

(1) close to 1,000,000 Brazilians who signed an open letter released on July 26, 2022, defending the democratic institutions of Brazil and the rule of law; and

(2) prominent Brazilian business, religious, political, and civil society leaders who released a statement expressing confidence in the electoral systems of Brazil on August 5, 2022; and

Whereas the United States Government has on multiple occasions expressed full confidence in the strength of the democratic institutions of Brazil and the ability of the electoral system of Brazil to carry out free and fair elections absent fraud: Now, therefore, be it

*Resolved*, That the Senate—

(1) urges the Government of Brazil to ensure that the October 2022 elections are conducted in a free, fair, credible, transparent, and peaceful manner that enables all citizens of Brazil to exercise the right to vote; and

(2) calls for the United States Government—

(A) to continue to speak out against efforts to incite political violence and undermine the electoral process in Brazil and to hold the Government of Brazil accountable for respecting the rights of the citizens of Brazil in accordance with international obligations and the Constitution of the Federative Republic of Brazil;

(B) to immediately recognize the outcome of the election in Brazil, if that election is determined by international observers and organizations to have been free and fair; and

(C) to make unequivocally clear that the United States considers bilateral United States assistance to Brazil to be predicated on the historic and ongoing commitment of the Government and people of Brazil to democratic principles and human rights and will—

(i) review and reconsider the relationship between the United States any government that comes to power in Brazil through undemocratic means, including a military coup; and

(ii) ensure United States security assistance and other forms of bilateral United States assistance to Brazil remain compliant with relevant laws of the United States related to the peaceful and democratic transition of power, including longstanding restrictions on the provision of security assistance in the event of a military coup.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5489. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 5490. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, supra; which was ordered to lie on the table.

SA 5491. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, supra; which was ordered to lie on the table.

SA 5492. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, supra; which was ordered to lie on the table.

SA 5493. Mr. DURBIN (for himself, Mr. BROWN, Mr. CARPER, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4543, supra; which was ordered to lie on the table.

SA 5494. Mr. DURBIN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 4543, supra; which was ordered to lie on the table.

SA 5495. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, supra; which was ordered to lie on the table.

SA 5496. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4543, supra; which was ordered to lie on the table.

SA 5497. Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 4543, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 5489.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### DIVISION E—DREAM ACT

#### TITLE LI—DREAM ACT

#### SEC. 5101. SHORT TITLE.

This title may be cited as the “Dream Act”.

#### SEC. 5102. DEFINITIONS.

In this title:

(1) **IN GENERAL.**—Except as otherwise specifically provided, any term used in this title that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) **DACA.**—The term “DACA” means deferred action granted to an alien pursuant to the Deferred Action for Childhood Arrivals program announced by President Obama on June 15, 2012.

(3) **DISABILITY.**—The term “disability” has the meaning given such term in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)).

(4) **EARLY CHILDHOOD EDUCATION PROGRAM.**—The term “early childhood education program” has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(5) **ELEMENTARY SCHOOL; HIGH SCHOOL; SECONDARY SCHOOL.**—The terms “elementary school”, “high school”, and “secondary school” have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) **IMMIGRATION LAWS.**—The term “immigration laws” has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(7) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education”—

(A) except as provided in subparagraph (B), has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

(B) does not include an institution of higher education outside of the United States.

(8) **PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.**—The term “permanent resident status on a conditional basis” means status as an alien lawfully admitted for permanent residence on a conditional basis under this title.

(9) **POVERTY LINE.**—The term “poverty line” has the meaning given such term in

section 673 of the Community Services Block Grant Act (42 U.S.C. 9902).

(10) **SECRETARY.**—Except as otherwise specifically provided, the term “Secretary” means the Secretary of Homeland Security.

(11) **UNIFORMED SERVICES.**—The term “Uniformed Services” has the meaning given the term “uniformed services” in section 101(a) of title 10, United States Code.

#### SEC. 5103. PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) **CONDITIONAL BASIS FOR STATUS.**—Notwithstanding any other provision of law, an alien shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence under this section, to have obtained such status on a conditional basis subject to the provisions under this title.

