errors in radar data due to the close proximity of an obstruction.

(3) OBSTRUCTION.—The term obstruction includes—

(A) a wind turbine that could limit the effectiveness of a weather radar system; and

(B) any building that disrupts or limits the effectiveness of a weather radar system.

AMENDMENT NO. 152 OFFERED BY MR. FLEISCHMAN OF TENNESSEE

Add to the end of subtitle E of title VIII of Division A the following:

SEC. 859. REVIEW OF ADVANCES IN DOMESTIC PRODUCTION OF CARBON FIBER.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the Department of Defense carbon fiber requirements necessary for current and future weapon system production and sustainment, including—

(1) an examination of the access to domestically produced carbon fiber to meet the requirements of the Department; and

(2) a review of developments in advanced carbon fiber production processes that can—

(A) lower embedded energy consumption and improve sustainability;

(B) enable scalable production of carbon fiber and lower production costs; and

(C) enhance competition and resilience in the United States industrial base.

(b) REPORT.—Not later than June 1, 2023, the Secretary of Defense shall provide to the congressional defense committees a report of the findings of the review described in subsection (a), including any recommendations the Secretary may have for ensuring the Department of Defense access to sustainable, affordable, and domestically produced carbon fiber.

AMENDMENT NO. 153 OFFERED BY MS. FOXX OF NORTH CAROLINA

Page 606, after line 17, insert the following:

SEC. _____. GUIDELINES AND RESOURCES ON THE ACQUISITION OR LICENSING OF INTELLECTUAL PROPERTY.

Section 3791 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) GUIDELINES AND RESOURCES.—

''(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall develop guidelines and resources on the acquisition or licensing of intellectual property, including—

''(A) model forms for specially negotiated licenses described under section 3774(c) of this title (as appropriate); and

''(B) an identification of definitions, key terms, examples, and case studies that resolve ambiguities in the differences between—

''(i) detailed manufacturing and process data;

''(ii) form, fit, and function data; and

''(iii) data required for operations, maintenance, installation, and training.

''(2) CONSULTATION.—In developing the guidelines and resources described in paragraph (1), the Secretary shall regularly consult with appropriate persons.''.

AMENDMENT NO. 154 OFFERED BY MR. C. SCOTT FRANKLIN OF FLORIDA

At the appropriate place in subtitle A of title XIII, insert the following:

SEC. ____. MODIFICATION OF PROHIBITION ON PARTICIPATION OF THE PEOPLE'S REPUBLIC OF CHINA IN RIM OF THE PACIFIC (RIMPAC) NAVAL EXERCISES TO INCLUDE CESSATION OF GENOCIDE BY CHINA.

Section 1259(a)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 321 note) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) ceased committing ongoing genocide in China, as determined by the Secretary of State on January 19, 2021, recognized and apologized for committing such genocide, and engaged in a credible justice and accountability process for all victims of such genocide.''.

AMENDMENT NO. 155 OFFERED BY MR. C. SCOTT FRANKLIN OF FLORIDA

At the end of subtitle B of title II, add the following new section:

SEC. 2____. FUNDING FOR RESEARCH AND DEVELOPMENT RELATING TO RARE EARTH ELEMENTS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for the National Defense Stockpile Transaction Fund, as specified the funding table in section 4501, is hereby increased by $2,000,000 (with the amount of such increase to be used strengthen and implement the domestic industrial base for rare earth metallization related to permanent magnet production and related projects).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Army, as specified in the corresponding funding table in section 4201, for system development & demonstration, integrated personnel and pay system-Army (IPPS-A) (PE 0605018A), line 123, is hereby reduced by $2,000,000.

AMENDMENT NO. 156 OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of subtitle E of title XVI, add the following new section:

SEC. 16____. UNIDENTIFIED AERIAL PHENOMENA REPORTING PROCEDURES.

(a) AUTHORIZATION FOR REPORTING.—Notwithstanding the terms of any written or oral nondisclosure agreement, order, or other instrumentality or means, that could be interpreted as a legal constraint on reporting by a witness of an unidentified aerial phenomena, reporting in accordance with the system established under subsection (b) is hereby authorized and shall be deemed to comply with any regulation or order issued under the authority of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) or chapter 18 of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.).

(b) SYSTEM FOR REPORTING.—

(1) ESTABLISHMENT.—The head of the Office, on behalf of the Secretary of Defense and the Director of National Intelligence, shall establish a secure system for receiving reports of—

(A) any event relating to unidentified aerial phenomena; and

(B) any Government or Government contractor activity or program related to unidentified aerial phenomena.

(2) PROTECTION OF SYSTEMS, PROGRAMS, AND ACTIVITY.—The system established pursuant to paragraph (1) shall serve as a mechanism to prevent unauthorized public reporting or compromise of properly classified military and intelligence systems, programs, and related activity, including all categories and levels of special access and compartmented access programs, current, historical, and future.

(3) ADMINISTRATION.—The system established pursuant to paragraph (1) shall be administered by designated and widely known, easily accessible, and appropriately cleared Department of Defense and intelligence community employees or contractors assigned to the Unidentified Aerial Phenomena Task Force or the Office.

(4) SHARING OF INFORMATION.—The system established under paragraph (1) shall provide for the immediate sharing with Office personnel and supporting analysts and scientists of information previously prohibited from reporting under any nondisclosure written or oral agreement, order, or other instrumentality or means, except in cases where the cleared Government personnel administering such system conclude that the preponderance of information available regarding the reporting indicates that the observed object and associated events and activities likely relate to a special access program or compartmented access program that, as of the date of the reporting, has been explicitly and clearly reported to the congressional defense committees and congressional intelligence committees, and is documented as meeting those criteria.

(5) INITIAL REPORT AND PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the head of the Office, on behalf of the Secretary and the Director, shall—

(A) submit to the congressional intelligence committees, the congressional defense committees, and congressional leadership a report detailing the system established under paragraph (1); and

(B) make available to the public on a website of the Department of Defense information about such system, including clear public guidance for accessing and using such system and providing feedback about the expected timeline to process a report.

(6) ANNUAL REPORTS.—Section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373) is amended—

(A) in subsection (h)—

(i) in paragraph (1), by inserting ''and congressional leadership'' after ''appropriate congressional committees''; and

(ii) in paragraph (2), by adding at the end the following new subparagraph:

''(Q) A summary of the reports received using the system established under title XVI of the National Defense Authorization Act for Fiscal Year 2023.''; and

(B) in subsection (l)—

(i) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(ii) by inserting after paragraph (1) the following new paragraph (2):

''(2) The term 'congressional leadership' means—

''(A) the majority leader of the Senate;

''(B) the minority leader of the Senate;

''(C) the Speaker of the House of Representatives; and

''(D) the minority leader of the House of Representatives.''.

(c) RECORDS OF NONDISCLOSURE AGREEMENTS.—

(1) IDENTIFICATION OF NONDISCLOSURE AGREEMENTS.—The Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, the heads of such other departments and agencies of the Federal Government that have supported investigations of the types of events covered by subparagraph (A) of subsection (b)(1) and activities and programs described subparagraph (B) of such subsection, and contractors of the Federal Government supporting such activities and programs shall conduct comprehensive searches of all records relating to nondisclosure orders or agreements or other obligations relating to the types of events described in subsection (a) and provide copies of all relevant documents to the Office.

(2) SUBMITTAL TO CONGRESS.—The head of the Office shall—

(A) make the records compiled under paragraph (1) accessible to the congressional intelligence committees, the congressional defense committees, and congressional leadership; and

(B) not later than September 30, 2023, and at least once each fiscal year thereafter through fiscal year 2026, provide to such committees and congressional leadership briefings and reports on such records.

(d) PROTECTION FROM LIABILITY AND PRIVATE RIGHT OF ACTION.—

(1) PROTECTION FROM LIABILITY.—It shall not be a violation of section 798 of title 18, United States Code, or any other provision of law, and no cause of action shall lie or be maintained in any court or other tribunal against any person, for reporting any information through, and in compliance with, the system established pursuant to subsection (b)(1).

(2) PROHIBITION ON REPRISALS.—An employee of a Federal agency and an employee of a contractor for the Federal Government who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take, or threaten to take or fail to take, a personnel action, including the revocation or suspension of security clearances, with respect to any individual as a reprisal for any reporting as described in paragraph (1).

(3) PRIVATE RIGHT OF ACTION.—In a case in which an employee described in paragraph (2) takes a personnel action against an individual in violation of such paragraph, the individual may bring a private civil action for all appropriate remedies, including injunctive relief and compensatory and punitive damages, against the Government or other employer who took the personnel action, in the United States Court of Federal Claims.

(e) REVIEW BY INSPECTORS GENERAL.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense and the Inspector General of the Intelligence Community shall each—

(1) conduct an assessment of the compliance with the requirements of this section and the operation and efficacy of the system established under subsection (b); and

(2) submit to the congressional intelligence committees, the congressional defense committees, and congressional leadership a report on their respective findings with respect to the assessments they conducted under paragraph (1).

(f) DEFINITIONS.—In this section:

(1) The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) The term ''congressional leadership'' means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(3) The term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(4) The term ''Office'' means the office established under section 1683(a) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(a)).

(5) The term ''personnel action'' has the meaning given such term in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a)).

(6) The term ''unidentified aerial phenomena'' has the meaning given such term in section 1683(1) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(1)).

AMENDMENT NO. 157 OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of subtitle C of title V, insert the following:

SEC. 5___. TREATMENT OF PERSONALLY IDENTIFIABLE INFORMATION REGARDING PROSPECTIVE RECRUITS.

Section 503(a) of title 10, United States Code, is amended adding at the end the following new paragraphs:

''(3) PII regarding a prospective recruit collected or compiled under this subsection shall be kept confidential, and a person who has had access to such PII may not disclose the information except for purposes of this section or other purpose authorized by law.

''(4) In the course of conducting a recruiting campaign, the Secretary concerned shall—

''(A) notify a prospective recruit of data collection policies of the armed force concerned; and

''(B) permit the prospective recruit to elect not to participate in such data collection.

''(5) In this subsection, the term 'PII' means personally identifiable information.''.

AMENDMENT NO. 158 OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of subtitle C of title XXVIII, add the following:

SEC. ___. PHYSICAL ENTRANCES TO CERTAIN MILITARY INSTALLATIONS.

The Secretary of Defense shall ensure that, to the extent practicable—

(1) each military installation in the United States has a designated main entrance that, at all times, is manned by at least 1 member of the Armed Forces or civilian employee of the Department of Defense;

(2) the location of each such designated main entrance is published on a publicly accessible Internet website of the Department;

(3) if a military installation in the United States has any additional entrance designated for commercial deliveries to the military installation, the location of such entrance (and any applicable days or hours of operation for such entrance) is published on the same Internet website specified in paragraph (2); and

(4) the information published on the Internet website specified in paragraph (2) is reviewed and, as necessary, updated on a basis that is not less frequent than annually.

AMENDMENT NO. 159 OFFERED BY MR. CASAMENDI OF CALIFORNIA

At the end of subtitle C of title XXVIII, insert the following new section:

SEC. 28___. IMPROVEMENTS RELATING TO ACCESS TO MILITARY INSTALLATIONS IN UNITED STATES.

(a) ADDITIONAL CATEGORIES FOR EXPEDITED ACCESS.—Chapter 159 of title 10, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

''§ 2698. Access to military installations: standards for entry to military installations in United States

''(a) ACCESS TO MILITARY INSTALLATIONS IN UNITED STATES.—(1) The Secretary of Defense shall maintain access standards applicable to all military installations in the United States. Such standards shall require screening standards appropriate to the type of installation involved, the security level of the installation, the category of individuals authorized to visit the installation, and the level of access to be granted, including—

''(A) protocols and criteria to determine the fitness of the individual to enter an installation;

''(B) standards and methods for verifying the identity of the individual; and

''(C) other factors the Secretary determines appropriate.

''(2) In developing the standards under paragraph (1), the Secretary shall, with respect to military installations in the United States—

''(A) include procedures for recurring unescorted access to facilitate future visits to the installation for individuals who—

''(i) are non-Department of Defense personnel; and

''(ii) are determined to be eligible under such standards; and

''(B) ensure that access for such individuals is based on the use of credentials non-Department of Defense personnel already posses, to the extent practical.

''(3) Upon publication in the Federal Register of final regulations to carry out paragraph (1), the Secretary shall publish the standards set forth therein on a publicly accessible Internet website of the Department of Defense.

''(4) In carrying out this subsection, the Secretary shall seek to procure and field existing identification screening technology (including technology to enable the Secretary to validate other Federally recognized access credentials) and develop additional technology only to the extent necessary to assist commanders of military installations in the United States in implementing the standards under paragraph (1) at points of entry for such installations.

''(b) PRE-ARRIVAL REGISTRATION AND SCREENING PROTOCOL FOR ACCESS TO MILITARY INSTALLATIONS IN UNITED STATES.—The Secretary shall ensure that the standards under subsection (a) include a specific protocol for the voluntary pre-arrival registration and screening of individuals anticipating a need for access to a military installation in the United States to establish the fitness and purpose of such individual. Under such protocol—

''(1) such a screening shall occur not less than 24 hours, and not more than 14 days prior, to the time of such access; and

''(2) if an individual is determined fit to enter the installation pursuant to the pre-arrival registration and screening, access may only be granted upon arrival at the military installation on the date of the established purpose, following a verification of the identity of the individual.

''(c) UNESCORTED ACCESS TO MILITARY INSTALLATIONS IN UNITED STATES FOR CERTAIN INDIVIDUALS.—The Secretary shall maintain guidance regarding the granting of unescorted access to military installations in the United States for covered individuals and ensure such guidance is circulated to the commanders of each such military installation. Such guidance shall—

''(1) identify the categories of covered individuals that may obtain such unescorted access;

''(2) include a list of credentials that can be used for access to an installation that are, to the extent practical, types of identification non-Department of Defense personnel already posses.

''(3) be consistent across military installations in the United States; and

''(4) be in accordance with any privileges or benefits accorded under, procedures developed pursuant to, or requirements of, each covered provision and subsection (a).

''(d) PHYSICAL ENTRANCES TO CERTAIN MILITARY INSTALLATIONS.—The Secretary shall ensure that, to the extent practicable—

''(1) each military installation in the United States has a designated main entrance that, at all times, is manned by at least one member of the Armed Forces or civilian employee of the Department;

''(2) the location of each such designated main entrance is published on a publicly accessible Internet website of the Department;

''(3) if a military installation in the United States has any additional entrance designated for commercial deliveries to the military installation, the location of such entrance (and any applicable days or hours of operation for such entrance) is published on the same Internet website specified in paragraph (2); and

''(4) the information published on the Internet website specified in paragraph (2) is reviewed and, as necessary, updated on a basis that is not less frequent than annually.

''(e) REVIEWS AND SUBMISSION TO CONGRESS.—On a basis that is not less frequent than once every five years, the Secretary shall—

''(1) review the standards and guidance under this section, and make such updates as may be determined appropriate by the Secretary; and

''(2) submit to the Committees on Armed Services of the House of Representatives and the Senate the most recently reviewed and, as applicable, updated version of such standards and guidance.

''(f) DEFINITIONS.—In this section:

''(3) The term 'covered individual' means, with respect to a military installation in the United States, the following:

''(A) A member of the armed forces or civilian employee of the Department of Defense, or an employee or family member of such member or employee, who resides, attends school, receives health care services, or shops at a commissary or exchange store on the installation.

''(B) A retired member of the armed forces, including the reserve components, or a family member of such retired member, who resides, attend schools, receives health care services, or shops at a commissary or exchange store on the installation.

''(C) An individual performing work at the installation under a contract or subcontract (at any tier), including a military construction project, military family housing project, or a Facilities Sustainment, Restoration, and Modernization project.

''(D) A motor carrier or household goods motor carrier providing transportation services for the United States Transportation Command

''(E) An official who is employed by an agency of the State in which the installation is located that enforces laws relating to workers' compensation or minimum wage with respect to such State and who is seeking such access pertaining to a specific military construction project, military family housing project, or Facilities Sustainment, Restoration, and Modernization project.

''(F) A representative of any labor organization (as defined in section 2 of the National Labor Relations Act (29 U.S.C. 152)), including a member of any labor management committee described in section 205A of the Labor Management Relations Act, 1947 (29 U.S.C. 175a), who is—

''(i) seeking access to an individual performing work at the installation who is a member of such labor organization—

''(I) in connection with a specific military construction project, military family housing project, or Facilities Sustainment, Restoration, and Modernization project; or

''(II) pursuant to a concessions or service contract subject to chapter 67 of title 41 (known as the 'McNamara-O'Hara Service Contract Act of 1965'); or

''(ii) seeking access to an individual performing work at the installation for the purposes of soliciting such individual to join such labor organization.

''(G) A representative of any labor organization (as defined in section 2 of the National Labor Relations Act (29 U.S.C. 152)), including a member of any labor management committee described in section 205A of the Labor Management Relations Act, 1947 (29 U.S.C. 175a), or a representative of a program registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 29 U.S.C. 50 et seq.) conducting a vocational training, job fair, or similar workforce development event for members of the armed forces or veterans at the installation.

''(2) The term 'covered provision' means the following:

''(A) Chapter 54 of this title.

''(B) Section 202 of the REAL ID Act of 2005 (Public Law 109–13; 49 U.S.C. 30301 note).

''(C) Section 2812 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2150; 10 U.S.C. 113 note).

''(D) Sections 346 and 1050 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 113 note).

''(E) Section 626 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1802; 10 U.S.C. 113 note).

''(F) Section 1090 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3879; 10 U.S.C. 113 note).

''(3) The term 'Federally recognized access credential' means a credential authorized by Federal law or otherwise issued by the head of a Federal department or agency that requires the vetting of an individual for access to a facility, area, or program.

''(4) The term 'military installation' has the meaning given that term in section 2801 of this title.

''(5) The term 'State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, or the Commonwealth of the Northern Mariana Islands.

''(6) The term 'United States' includes each State, as such term is defined in this subsection.''.

(b) DEADLINE FOR FIRST REVIEW AND SUBMISSION TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct the first review of the standards and guidance required under section 2698 of title 10, United States Code (as added by subsection (a)); and

(2) submit to the Committees on Armed Services of the House of Representatives and the Senate the reviewed and, as applicable, updated version of such standards and guidance.

(c) MODIFICATION TO CERTAIN NOTIFICATION REQUIREMENT.—Section 1090(b)(2)(B) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3879; 10 U.S.C. 113 note) is amended by striking ''is'' and inserting ''and, as appropriate, the Secretary of Homeland Security and the Director of the Federal Bureau of Investigation, are''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPEAL OF DUPLICATE PROVISION.—Section 1069 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 326) is repealed.

(2) CONFORMING AMENDMENTS TO PRIOR NATIONAL DEFENSE AUTHORIZATION ACT.—Section 1050 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 113 note; 130 Stat. 2396) is amended—

(A) in subsection (a), by striking ''Department of Defense installations'' and inserting ''military installations in the United States'';

(B) in subsection (b), by striking ''Department of Defense facilities'' and inserting ''military installations in the United States''; and

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

''(c) DEFINITIONS.—In this section, the terms 'military installation' and 'United States' have the meanings given such terms in section 2698(e) of title 10, United States Code.''.

AMENDMENT NO. 160 OFFERED BY MR. CASAMENDI OF CALIFORNIA

At the end of subtitle C of title II, add the following new section:

SEC. 2____. REVIEW AND REPORT ON OFFENSIVE HYPERSONIC WEAPONS PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) REVIEW.—The Comptroller General of the United States shall conduct a review of the offensive hypersonic weapons programs of the Department of Defense, including the Navy Conventional Prompt Strike Program, the Army Long Range Hypersonic Weapon, and the Air Force Air Launched Rapid Response Weapon.

(b) ELEMENTS.—The review under subsection (a) shall address—

(1) cost and schedule estimates for the fielding of offensive hypersonic weapon systems, including any assumptions that underpin such estimates;

(2) whether and to what extent the hypersonic weapon systems are expect to fully achieve the requirements originally established for such systems;

(3) the technological and manufacturing maturity of the critical technologies and materials planned for the systems; and

(4) whether and to what extent the Department has pursued alternatives to the critical technologies identified under paragraph (3).

(c) INITIAL BRIEFING.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall provide to the congressional defense committees a briefing on the initial results of the review conducted under subsection (a).

(d) FINAL REPORT.—Following the briefing under subsection (c), on a date mutually agreed upon by the Comptroller General and the congressional defense committees, the Comptroller General shall submit to the committees a report on the final results of the review conducted under subsection (a).

AMENDMENT NO. 161 OFFERED BY MR. CARBARINO OF NEW YORK

At the end of subtitle H of title III, insert the following new section:

SEC. 3____. BRIEFING RELATING TO USE OF RECYCLED RUBBER WASTE PRODUCTS BY DEPARTMENT OF DEFENSE.

Not later than February 1, 2023, the Deputy Assistant Secretary of Defense for Environment and Energy Resilience shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the use, and potential use, by the Department of recycled and recyclable rubber products, including an assessment of the utility of such use.

AMENDMENT NO. 162 OFFERED BY MR. GOLDEN OF MAINE

At the end of subtitle D of title VII, add the following:

SEC. 7____. PSYCHOLOGICAL EVALUATIONS FOR MEMBERS OF THE ARMED FORCES RETURNING FROM KABUL.

(a) INITIAL EVALUATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide an initial psychological evaluation to each member of the Armed Forces who—

(1) served at the Hamid Karzai International Airport in Kabul, Afghanistan, between August 15 and August 29, 2021; and

(2) has not already received a psychological evaluation with respect to such service.

(b) ADDITIONAL EVALUATIONS.—The Secretary of Defense shall provide to each member of the Armed Forces who receives a psychological evaluation under subsection (a), or would have received such an evaluation but for the application of subsection (a)(2)—

(1) an additional psychological evaluation not later than two years after the date of the enactment of this Act; and

(2) a second additional psychological evaluation not later than five years after the date of the enactment of this Act.

(c) REPORTING REQUIREMENT.—Not later than 220 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the number of members of the Armed Forces, broken down by component (National Guard, Reserve, and Active), that are eligible for, and receive, an initial psychological evaluation—

(1) under subsection (a); or

(2) otherwise resulting from service at the Hamid Karzai International Airport in Kabul, Afghanistan, between August 15 and August 29, 2021.

AMENDMENT NO. 163 OFFERED BY MR. GOMEZ OF CALIFORNIA

At the appropriate place in title LI, insert the following:

SEC. ____. SENSE OF CONGRESS REGARDING KOREAN AND KOREAN-AMERICAN VIETNAM WAR VETERANS.

(a) FINDINGS.—Congress finds the following:

(1) Korean and Korean-American Vietnam War veterans served honorably throughout

the conflict, fighting valiantly both in and alongside the United States Armed Forces, often making the ultimate sacrifice, with many later becoming United States citizens.

(2) Military cooperation in the Vietnam War is one of several examples that demonstrate the robust alliance of the United States and Republic of Korea, under shared commitment to democratic principles.

(3) During the Vietnam conflict, more than 3,000,000 members of the United States Armed Forces fought bravely to preserve and defend these ideals, among them many Korean Americans who earned citations for their heroism and honorable service.

(4) The Republic of Korea joined the Vietnam conflict to support the United States Armed Forces and the cause of freedom at the request of the United States.

(5) From 1964 until the last soldier left Saigon on March 23, 1973, 325,517 members of the Republic of Korea's Armed Forces served in Vietnam, the largest contribution of troops sent by an ally of the United States.

(6) Republic of Korea forces fought bravely throughout the theater and were known for their dedication, tenacity, and effectiveness on the battlefield.

(7) More than 17,000 Korean soldiers were injured, and over 4,400 Korean soldiers made the ultimate sacrifice in defense of United States friends and allies.

(8) There are approximately 3,000 naturalized Korean Americans who served in the Vietnam War currently living in the United States, many of whom suffer from significant injuries due to their service in Vietnam, including post-traumatic stress disorder, total disability, and the effects of the toxic defoliant Agent Orange.

(9) Korean-American veterans of the Vietnam conflict upheld the highest ideals of the United States through their dedicated service and considerable sacrifices, with many continuing to carry the visible and invisible wounds of war to this day.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Korean and Korean-American Vietnam War veterans who served alongside the United States Armed Forces in the Vietnam conflict fought with honor and valor.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Washington (Mr. SMITH) and the gentleman from Alabama (Mr. ROGERS) each will control 15 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. AUCHINCLOSS).

Mr. AUCHINCLOSS. Mr. Speaker, while I will be unable to support the NDAA if it includes a provision that would derail offshore wind production, I thank the Chair for crafting a bill that continues to orient our military strategy toward the Indo-Pacific and for including three of my amendments.

The first amendment requires an independent evaluation of the Pentagon's procurement practices to ensure that, in keeping with the law, it drives a harder bargain with the commercial sector. The Pentagon's price tag is too high in large measure because the bureaucracy too often pays for process, not performance.

My second amendment would encourage the DOD to use innovative housing production companies to build multifamily homes for Active servicemembers. This will bring down housing and energy costs for military families while also spurring innovative housing development models that will benefit the wider economy.

My third amendment would help establish a process for alerting servicemembers about exposure to PFAS so that they may get the care they need. Again, it is my hope that this spurs best practices for wider adoption as Americans in Massachusetts and beyond grapple with the fallout from PFAS exposure.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in support of this en bloc amendment, and I yield 2 minutes to the gentleman from Minnesota (Mr. STAUBER).

Mr. STAUBER. Mr. Speaker, recently, a grassroots group of servicemembers created a survey called the ''Congressional Survey of Accountability, Truth, and Freedom.'' The survey includes over 60 pages of testimony from nearly 600 servicemembers describing the discriminatory treatment they have received from the Department of Defense in their attempts to receive a religious or medical exemption from COVID–19 vaccine mandates.

Experienced servicemembers are facing an unfair choice: Get the shot against their personal or religious beliefs in order to continue their patriotic service in defense of our freedoms or sacrifice their military careers and risk the benefits that help their families make ends meet.

I am aware that certain branches of the military are self-reporting information on religious and medical exemptions. However, it is important that there is a detailed, congressionally mandated report that requires the Department of Defense to be as transparent as possible regarding their denials of religious and medical exemptions.

My amendment would require the DOD to report every 60 days on the number of religious and medical exemptions for the COVID–19 vaccine requirement requested and denied and the reasons for such denials; the number of members denied an exemption who then complied with the requirement and got the shot against their beliefs; and the number of members denied an exemption who did not comply and were separated from service. We need to bring to light just how many servicemembers have been coerced to get the vaccine or forced to separate and for what reasons.

This mandate is putting our national security at risk for no good reason, and I am certain this amendment will prove that.

Mr. Speaker, I encourage my colleagues to support my amendment.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Mr. Speaker, I rise in support of Stauber amendment No. 83 that is in this en bloc.

This amendment would simply provide oversight over the DOD's management of religious and medical exemptions for the COVID–19 vaccine requirement.

At a time when we need every servicemember we can get, I am concerned that there are people being discharged from the military without full consideration of their religious or medical exemptions.

□ 1645

Mr. RUTHERFORD. Mr. Speaker, it is past time for more transparency in the exemption process so we can ensure that our servicemembers' requests are being properly considered and fairly adjudicated.

While I don't think our servicemembers should be subject to the COVID–19 vaccine at all, the least we can do is bring transparency to the process of those who are seeking a legitimate exemption.

I thank Mr. STAUBER for introducing this commonsense amendment and looking out for the best interests of our men and women in uniform.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS), my colleague.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

This en bloc includes my amendment No. 114 to require the Secretary of Defense to submit a report to Congress every 6 months detailing the short- and long-term plan for the Pentagon's response to Russia's invasion of Ukraine.

Russia invaded Ukraine in February, and yet, we have not had another briefing by our military generals and the State Department and Director of National Intelligence as we did prior to that invasion.

Now, as was reported on FOX News by Jacqui Heinrich on February 5 of this year, General Milley predicted that Kyiv would fall in 3 days' time. That did not happen. The Ukrainian people have bravely been fighting this war, and it has now evolved into a war of attrition.

But Congress has not been read into any of the administration's plans. The Speaker of the House brought a bill to the floor rapidly to provide $40 billion to the military effort in Ukraine.

I, like everyone else, am horrified by what Russia is doing on the ground in Ukraine. I supported that bill. But you cannot bring another bill to the floor of this House, asking for continued aid, when we have not even had a report or briefing by the people advising the administration on what is happening on the ground.

We have to have that information. Simply adding more money to what has already gone without a strategy to back up that assessment is a failure on the part of the House of Representatives and one in which I will not participate.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CRENSHAW), another colleague from the Texas delegation.

Mr. CRENSHAW. Mr. Speaker, I rise in support of amendment No. 23 to create a grant program for psychedelic treatment for PTSD. That may come as a shock to many, and I say good, because to be frank, we need new ideas because it seems we are losing the battle with veteran suicide.

For our Active Duty servicemembers, the situation is even worse, as they are precluded from even trying treatments such as psychedelics that could save their lives and bring hope to their families. I aim to change that.

First of all, this form of treatment actually isn't new. It is proven, and it is tested. Many hear the word psychedelics, and they think acid trips from the sixties. They believe this amendment would legalize or deschedule psychedelics, but that is not what we are talking about here.

What we are talking about is the proven use of psychedelics to treat PTSD. Private-sector research shows that following MDMA treatments, 88 percent of veterans have a significant reduction in symptoms, and 67 percent no longer have PTSD.

This treatment also has a face. It is servicemembers like Jonathan Lubecky, a veteran who made multiple suicide attempts until psychedelic treatments saved his life. He credits his treatment as the reason that his son, Joey, has a father instead of a folded flag.

It is a man like Marcus Capone, a SEAL Team Six operator, who credits psychedelic therapy with treating his PTSD, saving his life, and bringing his family back together.

It is my own friends, people I served with on the SEAL Teams who have told me that this cost effective, often one-time treatment has completely transformed their life. All I am asking is that we give our servicemembers the ability to access this treatment instead of forcing them to travel abroad to psychedelic clinics to save their own life.

Mr. Speaker, I ask my colleagues to get outside of their comfort zone and vote for this amendment. Our servicemembers deserve it.

Mr. SMITH of Washington. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Washington (Ms. STRICKLAND).

Ms. STRICKLAND. Mr. Speaker, I thank the chairman for yielding time.

Mr. Speaker, I have the honor of representing Joint Base Lewis-McChord, the largest military base on the West Coast, and tens of thousands of servicemembers and their families who call the South Puget Sound home. I am pleased that the NDAA raises base pay by 4.6 percent and includes inflation bonuses.

The top concern that I hear from command staff and servicemembers and their families is a lack of housing and housing that is affordable. That is why in April, I introduced a four-bill package ensuring every servicemember has a home.

I am very pleased that this bill includes:

The Basic Allowance for Housing Calculation Improvement Act; and

Increasing Home Ownership for Servicemembers Act.

This act directs DOD to create a more transparent and modernized way to calculate the housing allowance.

The defense bill also directs DOD to consider restoring the housing allowance back to 100 percent.

I am also pleased that we will direct DOD to collect data on scholarship awards and ROTC program completion by gender, by race, and ethnicity. Many officers come through ROTC, but unfortunately, fewer officers of color come through ROTC compared to other commissioning sources. We must find out why.

This year's NDAA invests in the lives and livelihood of servicemembers and their families. I strongly urge adoption of this important legislation.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Mr. Speaker, I thank my colleagues that have done a lot of work on this NDAA. Frankly, it is a huge bill. We are deliberating on a lot of amendments, and frankly, we are not deliberating on a whole bunch more that I wish we could debate.

I do want to rise in support of amendment No. 35 offered by Representative JACOBS which is included in this en bloc package. This amendment would require the Department of Defense to report which agencies have purchased or used American location data, phone records, internet browsing data, and so on. Our amendment does not reveal any classified information.

Purchasing sensitive data about Americans from data brokers and other sellers allows the Federal Government to potentially circumvent Fourth Amendment warrant requirements.

So who is purchasing it is of interest. If it is recruiting command, to find how to microtarget people the way that probably many of our campaigns do, that is something different than what a lot of people fear that it is, that it is part of a surveillance program, and frankly, warrantless data collection on American citizens.

Media reports from The Wall Street Journal, The New York Times, and others have documented the Department of Defense's purchasing of our sensitive data. Military intelligence and law enforcement agencies have the greatest power to abuse this warrantless access to our sensitive personal and private data.

This transparency measure is a first step toward addressing the erosion of the Fourth Amendment, and I am proud to have cosponsored this amendment with Representative JACOBS.

I encourage all of my colleagues to protect our Fourth Amendment right to privacy.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WALTZ).

Mr. WALTZ. Mr. Speaker, I just want to take a moment.

I have no issue in principle with more Joint Strike Fighters. We need more Joint Strike Fighters, and we need to continue to modernize our aviation fleet.

My issue here is where the money for it comes from. As I was just saying in my previous comments, we have to as a body, we have to as a Congress, and as a military to stop robbing Peter to pay Paul, to stop robbing operations and maintenance to buy new things.

Just as a few examples of the many accounts that would be decremented to pay for these F–35s: we have got $50 million from Army operations and maintenance from their maneuver units, $100 million from Navy military manpower and personnel, $56 million from Air Force maintenance, $62 million from base support, and the list continues.

Colleagues, we have to build in the operations and maintenance for new things we want to buy rather than taking from the things we have already bought that literally cannot sail or fly.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I have no further speakers, so at this time, I would just urge adoption of this en bloc package and yield back the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I too urge adoption of the en bloc amendments and yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I rise in support of en bloc amendment number one to H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023.

This en bloc amendment includes Lynch amendment number 82 which requires the Secretary of Defense to develop a plan to reimburse our service members and veterans who expended personal funds to evacuate their former translators, interpreters, security contractors, pilots, and other Afghan allies out of the country. In developing this plan, the Secretary would be required to lay out clear eligibility criteria, and to consult with the Secretaries of State and Veterans' Affairs as well as representatives from non-governmental organizations with expertise in supporting the evacuation of our Afghan allies.

Mr. Speaker, it has been nearly one year since the U.S. officially withdrew its forces and diplomatic corps from Afghanistan. In that time, countless military and veteran volunteers have worked tirelessly to evacuate their Afghan colleagues and bring them to safety. These dedicated Americans have often spent significant personal funds, including maxing out credit cards and exhausting military pensions and life savings, to try to save the lives of those who fought and sacrificed alongside our forces, and who now face mortal danger under the Taliban regime. This amendment

honors the dedication of these brave Americans who have shown an unwavering loyalty to those Afghans who worked with us.

I would like to extend my thanks to Armed Services Committee Chairman ADAM SMITH, Ranking Member MIKE ROGERS, and their staffs for including my amendment in this en bloc and would urge my colleagues on both sides to support it.

Mr. CARSON. Mr. Speaker, I rise today in support of the National Defense Authorization Act (NDDA) and my bipartisan amendment which authorizes an increase of five million dollars for a pancreatic cancer early detection initiative (EDI) at the Department of Defense (DoD). I thank my colleagues, Rep. ESHOO and Rep. MCKINLEY, for their support and leadership on this issue. Pancreatic cancer has the lowest survival rate of all major cancers—in large part due to lack of research in early detection. I believe we all agree that the patients, families, friends and loved ones suffering from this disease deserve greater support.

My amendment will provide critical funding needed for more research and an early detection initiative under the Congressionally Directed Medical Research Programs (CDMRP) at DoD. I was pleased that the Appropriations Defense Subcommittee appropriated fifteen million dollars for general pancreatic cancer research funding in this year's funding legislation. While encouraging, we need to continue doing more and should increase funding to twenty million dollars in FY23.

This issue has hit painfully close to home recently, as America lost giants to pancreatic cancer. Rep. John Lewis, our civil rights hero, passed away from pancreatic cancer only seven months after receiving his diagnosis. My good friend and colleague, Rep. Alcee Hastings, also passed from Pancreatic Cancer last year. And, Americans lost a fighter for voting rights and women's protection, Justice Ruth Bader Ginsburg, to this deadly disease. And Alex Trebek, who was welcomed into people's homes around the world, lost his battle to pancreatic cancer in 2020. We have lost too many loved ones and must do everything we can to save lives. It is unacceptable that, despite being the third leading cause of cancer-related death in our country, pancreatic cancer still does not have a dedicated early detection initiative. In fact, the lack of research in ways to detect pancreatic cancer early has led to devastating consequences: sixty-six percent of patients live less than one year following their diagnosis.

If diagnosed early, the five-year survival rate for pancreatic cancer patients is above eighty percent. However, if pancreatic cancer is detected late, the five-year survival rate drops to less than five percent. By failing to support our nation's researchers with the means to find new ways to detect pancreatic cancer early, we are leaving America's pancreatic cancer patients with few ways to detect this disease in time to extend the quality and duration of their lives.

It's important to note that persistent health care inequities and disparities for communities of color compound the devastation of pancreatic cancer and the effects of lack of early detection research. Unfortunately, Black people are more likely than their fellow Americans to get pancreatic cancer. In fact, the incidence rate for pancreatic cancer among Black Americans is twenty percent higher than any other racial demographic. This disease is more deadly for us: the pancreatic cancer death rate is seventeen percent higher for Black men than white men. Significant evidence demonstrates that these disproportionate levels of pancreatic cancer are in large part rooted in disparities in health care and access to tests and diagnostics. As a result, the lack of pancreatic cancer early detection research accelerates the racial unfairness in our health care system, with devastating consequences for minorities.

At a time when our country is having a national conversation about the deep disparities in access to health care for Black and Brown people during a global pandemic, Congress must do everything within our power to improve health outcomes through research and treatment. Increasing dedicated funding for early detection research at DoD will help fill a critical gap in our pancreatic cancer research and will help address the pancreatic cancer disparities for communities of color.

I urge the House to support this amendment.

The SPEAKER pro tempore. Pursuant to House Resolution Number 1224, the previous question is ordered on the amendments en bloc offered by the gentleman from Washington (Mr. SMITH).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

The en bloc amendments are agreed to.

A motion to reconsider is laid upon the table.

AMENDMENT NO. 8 OFFERED BY MS. ESCOBAR

The SPEAKER pro tempore. It is now in order to consider amendment No. 8 printed in part A of House Report 117–405.

Ms. ESCOBAR. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title V, add the following new section:

SEC. 5___. TIME LIMIT FOR PROCESSING CERTAIN ADMINISTRATIVE COMPLAINTS.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1561b the following new section:

"§ 1561c. Processing a harassment or military equal opportunity complaint

''(a) TIME LIMIT.—An official authorized to take final action on a complaint from a member of the armed forces of harassment or prohibited discrimination shall ensure the procedures and requirements for the complaint are completed within 180 days after the date on which any supervisor or designated office received the complaint.

''(b) JUDICIAL REVIEW.—

''(1) Pursuant to section 706(1) of title 5, United States Code, a member of the armed forces may seek an order in a court of the United States directing the Secretary concerned to take final action or provide a written explanation no later than 30 days after the court enters its order, if an authorized official does not—

''(A) take final action on a complaint under subsection (a) within 180 days; or

''(B) provide the member a written explanation of the final action taken on a complaint under subsection (a).

''(2) Pursuant to section 706(2) of title 5, United States Code, and no later than 30 days after a member of the armed forces receives a written explanation of the final action taken on a complaint under subsection (a), the member may seek review of the action in a court of the United States.