(b) **REQUIREMENTS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who is inadmissible or deportable from the United States or is in temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a), if—

(A) the alien has been continuously physically present in the United States since the date that is 4 years before the date of the enactment of this Act;

(B) the alien was younger than 18 years of age on the date on which the alien initially entered the United States;

(C) subject to paragraphs (2) and (3), the alien—

(i) is not inadmissible under paragraph (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(ii) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(iii) has not been convicted of—

(I) any offense under Federal or State law, other than a State offense for which an essential element is the alien’s immigration status, that is punishable by a maximum term of imprisonment of more than 1 year; or

(II) 3 or more offenses under Federal or State law, other than State offenses for which an essential element is the alien’s immigration status, for which the alien was convicted on different dates for each of the 3 offenses and imprisoned for an aggregate of 90 days or more; and

(D) the alien—

(i) has been admitted to an institution of higher education;

(ii) has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general education development certificate recognized under State law or a high school equivalency diploma in the United States; or

(iii) is enrolled in secondary school or in an education program assisting students in—

(I) obtaining a regular high school diploma or its recognized equivalent under State law; or

(II) in passing a general educational development exam, a high school equivalence diploma examination, or other similar State-authorized exam.

(2) **WAIVER.**—With respect to any benefit under this title, the Secretary may waive the grounds of inadmissibility under paragraph (2), (6)(E), (6)(G), or (10)(D) of section 212(a) of the Immigration and Nationality

Act (8 U.S.C. 1182(a)) for humanitarian purposes or family unity or if the waiver is otherwise in the public interest.

(3) TREATMENT OF EXPUNGED CONVICTIONS.—An expunged conviction shall not automatically be treated as an offense under paragraph (1). The Secretary shall evaluate expunged convictions on a case-by-case basis according to the nature and severity of the offense to determine whether, under the particular circumstances, the Secretary determines that the alien should be eligible for cancellation of removal, adjustment to permanent resident status on a conditional basis, or other adjustment of status.

(4) DACA RECIPIENTS.—The Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who was granted DACA unless the alien has engaged in conduct since the alien was granted DACA that would make the alien ineligible for DACA.

(5) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may require an alien applying for permanent resident status on a conditional basis under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

(B) EXEMPTION.—An applicant may be exempted from paying the fee required under subparagraph (A) if the alien—

(i)(I) is younger than 18 years of age;

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; and

(III) is in foster care or otherwise lacking any parental or other familial support;

(ii) is younger than 18 years of age and is homeless;

(iii)(I) cannot care for himself or herself because of a serious, chronic disability; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; or

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, accumulated \$10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line.

(6) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant an alien permanent resident status on a conditional basis under this section unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for aliens who are unable to provide such biometric or biographic data because of a physical impairment.

(7) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien seeking permanent resident status on a conditional basis under this section; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such status.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement back-

ground checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary grants such alien permanent resident status on a conditional basis under this section.

(8) MEDICAL EXAMINATION.—

(A) REQUIREMENT.—An alien applying for permanent resident status on a conditional basis under this section shall undergo a medical examination.

(B) POLICIES AND PROCEDURES.—The Secretary, with the concurrence of the Secretary of Health and Human Services, shall prescribe policies and procedures for the nature and timing of the examination required under subparagraph (A).

(9) MILITARY SELECTIVE SERVICE.—An alien applying for permanent resident status on a conditional basis under this section shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. 3801 et seq.), if the alien is subject to registration under such Act.

(C) DETERMINATION OF CONTINUOUS PRESENCE.—

(1) TERMINATION OF CONTINUOUS PERIOD.—Any period of continuous physical presence in the United States of an alien who applies for permanent resident status on a conditional basis under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(2) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), an alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (b)(1)(A) if the alien has departed from the United States for any period exceeding 90 days or for any periods, in the aggregate, exceeding 180 days.

(B) EXTENSIONS FOR EXTENUATING CIRCUMSTANCES.—The Secretary may extend the time periods described in subparagraph (A) for an alien who demonstrates that the failure to timely return to the United States was due to extenuating circumstances beyond the alien's control, including the serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(C) TRAVEL AUTHORIZED BY THE SECRETARY.—Any period of travel outside of the United States by an alien that was authorized by the Secretary may not be counted toward any period of departure from the United States under subparagraph (A).

(d) LIMITATION ON REMOVAL OF CERTAIN ALIENS.—

(1) IN GENERAL.—The Secretary or the Attorney General may not remove an alien who appears prima facie eligible for relief under this section.

(2) ALIENS SUBJECT TO REMOVAL.—The Secretary shall provide a reasonable opportunity to apply for relief under this section to any alien who requests such an opportunity or who appears prima facie eligible for relief under this section if the alien is in removal proceedings, is the subject of a final removal order, or is the subject of a voluntary departure order.

(3) CERTAIN ALIENS ENROLLED IN ELEMENTARY OR SECONDARY SCHOOL.—

(A) STAY OF REMOVAL.—The Attorney General shall stay the removal proceedings of an alien who—

(i) meets all the requirements under subparagraphs (A), (B), and (C) of subsection (b)(1), subject to paragraphs (2) and (3) of such subsection;

(ii) is at least 5 years of age; and

(iii) is enrolled in an elementary school, a secondary school, or an early childhood education program.