''(c) REPORT.—Not later than April 1 each year, the Secretary concerned shall submit to the appropriate congressional committees a report of the total number of court orders sought under subsection (b) and orders granted by such courts.

''(d) DEFINITIONS.—In this section:

''(1) The term 'appropriate congressional committees' means the following:

''(A) The Committee on Armed Services of the House of Representatives.

''(B) The Committee on Armed Services of the Senate.

''(C) The Committee on Transportation and Infrastructure of the House of Representatives.

''(D) The Committee on Commerce, Science, and Transportation of the Senate.

''(2) The term 'complaint' means an allegation or report of harassment or prohibited discrimination.

''(3) The term 'designated office' means a military equal opportunity office or an office of the inspector general or staff judge advocate, and any other departmental office authorized by the Secretary concerned to receive harassment and prohibited discrimination complaints.

''(4) The term 'harassment' means behavior that is unwelcome or offensive to a reasonable person, whether oral, written, or physical, that creates an intimidating, hostile, or offensive environment.

''(5) The term 'prohibited discrimination' means unlawful discrimination, including disparate treatment, of an individual or group on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation.

''(6) The term 'member of the armed forces' means a member of an armed force serving on active duty.

''(7) The term 'supervisor' means a member of the armed forces in charge or command of other members of the armed forces or a civilian employee (as defined in section 2105 of title 5, United States Code) authorized to direct and control service members.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1561b the following new item:

''1561c. Processing a harassment or military equal opportunity complaint.''.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from Texas (Ms. ESCOBAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. ESCOBAR. Mr. Speaker, I rise today to ask for support for my amendment to allow servicemembers to get their chains of command to process their complaints of harassment and prohibited discrimination in a timely manner.

My amendment does not grant servicemembers any new rights or expand existing ones, nor does it allow them to sue the Department of Defense. It simply gives them the leverage to hold their chains of command to their own timeline for processing complaints that have been filed.

Our servicemembers put their lives on the line protecting our country every day. They make the ultimate sacrifice to serve our country in ways that many cannot.

When they file complaints alleging serious harassment and discrimination they have experienced while serving, they deserve to be heard and to receive timely responses.

Data shows that civilian military employees file far more discrimination and harassment complaints than servicemembers do, despite having a smaller workforce than our servicemembers.

This is because our servicemembers lack many of the protections and privileges that their civilian counterparts have when it comes to discrimination and harassment, including this one.

While this benefits all servicemembers, my amendment would be especially significant for women and minorities serving in the Armed Forces.

Data from one Pentagon survey showed nearly a third of Black servicemembers and a significant percentage of Asian and Hispanic servicemembers experience racial harassment, discrimination, or both during service.

This is talent we need to work to retain, and my amendment would help with that. Our servicemembers deserve meaningful and robust policies that ensure their complaints are processed expeditiously and with the utmost urgency.

My amendment respects the separate internal administrative systems the services have for processing complaints. It simply creates a time limit to ensure they are processed within a reasonable timeframe that is respectful of the servicemembers and their experiences.

Simply put, it ensures that after 180 days, if a servicemember's complaint remains unresolved, the servicemember can request a court order that would then direct the department to act on the case expeditiously.

Absent this amendment, servicemembers routinely wait months and months, and sometimes even years, for their complaints to be resolved, with no ability to urge the services to act on their complaints.

This amendment brings an added level of urgency into internal administrative processes.

My amendment would empower our servicemembers and bolster confidence in the systems in place.

By passing this amendment, we are thereby extending protections civilians already enjoy onto our servicemembers, whose battles should be fought on the battlefield, not within the ranks.

□ 1700

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment creates an existential threat to the good order and discipline of the military.

A servicemember may seek an order from the U.S. district court demanding a status update or final action within 180 days after any supervisor or office receives a complaint.

This creates an unprecedented right to sue the commanders and force outcomes of administrative proceedings, some of which could be tied to active law enforcement investigations. An activist district court judge could reverse or set aside the final decision of a commander.

I understand that some of my colleagues wish to do away with the UCMJ altogether. I believe this and other provisions are the first step toward that end.

This provision will not benefit those who need protection the most in the Armed Forces and will undermine the strong bipartisan work that has taken place on sexual harassment and sexual assault.

Mr. Speaker, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. ESCOBAR. Mr. Speaker, I have tremendous respect for the ranking member and the work that he has done on our great committee.

I do want to emphasize that servicemembers would not be allowed to sue the Department of Defense. In fact, in many of these cases what happens is the cases are resolved by policy or should be resolved by policy within about 60 days, so this actually gives the service lines added time to resolve these cases.

This is for those egregious examples—and I have spoken with servicemembers who have had to live with these egregious examples—of lack of a true effort to resolve these harassment and discrimination claims. So this would be a last resort that would simply have a court urge the service line to complete the investigation of harassment or discrimination.

We are currently experiencing a challenge in recruitment. We want to retain this talent, and we want to demonstrate to our servicemembers that they matter, all of them, and that we will ensure that they have access to a free and fair process.

Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment demolishes the good order and discipline of the military and should be rejected.

I urge my colleagues to vote ''no,'' and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from Texas (Ms. ESCOBAR).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PERRY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 12 OFFERED BY MR. KHANNA

The SPEAKER pro tempore. It is now in order to consider amendment No. 12 printed in part A of House Report 117–405.

Mr. KHANNA. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle G of title X, insert the following:

SEC. 10___. RESOURCES TO IMPLEMENT DEPARTMENT OF DEFENSE POLICY ON CIVILIAN HARM IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.

(a) PURPOSE.—The purpose of this section is to facilitate fulfillment of the requirements in section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 134 note).

(b) PERSONNEL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall do the following:

(1) Assign within each of the United States Central Command, the United States Africa Command, the United States Special Operations Command, the United States European Command, the United States Southern Command, the United States Indo-Pacific Command, and the United States Northern Command not fewer than two personnel who shall have primary responsibility for the following in connection with military operations undertaken by such command:

(A) Providing guidance and oversight relating to prevention of and response to harm to civilians, promotion of observance of human rights, and the protection of civilians and civilian infrastructure, including ensuring implementation of the policy of the Department of Defense on harm to civilians resulting from United States military operations.

(B) Overseeing civilian harm prevention, mitigation, and response functions on behalf of the commander of such command.

(C) Receiving reports of harm to civilians and conducting assessments and investigations relating to such harm.

(D) Analyzing incidents and trends with respect to harm to civilians, identifying lessons learned, and ensuring that lessons learned are incorporated into updated command guidance and practices.

(E) Offering condolences and amends for harm to civilians, including ex gratia payments.

(F) Ensuring the integration of activities relating to civilian harm prevention, mitigation, and response, the protection of civilians, and promotion of observance of human rights in security cooperation activities.

(G) Working with the Center for Excellence established under section 184 of title 10, United States Code, as added by section 1085.

(H) Consulting with non-governmental organizations on civilian harm and human rights matters.

(2) Assign within the Office of the Under Secretary of Defense for Policy not fewer than two personnel who shall have primary responsibility for implementing and overseeing implementation by the components of the Department of Defense of Department policy on harm to civilians resulting from United States military operations.

(3) Assign within the Joint Staff not fewer than two personnel who shall have primary responsibility for the following:

(A) Overseeing implementation by the components of the Department of Defense of Department policy on harm to civilians resulting from United States military operations.

(B) Developing and sharing in the implementation of such policy.

(C) Communicating operational guidance on such policy.

(c) TRAINING, SOFTWARE, AND OTHER REQUIREMENTS.—

(1) IN GENERAL.—In each of fiscal years 2023 through 2025, the Secretary of Defense and each Secretary of a military department may obligate and expend, from amounts specified in paragraph (2), not more than $5,000,000 for the following:

(A) Training related to civilian harm prevention, mitigation, and response.

(B) Information technology equipment, support and maintenance, and data storage, in order to implement the policy of the Department relating to harms to civilians resulting from United States military operations as required by section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019.

(2) FUNDS.—The funds for a fiscal year specified in this subparagraph are funds as follows:

(A) In the case of the Secretary of Defense, amounts authorized to be appropriated for such fiscal year for operation and maintenance, Defense-wide.

(B) In the case of a Secretary of a military department, amounts authorized to be appropriated for such fiscal year for operation and maintenance for the components of the Armed Forces under the jurisdiction of such Secretary.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from California (Mr. KHANNA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. KHANNA. Mr. Speaker, I thank Chairman SMITH as well as Ranking Member ROGERS for their leadership to include various measures in the underlying bill that will aid the Department of Defense's effort to prevent and mitigate civilian harm, including establishing a Center of Excellence in Civilian Harm Mitigation and Commission on Civilian Harm.

I thank the HASC staff, including Katy Quinn, Phil MacNaughton, and Robert Ikoku for their work on this.

It should not be a partisan issue to mitigate civilian harm.

My amendment would simply authorize the resources for the Department of Defense to implement these policies of reducing civilian casualties, which Congress already required the Department of Defense to do nearly 4 years ago.

My amendment would allow the Department of Defense to spend $5 million per year to implement the requirements of section 936 of the John McCain NDAA for Fiscal Year 2019.

Section 936, passed by this body 4 years ago, requires the Department of Defense to establish uniform processes and standards across combatant commands for improving tracking, reporting, analysis, and response to civilian casualties from U.S. military operations.

It is appropriately named after the late Senator John McCain, who believed deeply that the United States military should minimize civilian casualties. This is something that everyone in our military believes.

Now, the Department of Defense has made extraordinary progress in recent years in preventing civilian harm. Secretary Austin has shown leadership in accelerating that progress. As he says, ''Our efforts to mitigate and respond to civilian harm . . . are a direct reflection of U.S. values.''

Some of my colleagues want to prevent harm because of their own personal experience in combat or witnessing war zones where civilians have been killed, and some are motivated because they want to prevent terrorists from exploiting civilian casualties as a recruiting tool.

But to do this, we need resources. I don't think $5 million a year is very much. It is less than not just 1 percent, it is less than not just 0.1 percent, it is less than 0.01 percent of the entire budget to help make sure we have the resources to track and report and minimize civilian casualties.

I am hopeful that we can get bipartisan support for this amendment. I recognize that this NDAA does a lot on minimizing civilian harm, including the establishment of the Center of Excellence. I thank again Chairman SMITH for his leadership on that.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment is a misuse of funds and resources on behalf of the DOD. As my colleague from California just referenced, this bill already includes funding increases for a myriad of civilian harm programs. There is already $5 million for the Center of Excellence in Civilian Harm Mitigation and $4 million for the Commission on Civilian Harm.

This amendment diverts critical dollars needed to ensure the readiness of our servicemembers to fulfill unnecessary paperwork requirements. Worst of all, it creates additional bureaucrats throughout the DOD whose job it is to second-guess the judgment of our military commanders.

Mr. Speaker, I urge Members to oppose the amendment, and I reserve the balance of my time.

Mr. KHANNA. Mr. Speaker, I urge adoption of the amendment, and I just point out that a lot of these requirements already have passed. They are in the 2018 NDAA. The amount of money we are talking about here is less than 0.01 percent, so it will not have a negative impact on the total budget.

Mr. Speaker, now that he is here in person, I thank again our chairman, Chairman SMITH, for all of the initiatives in the NDAA.

This NDAA, more than any in my 6 years in Congress, has tackled civilian casualties, and I hope that there will continue to be a bipartisan commitment in the House to reduce them to the extent possible.

Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY), my friend and colleague.

Mr. PERRY. Mr. Speaker, as the gentleman from California said, nobody in uniform wants civilian casualties. We work very diligently to make sure that there are not civilian casualties, but this almost assumes that we don't, that we actually don't care about civilian casualties when it couldn't be further from the truth.

Mr. Speaker, what this does is add more bureaucracy and takes the focus off of what servicemembers need to do in very difficult circumstances, when oftentimes the difference between life and death, between the servicemember's own life and those of his or her troops who are following him into combat, it is a moment to make a decision.

Mr. Speaker, at that moment, when lives are on the line, when American lives are on the line, in the face of our enemies, in the face of terrorists, what the gentleman from California would have those servicemembers do is take that moment to figure out if the decision they are making is optimal or not. Or in the case where I watched servicemembers who pulled the trigger, come back, and the first thing they had to do was go to the JAG and explain why they returned fire.

Mr. Speaker, those moments cost American lives. That is what this amendment is going to do, and that is why I adamantly oppose it. I ask my colleagues to oppose it.

Mr. ROGERS of Alabama. Mr. Speaker, I would urge opposition to this. This amendment represents an unnecessary waste of taxpayer money and undermines the judgment of our military commanders.

I urge a ''no'' vote, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from California (Mr. KHANNA).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PERRY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 13 OFFERED BY MS. LEE OF CALIFORNIA

The SPEAKER pro tempore. It is now in order to consider amendment No. 13 printed in part A of House Report 117–405.

Ms. LEE of California. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title X, insert the following:

SEC. 10___. REDUCTION IN AMOUNTS AUTHORIZED TO BE APPROPRIATED FOR DEPARTMENT OF DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) many of the most urgent threats to the national security of the United States are not military in nature;

(2) the Federal budget should reflect the national priorities of the United States; and

(3) in order to better protect the security of all people and address the national priorities of the United States, the budget of the Department of Defense should be reduced and the associated savings should be reallocated.

(b) REDUCTION IN AMOUNTS AUTHORIZED TO BE APPROPRIATED FOR THE DEPARTMENT OF DEFENSE FOR FISCAL YEAR 2023.—

(1) IN GENERAL.—The amount authorized to be appropriated for the Department of Defense for 2023 is—

(A) the aggregate amount appropriated for the Department of Defense for fiscal year 2022 in division C of the Consolidated Appropriations Act, 2022 (Public Law 117–103), reduced by

(B) $100,000,000,000.—

(2) FUNDING FOR CERTAIN ACCOUNTS.—The amount authorized to be appropriated for each of the following accounts of the Department of Defense shall be the amount authorized to be appropriated for such account for fiscal year 2022:

(A) The Defense Health Program.

(B) Each military personnel account.

(C) Each account providing for pay and benefits for persons appointed into the civil service as defined in section 2101 of title 5, United States Code.

(3) APPLICATION OF FUNDING CUTS.—In reducing funding for Department of Defense programs in accordance with subsection (a), the Secretary of Defense shall take into consideration the findings and recommendations contained in the Congressional Budget Office report entitled ''Illustrative Options for National Defense Under a Smaller Defense Budget'' and dated October 2021.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Lee-Pocan amendment No. 13 to cut $100 billion from the fiscal 2023 Defense Authorization Act. The amendment is structured so that this cut would not reduce pay or benefits for uniformed and civilian personnel or their families.

I thank the gentleman from Wisconsin (Mr. POCAN), my cosponsor and co-chair of the Defense Spending Reduction Caucus. I also thank Chairman SMITH and Chairman MCGOVERN for their support to permit us to bring this amendment to the floor.

Mr. Speaker, this House again stands poised to pour over $800 billion into a defense establishment that is unauditable, unaccountable, and does little to answer the biggest threats to the safety and the welfare of our people.

The Pentagon is the only—mind you, the only—Federal department that has never passed an audit. And, yes, I worked to get a requirement that DOD pass an audit written into permanent law a couple of years ago with the help of my friend and colleague, Chairman SMITH, and also our colleague, Dr. BURGESS. And yet, still, the Pentagon says it won't be able to pass an audit for almost another decade.

What is this about? It is really a shame and disgrace. It is not hard to find places to cut at the Pentagon. In fact, last year, Senator SANDERS commissioned a Congressional Budget Office study that detailed various scenarios for how we could save $100 billion per year without compromising American security.

That $100 billion is sorely needed for other key national priorities. If we reinvested that $100 billion, it could pay to hire 1 million elementary schoolteachers to relieve the current teacher shortage. It could pay to power every home in America with solar energy or it could provide every family in America with a $700 stimulus payment.

We face an array of threats in America today, including the continuing COVID health emergency and the impacts of climate crisis. It is our duty to look for savings at the Pentagon and meet the urgent needs of the American people.

Mr. Speaker, I urge my colleagues to support our amendment, and I reserve the balance of my time.

□ 1715

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment would arbitrarily strip $100 billion out of this bill. That is 12 percent of total defense spending it would cut. This amendment would have catastrophic effects on training and readiness. It will endanger the safety of our servicemembers by delaying critical safety upgrades on the ships, aircraft, combat vehicles, and facilities where they serve.

It will set back the cleanup and environmental remediation at PFAS and other contaminated sites and put off construction of new military housing, schools, and childcare facilities. It will further postpone critical modernization efforts needed to deter China and other adversaries. The list goes on and on.

Mr. Speaker, I urge Members to oppose the amendment, and I reserve the balance of my time.

Ms. LEE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, I rise today in support of our amendment to reduce the Pentagon's budget.

First, let me thank Congresswoman LEE for her partnership on this issue and thank her for securing our Nation always by pursuing peace first.

Mr. Speaker, $839.3 billion, the amount of the defense spending authorized by this bill, before we include anything of up to the 650 amendments this week, is too much with too little accountability.

We already spend more on defense than China, India, the United Kingdom, France, Germany, Russia, Saudi Arabia, Japan, and South Korea combined. It is more than double the amount of funding that the EPA; Health and Human Services; Departments of Education, Energy, Commerce, State, Housing and Urban Development, and Agriculture all receive combined.

This bill also goes above and beyond what the Department of Defense asked for in its budget request submitted to Congress. Yet, the Department of Defense still can't pass an audit of the funding it receives, a requirement of virtually every other agency.

Let's stop rewarding the building of amphibious vehicles that sink, unready projects like the F–35 that still have hundreds and hundreds of recognized deficiencies that have not been addressed, and Ford-class aircraft carriers that have toilets that cost $400 thousand in chemicals to flush when clogged. Yes, we flush defense dollars down the toilet. Let's fix this.

At some point, spending doesn't actually just make you safer. It is security theater and contractor profiteering.

We need a more modern definition of defense, one that recognizes real national security threats like COVID, cyberattacks, and climate change. But the current defense budget doesn't do that.

Mr. Speaker, I urge all of my colleagues to support this amendment.

Mr. ROGERS of Alabama. Mr. Speaker, I reserve the balance of my time.

Ms. LEE of California. Mr. Speaker, I yield myself the balance of my time for closing.

Mr. Speaker, it is really past time for Congress to start demanding that the Pentagon exercise some fiscal discipline that we impose against and across all of the Federal Government. Also, we individually have fiscal discipline that we must exert. We have budgets we have to live within.

The Pentagon budget is running amok. This is taxpayers' dollars which should be at least audited, and the Pentagon should be held accountable.

Again, this amendment would hold harmless the people who serve in the military or who work at the Pentagon and their families. The CBO has demonstrated that we can trim the Pentagon budget without compromising security. In doing so, we free up resources to invest in our country and in our people.

Mr. Speaker, I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, in closing, this amendment guts the

bill. It harms our servicemembers and their families. It severely weakens our ability to defend ourselves and our allies. Given Putin's atrocities in Ukraine and the increasing threats we face in China, Iran, North Korea, and other adversaries, this is the worst time to start slashing defense spending.

Mr. Speaker, I urge Members to oppose the amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from California (Ms. LEE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 14 OFFERED BY MS. LEE OF CALIFORNIA

The SPEAKER pro tempore. It is now in order to consider amendment No. 14 printed in part A of House Report 117–405.

Ms. LEE of California. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle A of title X the following new section:

SEC. 1004. REDUCTION TO FUNDING AUTHORIZATIONS.

Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated by this Act are hereby reduced by a total of $36,987,247,000, to be derived from the amounts, and from the corresponding accounts, as specified by amendment number 2468 offered by Mr. Golden during the mark-up session of the Committee on Armed Services of the House of Representatives on June 22, 2022.

Strike sections 113, 615, 1030, 1031, 1075, and 1107.

Strike title XXIX.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our amendment, the Lee-Pocan No. 14, reverses egregious Pentagon budget increases added during the committee markup. This is mind-boggling. Our amendment trims back the total level of the fiscal year 2023 NDAA to no more than the amount requested by President Biden.

We have numerous, glaring examples of waste, fraud, and abuse within our defense establishment. Yet, some of our colleagues insist on piling more money into the Pentagon than our military leaders—our President even—asks for, despite the DOD routinely returning unspent balances to the Treasury.

Enough is enough. Americans are demanding that Congress rebalance our priorities and invest in the biggest challenges which we face. This $37 billion could be better spent—that is how much over the President requested—to extend the child and earned income tax credit, improve healthcare access, and pay for Medicare hearing benefits for seniors.

Mr. Speaker, $37 billion could hire 300,000 nurses to alleviate the nursing shortage or fund free, quality childcare for more than 800,000 children to help caregivers get back to work.

While I personally support much larger cuts, we need to draw the line somewhere.

Mr. Speaker, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, here we have another amendment that would arbitrarily slash defense spending. This time it is $37 billion added by Mr. GOLDEN and Mrs. LURIA, two Democrat members of our committee, during our markup.

The amendment before us now would eliminate a 2.4 percent pay bonus for enlisted personnel, people who make less than $45,000 a year. It would erase $500 million in additional housing allowances to counteract skyrocketing rents for low-income servicemembers, and it would delete $750 million we added to reduce the price of groceries and other necessities at military commissaries.

The proponents of this amendment argue that we need to spend less on defense so we can spend more on programs to counteract homelessness, hunger, and poverty. But their amendment would strip out a bipartisan effort to ensure our servicemembers with the lowest incomes don't face those same difficulties. It is hypocrisy at its worst.

Mr. Speaker, I urge all Members to oppose this amendment, and I reserve the balance of my time.

Ms. LEE of California. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. SMITH), the chairman of the Armed Services Committee.

Mr. SMITH of Washington. Mr. Speaker, I think we need to get to a reasonable defense budget. Full disclosure: I don't support the effort to cut $100 billion from the defense budget. I think we have clearly articulated needs. But I think the President and the Department of Defense, when they put forward this budget, took that into account.

One of the things I have always been worried about on the Armed Services Committee is if we just give them more and more money, they won't spend it as well as they should. They will not have the fiscal discipline to go in there and make sure that the money is being spent wisely, which I have said many, many times is as important and, in many cases, more important than how much is spent.

Over the course of the last 20 years, we have not had a good record. Many programs have gone over budget and underperformed. We are getting better, but I think we need to live within our means.

The President put forward his budget. We ought to respect that budget and support it. It is more than enough to defend the country.

If we go back to the President's number, it is $813 billion, which is a significant 4 percent increase over last year's budget. It is not like we aren't spending money if we stick to the President's budget. I think that number should work, and I think that is the number we should stick to.

Mr. Speaker, I thank the gentlewoman for offering that amendment and making the arguments she has.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 3 minutes to the gentleman from Maine (Mr. GOLDEN).

Mr. GOLDEN. Mr. Speaker, this amendment seeks to undo a bipartisan agreement to increase authorized funding for our military that the Armed Services Committee collectively concluded is appropriate given the realities of today's evolving national security threats.

We are faced with some serious threats globally, such as ongoing terrorist threats; the potential for nuclear proliferation in the Middle East; tensions in the South China Sea; Russia's invasion of a democratic state in Europe; incredible technological advancements that we cannot fall behind on in AI, quantum computing, and biotechnology; increasing competition in space and cyberspace; disinformation campaigns; and data surveillance that strengthen authoritarian regimes and lend themselves to attacks on democratic societies.

The amendment that I offered invests in our Navy, which is critically important right now. It invests in missile defense, which is very necessary, given advancing technologies in things like hypersonics, R&D for AI, biotechnology, and quantum computing, as I discussed.

Importantly, it increases critical assistance to the Ukrainian military as it fights to defend democracy from Russian aggression.

As our military seeks to prepare to grapple with these new, future realities, it must also do so in the face of significant supply chain disruptions resulting from COVID and from rising inflation which my amendment also addresses.

The ranking member spoke, I think correctly, about the need to protect

those who serve our country, particularly those on the low end of the scale, who are having a very negative impact because of higher grocery costs, higher gas prices, and higher housing costs. I am particularly proud of the bonuses that are in this amendment to look out for them.

The bottom line, this $37 billion amendment is bipartisan. It was and remains necessary for the national security of our country. I appreciate that some people might choose different sets of priorities on how best to support our military. There are, in fact, some amendments out there that would set different priorities for how this additional funding should be spent. But rolling back this defense topline overall, for the sake of having a debate about the topline, I believe points us in the wrong direction. That is because of the dangers that we face today and those that we know are just around the corner, which we really can't afford to delay trying to adjust right now.

Many people believe that we are falling behind in some of these important issues that I have been talking about like, again, the biotechnology, the quantum computing, missile defense, and other things.

We think that this is a good compromise. I appreciate the ability to work across the aisle with my colleagues on the committee.

For these reasons, Mr. Speaker, I urge my colleagues to vote against this amendment.

Ms. LEE of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JACOBS).

Ms. JACOBS of California. Mr. Speaker, I thank Ms. LEE for offering this incredibly important amendment.

It is simply wild that at the same time that our Republican colleagues are complaining about runaway inflation, we would increase Federal spending on things the Pentagon itself has said it doesn't need.

The initial defense budget request was already more than $750 billion. With this plus-up, it will be over $800 billion. That is $800 billion on outdated and expensive legacy platforms, while we are still failing to meet the needs of our servicemembers and their families.

San Diego, the community I am proud to represent, is home to the largest concentration of military personnel in the country. Yet, even after spending hundreds of billions of dollars on defense in recent years, we have more than 39,000 members of military families who visit the San Diego food bank every month.

Even after spending over $800 billion, there will still be thousands of military families on waitlists for childcare in San Diego. So I reject that we need to continue to invest more than even the Pentagon is asking for on outdated systems and things we don't need.

Mr. Speaker, I urge my colleagues to vote ''yes'' on the Lee-Pocan amendment.

Mr. ROGERS of Alabama. Mr. Speaker, I reserve the balance of my time.

□ 1730

Ms. LEE of California. Mr. Speaker, I yield myself the balance of my time.

First of all, I would hope Republicans would join Democrats in a bipartisan fashion like you did just now on this outrageous amendment in supporting the efforts to reduce the cost of living for people who are living on the edge, but I don't see any bipartisanship there when it comes to supporting the American people and what they need in terms of their wages, in terms of housing, in terms of healthcare, in terms of all the efforts that Democrats have mounted over the years. It is too bad that you won't join us in that, but you join them in raising the defense budget to an excessive level over what the military and the President requested. It is outrageous.

I note that the House has voted overwhelmingly to support Ukraine, and we certainly should support better pay and benefits for our uniformed and civilian personnel and their families, which the base bill does. Ukraine and military pay are in the base bill. If the President thinks that more should be done and more is needed, then he should, as has always been done, come to the Congress for a supplemental.

The President came to Congress for a supplemental for Ukraine. If he believes more is needed, that is the proper process and the proper way to do this, not by increasing the NDAA top line.

It is time to shift our spending to meet America's urgent human security priorities, and I urge my colleagues to support this amendment. I am really so concerned that whatever people want on that side of the aisle especially, and some on this side of the aisle, as it relates to the Pentagon, people get, Members get, and that is not a good place for this country to be.

Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I point out that this $37 billion that was added in a bipartisan fashion in the committee does not even meet all the unfunded requirements that were submitted to Congress by the Defense Department.

Like all Americans, our servicemembers and their families are suffering from the harmful effects of record inflation. We worked in a bipartisan manner to address that in this NDAA. This amendment would strike that language from the bill. I don't understand why anyone wants to do that and have that effect on our servicemembers.

Mr. Speaker, I urge Members to oppose this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from California (Ms. LEE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 15 OFFERED BY MS. JAYAPAL

The SPEAKER pro tempore. It is now in order to consider amendment No. 15 printed in part A of House Report 117–405.

Ms. JAYAPAL. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle G of title X the following new section:

SEC. 10___. REPEAL OF PROVISIONS RELATING TO UNFUNDED PRIORITIES.

(a) THE ARMED FORCES AND THE MISSILE DEFENSE AGENCY.—Chapter 9 of title 10, United States Code, is amended as follows:

(1) Section 222a is repealed.

(2) Section 222b is repealed.

(3) In the table of sections at the beginning of the chapter, strike the items relating to sections 222a and 222b.

(b) LABORATORY MILITARY CONSTRUCTION PROJECTS.—Section 2806 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 222a note) is repealed.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my amendment would eliminate the statutory requirement for the Defense Department to provide Congress with an unfunded priorities list. This is a wish list of items that DOD would like to have but are not necessary to carry out its duties.

This practice doesn't meaningfully strengthen our national security. Instead, it worsens waste, fraud, and abuse in military spending. These wish lists are packed with billions of dollars of superfluous line items, this year totaling $24 billion on top of the $773 billion requested by the White House.

Don't just take my word for it. Defense Secretary Lloyd Austin said last year that the President's budget request for fiscal year 2022 met DOD's requirements, yet DOD was required by law to submit these wish lists, which have not been approved by any top leadership at the Defense Department as actual priorities.

Top DOD officials have, in fact, expressed strong skepticism about the practice. In a June 2021 hearing before the House Armed Services Committee, General Milley said of unfunded priorities: ''If they were critical, then they need to be higher on the priority list and in the base budget.''

In April, Under Secretary McCord said that the unfunded priorities lists

''should not be confused with saying that the budget is not adequate.'' In fact, he went on to describe to me the problem that happens when different people within the Defense Department who are overseeing their own units submit something and just say it is a priority when overall Defense leadership has not had the opportunity to prioritize, actually, and to even look into whether those things are priorities or not.

Former Defense Secretary Robert Gates all but banned the list, strongly discouraging his generals from submitting these lists to Congress during his tenure.

Despite the skepticism of top DOD officials, the Pentagon is required by law to submit these wish lists to Congress. It wasn't always that way. Though the practice has been around for a couple of decades, unfunded priority lists weren't statutorily required until 2017.

All my amendment does to make this process optional again.

The mandate only exists to serve the interests of defense contractors eager to grow their profits by selling flashy equipment. In 2021, the defense industry spent more than $118 million lobbying Congress to sell their products. Meanwhile, we cannot even verify that the money we authorized to DOD is spent responsibly because, as my colleague Ms. LEE said, it has never passed a budget audit.

The most recent audit found a Navy warehouse full of $126 million of aircraft parts that were not listed anywhere in the records. We don't need to encourage this irresponsible spending by requiring DOD to give us a wish list, but most importantly, we should actually pay attention to the priorities of the top leadership of the Defense Department, which the unfunded priorities list does not do.

Mr. Speaker, I urge my colleagues to vote ''yes'' on this amendment, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in strong opposition to this amendment.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

This amendment would prohibit Congress from receiving unfunded priority lists from service chiefs and combatant commanders. These are the individuals responsible for executing U.S. military operations around the world.

It is critical that Congress knows what the service chiefs and the combatant commanders need to keep our servicemembers safe and ensure success in their missions.

Here are a couple of examples of FY23 unfunded priorities from General McConville, the Army chief of staff: $67 million to accelerate fielding of body armor for female soldiers; $65 million to acquire cold-weather boots, gloves, and sleeping bags for troops deployed to cold-weather environments.

Neither of these critical needs were funded in the Biden proposal. We funded them in this bill only because they were included on General McConville's unfunded priority list. We likely wouldn't have known about them otherwise.

These are just a couple of examples of why this amendment is misguided. There are hundreds more just like it.

I urge Members to oppose this amendment. I remind Members that the President proposes a budget number that the service chiefs and combatant commanders have to salute and say, ''Yes, sir''—hopefully, one day, ''Yes, ma'am''—''That is our number, and we are going to make it work,'' regardless of what they need.

We have to have that unfunded requirements list so that we can know what they actually need, and we can then act because the fact is the President proposes budgets; we write budgets.

Mr. Speaker, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, Mr. ROGERS well said why we should pass this amendment.

We have played a bad game here. If it is so important, if General McConville thinks it is so important, why didn't he fight vigorously for it in the base budget?

Yes, the President does propose, but that proposal is a proposal that comes from the Department, from all the various parts of the Department, and it is put together at the White House. The President doesn't just dream this up himself. It is, in fact, the priorities of the Department, disciplined priorities.

The unfunded list is a game where we are being played. We are the pawns in the game that they have. It was very well stated in the previous opposition to this amendment.

Let's have some discipline here.

The unfunded priorities list is a way in which the Department's various parts play us against each other and play the President. Let's eliminate all of that.

Mr. ROGERS of Alabama. Mr. Speaker, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. SMITH), the distinguished chairman, and I thank him for his service on this committee.

Mr. SMITH of Washington. Mr. Speaker, I thank the gentlewoman for offering this amendment. I think it is incredibly important.

Mr. GARAMENDI outlined it quite well. There was a process to go through at DOD to determine what the budget should be. Once that process is done, we should respect that process, not allow everybody in the institution to say, ''Well, I would like to have more money.'' I can assure you that there would be unfunded requirements in every single aspect of government.

You have to make choices. That is what DOD does. That is what the budgeting process does.

What the unfunded requirements list does is it simply perpetuates the notion that you can never spend enough money. I submit that that attitude toward the defense budget—that whatever it is, it has to be higher—has a lot to do with all the inefficiencies, the lack of an audit, the number of programs that have gone overbudget and have underperformed, the number of programs that have never worked out the way we envisioned them.

If there was fiscal discipline in place, we would get a better result.

Allowing people to always ask for more, no matter what, undermines fiscal discipline. I also submit it undermines the effectiveness of the Department of Defense.

Mr. Speaker, I strongly support this amendment.

Ms. JAYAPAL. Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment would rob Congress of critical information we need to keep our servicemembers safe.

Mr. Speaker, I urge Members to oppose the amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 16 OFFERED BY MR. SMITH OF WASHINGTON

The SPEAKER pro tempore. It is now in order to consider amendment No. 16 printed in part A of House Report 117–405.

Mr. SMITH of Washington. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1031.

At the end of subtitle A of title X, insert the following:

SEC. 10____. FUNDING INCREASES AND REDUCTIONS.

(a) FUNDING REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) The amount authorized to be appropriated in section 101 for Aircraft Procurement, Navy, as specified in the corresponding funding table in section 4101, for MQ-8 UAV, Line 021, is hereby reduced by

$21,000,000 from the funds made available for costs associated with restoring 5 LCS.

(2) The amount authorized to be appropriated in section 101 for Aircraft Procurement, Navy, as specified in the corresponding funding table in section 4101, for MQ-8 Series, Line 057, is hereby reduced by $7,300,000 from the funds made available for costs associated with restoring 5 LCS.

(3) The amount authorized to be appropriated in section 101 for Aircraft Procurement, Navy, as specified in the corresponding funding table in section 4101, for Spares and Repair Parts, Line 068, is hereby reduced by $1,200,000 from the funds made available for costs associated with restoring 5 LCS.

(4) The amount authorized to be appropriated in section 421 for Military Personnel, as specified in the corresponding funding table in section 4401, , is hereby reduced by $89,600,000 from the funds made available for Military Personnel, Navy – Restore Navy Force Structure Cuts (Manpower).

(5) The amount authorized to be appropriated in section 301 for Operations and Maintenance, Navy, as specified in the corresponding funding table in section 4301, for Mission and Other Flight Operations, Line 010, is hereby reduced by $6,000,000 from the funds made available for costs associated with restoring 5 LCS.

(6) The amount authorized to be appropriated in section 301 for Operations and Maintenance, Navy, as specified in the corresponding funding table in section 4301, for Aircraft Depot Maintenance, Line 060, is hereby reduced by $300,000 from the funds made available for costs associated with restoring 5 LCS.

(7) The amount authorized to be appropriated in section 301 for Operations and Maintenance, Navy, as specified in the corresponding funding table in section 4301, for Mission and Other Ship Operations, Line 090, is hereby reduced by $10,400,000 from the funds made available for costs associated with restoring 5 LCS.

(8) The amount authorized to be appropriated in section 301 for Operations and Maintenance, Navy, as specified in the corresponding funding table in section 4301, for Ship Depot Maintenance, Line 110, is hereby reduced by $90,000,000 from the funds made available for costs associated with restoring 5 LCS.

(9) The amount authorized to be appropriated in section 301 for Operations and Maintenance, Navy, as specified in the corresponding funding table in section 4301, for Weapons Maintenance, Line 250, is hereby reduced by $7,200,000 from the funds made available for costs associated with restoring 5 LCS.

(10) The amount authorized to be appropriated in section 301 for Operations and Maintenance, Navy, as specified in the corresponding funding table in section 4301, for Ship Activations/Inactivations, Line 320, is hereby reduced by $7,500,000 from the funds made available for costs associated with restoring 5 LCS.

(11) The amount authorized to be appropriated in section 101 for Other Procurement, Navy, as specified in the corresponding funding table in section 4101, for LCS In-Service Modernization, Line 035, is hereby reduced by $65,000,000 from the funds made available for costs associated with restoring 5 LCS.

(12) The amount authorized to be appropriated in section 201 for Research, Development, Test & Eval, Navy, as specified in the corresponding funding table in section 4201, for MQ-8 UAV, Line 243, is hereby reduced by $13,100,000 from the funds made available for costs associated with restoring 5 LCS.

(b) FUNDING INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) The amount authorized to be appropriated in section 101 for Procurement of Ammunition, Army, as specified in the corresponding funding table in section 4101, for Industrial Facilities, Line 034, is hereby increased by $180,720,000 for Organic Ammunition Industrial Base Safety and Modernization Upgrades.

(2) The amount authorized to be appropriated in section 301 for Operations and Maintenance, Navy, as specified in the corresponding funding table in section 4301, for Aviation Logistics, Line 080, is hereby increased by $75,000,000.

(3) The amount authorized to be appropriated in section 301 for Operations and Maintenance, Navy, as specified in the corresponding funding table in section 4301, for Combat Support Forces, Line 170, is hereby increased by $62,880,000.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 2 minutes.

This amendment has to do with the retirement of nine littoral combat ships.

The Department of the Navy, the Department of Defense, wants to retire those nine ships. An amendment was added in our committee that does not allow them to retire five of those ships. My amendment would strip that and would allow the Department of the Navy to retire the ships they want to retire.

We just heard a lengthy speech about the wisdom of our various service Secretaries and how they know what they need. Well, the service Secretary and the Department of Defense know that they no longer need these nine littoral combat ships. We should not be blocking their effort to save money and retire them.

The biggest reason we have a problem with this is these ships are not that old. But they have also not turned out to perform the way they were expected.

In particular, they were supposed to have antisubmarine capability, and they were supposed to have demining capability. They have neither of those. They have also turned out to have significant maintenance problems and costs associated with simply operating them.

The Navy has determined that it is better to invest in newer, more modern, more capable platforms, and we are blocking their ability to do that. The littoral combat ship has not lived up to its expectations.

Now, let me be clear, it is an extraordinarily difficult time to figure out how you build the right systems. But throwing good money after bad doesn't make sense, and that is the primary argument for not allowing the Navy to do this. ''Well, they just built them,'' almost whether they work or not, ''why would we retire them after 3 or 4 years?'' Because they are not working as expected, and they are not cost-effective.

Mr. Speaker, I urge that we adopt this amendment to allow the Department of Defense to do what they want to do: retire these ships and build a better, stronger, more capable Navy.

Mr. Speaker, I reserve the balance of my time.

Mr. WITTMAN. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. WITTMAN. Mr. Speaker, I yield myself 1½ minutes.

I have to speak in opposition to this amendment. The bottom line is that the LCS does have capability. It has a mine-hunting capability. It has a fast-attack capability. That is a capability that we would give up at a time when we need that capability.