(B) COMMENCEMENT OF REMOVAL PROCEEDINGS.—The Secretary may not commence removal proceedings for an alien described in subparagraph (A).

(C) EMPLOYMENT.—An alien whose removal is stayed pursuant to subparagraph (A) or who may not be placed in removal proceedings pursuant to subparagraph (B) shall, upon application to the Secretary, be granted an employment authorization document.

(D) LIFT OF STAY.—The Secretary or Attorney General may not lift the stay granted to an alien under subparagraph (A) unless the alien ceases to meet the requirements under such subparagraph.

(e) EXEMPTION FROM NUMERICAL LIMITATIONS.—Nothing in this section or in any other law may be construed to apply a numerical limitation on the number of aliens who may be granted permanent resident status on a conditional basis under this title.

**SEC. 5104. TERMS OF PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.**

(a) PERIOD OF STATUS.—Permanent resident status on a conditional basis is—

(1) valid for a period of 8 years, unless such period is extended by the Secretary; and

(2) subject to termination under subsection (c).

(b) NOTICE OF REQUIREMENTS.—At the time an alien obtains permanent resident status on a conditional basis, the Secretary shall provide notice to the alien regarding the provisions of this title and the requirements to have the conditional basis of such status removed.

(c) TERMINATION OF STATUS.—The Secretary may terminate the permanent resident status on a conditional basis of an alien only if the Secretary—

(1) determines that the alien ceases to meet the requirements under paragraph (1)(C) of section 5103(b), subject to paragraphs (2) and (3) of that section; and

(2) prior to the termination, provides the alien—

(A) notice of the proposed termination; and

(B) the opportunity for a hearing to provide evidence that the alien meets such requirements or otherwise contest the termination.

(d) RETURN TO PREVIOUS IMMIGRATION STATUS.—

(1) IN GENERAL.—Except as provided in paragraph (2), an alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied shall return to the immigration status that the alien had immediately before receiving permanent resident status on a conditional basis or applying for such status, as appropriate.

(2) SPECIAL RULE FOR TEMPORARY PROTECTED STATUS.—An alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied and who had temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) immediately before receiving or applying for such permanent resident status on a conditional basis, as appropriate, may not return to such temporary protected status if—

(A) the relevant designation under section 244(b) of the Immigration and Nationality Act (8 U.S.C. 1254a(b)) has been terminated; or

(B) the Secretary determines that the reason for terminating the permanent resident status on a conditional basis renders the alien ineligible for such temporary protected status.

**SEC. 5105. REMOVAL OF CONDITIONAL BASIS OF PERMANENT RESIDENT STATUS.**

(a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL BASIS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall remove the conditional basis of an alien's permanent resident status granted under this title and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) is described in paragraph (1)(C) of section 5103(b), subject to paragraphs (2) and (3) of that section;

(B) has not abandoned the alien's residence in the United States; and

(C)(i) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States;

(ii) has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge; or

(iii) has been employed for periods totaling at least 3 years and at least 75 percent of the time that the alien has had a valid employment authorization, except that any period during which the alien is not employed while having a valid employment authorization and is enrolled in an institution of higher education, a secondary school, or an education program described in section 5103(b)(1)(D)(iii), shall not count toward the time requirements under this clause.

(2) HARDSHIP EXCEPTION.—The Secretary shall remove the conditional basis of an alien's permanent resident status and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) satisfies the requirements under subparagraphs (A) and (B) of paragraph (1);

(B) demonstrates compelling circumstances for the inability to satisfy the requirements under subparagraph (C) of such paragraph; and

(C) demonstrates that—

(i) the alien has a disability;

(ii) the alien is a full-time caregiver of a minor child; or

(iii) the removal of the alien from the United States would result in extreme hardship to the alien or the alien's spouse, parent, or child who is a national of the United States or is lawfully admitted for permanent residence.

(3) CITIZENSHIP REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the conditional basis of an alien's permanent resident status granted under this title may not be removed unless the alien demonstrates that the alien satisfies the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

(B) EXCEPTION.—Subparagraph (A) shall not apply to an alien who is unable to meet the requirements under such section 312(a) due to disability.

(4) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may require aliens applying for lawful permanent resident status under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

(B) EXEMPTION.—An applicant may be exempted from paying the fee required under subparagraph (A) if the alien—

(i)(I) is younger than 18 years of age;

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; and

(III) is in foster care or otherwise lacking any parental or other familial support;

(ii) is younger than 18 years of age and is homeless;

(iii)(I) cannot care for himself or herself because of a serious, chronic disability; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application

under this section, that is less than 150 percent of the poverty line; or

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, the alien accumulated \$10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line.