If you are going to do away with that capability, the question is, with the savings that you accrue, which is about a half-billion dollars, what are you going to do with those dollars to create comparable capability today? The answer is, you can't do it.

□ 1745

It takes 6 years to build a destroyer to replace the capability that the LCS has today. And if you take that half a billion dollars and you put it in savings, the question is: Where would you spend it today? Well, we see some of the places where the Navy would like to spend it.

They would like to spend almost a half a billion dollars in fixing a building in Hawaii, one of the Pacific fleet command buildings. They are also looking at—OSD would rather put $3 billion in climate change, and for that matter, invest $2 billion into a $15 an hour minimum wage.

I would argue that getting rid of ships that have a capability that does have an impact to counter the Chinese is what needs to be done today rather than waiting 6 years to build a ship that in some way, shape, or form could counter that—in turn, trying to spend these dollars to repair a building, for climate change, or for minimum wage increases. Folks, China is at our doorstep today. That is the threat that we face today.

My opposition to this is about, Why are we giving away capability that we need in the face of Chinese capability that is at our doorstep?

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. GOLDEN).

Mr. GOLDEN. Mr. Speaker, in talking about one of the previous amendments, I pointed out this was part of a bipartisan agreement to increase the top line by $37 billion. Compromise really requires people to set different priorities, come to the table, and find an agreement.

Many of us on the committee—on both sides of the aisle—really believe strongly, as does the Navy, that we need a larger, more capable fleet force. We have different priorities and we talk about them a lot. For me, I think we need more Flight III destroyers out there—the Navy agrees with me about that.

Mr. GALLAGHER over here is a big proponent of getting new frigate ships out there, they are faster and have great capability.

Mr. Speaker, I know Mr. WITTMAN works very closely with Mr. COURTNEY on submarines and many other things. He made a good point. Giving up these capabilities without replacing them with other capabilities is a problem, but I also agree with the chairman that this is not a top priority program for the Navy.

I do have concerns that after just a short period of time they are seeking to shutter this program. It shows, to me, a problem with the Navy in some of their new programs. We have seen this with other things, like the DDG–1000, and I think Congress and our committee need to crack down on this and do a better job with oversight over the Navy to make sure these programs are going to pan out to be worthy investments.

It is a shame to see these ships retired after so few years. I know that there are allied nations out there that would like to make use of them. A Senator from Maine, from my State, talks about perhaps repurposing these toward drug interdiction in the southwest hemisphere. Again, we just can't be scrapping these things. It is a lost investment and a terrible waste of taxpayer dollars.

That being said, I like the chairman's amendment in that it is seeking to make other important investments with the money, investing in these munition plants in the United States. Putting more money toward the readiness of our Navy force is an identified problem that we have agreed to in a bipartisan way—it is very necessary. I think we have pretty significant workforce readiness problems in the Navy to man those ships, so it is a good repurposing of those funds.

Mr. WITTMAN. Mr. Speaker, I yield a 1½ minutes to the gentleman from Wisconsin (Mr. GALLAGHER).

Mr. GALLAGHER. Mr. Speaker, I rise in opposition to the amendment.

A few things that don't make sense to me: One, on a bipartisan basis in committee, we included report language in this year's bill that tasked the Navy with reporting to us on how they can make the LCS more combat-capable in the Indo-Pacific, doing things from gearbox repairs, sustainment options, lethality upgrades, to putting an NSM on these ships to make it into a very capable platform.

Why would we not allow them to come back with that plan as opposed to proactively cutting Navy force structure?

Furthermore, my colleagues will argue that the Navy doesn't want these ships. Well, the Navy is cutting these ships as part of a divest-to-invest strategy because it has to budget against a FYDP that is far lower than what Congress is set to resource. So with a higher top line, the Navy can afford additional force structure. It is our job to exercise our constitutional oversight responsibility and add both the budget and force structure the Navy needs.

Furthermore, the Navy's ship building plan, such as it exists, that was presented to us, was a joke. The Navy is proposing to bottom out the size of the fleet to 280 ships in 2027, the worst possible moment when the window of maximum danger peaks in the Pacific. We should not blindly accept that plan. We have been playing this Lucy and Charlie Brown football game with the Navy since I came into Congress 6 years ago.

Mr. SMITH of Washington. Mr. Speaker, I am prepared to close. I understand the gentleman has the right to ultimately close the debate, so I will reserve the balance of my time, unless he is prepared to close.

Mr. WITTMAN. Mr. Speaker, may I inquire how much time both sides have remaining?

The SPEAKER pro tempore. The gentleman from Virginia has 2 minutes remaining. The gentleman from Washington has 1 minute remaining.

Mr. WITTMAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Mr. Speaker, I rise in opposition to this amendment.

The Freedom-class littoral combat ships fill an important operational need in the Navy's fleet. We have invested billions in this program and decommissioning nine ships at the beginning of their service life is complete financial malpractice and takes away from important assets that can be used around the globe.

This amendment would have a direct negative impact on our national security.

The Chinese Communist Party plans to expand their fleet, which will reach 460 vessels by 2030. Meanwhile, in the same time period, the U.S. fleet will shrink to less than 300.

These ships aren't perfect, as was mentioned earlier; no new class of ship is. But scrapping these ships at less than half their average life cycle is like throwing away a dime to save a nickel.

Admiral Gumbleton himself said that the fix for these isn't an exorbitant amount of money. Why is it worth scrapping them entirely and throwing away billions of hard-earned taxpayer dollars?

The push to decommission these ships is a multimillion-dollar misstep. These ships are out in the fleet and they are executing missions in littoral waters, making our country safer—from helping the Coast Guard with drug interdiction in SOUTHCOM to maritime security operations in CENTCOM.

Mr. Speaker, a vote in favor of this amendment is a vote against national security, and I urge my colleagues to vote ''no'' on this amendment.

Mr. SMITH of Washington. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in that time I will attempt to make three quick points.

Number one, in response to Mr. GALLAGHER, as he well knows, the LCS has literally no role in the counter China fight. It has no capability that will help us in dealing with China. So whatever your concern about China, LCS ain't going to deal with it. It may have capabilities elsewhere, but it wouldn't survive 2 seconds in a fight against China—and we all know that—which leads to my second point.

The number of ships isn't the point, it is the capability of our overall systems. This amendment takes the money out of this and puts it into more munitions, which we desperately need, and puts money into more operation and maintenance within the Department of the Navy, which Congressman WALTZ has correctly pointed out we also desperately need. This money is put someplace that is vastly better.

Lastly—I will come back to that first argument—the Department of the Navy is determined this is not where they should spend their money. But understand, we are hearing all these arguments about China, China, China, China—this is the point—build the capabilities and build the systems that can deal with the fight we face with China. The one thing you have to understand is the LCS is 100 percent not it.

Mr. Speaker, we can spend this money better and this amendment does that. I urge its support, and I yield back the balance of my time.

Mr. WITTMAN. Mr. Speaker, I respect the chairman, but he is wrong.

This ship does have capability against China. It is capability that is operable today. If you get rid of this ship, you have nothing. The replacement for this ship is 6 years out. You can't fight something with nothing.

Getting rid of this ship is the wrong thing to do. It has its challenges—let's fix those challenges. Let's get this ship operational. Let's get it out there. We know that it can do the job in a variety of different ways.

Even if it is not in the Indo-Pacific in a direct role, it can be in other ways that will free up ships to be in the Indo-Pacific to do their role. This is the wrong effort to retire these ships—all nine of these ships.

Let's make sure we stand by the agreement that we came to in the committee and go to keeping the five ships.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Washington (Mr. SMITH).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WITTMAN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 18 OFFERED BY MR. FOSTER

The SPEAKER pro tempore. It is now in order to consider amendment No. 18 printed in part A of House Report 117–405.

Mr. FOSTER. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XIII, add the following:

SEC. 13__. REPEAL OF RESTRICTION ON FUNDING FOR THE PREPARATORY COMMISSION FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION.

Section 1279E of the National Defense Authorization Act for Fiscal Year 2018 (22 U.S.C. 287 note) is repealed.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Illinois (Mr. FOSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of my amendment to reverse the fiscal year 2018 NDAA provision restricting U.S. funds to the Comprehensive Nuclear-Test-Ban Treaty Organization's Preparatory Commission, also known as the CTBTO's PrepCom.

As the only physicist in Congress, I feel a special responsibility to speak out on the importance of strengthening our global nuclear security architecture and maintaining U.S. leadership in this area.

The Preparatory Commission is tasked with monitoring countries' compliance with the comprehensive ban on nuclear explosive testing, including onsite inspections.

Before the PrepCom funding ban went into place, the U.S. experts regularly provided training to the PrepCom's international team of inspectors and worked with our international partners to continually refine the state-of-the-art methods used in these inspections.

When the funding ban was enacted, it removed our ability to continue this work, which resulted in Russia, China, and even Iran stepping in to fill the gap. Their efforts may be more focused on dumbing down the capability of PrepCom's verification regime, instead of strengthening it under U.S. leadership.

President Trump recognized the importance of nonproliferation and of oversight into our adversaries' nuclear testing. He worked for years at attempting to negotiate the dismantlement of North Korea's nuclear testing and development program. Although it failed in the end, it was not a dumb thing to attempt.

If a final deal had been reached, onsite inspections by a trusted international team of technically competent inspectors would have been a key factor, and that is what PrepCom is and what it should be under renewed U.S. leadership.

As our Nation fights against the unprovoked Russian aggression in Ukraine, and China and Iran's increasing belligerence, repealing this funding ban, and getting the PrepCom out from under our adversaries' control and back into U.S. control has never been more important.

As a Nation, we must continue our efforts to reduce the threat of nuclear weapons and continue longstanding commitments to our allies.

Mr. Speaker, I urge passage of this amendment, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore (Mr. CARTWRIGHT). The gentleman from Alabama is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. LAMBORN).

□ 1800

Mr. LAMBORN. Mr. Speaker, I thank the Member for yielding.

Mr. Speaker, I rise in opposition to this amendment. This amendment would require American taxpayers to provide money to an organization for a treaty the United States is not even a party to. This is completely unnecessary.

It has been the bipartisan policy of the United States since the nineties to not conduct a nuclear weapons test. If brought into force, the CTBT would codify this norm already adhered to by the United States. However, the treaty was already rejected by the U.S. Senate as its adoption would undermine the future strength of our deterrent, would not halt proliferation, is not verifiable, and doesn't even define the term ''nuclear explosion.'' So the Senate on a bipartisan basis has already rejected this treaty.

This amendment does not make the world safer.

Mr. Speaker, I urge my colleagues to vote ''no'' on this amendment to prevent sending millions of American taxpayer dollars to an international organization that has the purpose of bringing into force a treaty that has already been rejected by the United States Senate.

Mr. FOSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I rise in strong support of the Foster amendment.

Why?

To the average Member, this may sound complicated, but it is all about nuclear testing. We need to stop North Korea and other nations from doing nuclear testing, and if they do, then we need a trusted international source to monitor exactly what they are doing.

It does not help us in America to be blind, and it does not help the House of Representatives to blindly follow what the Senate does, particularly Senate inaction, because the other body is notoriously unable to conduct its work.

The important fact that Members need to know is: all of the heads of our national labs say that we do not need to test. The heads of Sandia, Los Alamos, Lawrence Livermore, and Oak Ridge certify annually. We do not need to test, and we need to stop other nations who are trying to test.

This amendment helps us stop those other nations. This amendment helps us stop North Korea. This amendment helps us stop other rogue nations and major powers like China and Russia from testing.

Mr. Speaker, let's support the Foster amendment, and let's keep America strong. This is a very important principle for us to stand up for, and I thank Mr. FOSTER for offering this important amendment.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, I thank the ranking member for the opportunity.

Mr. Speaker, I think what is most important about this is it has already been said that we are not signatories to this treaty. With all due respect to the gentleman regarding the House didn't follow the Senate, we should do our own thing, I agree with that. But the Senate is the one that ratifies treaties, not the House.

But the bigger issue is that requiring rogue nations who are criminal actors who don't honor their commitments—like North Korea, like Russia, and like China—to not do something on a piece of paper is not going to stop them. They don't honor anything that they sign anyhow, and we would be fools to think that they would. All this does, Mr. Speaker, among other things, all it does is tie America's hands behind its back.

Yes, we do certify currently. But we don't know what the future holds, and we don't know what technology is going to be, and we should not tie America's national defense and national security behind her back for the sake of people and countries that refuse to honor the commitments that they sign. And we certainly shouldn't encumber hardworking, tax-paying citizens and their money to some international organization who does not have the best interests of the United States—the sovereignty of the United States—in mind, some global organization that somehow is going to tell us that because North Korea signed a

treaty, because Russia signed a treaty, and because China signed a treaty that they are not going to violate it.

Mr. Speaker, when they violate it, it might be too late. We don't have time or the luxury of hoping that they will do the right thing.

We absolutely must reject this amendment, and I urge our colleagues to vote ''no.''

Mr. FOSTER. Mr. Speaker, I yield myself such time as I may consume.

I would just like for the Members on the other side to ask themselves: assume that President Trump had succeeded at his negotiations with North Koreans, that would have required a technically competent team of international inspectors there the day after the agreement to make sure that there was not testing and other weapons-related activities. This is why you keep the PrepCom alive and working and under U.S. leadership. It makes the U.S. stronger, safer, and more able to deliver on the treaties that I think all of us hope may some day be passed to actually reduce and eventually eliminate nuclear weapons.

So until that time, we have to have a competent team in place. They, unfortunately, have to be international if they are going to be trusted by all sides on this. That is why it is important to keep the PrepCom as strong as we can, and it has to be under our leadership.

Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment would repeal what has been bipartisan consensus since 2018. The United States should not provide funding for a bloated international organization to help bring into force a treaty that the Senate has already rejected. In practical terms, this amendment would allow tens of millions of U.S. taxpayer dollars to be spent on conferences and junkets in the capitals of Europe to help resurrect a treaty that the U.S. Senate has already rejected.

Let's be clear: This amendment has nothing to do with U.S. nuclear testing. Since the early 1980s, every administration, both Republican and Democrat, has stated that we do not need to conduct underground nuclear testing. Nothing has changed, and this bill provides billions of dollars to ensure that it doesn't.

My suggestion to the sponsors of this amendment, Mr. Speaker, is if you really want to change the policy, then go run for the Senate. There you can attempt to resurrect the rotting corpse which is the comprehensive nuclear test ban treaty.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 19 OFFERED BY MR. GARAMENDI

The SPEAKER pro tempore. It is now in order to consider amendment No. 19 printed in part A of House Report 117–405.

Mr. GARAMENDI. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title XVI the following new subtitle:

Subtitle F—Ballistic Missiles

SEC. 1671. STATEMENT OF POLICY ON SERVICE LIFE OF MINUTEMAN III INTERCONTINENTAL BALLISTIC MISSILES AND PAUSE IN DEVELOPMENT OF THE SENTINEL PROGRAM (GROUND-BASED STRATEGIC DETERRENT PROGRAM).

It is the policy of the United States that—

(1) the operational life of the Minuteman III intercontinental ballistic missiles shall be safely extended until at least 2040; and

(2) the research, development, testing, and evaluation of the Sentinel program shall be paused until 2031.

SEC. 1672. PROHIBITION ON USE OF FUNDS FOR SENTINEL PROGRAM AND W87–1 WARHEAD MODIFICATION PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department or Defense or the National Nuclear Security Administration may be obligated or expended for the Sentinel program (including with respect to supporting infrastructure) or the W87–1 warhead modification program.

SEC. 1673. LIFE EXTENSION OF MINUTEMAN III INTERCONTINENTAL BALLISTIC MISSILES.

(a) LIFE EXTENSION PROGRAM.—Beginning not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall commence efforts for a life extension program of Minuteman III intercontinental ballistic missiles to extend the life of such missiles to 2040.

(b) ELEMENTS OF PROGRAM.—In carrying out the life extension program under subsection (a), the Secretary shall ensure the following:

(1) The program will incorporate new and necessary technologies that could also be incorporated in the future Sentinel program, including with respect to technologies that—

(A) increase the resilience against adversary missile defenses; and

(B) incorporate new nuclear command, control, and communications systems.

(2) The program will use nondestructive testing methods and technologies similar to the testing methods used by the Navy for Trident II D5 submarine launched ballistic missiles to reduce destructive testing.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am delighted by the last discussion, and I hope that whatever eloquence I might have would be useful in this regard because we are now debating some of the most important and profound issues that will ever come before this Congress, as it has in the past Congresses and in the future Congresses, and that is the role of nuclear weapons in our lives.

Mr. Speaker, we are involved in a new nuclear arms race, and this one is extremely expensive. But much more importantly, it is extremely dangerous because this arms race is designed to provide weapons delivery systems that are not observable and observation systems that are totally unreliable in a conflict—basically the satellite systems.

So this amendment deals with one part of the triad, and that is the ground-based missiles, some 400 or so, that are in silos in the northern Midwest. Those are the Minuteman III missiles. They are armed, they are ready, and the President, should there be an incident that would cause him to make a decision about launching those missiles, has something less than 15 minutes—probably less than 12 minutes—to make a decision to literally end life on this planet as we know it.

Those are the use-it-or-lose-it missiles, the Minuteman III.

We have the proposal underway—a no-bid contract worth about $125 billion over the next decade or so—to replace the current Minuteman III missiles and, quite possibly, the nuclear weapons that are on those missiles. We don't need to do that now. The Minuteman III missiles are viable for the next decade, almost the next two decades, if they are maintained.

The Air Force made a decision some years ago—about 7 years ago—to decide not to maintain them but rather to build a new missile system that was then called the GBSD ground-based secure system—it is now called the Sentinel—at a cost of about $125 billion in the next decade.

This amendment simply pauses the development of that missile system, calls for the refurbishment and maintenance of the current Minuteman III missiles for the next decade, and at that time a decision will be made by this Congress and future Congresses about what to do. It is simple.

There has been a lot of talk in the last hour or two about unfunded priorities or we ought to fund this and ought to fund that, I would suggest to you, Mr. Speaker, that we probably have somewhere in the range of $12 to $20 billion in the next couple of years and $120 billion in the next decade that we could easily spend on unfunded priorities or funded priorities.

So with that, I will pause, as I would hope that the ICBM would pause, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment would prohibit funding for the W–87–1 nuclear warhead and attempt to life extend the Minuteman ICBM. In practical terms, this amendment is a backdoor attempt to kill the U.S. ICBM program.

We have heard time and again from the U.S. Air Force, STRATCOM, and GAO that the Minuteman ICBM cannot be life extended. The parts simply don't exist, and we need this new capability.

This would also fly in the face of the decision made by President Biden in his nuclear posture review to continue retiring the Minuteman III and replacing it with Sentinel ICBM. This was the same decision President Trump and President Obama came to when they were reviewing this data.

Adopting this amendment would also send a terrible signal to our allies. Allies around the world rely on the protection provided by the U.S. nuclear umbrella which reduces the incentive for those nations to pursue nuclear programs of their own. Extending the nuclear guarantee underwrites the security of over 30 formal treaty allies including NATO, Japan, Australia, and South Korea. This amendment is akin to unilateral disarmament and would be a huge win for Russia and China.

Mr. Speaker, I urge Members to oppose this amendment, and I reserve the balance of my time.

Mr. GARAMENDI. Mr. Speaker, may I inquire as to my remaining time.

The SPEAKER pro tempore. The gentleman from California has 1½ minutes remaining.

Mr. GARAMENDI. Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I rise in strong opposition to this amendment. It is premised on an extremely false assertion that the Minuteman ICBMs can be safely extended, and this is simply not true.

The commander of U.S. Strategic Command, Admiral Richard, has said: ''Let me be very clear. You cannot extend the Minuteman III any longer.''

Between disappearing sources for parts and the overall decay of the 60-year-old Minuteman system, there is no room for error and for delay in extending anymore. The engineering designs for the Minuteman either don't exist or are six generations behind technologically from where we are today.

In recent reliability flight tests, the Minuteman III has not proven to be reliable. In 2021, the Air Force aborted a flight test before it even initiated because the missile unexpectedly turned itself off. In 2018, the Air Force destroyed an unarmed Minuteman III in the middle of the flight test over the Pacific because of a problem; and in 2011, the Air Force destroyed an unarmed Minuteman III just after test launch due to a malfunction. Mr. Speaker, this is what you would expect from an old and extremely unreliable system, and it is getting worse that way every year.

So I urge my colleagues to vote ''no'' on this amendment that would recklessly bet on an old system at the expense of a modern system that we urgently need for our continued deterrence.

Mr. GARAMENDI. Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 1½ minutes to the gentleman from Nebraska (Mr. BACON), who serves on the Armed Services Committee.

□ 1815

Mr. BACON. Mr. Speaker, I stand in strong opposition to this amendment and the extreme damage it would do to our national security. Need I mention that a nuclear-armed power just invaded its neighbor, a country that has modernized its ICBM force. Defunding the modernization of the land-based leg of our nuclear triad in this global environment should be unthinkable.

Here are the facts.

First, China is our pacing threat. It is on track to double its nuclear stockpile in the next decade, matching our ICBM force. At that rate, it may acquire the ability to strike all 400 US ICBM sites in one wave.

Meanwhile, Russia is rattling its already modernized nuclear saber to coerce the U.S. and our allies. Defunding the ICBM modernization at a time like this sends a terrible message to our adversaries and to our allies. To our allies, can they trust us with the nuclear umbrella when we have ICBMs that are 50 years old?

Secondly, our military leaders have stated there is zero margin left to delay modernization of this ground-based leg of our triad. The Minuteman III was built in the 1970s and had a designed lifespan of 10 years. Our airmen have worked miracles to sustain these weapons, but they have become far more expensive to maintain than to replace. The price tag for replacement is high, but it pales in comparison to a catastrophic consequence of failing in deterrence.

Finally, the ground-based leg of our triad has never been more important. New technology is likely to end the invulnerability of our stealthy nuclear submarines, while advanced air defenses and air-to-air missiles threaten our bombers' ability to strike.

ICBMs are always on alert. They are ready to strike anywhere, anytime. I recommend that we vote ''no'' on this amendment.

Mr. GARAMENDI. Mr. Speaker, I yield myself the balance of my time.

Let's deal with two things here. First, with regard to the ability of the Minuteman III to be serviceable for the next 17 years, in fact, it has to be for the GBSD or the Sentinel to be put in place.

All the Sentinels will not arrive on day one. They will arrive year by year, Sentinel by Sentinel, over the next 17 years. The Minuteman IIIs will be maintained for that period of time, so it is not true that they cannot be maintained. They, in fact, will be.

Secondly, are we talking about deterrence, or are we talking about dominance? Do we have to have more to deter, or do we have a good deterrence in the next decade with the Minuteman III, the submarines, the aircraft, and the bombers of many different designs?

The fact of the matter is we have sufficient deterrence. The question is, do we want to dominate simply with numbers? We don't need to do that to deter, and we do have other priorities that we need to spend money on, much of which was discussed here.

The issue for us, it seems to me, is should we delay, for a decade, the development and placement of the Minuteman III replacement—that is, the Sentinel. The answer is we have other things to do. We have other priorities, and we will be quite safe enough. We will quite have enough deterrence.

With regard to the 87–1, that is being delayed because it cannot be developed in the near term.

Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself the balance of my time.

I will say this for my good friend from California: He is persistent. I hope that this year he is not going to be successful, like he hasn't been in the past.

This amendment guts a decade and a half of consensus on nuclear modernization. It would appease foreign dictators and undermine our alliances. It is opposed by the Pentagon.

Mr. Speaker, I urge Members to vote ''no,'' and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 20 OFFERED BY MS. TLAIB

The SPEAKER pro tempore. It is now in order to consider amendment No. 20 printed in part A of House Report 117–405.

Ms. TLAIB. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1636.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from Michigan (Ms. TLAIB) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Ms. TLAIB. Mr. Speaker, first, I thank Chairman SMITH as well as Chair MCGOVERN and their staff and team for working with me on this critically important amendment and for their leadership, really, throughout this NDAA process.

I also thank Congresswoman JACOBS for cosponsoring this amendment with us in support of, again, this really important policy change.

With Russia's war in Ukraine, and serious tensions along NATO's eastern border and in the South China Sea, today's world is being redefined, Mr. Speaker, by escalating tensions between major nuclear powers.

We don't have to look back far in history to see that there is danger here. The Cold War was full of near misses and numerous crises that could have gotten out of control and ended in nuclear war.

We are now entering a period of dangerous nuclear competition. As such, we must remember one of the key lessons the Cold War taught us: That when it comes to nuclear, we must preserve the ability to promptly step back and clearly signal de-escalation when necessary.

Unfortunately, the current draft of the NDAA includes a provision that prohibits our country from doing just that. Specifically, this dangerous provision makes it impossible for our country to reduce the stockpile of ICBMs for any reason, with no exceptions.

The policy was created, Mr. Speaker, and implemented by lawmakers in promotion of companies who profit in the production of these weapons, not in the best interests of our national security priorities.

This shortsighted policy places serious and concerning restraints on the President, Congress, and the Department of Defense's ability to consider and modify the role of ICBMs in our national defense.

Preserving our ability to reduce our nuclear stockpiles proved key to reducing tensions and achieving peaceful solutions and planet-saving arms control agreements during the Cold War. Just as we have the ability to increase our nuclear defense in times of crisis, we must have the ability to reduce our nuclear forces when it is in our national interests.

To be clear, this amendment does not change the size of our nuclear forces. It merely allows for reasonable consideration and debate in the future.

As a mother of two, Mr. Speaker, who dreams of a world where my boys and many of the children around the world can lead lives free from the threat of fear and nuclear war, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in strong opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment would repeal what was unanimously inserted into the NDAA during this year's markup.

The underlying bill currently contains a floor of 400 deployed ICBMs. This is the minimum STRATCOM says it needs to deter both Russia and China. That is how we got that number, by trusting our military commanders.

China is building and filling ICBM fields at an unprecedented rate. Russia is deploying a new heavy Sarmat ICBM. Yet, we are taking time to debate whether the U.S. should maintain at least 400 ICBMs.

The debate is simple. If you support going lower than the number of ICBMs that STRATCOM says it needs to deter Russia and China, then you should support the Tlaib amendment. If you think that 400 is the right number, and you trust our military commanders in their assessment, then you should oppose the Tlaib amendment.

Mr. Speaker, I reserve the balance of my time.

Ms. TLAIB. Mr. Speaker, I yield myself such time as I may consume.

I would like to just make it very clear that this amendment does not change the size of our nuclear forces. This amendment gives our government more options to avoid a world-ending nuclear war. It is that simple.

Nuclear confrontation, Mr. Speaker, means the destruction of everything we hold dear, and it risks the end of the world. We need more options for those in power now to make those decisions and have that flexibility.

Mr. Speaker, I urge my colleagues to understand what is at stake, and I remind my colleagues again that it is important to be able to give Congress, the President of the United States, as well as the Department of Defense, the ability to de-escalate when necessary.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I rise in opposition to this amendment.

This could allow for the reduction of fielded or deployed ground-based nuclear missiles.

As Russia continues its invasion of Ukraine, and China engages in an ongoing, massive nuclear buildup, this is arguably the worst time to consider a weakening of our deterrence.

Keeping section 1636 in the bill maintains our deterrence in the face of escalating nuclear threats to our country, our allies, and our partners.

This amendment is even out of line with the Biden administration's Nuclear Posture Review and its emphasis on deterring nuclear attack. This would mark the beginning of a slippery slope toward unilaterally reducing our nuclear arsenal and weakening the state of our nuclear deterrence.

Congress and the Biden administration alike have rejected this concept. When it comes to our ground-based systems in particular, our deterrence is enhanced because Russia and China must consider these responsive capabilities we have as they posture their nuclear forces. Having our ground-based systems at the ready thus deters nuclear escalation and is stabilizing.

Mr. Speaker, I urge all Members to vote ''no'' on this amendment.

Ms. TLAIB. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore. The gentlewoman from Michigan has 1 minute remaining.

Ms. TLAIB. Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, nobody has really said that we need 400. It has never been said we need 400. Maybe we need 399. Maybe we need even less than that.

The fact of the matter is that we have adequate deterrence without any of these particularly very dangerous missiles because they have to be used immediately upon threat. In 12 minutes, the President has to make a decision.

Here is the point. We have more than enough deterrence. Now, if we want to have more than they have, that doesn't increase the deterrence. That just increases the cost of the number.

Ms. TLAIB. Mr. Speaker, it is important to understand that this amendment merely allows for reasonable consideration and a debate in the future in regard to our ICBMs. That is all we are asking here.

I think it is very important, again, for our future in allowing that debate and public transparency about that need.

Again, de-escalation in a time of crisis is important.

Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. JACKSON), an outstanding member of the Armed Services Committee.

Mr. JACKSON. Mr. Speaker, I thank Ranking Member ROGERS for the time.

Mr. Speaker, I rise in opposition to this amendment as it would irresponsibly cripple our nuclear deterrent.

As China, Russia, and Iran are rapidly advancing their military capability, the House Armed Services Committee has worked tirelessly to ensure that the U.S. military can compete and win in a future conflict.

We included an important prohibition on the reduction of ICBMs in this year's NDAA because military leadership has repeatedly told us that 400 is the bare minimum number of deployed

ICBMs needed to deter both Russia and China. This number wasn't pulled out of thin air; it was provided to us by STRATCOM.

However, the reality is that even the current fleet of 400 ICBMs is not enough. That is why this year's NDAA takes active steps to invest in modernization of our nuclear weapons, our skilled workforce, and the infrastructure at our facilities like Pantex in Amarillo.

We need to listen to our military leadership and provide these strategic investments to modernize our triad.

This amendment runs counter to our national security objectives. For these reasons, I urge everyone to oppose this far-left amendment. To unilaterally disarm the United States with this would be a travesty.

□ 1830

Mr. ROGERS of Alabama. Mr. Speaker, this amendment would repeal the statutory requirement to maintain at least 400 ICBMs. That would completely undermine our strategic deterrent. I urge all Members to oppose this amendment.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from Michigan (Ms. TLAIB).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 25 OFFERED BY MS. NORTON

The SPEAKER pro tempore. It is now in order to consider amendment No. 25 printed in part A of House Report 117–405.

Ms. NORTON. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E, insert the following:

TITLE LIX—DISTRICT OF COLUMBIA NATIONAL GUARD HOME RULE

SEC. 5901. SHORT TITLE.

This title may be cited as the ''District of Columbia National Guard Home Rule Act''.

SEC. 5902. EXTENSION OF NATIONAL GUARD AUTHORITIES TO MAYOR OF THE DISTRICT OF COLUMBIA.

(a) MAYOR AS COMMANDER-IN-CHIEF.—Section 6 of the Act entitled ''An Act to provide for the organization of the militia of the District of Columbia, and for other purposes'', approved March 1, 1889 (sec. 49–409, D.C. Official Code), is amended by striking ''President of the United States'' and inserting ''Mayor of the District of Columbia''.

(b) RESERVE CORPS.—Section 72 of such Act (sec. 49–407, D.C. Official Code) is amended by striking ''President of the United States'' each place it appears and inserting ''Mayor of the District of Columbia''.

(c) APPOINTMENT OF COMMISSIONED OFFICERS.—(1) Section 7(a) of such Act (sec. 49–301(a), D.C. Official Code) is amended—

(A) by striking ''President of the United States'' and inserting ''Mayor of the District of Columbia''; and

(B) by striking ''President.'' and inserting ''Mayor.''.

(2) Section 9 of such Act (sec. 49–304, D.C. Official Code) is amended by striking ''President'' and inserting ''Mayor of the District of Columbia''.

(3) Section 13 of such Act (sec. 49–305, D.C. Official Code) is amended by striking ''President of the United States'' and inserting ''Mayor of the District of Columbia''.

(4) Section 19 of such Act (sec. 49–311, D.C. Official Code) is amended—

(A) in subsection (a), by striking ''to the Secretary of the Army'' and all that follows through ''which board'' and inserting ''to a board of examination appointed by the Commanding General, which''; and

(B) in subsection (b), by striking ''the Secretary of the Army'' and all that follows through the period and inserting ''the Mayor of the District of Columbia, together with any recommendations of the Commanding General.''.

(5) Section 20 of such Act (sec. 49–312, D.C. Official Code) is amended—

(A) by striking ''President of the United States'' each place it appears and inserting ''Mayor of the District of Columbia''; and

(B) by striking ''the President may retire'' and inserting ''the Mayor may retire''.

(d) CALL FOR DUTY.—(1) Section 45 of such Act (sec. 49–103, D.C. Official Code) is amended by striking '', or for the United States Marshal'' and all that follows through ''shall thereupon order'' and inserting ''to order''.

(2) Section 46 of such Act (sec. 49–104, D.C. Official Code) is amended by striking ''the President'' and inserting ''the Mayor of the District of Columbia''.

(e) GENERAL COURTS MARTIAL.—Section 51 of such Act (sec. 49–503, D.C. Official Code) is amended by striking ''the President of the United States'' and inserting ''the Mayor of the District of Columbia''.

SEC. 5903. CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.

(a) FAILURE TO SATISFACTORILY PERFORM PRESCRIBED TRAINING.—Section 10148(b) of title 10, United States Code, is amended by striking ''the commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia''.

(b) APPOINTMENT OF CHIEF OF NATIONAL GUARD BUREAU.—Section 10502(a)(1) of such title is amended by striking ''the commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia''.

(c) VICE CHIEF OF NATIONAL GUARD BUREAU.—Section 10505(a)(1)(A) of such title is amended by striking ''the commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia''.

(d) OTHER SENIOR NATIONAL GUARD BUREAU OFFICERS.—Section 10506(a)(1) of such title is amended by striking ''the commanding general of the District of Columbia National Guard'' both places it appears and inserting ''the Mayor of the District of Columbia''.

(e) CONSENT FOR ACTIVE DUTY OR RELOCATION.—(1) Section 12301 of such title is amended—

(A) in subsection (b), by striking ''commanding general of the District of Columbia National Guard'' in the second sentence and inserting ''Mayor of the District of Columbia''; and

(B) in subsection (d), by striking the period at the end and inserting the following: '', or, in the case of the District of Columbia National Guard, the Mayor of the District of Columbia.''.

(2) Section 12406 of such title is amended by striking ''the commanding general of the National Guard of the District of Columbia'' and inserting ''the Mayor of the District of Columbia''.

(f) CONSENT FOR RELOCATION OF UNITS.—Section 18238 of such title is amended by striking ''the commanding general of the National Guard of the District of Columbia'' and inserting ''the Mayor of the District of Columbia''.

SEC. 5904. CONFORMING AMENDMENTS TO TITLE 32, UNITED STATES CODE.

(a) MAINTENANCE OF OTHER TROOPS.—Section 109(c) of title 32, United States Code, is amended by striking ''(or commanding general in the case of the District of Columbia)''.

(b) DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.—Section 112(h)(2) of such title is amended by striking ''the Commanding General of the National Guard of the District of Columbia'' and inserting ''the Mayor of the District of Columbia''.

(c) ADDITIONAL ASSISTANCE.—Section 113 of such title is amended by adding at the end the following new subsection:

''(e) INCLUSION OF DISTRICT OF COLUMBIA.—In this section, the term 'State' includes the District of Columbia.''.

(d) APPOINTMENT OF ADJUTANT GENERAL.—Section 314 of such title is amended—

(1) by striking subsection (b);

(2) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(3) in subsection (b) (as so redesignated), by striking ''the commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia,''.

(e) RELIEF FROM NATIONAL GUARD DUTY.—Section 325(a)(2)(B) of such title is amended by striking ''commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia''.

(f) AUTHORITY TO ORDER TO PERFORM ACTIVE GUARD AND RESERVE DUTY.—

(1) AUTHORITY.—Subsection (a) of section 328 of such title is amended by striking ''the commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia''.

(2) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 328. Active Guard and Reserve duty: authority of chief executive''.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 328 and inserting the following new item:

''328. Active Guard and Reserve duty: authority of chief executive.''.

(g) PERSONNEL MATTERS.—Section 505 of such title is amended by striking ''commanding general of the National Guard of the District of Columbia'' in the first sentence and inserting ''Mayor of the District of Columbia''.

(h) NATIONAL GUARD CHALLENGE PROGRAM.—Section 509 of such title is amended—

(1) in subsection (c)(1), by striking ''the commanding general of the District of Columbia National Guard, under which the Governor or the commanding general'' and inserting ''the Mayor of the District of Columbia, under which the Governor or the Mayor'';

(2) in subsection (g)(2), by striking ''the commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia'';

(3) in subsection (j), by striking ''the commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia''; and

(4) in subsection (k), by striking ''the commanding general of the District of Columbia National Guard'' and inserting ''the Mayor of the District of Columbia''.

(i) ISSUANCE OF SUPPLIES.—Section 702(a) of such title is amended by striking ''commanding general of the National Guard of the District of Columbia'' and inserting ''Mayor of the District of Columbia''.

(j) APPOINTMENT OF FISCAL OFFICER.—Section 708(a) of such title is amended by striking ''commanding general of the National Guard of the District of Columbia'' and inserting ''Mayor of the District of Columbia''.

SEC. 5905. CONFORMING AMENDMENT TO THE DISTRICT OF COLUMBIA HOME RULE ACT.

Section 602(b) of the District of Columbia Home Rule Act (sec. 1–206.02(b), D.C. Official Code) is amended by striking ''the National Guard of the District of Columbia,''.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from the District of Columbia (Ms. NORTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment would give the District of Columbia mayor control over the D.C. National Guard. Congresswoman CAROLYN B. MALONEY and Congressman ANTHONY BROWN are co-leads of this amendment.

The Governors of the States and territories control their National Guards, while the President controls the D.C. National Guard. This amendment would give the D.C. mayor the same control over the D.C. National Guard that the Governors of the States and territories have over their National Guards.

The President would have the same authority to federalize the D.C. National Guard that the President has to federalize the National Guards of the States and territories.

The attack on the U.S. Capitol on January 6, 2021, and the events at Lafayette Square on June 1, 2020, are prime examples of why the D.C. mayor should control the D.C. National Guard.

During January 6, the Trump administration delayed deploying the D.C. National Guard to the Capitol for several hours, likely costing lives and prolonging the attack.

At Lafayette Square, the Trump administration used the D.C. National Guard to forcibly remove peaceful protesters for a President photo op.

National Guards are generally deployed for natural disasters and civil disturbances. The D.C. mayor, who knows D.C. better than any Federal official, should be able to deploy the D.C. National Guard to protect D.C. residents.

In the event of a large-scale attack on a Federal facility in D.C., the D.C. mayor would almost certainly deploy the D.C. National Guard to protect the facility. However, in the unlikely event that the D.C. mayor did not do so, the President would have the authority to federalize and deploy the D.C. National Guard to do so.

This is no different from the division of authority today between a Governor and the President in the event of a large-scale attack on a Federal facility in a State or territory.

Moreover, Presidential control over the D.C. National Guard creates a loophole in the Posse Comitatus Act which limits the military's involvement in civil law enforcement.

The Department of Justice's Office of Legal Counsel has opined that when the D.C. National Guard is operating for non-Federal purposes, even though it is an exclusively Federal entity, it may be used for civilian law enforcement without violating Posse Comitatus.

I urge my colleagues to support this amendment which would be a historic advance in D.C. self-government and improve public safety in the Nation's Capitol.

Mr. Speaker, I reserve the balance of my time.