(5) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not remove the conditional basis of an alien's permanent resident status unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric data because of a physical impairment.

(6) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien applying for removal of the conditional basis of the alien's permanent resident status; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for removal of such conditional basis.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary removes the conditional basis of the alien's permanent resident status.

(b) TREATMENT FOR PURPOSES OF NATURALIZATION.—

(1) IN GENERAL.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), an alien granted permanent resident status on a conditional basis shall be considered to have been admitted to the United States, and be present in the United States, as an alien lawfully admitted for permanent residence.

(2) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization while the alien is in permanent resident status on a conditional basis.

#### SEC. 5106. DOCUMENTATION REQUIREMENTS.

(a) DOCUMENTS ESTABLISHING IDENTITY.—An alien's application for permanent resident status on a conditional basis may include, as proof of identity—

(1) a passport or national identity document from the alien's country of origin that includes the alien's name and the alien's photograph or fingerprint;

(2) the alien's birth certificate and an identity card that includes the alien's name and photograph;

(3) a school identification card that includes the alien's name and photograph, and school records showing the alien's name and that the alien is or was enrolled at the school;

(4) a Uniformed Services identification card issued by the Department of Defense;

(5) any immigration or other document issued by the United States Government bearing the alien's name and photograph; or

(6) a State-issued identification card bearing the alien's name and photograph.

(b) DOCUMENTS ESTABLISHING CONTINUOUS PHYSICAL PRESENCE IN THE UNITED STATES.—To establish that an alien has been continuously physically present in the United

States, as required under section 5103(b)(1)(A), or to establish that an alien has not abandoned residence in the United States, as required under section 5105(a)(1)(B), the alien may submit documents to the Secretary, including—

(1) employment records that include the employer's name and contact information;

(2) records from any educational institution the alien has attended in the United States;

(3) records of service from the Uniformed Services;

(4) official records from a religious entity confirming the alien's participation in a religious ceremony;

(5) passport entries;

(6) a birth certificate for a child who was born in the United States;

(7) automobile license receipts or registration;

(8) deeds, mortgages, or rental agreement contracts;

(9) tax receipts;

(10) insurance policies;

(11) remittance records;

(12) rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address;

(13) copies of money order receipts for money sent in or out of the United States;

(14) dated bank transactions; or

(15) 2 or more sworn affidavits from individuals who are not related to the alien who have direct knowledge of the alien's continuous physical presence in the United States, that contain—

(A) the name, address, and telephone number of the affiant; and

(B) the nature and duration of the relationship between the affiant and the alien.

(c) DOCUMENTS ESTABLISHING INITIAL ENTRY INTO THE UNITED STATES.—To establish under section 5103(b)(1)(B) that an alien was younger than 18 years of age on the date on which the alien initially entered the United States, an alien may submit documents to the Secretary, including—

(1) an admission stamp on the alien's passport;

(2) records from any educational institution the alien has attended in the United States;

(3) any document from the Department of Justice or the Department of Homeland Security stating the alien's date of entry into the United States;

(4) hospital or medical records showing medical treatment or hospitalization, the name of the medical facility or physician, and the date of the treatment or hospitalization;

(5) rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address;

(6) employment records that include the employer's name and contact information;

(7) official records from a religious entity confirming the alien's participation in a religious ceremony;

(8) a birth certificate for a child who was born in the United States;

(9) automobile license receipts or registration;

(10) deeds, mortgages, or rental agreement contracts;

(11) tax receipts;

(12) travel records;

(13) copies of money order receipts sent in or out of the country;

(14) dated bank transactions;

(15) remittance records; or

(16) insurance policies.

(d) DOCUMENTS ESTABLISHING ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has been admitted to

an institution of higher education, the alien shall submit to the Secretary a document from the institution of higher education certifying that the alien—

- (1) has been admitted to the institution; or
- (2) is currently enrolled in the institution as a student.

(e) **DOCUMENTS ESTABLISHING RECEIPT OF A DEGREE FROM AN INSTITUTION OF HIGHER EDUCATION.**—To establish that an alien has acquired a degree from an institution of higher education in the United States, the alien shall submit to the Secretary a diploma or other document from the institution stating that the alien has received such a degree.

(f) **DOCUMENTS ESTABLISHING RECEIPT OF HIGH SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE, OR A RECOGNIZED EQUIVALENT.**—To establish that an alien has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general educational development certificate recognized under State law or a high school equivalency diploma in the United States, the alien shall submit to the Secretary—

- (1) a high school diploma, certificate of completion, or other alternate award;
- (2) a high school equivalency diploma or certificate recognized under State law; or
- (3) evidence that the alien passed a State-authorized exam, including the general educational development exam, in the United States.

(g) **DOCUMENTS ESTABLISHING ENROLLMENT IN AN EDUCATIONAL PROGRAM.**—To establish that an alien is enrolled in any school or education program described in section 5103(b)(1)(D)(ii), 5103(d)(3)(A)(iii), or 5105(a)(1)(C), the alien shall submit school records from the United States school that the alien is currently attending that include—

- (1) the name of the school; and
- (2) the alien's name, periods of attendance, and current grade or educational level.

(h) **DOCUMENTS ESTABLISHING EXEMPTION FROM APPLICATION FEES.**—To establish that an alien is exempt from an application fee under section 5103(b)(5)(B) or 5105(a)(4)(B), the alien shall submit to the Secretary the following relevant documents:

(1) **DOCUMENTS TO ESTABLISH AGE.**—To establish that an alien meets an age requirement, the alien shall provide proof of identity, as described in subsection (a), that establishes that the alien is younger than 18 years of age.

(2) **DOCUMENTS TO ESTABLISH INCOME.**—To establish the alien's income, the alien shall provide—

(A) employment records that have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency;

(B) bank records; or

(C) at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work and income that contain—

- (i) the name, address, and telephone number of the affiant; and
- (ii) the nature and duration of the relationship between the affiant and the alien.

(3) **DOCUMENTS TO ESTABLISH FOSTER CARE, LACK OF FAMILIAL SUPPORT, HOMELESSNESS, OR SERIOUS, CHRONIC DISABILITY.**—To establish that the alien was in foster care, lacks parental or familial support, is homeless, or has a serious, chronic disability, the alien shall provide at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that contain—

(A) a statement that the alien is in foster care, otherwise lacks any parental or other

familial support, is homeless, or has a serious, chronic disability, as appropriate;

(B) the name, address, and telephone number of the affiant; and

(C) the nature and duration of the relationship between the affiant and the alien.

(4) **DOCUMENTS TO ESTABLISH UNPAID MEDICAL EXPENSE.**—To establish that the alien has debt as a result of unreimbursed medical expenses, the alien shall provide receipts or other documentation from a medical provider that—

(A) bear the provider's name and address;

(B) bear the name of the individual receiving treatment; and

(C) document that the alien has accumulated \$10,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien.

(i) **DOCUMENTS ESTABLISHING QUALIFICATION FOR HARDSHIP EXEMPTION.**—To establish that an alien satisfies one of the criteria for the hardship exemption set forth in section 5105(a)(2)(C), the alien shall submit to the Secretary at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that warrant the exemption, that contain—

(1) the name, address, and telephone number of the affiant; and

(2) the nature and duration of the relationship between the affiant and the alien.

(j) **DOCUMENTS ESTABLISHING SERVICE IN THE UNIFORMED SERVICES.**—To establish that an alien has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge, the alien shall submit to the Secretary—

(1) a Department of Defense form DD-214;

(2) a National Guard Report of Separation and Record of Service form 22;

(3) personnel records for such service from the appropriate Uniformed Service; or

(4) health records from the appropriate Uniformed Service.

(k) **DOCUMENTS ESTABLISHING EMPLOYMENT.**—

(1) **IN GENERAL.**—An alien may satisfy the employment requirement under section 5105(a)(1)(C)(iii) by submitting records that—

(A) establish compliance with such employment requirement; and

(B) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.

(2) **OTHER DOCUMENTS.**—An alien who is unable to submit the records described in paragraph (1) may satisfy the employment requirement by submitting at least 2 types of reliable documents that provide evidence of employment, including—

(A) bank records;

(B) business records;

(C) employer records;

(D) records of a labor union, day labor center, or organization that assists workers in employment;

(E) sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work, that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien; and

(F) remittance records.

(l) **AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.**—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents does not reliably establish identity or that permanent resident status on a conditional basis is being obtained fraudulently to an unacceptable degree, the Secretary may prohibit or

restrict the use of such document or class of documents.

**SEC. 5107. RULEMAKING.**

(a) **INITIAL PUBLICATION.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish regulations implementing this title in the Federal Register. Such regulations shall allow eligible individuals to immediately apply affirmatively for the relief available under section 5103 without being placed in removal proceedings.

(b) **INTERIM REGULATIONS.**—Notwithstanding section 553 of title 5, United States Code, the regulations published pursuant to subsection (a) shall be effective, on an interim basis, immediately upon publication in the Federal Register, but may be subject to change and revision after public notice and opportunity for a period of public comment.