Mr. GALLAGHER. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. GALLAGHER. Mr. Speaker, I rise in strong opposition to this amendment. The amendment would inject the D.C. mayor into the Title 32 chain of command. As a result, the President would be required to ask for the consent of the mayor to employ the D.C. Guard for Federal missions.

Not only would this set a harmful precedent for command and control of the National Guard units below the level of a Governor, it would create a series of dilemmas in the event that the D.C. mayor and the President disagree on the deployment of the Guard.

For example, if the mayor declined to give consent, the President would have to order members of the D.C. Guard to active duty, request the consent of a Governor to deploy members of their Guard units to D.C., or deploy Active-Duty servicemembers to D.C.

All of these options would come with their own distinct tradeoffs and potential for delay in the event of a crisis. Giving the D.C. mayor authority over the National Guard would only delay response time and create new areas of friction that we don't need.

It is not hard to see why members of the Armed Services Committee rejected this amendment on a bipartisan basis during the markup last month, so I urge my colleagues to join me in opposing this amendment, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, the gentleman fails to understand that the deployment of the D.C. National Guard would have to take place no matter who controls the National Guard, whether the President or the mayor.

If the mayor controls the National Guard, she would have to deploy it. She would have to make sure the National Guard is ready to proceed. So the gentleman's objection would have no merit.

Mr. Speaker, I reserve the balance of my time.

Mr. GALLAGHER. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Speaker, I thank my colleague from Wisconsin for yielding time.

Mr. Speaker, I rise in very strong opposition to amendment No. 25 which would place the mayor of the District of Columbia in charge of the D.C. National Guard.

I can't believe this even has to be said, but the D.C. mayor is not the Governor of a State, and the District of Columbia, which houses our Federal Government, is not and should never become a State.

Under current law, the President of the United States, our Nation's commander in chief, is the authority over the D.C. National Guard and also appoints its commissioned officers.

The President has held that authority for more than two centuries since the inception of the D.C. National Guard under President Thomas Jefferson in 1802.

The President has delegated the authority to deploy the D.C. National Guard to the Secretary of Defense, who has further delegated that authority to the Secretary of the Army. These are Federal officials accountable to the President of the United States.

Under this amendment, the D.C. mayor, not the President, would be in charge of the D.C. National Guard, including deployments and appointing its commissioned officers, so the President would be stripped of his role entirely.

Think about it. Taking the authority from the President and giving it to a mayor. Never. That is completely unacceptable. The D.C. mayor must not have equal authorities as Governors of States and territories have over their National Guards because the D.C. mayor is not a Governor, and the District of Columbia is a Federal district, not a State or a territory.

In addition, the current mayor has previously attempted to use the D.C. National Guard for political purposes, calling for their withdrawal from the district during the summer riots of 2020, and seeking to significantly limit the D.C. National Guard's role to traffic control duties only prior to the January 6 riot at the U.S. Capitol. This further demonstrates that the D.C. mayor should play no role in the deployment of the D.C. National Guard troops.

Again, the District of Columbia is a Federal district and is not a State, and the Constitution directs that it should never be a State. The District of Columbia is a Federal district with substantial Federal concerns and facilities.

The President of the United States should control the D.C. National

Guard, not an office whose resident has already demonstrated a lack of judgment when it comes to the use of the D.C. National Guard.

Simply, the filing of this amendment is another example of why it is time to roll back home rule and return management of the city to Congress as stipulated by the Constitution.

Article I, Section 8 starts with: ''The Congress shall have power,'' and in clause 17, it states, ''To exercise exclusive legislation in all Cases whatsoever, over the District . . . '' That is our Constitution. That is what we abide by. I urge my colleagues to oppose this amendment.

Ms. NORTON. Mr. Speaker, I remind the gentleman that this House has twice passed the D.C. statehood bill, and that the bill that I have put before you will give the President the same authority to federalize the D.C. National Guard that the President has to federalize the National Guards of the States and territories, so it would pose no issue for deployment of the National Guard.

Mr. Speaker, I reserve the balance of my time.

Mr. GALLAGHER. Mr. Speaker, a few comments.

I mean, the fact that the House, in partisan fashion, has passed the D.C. statehood bill I think has no bearing on this because, of course, according to the Constitution, there is another Chamber that would have to weigh in for a bill to become a law.

Until such a time as that becomes a reality, this amendment makes no sense and puts that very big cart before the horse.

As my colleague from Georgia so eloquently reminded us, we should be in the business of adhering to the Constitution, not seeking to create end-runs around it.

Furthermore, the gentlewoman's earlier objection that we already have a process for a consultation, and, therefore, my objections aren't warranted, ignores the basic fact that with this amendment, we are setting a new precedent.

As the gentleman from Georgia clearly laid out, we are lowering the bar below the level of Governor and effectively giving a mayor the authorities that a Governor has right now.

That is not the same consultation process that exists at present. That is a new glitch in the matrix, one that should be avoided right now.

Mr. Speaker, I maintain my strong opposition to this amendment, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, nothing more than what we saw on January 6 educates us to why it is important for the mayor of the District of Columbia to have control of the National Guard.

That period during which the National Guard was held up because the mayor had no control accounted for much of the problems that we are still fighting that came out of January 6.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CLYDE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 29 OFFERED BY MS. SÁNCHEZ

The SPEAKER pro tempore. It is now in order to consider amendment No. 29 printed in part A of House Report 117–405.

Ms. SÁNCHEZ. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle J of title V, add the following:

SEC. ___. REPORT ON THE SPREAD OF MALIGN DISINFORMATION.

(a) REPORT.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall develop a report that—

(1) evaluates the spread of malign disinformation within the military ranks;

(2) identifies how the Department of Defense and the Department of Veterans Affairs are working to mitigate the spread and impact of malign disinformation;

(3) identifies how the Transition Assistance Program uses malign disinformation risk in providing resources to, and engaging with, veterans; and

(4) evaluates the spread of malign disinformation among veteran communities, identifies the resources necessary to mitigate such spread of malign disinformation, and includes a strategy to address such spread of malign disinformation.

(b) AVAILABILITY.—The Secretary of Defense shall—

(1) not later than 60 days after the date of enactment of this section, submit the report developed under subsection (a) to the Committees on Armed Services and Veterans' Affairs of the House of Representatives and the Committees on Armed Services and Veterans' Affairs of the Senate; and

(2) not later than 30 days after the report is submitted under paragraph (1), make such report available online.

(c) MALIGN DISINFORMATION.—In this section, the term ''malign disinformation'' includes any disinformation that—

(1) aims to recruit members of the Armed Forces or veterans to carry out extremist activities;

(2) is harmful to good order and discipline; or

(3) is related to extremist activities or vaccination.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from California (Ms. SÁNCHEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. SÁNCHEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of my amendment which would require the Department of Defense and the VA take steps to investigate and mitigate the spread of disinformation within their ranks.

Bad actors are taking advantage of new technologies to effectively manipulate the public, spreading false information faster and further than ever before. Extremists are trying to blur the line between fact and fiction, which undermines confidence in reliable sources of information. The result is more polarization and less trust in our government.

This ultimately makes it easier for violent groups to recruit individuals, including servicemembers and veterans, to their causes.

We saw the devastating effects of disinformation in this very Chamber on January 6 of 2021. I will never forget sitting on the floor of my office in the dark, a baseball bat in my hand, hoping that I would live to see my son grow up.

Insurrectionists, motivated by disinformation, stormed the heart of American democracy. Over 80 of those charged in relation to January 6 had some form of military service.

America's military is not immune to the rising tide of extremism, nor is it immune to disinformation and conspiracy theories. Experts have shown that extremist groups target active military and veterans for recruitment.

We must act before it is too late. We must remain vigilant to the weaponization of disinformation that aims to polarize our society, create division, and damage trust in our institutions.

If left unchecked, the reckless spread of disinformation poses an existential threat to our democracy. I urge all my colleagues to support this amendment and the underlying package.

Mr. Speaker, I reserve the balance of my time.

□ 1845

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment offers vague language about how the DOD and VA should plan to address the spread of so-called disinformation in DOD and veteran communities.

It defines ''malign disinformation'' to include anything harmful to the good order and discipline or related to vaccinations.

Supporters of this amendment should think long and hard about what behavior they envision being investigated and criminalized in this report.

Implying that all who question or all who disagree with COVID vaccinations are somehow the victims of disinformation is also an absurd view

of reality. I find it insulting to our servicemembers and veterans.

This body should not support any language that endorses mass censorship campaigns based on political beliefs or loose concepts.

Mr. Speaker, I urge Members to oppose the amendment, and I reserve the balance of my time.

Ms. SÁNCHEZ. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. BEYER), my colleague on the Ways and Means Committee.

Mr. BEYER. Mr. Speaker, I am proud to support Ms. SÁNCHEZ' amendment on malign disinformation spread within the Department of Defense and the VA.

Within the military, a 2019 Military Times survey found that 36 percent of Active-Duty servicemembers have personally witnessed white nationalism or ideology-driven racism within recent months, a 12 percent year-over-year increase.

This is not about vaccinations. This is about extremism, and specifically about racism. Witnessing extremist views is more common among enlisted members than among officers, and a majority of minority servicemembers, 53 percent, reported some experience with extremist ideology in the military.

We know this ideology is fomented through mis- and disinformation. Our enlisted people need to be ready to work as a unit with very diverse peers, and our military needs to able to engage globally at all times. That means we need to have a view of the world based in reality, not disinformation.

This is even more paramount when we know that Russia intentionally engages in disinformation to sabotage our country and our troops.

We can't let our troops be susceptible. I can't think of a more important effort to help our troop readiness.

Mr. Speaker, I urge my colleagues to vote ''yes.''

Mr. ROGERS of Alabama. Mr. Speaker, I reserve the balance of my time.

Ms. SÁNCHEZ. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, this amendment is simple. It simply asks for a report evaluating the spread of disinformation within the military ranks and how that can be mitigated.

Respecting our troops and our veterans means protecting them from exploitation and from manipulation by bad actors such as Russian trolls.

Disinformation and propaganda not only create divisions in our society, they exploit vulnerabilities that already exist. This is a direct threat to our national security because it undermines trust and confidence within the ranks.

We must do more to reach out to all members of society, especially those who are most vulnerable to propaganda. Defending our democracy and bolstering our societal resilience requires it.

Mr. Speaker, I urge all my colleagues to support this amendment and the underlying package.

In the face of what we have seen, the problems that disinformation and misinformation can cause, those who choose to willfully ignore it and not prepare for it are contributing to the potential violence.

Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment is Orwellian and insulting to servicemembers. I urge all Members to oppose it.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from California (Ms. SÁNCHEZ).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 31 OFFERED BY MR. SCHNEIDER

The SPEAKER pro tempore. It is now in order to consider amendment No. 31 printed in part A of House Report 117–405.

Mr. SCHNEIDER. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1348, insert after line 23 the following (and conform the table of contents accordingly):

SEC. 5806. INTERAGENCY REPORT ON EXTREMIST ACTIVITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and every 6 months thereafter, the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Secretary of Defense shall publish a report that analyzes and sets out strategies to combat White supremacist and neo-Nazi activity in the uniformed services and Federal law enforcement agencies.

(b) REPORT.—

(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Secretary of Defense shall submit a joint report detailing Executive-wide plans described in subsection (a) that includes—

(A) the number of individuals discharged from the uniformed services due to incidents related to White supremacy and neo-Nazi activity;

(B) for each instance included in the total number in subparagraph (A), a description of the circumstances that led to the separation of servicemembers from the uniformed services due to White supremacy and neo-Nazi activity;

(C) the number of Federal law enforcement officers separated from federal agencies due to incidents related to White supremacy or neo-Nazi activity;

(D) for each instance included in the total number in subparagraph (C), a description of the circumstances that led to the separation of Federal law enforcement officers from federal agencies due to White supremacy and neo-Nazi activity;

(E) the response of the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Secretary of Defense to planned or effectuated incidents that have a nexus to White supremacist and neo-Nazi ideology involving those described in subparagraphs (B) and (D); and

(F) specific plans to address such incidents described in this subsection within uniformed services and Federal law enforcement agencies

(2) TRANSMISSION.—The Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Secretary of Defense shall transmit each report described in paragraph (1) to—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on the Judiciary of the House of Representatives;

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Permanent Select Committee on Intelligence of the House of Representatives; and

(H) the Committee on Armed Services of the House of Representatives.

(3) CLASSIFICATION AND PUBLIC RELEASE.—The report submitted under paragraph (1) shall be—

(A) submitted in unclassified form, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of the report, posted on the public website of the Department of Defense, the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Illinois (Mr. SCHNEIDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHNEIDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in September of 2020, FBI Director Christopher Wray, while testifying to Congress, stated that the greatest threat to the homeland were lone actors radicalized online. He went on to talk about domestic violent extremists, homegrown violent extremists, and racially motivated violent extremists.

The fact of the matter is that in our Nation, we are seeing an increase in extremism and the threat of domestic violence extremism across the country. From Charlottesville to the shooting at the Tree of Life synagogue, we are seeing this increase in our communities. No community is free from it, and no segment of our society is immune from the threat.

In May of this year, in an unclassified presentation by the Defense Counterintelligence and Security Agency titled ''Insider Threat and Extremist Activity Within the DOD,'' they laid out a very clear presentation defining what is domestic violence extremism, laying

out the stages of development, and highlighting seven cases of extremism in Active-Duty and former military servicemembers. They went on to describe for commanders steps they could take in prevention and reporting: alertness, early intervention, communication.

My amendment would require the Department of Defense, the FBI, and the Department of Homeland Security to report on extremism or threats of extremism within our military or within our uniformed services. Threats of neo-Nazi, white supremacist activity, or any other extremist activity that could be a threat not just within the services but including servicemembers separated from the service or Federal law enforcement, whether it is due to white supremacist or neo-Nazi incidents. The amendment requires the agencies to develop a plan to prevent those incidents in the future.

Such behavior, such extremism is a threat to us in all segments of society. There is no reason to believe that our military is any different. These are exceptions. They are rare. But we must do everything we can to identify them and to thwart them before risks become reality.

Mr. Speaker, I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. BIGGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment attempts to create a problem where none exists by requiring investigations into law enforcement and the armed services for alleged rampant white supremacist or white nationalist sympathies.

Proponents suggest that there are instances in which members of the armed services have shown sympathies toward white supremacist or white nationalist groups. However, as these same proponents know all too well, the various branches of the military have addressed the Democrat-offered examples of extremism.

This amendment denigrates our men and women in the service. It is Orwellian in nature.

Mr. Speaker, I reserve the balance of my time.

Mr. SCHNEIDER. Mr. Speaker, I yield myself such time as I may consume.

This amendment in no way denigrates the many fine, overwhelming in number, vast, vast majority of fine people who serve in our military and uniformed services.

But the fact is, we have had incidents, and this is, again, from that report I mentioned earlier: a mass casualty attack, a uniformed officer killing fellow soldiers, threats against religious communities, threats against media and government communications, and bomb-making instructions, material support to terrorists.

These are not made-up examples. They are real examples. They are exceptional. They are exceedingly rare, but it is incredibly important, critically important that we identify these threats before they become incidents, before lives are lost.

We need to make sure we are getting this information and taking the appropriate action. It is something we can do together. I hope we can do it in a bipartisan way.

Mr. Speaker, I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in fact, every member of the military who showed an interest or actual participation in a white supremacist or white nationalist group has faced discipline. The relevant branch either demoted the individual, discharged them, or otherwise disciplined the sympathizer.

Further, the armed services have taken steps to address these concerns going all the way back to the 1980s.

At a time when it is difficult to recruit military and law enforcement, Democrats should not be maligning their integrity by implying they are overrun with white supremacists and neo-Nazis. In fact, we have recently lost tens of thousands forced out of military service due to the vaccine mandate. We are way below in our recruiting levels.

This type of malignancy, this type of imputation of bad conduct in a generic form, in a generalized form because that is what this amendment does, actually will make it harder to recruit.

Mr. Speaker, I urge the defeat of this amendment, and I reserve the balance of my time.

Mr. SCHNEIDER. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I have the privilege of representing Naval Station Great Lakes. Every single recruit to the Navy—whether they enlist in California, in the Carolinas, or even from overseas—comes to Naval Station Great Lakes for basic training.

I have had the privilege of speaking to them at their graduation from boot camp. I see the exceptional character of all the people who go through. The men and women who put on the uniform to defend our Nation are the best our Nation has to offer. I am exceedingly proud of them.

The presence of even one person embracing extremism, embracing racism, embracing hatred denigrates our entire military forces. Our forces represent us as a Nation and, again, they are the best we have to offer.

This amendment doesn't denigrate but celebrates our Armed Forces by asking our Armed Forces and uniformed services to report to Congress. It looks to us as Representatives to do our job in oversight, making sure they have the resources they need to ensure that everyone in our military represents the best values we have as Americans.

This is not a denigration; it is a celebration. It is an important amendment. I urge all my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. BIGGS. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, when you begin to study in a broad basis, very broad implications take place. The urging that an analysis be done regarding white supremacist and neo-Nazi activity in our uniformed services and Federal law enforcement agencies imputes and implies that it is present in a widespread fashion. That then denigrates those offices.

If we are going to say we think that they are the best that this country has to offer, let's treat them like they are the best this country has to offer. When there have been problems, these services have addressed it. We don't need this superfluous, denigrating study.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Illinois (Mr. SCHNEIDER).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BIGGS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

□ 1900

AMENDMENT NO. 32 OFFERED BY MISS RICE OF NEW YORK

The SPEAKER pro tempore. It is now in order to consider amendment No. 32 printed in part A of House Report 117–405.

Miss RICE of New York. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title LVIII of division E the following:

SEC. _____. REPORTING ON PREVIOUS FEDERAL BUREAU OF INVESTIGATION AND DEPARTMENT OF HOMELAND SECURITY REQUIREMENTS.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation and the Secretary of Homeland Security, in consultation with the Office of the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the processes needed to regularly report to Congress on domestic terrorism threats pursuant to Section 5602 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92).

(b) DATA LIMITATIONS.—In the event that data internal to the Federal Bureau of Investigation and Department of Homeland Security on completed or attempted acts of domestic terrorism from January 1, 2009, to December 31, 2014 is incomplete or inconsistent,

the Director of the Federal Bureau of Investigation and the Secretary of Homeland Security shall engage with State, local, Tribal, and territorial partners, academic institutions, non-profit organizations, and the private sector with expertise in domestic terrorism threats and acts to provide the most accurate and consistent information for the report required under subsection (a).

(c) GAO REPORT.— Not later than 180 days after the date of the enactment of this Act, the Government Accountability Office shall produce a report providing a full review of the Federal Bureau of Investigation's, the Secretary of Homeland Security's, and the Office of the Director of National Intelligence's compliance with domestic terrorism transparency mechanisms required by Federal law, including the National Defense Authorization Act for Fiscal Year 2020.

(d) DEFINITIONS.—In this section, the ter ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Select Committee on Intelligence of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Permanent Select Committee on Intelligence of the House of Representatives.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from New York (Miss RICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of my amendment, which will ensure the Department of Homeland Security and the Federal Bureau of Investigation are able to comply with statutory requirements to report to Congress on the domestic terror threat.

In response to the ongoing threat of domestic violent extremism, Section 5602 of the fiscal year 2020 NDAA, which passed this House in 2019 and was signed into law by President Trump, mandated that the DHS and the FBI issue an annual report to Congress with a strategic intelligence assessment of domestic terrorism in the United States.

This report is required to include information on domestic extremist incidents, investigations, and prosecutions, as well as an assessment of how law enforcement intelligence, personnel, and resources are deployed to meet the domestic terror threat.

This is essential information for Congress as we continue our work to understand and counter domestic terror and the threat it poses to our democracy and the rule of law.