(c) **FINAL REGULATIONS.**—Not later than 180 days after the date on which interim regulations are published under this section, the Secretary shall publish final regulations implementing this title.

(d) **PAPERWORK REDUCTION ACT.**—The requirements under chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act"), shall not apply to any action to implement this title.

**SEC. 5108. CONFIDENTIALITY OF INFORMATION.**

(a) **IN GENERAL.**—The Secretary may not disclose or use information provided in applications filed under this title or in requests for DACA for the purpose of immigration enforcement.

(b) **REFERRALS PROHIBITED.**—The Secretary may not refer any individual who has been granted permanent resident status on a conditional basis or who was granted DACA to U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or any designee of either such entity.

(c) **LIMITED EXCEPTION.**—Notwithstanding subsections (a) and (b), information provided in an application for permanent resident status on a conditional basis or a request for DACA may be shared with Federal security and law enforcement agencies—

(1) for assistance in the consideration of an application for permanent resident status on a conditional basis;

(2) to identify or prevent fraudulent claims;

(3) for national security purposes; or

(4) for the investigation or prosecution of any felony not related to immigration status.

(d) **PENALTY.**—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than \$10,000.

**SEC. 5109. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.**

(a) **IN GENERAL.**—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(b) **EFFECTIVE DATE.**—The repeal under subsection (a) shall take effect as if included in the original enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-546).

**SA 5490.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_ . EXTREMIST ACTIVITY BY A MEMBER OF THE ARMED FORCES: TRANSITION ASSISTANCE PROGRAM COUNSELING; NOTATION IN SERVICE RECORD.**

(a) TRANSITION ASSISTANCE PROGRAM COUNSELING.—

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

“(20) In the case of a member who has violated Department of Defense Instruction 1325.06 (or successor instruction) by participating in extremist activity, in-person counseling, developed by the Secretary of Defense in consultation with the Secretary of Homeland Security, that includes—

“(A) efforts to deradicalize the member;

“(B) information regarding why extremist activity is inconsistent with service in the armed forces and with national security;

“(C) information regarding the dangers associated with involvement with an extremist group; and

“(D) methods for the member to recognize and avoid disinformation.”.

(2) IMPLEMENTATION.—The Secretary of Defense shall complete development of counseling provided under paragraph (20) of such subsection, as added by paragraph (1), not later than the day that is one year after the date of the enactment of this Act. The Secretary concerned shall ensure that such counseling is carried out on and after that day.

(b) SERVICE RECORD.—In the case of a member of the Armed Forces who has violated Department of Defense Instruction 1325.06 (or successor instruction) by participating in extremist activity, the Secretary concerned shall ensure that the commanding officer of the member notes the violation in the service record of the member.

(c) SECRETARY CONCERNED DEFINED.—In this section, the term “Secretary concerned” has the meaning given that term in section 101(a) of title 10, United States Code.

**SA 5491.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1035. PROHIBITION ON USE OF FUNDS TO OPERATE THE DETENTION FACILITY AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AFTER SEPTEMBER 30, 2024.**

None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act may be used to operate the detention facility at United States Naval Station, Guantanamo Bay, Cuba, after September 30, 2024.

**SEC. 1036. REPEAL OF PROHIBITIONS RELATING TO DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.—Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1032 of the National De-

fense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is repealed.

(b) USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.—Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1953), as most recently amended by section 1033 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is repealed.

(c) USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.—Section 1034 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1034 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is repealed.

**SEC. 1037. REPEAL OF CERTAIN REQUIREMENTS FOR CERTIFICATIONS AND NOTIFICATIONS RELATING TO TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.**

(a) CERTIFICATION.—Section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) is repealed.

(b) NOTIFICATION.—Section 308 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87; 125 Stat. 1883; 10 U.S.C. 801 note) is repealed.

**SEC. 1038. REPEAL OF CHAPTER 47A OF TITLE 10, UNITED STATES CODE.**

(a) IN GENERAL.—Subchapters I through VI and subchapter VIII of chapter 47A of title 10, United States Code, are repealed.

(b) CONFORMING AMENDMENTS TO SUBCHAPTER VII.—Subchapter VII of chapter 47A of such title is amended—

(1) in section 950d(a)(3), by inserting “(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023)” after “of this title”;

(2) in section 950f—

(A) in subsection (b)—

(i) in paragraph (2), by inserting “(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023)” after “of this title”;

(ii) in paragraph (6)(B), by striking “section 949b(b)(4) of this title” and inserting “paragraph (7)”;

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

“(7) No appellate military judge on the United States Court of Military Commission Review may be reassigned to other duties, except under circumstances as follows:

“(A) The appellate military judge voluntarily requests to be reassigned to other duties and the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, approves such reassignment.