Unfortunately, the DHS and the FBI have struggled to comply with this mandate in a timely and sufficient manner. The first Strategic Intelligence Assessment and Data on Domestic Terrorism report was 10 months late, and it included incomplete and insufficient information that failed to meet the content requirements laid out in the law.

A second annual report has not yet been released, though it is well past its due date.

My amendment is very simple. It gives the DHS and the FBI the opportunity to report to Congress on what processes or resources they need to comply with this reporting requirement. If they need more resources, better data, or anything else, we, in Congress, can give it to them. But these reports are too important to our work for us not to receive them in a timely and complete manner.

I urge support for this commonsense amendment to ensure that we give our agencies the tools they need to give us the best intelligence and information.

Mr. Speaker, I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Arizona is recognized.

Mr. BIGGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, taking cues from President Biden and Attorney General Garland, this amendment is just another attempt by Democrats to shamelessly politicize domestic terrorism.

In a memorandum dated October 4, 2021, Attorney General Garland directed the FBI and all U.S. Attorneys' Offices to address the ''disturbing spike in harassment, intimidation, and threats of violence'' at school board meetings.

Although the Attorney General's memorandum did not specifically mention ''domestic terrorism,'' the Justice Department's press release accompanying the memorandum noted involvement of the National Security Division.

A whistleblower alerted the Judiciary Committee that the FBI's Counterterrorism Division has been responsible for implementing the Attorney General's directive and that the FBI had created a unique ''threat tag'' to track investigations against parents.

We know from other whistleblowers that the FBI has opened dozens of investigations into parents as a result of Attorney General Garland's memorandum, including one into a mother who was merely part of a group called ''Moms for Liberty.''

The Attorney General's memorandum was the product of a letter from the National School Board Association to President Biden. That letter triggered the Attorney General's memorandum which equated parents with domestic terrorists and urged the Biden administration to use Federal authorities, including the PATRIOT Act, to target parents who happen to show up at school boards. That is how loosy-goosey the term ''domestic terrorism'' is. It is not defined anywhere. It is fluid.

We know from publicly available information that the Biden White House knew the NSBA would encourage the use of the PATRIOT Act and never pushed back. Instead, President Biden called up the head of the NSBA and invited her to the Oval Office. That is just one reason to oppose this amendment.

Mr. Speaker, I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I am ready to close, and I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I yield myself the balance of my time for closing.

The Justice Department is not alone in abusing domestic terrorism powers. On February 7, 2022, the DHS issued a National Terrorism Advisory Bulletin warning that the United States remains in heightened threat and citing so-called ''mis-, dis-, and mal-information'' as a source of the increased threat environment.

Does that sound like they have got that nailed down in how it is defined?

According to DHS, the purpose of allegedly misleading narratives and conspiracy theories is to increase societal friction and undermine public trust in governmental institutions. It cited two examples: ''Online proliferation of false or misleading narratives regarding unsubstantiated widespread election fraud and COVID–19.'' That used to be called free speech.

Although DHS has admitted that ''conditions underlying the heightened threat landscape have not significantly changed over the last year,'' it cited ''the proliferation of false or misleading narratives, which sow discord or undermine public trust in U.S. Government institutions'' as one factor for why the threat environment remains elevated.

The bulletin itself is further evidence of how the Biden administration has used existing counterterrorism resources as a tool to target and silence citizens who disagree with government actions. If you have a heterodox point of view from the Biden left-stream orthodoxy, they consider you a domestic terrorist. We should not be further enabling these actions.

Mr. Speaker, I urge a ''no'' vote on this amendment, and I yield back the balance of my time.

Miss RICE of New York. Mr. Speaker, I urge a ''yes'' vote on my amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from New York (Miss RICE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BIGGS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 33 OFFERED BY MR. AGUILAR

The SPEAKER pro tempore. It is now in order to consider amendment No. 33 printed in part A of House Report 117–405.

Mr. AGUILAR. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title V, insert the following:

SEC. 5___. IMPLEMENTATION OF CERTAIN RECOMMENDATIONS REGARDING SCREENING INDIVIDUALS WHO SEEK TO ENLIST IN THE ARMED FORCES AND COUNTERING EXTREMIST ACTIVITY IN THE DEPARTMENT OF DEFENSE.

(a) ENLISTMENT SCREENING.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall implement the seven recommendations of the Under Secretary of Defense for Personnel and Readiness on page 2 of the report titled ''Screening Individuals Who Seek to Enlist in the Armed Forces'', submitted to the Committees on Armed Services of the Senate and House of Representatives on October 14, 2020.

(b) COUNTERING EXTREMISM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall implement six recommendations of the Countering Extremist Activity Working Group on pages 15 through 18 on the report entitled ''Report on Countering Extremist Activity Within the Department of Defense'' published in December 2021.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from California (Mr. AGUILAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. AGUILAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to offer this amendment. In the fiscal year 2020 NDAA, I first requested a study from the Department of Defense on how the Department can best screen and prevent extremists from enlisting in our military using existing FBI and DOJ resources.

The resulting report, published in October of 2020, found that white nationalists and domestic extremists target servicemembers as ''prized recruits,'' their words, for their groups, and shared accounts of servicemembers with active ties to these organizations.

The report also included a list of seven recommendations on steps the Department can take to prevent domestic extremists from enlisting in the military.

Under the leadership of Secretary Austin, the Department has taken additional steps to combat extremism in the military. This included a 60-day stand-down and the creation of the Countering Extremist Activity Working Group to better understand the threat and offer six additional recommendations.

My amendment supports the Department's efforts to counter domestic extremism. It simply requests a formal update from the Department on the steps it has taken to complete the recommendations from the October 2020 report, and it directs the Department to complete the recommendations from the December 2021 report within 6 months of enactment of this bill.

This bill does not impose new requirements on the Department but ensures Congressional oversight of tackling the critical issue for our national security.

Mr. Speaker, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment lays the groundwork for massive new monitoring programs in the name of preventing extremism.

The amendment would implement verbatim the recommendations of DOD bureaucrats and political appointees who wrote the two reports.

These reports, which are shoddy and devoid of actual data, recommend massive expansions of so-called vetting of DOD civilians and servicemembers.

These recommendations, if implemented, lay the groundwork for new social media and online activity monitoring, new screening questions about group and political affiliations, and so-called behavioral analysis.

The amendment is so poorly drafted that it may require DOD to share information about extremist activity in the DOD with foreign countries. It doesn't prohibit the sharing of servicemember information or include any mention of privacy protections. We can't even say for sure what the amendment will do.

It asks the DOD to pick six recommendations from a list of 27 policy ideas. There is a reason we don't implement departmental reports as law without due consideration. The options range from updating a PowerPoint to collecting servicemembers' social media data to extremism databases.

Mr. Speaker, this amendment is an abdication of legislative responsibility and will likely lead to massive civil liberty infringements at the DOD. I strongly urge its rejection, and I reserve the balance of my time.

Mr. AGUILAR. Mr. Speaker, I yield myself the balance of my time for closing.

Mr. Speaker, this bill does not impose new regulations. These are existing tools that the FBI and the DOD already use.

What this bill seeks to do—this is about protecting the integrity of our Armed Forces and making sure that extremists don't become enlisted individuals.

This is about protecting the service. I appreciate the ranking member's comments, but this is about ensuring accountability. This is about ensuring congressional oversight, ensuring that we protect and prepare the individuals who are entrusted to serve this country.

As a coequal branch, it is important for Congress to remain informed on the Department's actions, and this is not a unique step to conduct this type of oversight.

Mr. Speaker, I would urge an ''aye'' vote, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I oppose the amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from California (Mr. AGUILAR).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BIGGS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 48 OFFERED BY MRS. TORRES OF CALIFORNIA

The SPEAKER pro tempore. It is now in order to consider amendment No. 48 printed in part A of House Report 117–405.

Mrs. TORRES of California. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle B of title XIII the following:

SEC. 13___. REPORTS AND CERTIFICATIONS REGARDING TRAINING AND EQUIPMENT PROVIDED TO THE NATIONAL SECURITY FORCES OF CERTAIN RECIPIENT COUNTRIES.

Section 333 of title 10, United States Code, is amended—

(1) in subsection (f), by adding at the end the following new paragraph:

''(4) The final quarterly report of every fiscal year shall be accompanied by a public annex, made available on the internet, detailing, for each recipient country, the following:

''(A) The amount of funds allocated, obligated, and disbursed for programs under subsection (a).

''(B) The amount of each of such categories of funds dedicated to training, provision of equipment, and other services.

''(C) The number of personnel trained, and the identities of recipient units with more than 50 trainees (or other appropriate number).

''(D) Equipment transferred with a unit value in excess of $500,000.''; and

(2) by adding at the end the following new subsection:

''(h) CERTIFICATION.—Prior to the obligation of funds to Guatemala, El Salvador, or Honduras pursuant to this section, the Secretary of State, in coordination with the Secretary of Defense, shall certify to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate that the Governments of Guatemala, El Salvador, and

Honduras are credibly investigating and prosecuting members of the military implicated in human rights violations.''.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from California (Mrs. TORRES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. TORRES of California. Mr. Speaker, I rise today in support of my amendment to have transparency and accountability over American taxpayer money sent abroad.

I am proud to be supported by Chairman CASTRO and Chairman SIRES of the House Foreign Affairs Committee, as well as Representatives ESCOBAR, VARGAS, JACOBS, MALINOWSKI, and LEVIN.

Support from members on both the Armed Services and the Foreign Affairs Committees is a reminder that our national security relies on both the State and Defense Departments.

This amendment provides additional oversight over Section 333 funding in the Northern Triangle region of Central America. Section 333 gives the Department of Defense authority to conduct or support programs providing training and equipment to the national security forces of foreign countries.

□ 1915

Unfortunately, we have seen numerous instances of abuse and misuse of defense equipment provided to foreign governments, particularly in Central America.

This includes using U.S.-provided equipment to repress local people and perpetuate human rights violations. In some instances, U.S. materials have been used against our own U.S. personnel in the area.

Let me be clear, U.S.-funded equipment in the Northern Triangle region of Central America has been used by foreign government units against our U.S. personnel working in the region.

Sadly, we can't brush off these disturbing instances as being far in the past. These problems continue to happen.

This year, we have seen civil society actors, journalists, and independent prosecutors and judges under attack in both El Salvador and Guatemala. In just the last few months, the President of El Salvador declared a state of exception that bypasses citizens' rights and exempts security funding from regular oversight.

In Guatemala, we have seen a concerted effort to stamp out the independent judiciary, with those who dare to speak truth to power threatened, put in jail, or forced to flee in fear of their lives.

The Northern Triangle region is at a pivotal moment, and the United States must support efforts to build stable and prosperous communities to contribute to a more stable hemisphere and address the real causes of migration.

To that end, this amendment would require public disclosure of our section 333 aid to the Northern Triangle region to create greater transparency of how and when we support these governments.

This amendment, Mr. Speaker, would also require the Secretary of State, in coordination with the Secretary of Defense, to certify to Congress that the governments of Guatemala, El Salvador, and Honduras are credibly investigating and prosecuting their members of the military implicated in human rights violations before sending additional section 333 funding to those organizations.

To my Republican colleagues, I want to clarify that this amendment does not end section 333 assistance. It does not tell the Department who it can partner with. It simply says the governments need to be taking steps to investigate members of their military who have been credibly accused of human rights violations, and Congress needs insight into these efforts.

The American taxpayer and the communities of the Northern Triangle deserve dignity and accountability. Many here know my strategy for Guatemala, El Salvador, and Honduras: to hold the corrupt, undemocratic actors who are working against our interests accountable; to help those fighting for accountability, fairness, and democracy in the region; and to ensure that our assistance reaches the people it is intended to help.

This amendment will help us do just that, and I urge a ''yes'' vote on this amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment makes unnecessary changes to section 333 security cooperation reporting requirements and places needless certification on programs within the Northern Triangle.

The additional reporting requirements are overly burdensome. Furthermore, requiring additional certification for Northern Triangle countries is entirely misplaced and not something done for any other group of countries for security cooperation programs.

It is critically important to maintain, not turn our backs on, partners in the SOUTHCOM region. Turning our backs on partners only creates a vacuum for China and Russia to create a greater foothold in the region.

Mr. Speaker, I urge all Members to oppose this amendment, and I reserve the balance of my time.

Mrs. TORRES of California. Mr. Speaker, this certification process does not end section 333 funding to the Northern Triangle. It simply brings accountability and transparency on how U.S. equipment is being used in the region.

Mr. Speaker, I request a ''yes'' vote, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. KIM).

Mrs. KIM of California. Mr. Speaker, this amendment would negatively impact our ability to address the profound security conditions in Central America's Northern Triangle countries.

As we know, El Salvador, Guatemala, and Honduras are leading source countries of illegal immigration to the United States. Under this administration, the migration crisis at the U.S. southern border has reached the highest levels in recorded history.

U.S. Customs and Border Protection are overworked, underfunded, and demoralized. They also lack the tools and resources to address America's growing fentanyl crisis, now the leading cause of death for Americans 18 through 45. Border agents are outmaneuvered by well-resourced criminal groups and human traffickers who exploit the security conditions in the region.

In addition to needing effective border enforcement to address this crisis, we also need a comprehensive approach to the root causes of migration.

This amendment would diminish the Department of Defense's ability to contribute to those efforts. This amendment would also undermine what it seeks to achieve by impeding existing defense cooperation programs grounded in promoting and improving human rights standards.

It is also duplicative. It is wasteful, as extensive vetting on recipient forces is already extensively conducted.

In addition, much like the cuts in 2018, any additional suspensions of assistance to the Northern Triangle will worsen the security situation.

Mr. ROGERS of Alabama. Mr. Speaker, this amendment weakens our partnerships in the SOUTHCOM region and helps China to continue their malign efforts.

Mr. Speaker, I urge rejection of this amendment and a ''no'' vote, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from California (Mrs. TORRES).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 7900 is postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules and pass:

H.R. 7174; and

H.R. 5274;

Passage of H.R. 6538;

The motion to commit S. 3373;

Passage of S. 3373, if ordered; and

The following amendments to H.R. 7900: 1, 2, 3, 4, 8, 12, 13, 14, 15, 16, 18, 19, 20, 25, 29, 31, and 32.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5 minutes votes.

NATIONAL COMPUTER FORENSICS INSTITUTE REAUTHORIZATION ACT OF 2022

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 7174) to amend the Homeland Security Act of 2002 to reauthorize the National Computer Forensics Institute of the United States Secret Service, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SWALWELL) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 410, nays 16, not voting 4, as follows:

[Roll No. 305]

YEAS—410

Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Auchincloss
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bentz
Bera
Bergman
Beyer
Bice (OK)
Bilirakis
Bishop (GA)
Bishop (NC)
Blumenauer
Blunt Rochester
Bonamici
Bost
Bourdeaux
Bowman
Boyle, Brendan F.
Brady
Brooks
Brown (MD)
Brown (OH)
Brownley
Buchanan
Bucshon
Burchett
Burgess
Bush
Bustos
Butterfield
Calvert
Cammack
Carbajal
Cárdenas
Carey
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cawthorn
Chabot
Cheney
Cherfilus-McCormick
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Cline
Cloud
Clyburn
Clyde
Cohen
Cole
Comer
Connolly
Conway
Cooper
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Curtis
Davids (KS)
Davidson
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Donalds
Doyle, Michael F.
Duncan
Dunn
Ellzey
Emmer
Eshoo
Espaillat
Estes
Evans
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Flood
Flores
Foster
Foxx
Frankel, Lois
Franklin, C. Scott
Gaetz
Gallagher
Gallego
Garamendi
Garbarino
Garcia (CA)
García (IL)
Garcia (TX)
Gibbs
Gimenez
Golden
Gomez
Gonzales, Tony
Gonzalez (OH)
Gonzalez, Vicente
Good (VA)
Gooden (TX)
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Harder (CA)
Harris
Harshbarger
Hartzler
Hayes
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill
Himes
Hinson
Hollingsworth
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Issa
Jackson Lee
Jacobs (CA)
Jacobs (NY)
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jones
Jordan
Joyce (OH)
Joyce (PA)
Kahele
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Khanna
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Kustoff
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Lesko
Letlow
Levin (CA)
Levin (MI)
Lieu
Lofgren
Long
Loudermilk
Lowenthal
Lucas
Luetkemeyer
Luria
Lynch
Mace
Malinowski
Malliotakis
Maloney, Carolyn B.
Maloney, Sean
Mann
Manning
Mast
Matsui
McBath
McCarthy
McCaul
McClain
McClintock
McCollum
McEachin
McGovern
McKinley
McNerney
Meeks
Meijer
Meng
Meuser
Mfume
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moore (WI)
Morelle
Moulton
Mrvan
Mullin
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newhouse
Newman
Norcross
O'Halleran
Obernolte
Ocasio-Cortez
Omar
Owens
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Peters
Pfluger
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Reschenthaler
Rice (NY)
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Ross
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Salazar
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spartz
Speier
Stansbury
Stanton
Stauber
Steel
Stefanik
Steil
Steube
Stevens
Stewart
Strickland
Suozzi
Swalwell
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiffany
Timmons
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Upton
Valadao
Van Drew
Van Duyne
Vargas
Veasey
Velázquez
Wagner
Walberg
Walorski
Waltz
Wasserman Schultz
Waters
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams (GA)
Williams (TX)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Zeldin

NAYS—16

Biggs
Boebert
Buck
Budd
Fulcher
Gohmert
Gosar
Greene (GA)
Jackson
Massie
Miller (IL)
Nehls
Norman
Perry
Rosendale
Roy

NOT VOTING—4

Deutch
Escobar
Kinzinger
McHenry

□ 1956

Mr. NEHLS changed his vote from ''yea'' to ''nay.''

Messrs. MULLIN and DUNCAN changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Barragán (Correa)
Beatty (Carter (LA))
Bentz (Obernolte)
Brown (MD) (Evans)
Cárdenas (Correa)
Castro (TX) (Neguse)
Cherfilus-McCormick (Evans)
Cohen (Beyer)
Crist (Schneider)
DeFazio (Pallone)
Doggett (Beyer)
Fallon (Gonzales, Tony)
Hartzler (Bacon)
Issa (Garcia (CA))
Jayapal (Neguse)
Johnson (TX) (Jeffries)
Kahele (Correa)
Katko (Meijer)
Kirkpatrick (Pallone)
Lawrence (Stevens)
Leger Fernandez (Kuster)
Lieu (Beyer)
Mooney (Miller (WV))
Moore (WI) (Beyer)
Moulton (Stevens)
Newman (Beyer)
Panetta (Beyer)
Pappas (Kuster)
Pascrell (Pallone)
Payne (Pallone)
Peters (Correa)
Pingree (Kuster)
Porter (Neguse)
Reschenthaler (Meuser)
Rice (SC) (Mace)
Ryan (Beyer)
Salazar (Gimenez)
Sires (Pallone)
Soto (Neguse)
Speier (Correa)
Taylor (Babin)
Timmons (Armstrong)
Trahan (Stevens)
Walorski (Baird)
Wasserman Schultz (Schneider)
Williams (GA) (Carter (LA))
Wilson (SC) (Lamborn)

COMMEMORATING THE LIVES OF THE VICTIMS OF THE MASS SHOOTING IN HIGHLAND PARK, ILLINOIS

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute.)

Mr. SCHNEIDER. Madam Speaker, I rise with my colleagues from Illinois to honor the lives and bless the memory of the seven precious people murdered in a heinous act of evil on July Fourth in Highland Park at our Independence Day Parade.

As I speak now, the residents of Highland Park are also gathering to honor the victims: Katherine Goldstein, Irina McCarthy, Kevin McCarthy, Stephen Straus, Jacki Sundheim, Nicolas Toledo Zaragoza, and Eduardo Uvaldo.

There are no words to describe the heartbreak of our community, the grief, but also the anger.

These beautiful people were the center of the universe for their families and pillars of strength for their communities. They were loving parents and