“(B) The appellate military judge retires or otherwise separates from the armed forces.

“(C) The appellate military judge is reassigned to other duties by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, based on military necessity and such reassignment is consistent with service rotation regulations (to the extent such regulations are applicable).

“(D) The appellate military judge is withdrawn by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, for good cause consistent with applicable procedures under chapter 47 of this title (the Uniform Code of Military Justice).”;

(3) in section 950h(c), by inserting “(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023)” after “of this title”;

(4) by adding at the end the following new section:

**“§ 950k. Definition**

“In this subchapter, the term ‘military commission under this chapter’ means a military commission under this chapter as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023.”.

(c) CLERICAL AMENDMENT.—The table of subchapters at the beginning of chapter 47A of such title is amended by striking the items relating to subchapters I through VI and subchapter VIII.

**SA 5492.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, add the following:

**SEC. 155. SENSE OF THE SENATE ON USE OF TOTAL COST OF OWNERSHIP MODEL FOR PROCUREMENT OF NONTACTICAL VEHICLES.**

(a) FINDINGS.—Congress finds the following:

(1) It is financially prudent for the Department of Defense to procure cost-effective zero-emission vehicles by considering the total cost of ownership (referred to in this section as “TCO”) of such vehicles.

(2) A TCO procurement model would account for operating costs of vehicles, including fuel, maintenance, and public health savings.

(3) Use of a TCO procurement model by the Department of Defense in the procurement of nontactical vehicles would maximize cost savings and bolster energy and national security.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Department of Defense should calculate and consider the TCO when procuring a nontactical vehicle; and

(2) the Department of Defense, when conducting any action with the Government Services Administration relating to the procurement or requisition of a nontactical vehicle, should—

(A) work with the Department of Energy to develop a TCO procurement model that uses State-wide, regional, and inventory variables to estimate the cost of converting the nontactical vehicle fleet of the Department of Defense to zero-emission vehicles;

(B) submit to Congress a report summarizing such procurement or requisition that, at a minimum, identifies—

(i) types of vehicles by—

(I) size; and

(II) fuel source; and

(ii) the total estimated cost savings and avoided emissions that result or would have

resulted from the purchase or lease of a zero-emission vehicle instead of an internal combustion engine vehicle;

(C) incorporate the TCO procurement model developed under subparagraph (A) into any such procurement or requisition action; and

(D) authorize any exemptions from use of the TCO procurement model developed under subparagraph (A) as the Secretary of Defense considers appropriate, including by—

(i) authorizing exemptions for certain categories of vehicles, including emergency vehicles or other nonmilitary vehicles as determined by the Secretary, when a vehicle type is not available for the needed application;

(ii) authorizing exemptions upon finding that a zero-emission vehicle is not a practicable alternative to an internal combustion engine vehicle for a particular use, or for some other compelling reason; and

(iii) developing guidance regarding procedures for requesting such exemptions, including the criteria for evaluating such exemption requests, which should be published on the website of the Department of Defense and given a 30-day period for public review and comment before the Department adopts or revises such guidance.

**SA 5493.** Mr. DURBIN (for himself, Mr. BROWN, Mr. CARPER, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 10 . PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.**

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

**“§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration**

“(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘facility of the Veterans Health Administration’ means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(2) The term ‘smoke’ includes—

“(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

“(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is repealed.

**SA 5494.** Mr. DURBIN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to F/A-18E/F (FIGHTER) HORNET, strike the amount in the Senate Authorized column and insert “756,865”.

In the funding table in section 4101, in the item relating to Total Aircraft Procurement, Navy, strike the amount in the Senate Authorized column and insert “19,125,814”.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate Authorized column and insert “158,585,016”.

**SA 5495.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1052. TERMINATION OF AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.**

(a) FUTURE AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted into law after the date of enactment of this Act shall terminate on the date that is 10 years after the date of enactment of such authorization or declaration.

(b) EXISTING AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted before the date of the enactment of this Act shall terminate on the date that is 6 months after the date of such enactment.

**SA 5496.** Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle G—Baltic Defense and Deterrence**

**SEC. 1281. SHORT TITLE.**

This subtitle may be cited as the “Baltic Defense and Deterrence Act”.

**SEC. 1282. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) supporting and strengthening the security of Estonia, Latvia, and Lithuania (referred to in this Act as the “Baltic countries”) is in the national security interests of the United States;

(2) continuing to strengthen and update the United States-Baltics security cooperation roadmap is critical to achieving strategic security priorities as the Baltic countries face ongoing belligerence and threats from the Russian Federation, including amid the Russian Federation’s illegal and unprovoked war in Ukraine that began on February 24, 2022;

(3) the United States should encourage advancement of the Three Seas Initiative to strengthen transport, energy, and digital infrastructures among Eastern European countries, including the Baltic countries; and

(4) improved economic ties between the United States and the Baltic countries, including to counter economic pressure by the People’s Republic of China, offer an opportunity to strengthen the United States-Baltic strategic partnership.

**SEC. 1283. BALTIC SECURITY AND ECONOMIC ENHANCEMENT INITIATIVE.**

(a) ESTABLISHMENT.—The Secretary of State shall establish and implement an initiative, to be known as the “Baltic Security and Economic Enhancement Initiative”, for the purpose of increasing security and economic ties with the Baltic countries.

(b) OBJECTIVES.—The objectives of the Baltic Security and Economic Enhancement Initiative shall be—

(1) to ensure timely delivery of security assistance to the Baltic countries, prioritizing assistance to bolster defenses against hybrid warfare and improve interoperability with the military forces of the North Atlantic Treaty Organization;

(2) to mitigate the impact on the Baltic countries of economic coercion by the Russian Federation and the People’s Republic of China;

(3) to identify new opportunities for foreign direct investment and United States business ties; and

(4) to bolster United States support for the economic and energy security needs of the Baltic countries, including by convening an annual trade forum with the Baltic countries and the United States International Development Finance Corporation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of State, \$60,000,000 for each of fiscal years 2023 through 2027 to carry out the initiative authorized under subsection (a).

**SEC. 1284. BALTIC SECURITY INITIATIVE.**

(a) ESTABLISHMENT.—The Secretary of Defense shall establish and implement an initiative, to be known as the “Baltic Security Initiative”, for the purpose of deepening security cooperation with the Baltic countries.

(b) OBJECTIVES.—The objectives of the Baltic Security Initiative shall be—

(1) to achieve United States national security objectives, including deterring aggression by the Russian Federation and bolstering the long-term security of North Atlantic Treaty Organization allies;

(2) to enhance regional planning and cooperation among the Baltic countries, particularly with respect to long-term regional capability projects, including—

(A) long-range precision fire systems and capabilities;

(B) integrated air and missile defense;

(C) maritime domain awareness;

(D) land forces development, including stockpiling large caliber ammunition;

(E) command, control, communications, computers, intelligence, surveillance, and reconnaissance;

(F) special operations forces development; and

(G) coordination with and security enhancements for Poland, which is a neighboring North Atlantic Treaty Organization ally; and

(3) to improve the Baltic countries' cyber defenses and resilience to hybrid threats.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth the strategy of the Department of Defense to achieve the objectives described in subsection (b).

(2) CONSIDERATIONS.—The strategy required by paragraph (1) shall include a consideration of—

(A) security assistance programs for the Baltic countries managed by the Department of State;

(B) the ongoing security threats to the North Atlantic Treaty Organization's eastern flank posed by Russian aggression, including as a result of the Russian Federation's 2022 invasion of Ukraine with support from Belarus; and

(C) rising tensions with, and presence in the Baltic countries of, the People's Republic of China, including economic bullying of the Baltic countries by the People's Republic of China.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Defense, \$250,000,000 for each of fiscal years 2023 through 2027 to carry out the initiative authorized under subsection (a).

**SA 5497.** Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

**SEC. 144. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF C-40 AIRCRAFT.**

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to retire, prepare to retire, or place in storage or on backup aircraft inventory status any C-40 aircraft.

(b) EXCEPTION.—

(1) IN GENERAL.—The prohibition under subsection (a) shall not apply to an individual C-40 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of a Class A mishap.

(2) CERTIFICATION REQUIRED.—If the Secretary determines under paragraph (1) that an aircraft is no longer mission capable, the Secretary shall submit to the congressional defense committees a certification that the status of such aircraft is due to a Class A mishap and not due to lack of maintenance or repairs or other reasons.

**AUTHORITY FOR COMMITTEES TO MEET**

Ms. KLOBUCHAR. Mr. President, I have eight requests for committees to

meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, September 7, 2022, at 10:30 a.m., to conduct a member and staff listening session.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 7, 2022, at 10 a.m., to conduct a hearing on nominations.

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 7, 2022, at 10 a.m., to conduct a hearing.

**COMMITTEE ON FINANCE**

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, September 7, 2022, at 10:10 a.m., to conduct a hearing on a nomination.

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, September 7, 2022, at 10 a.m., to conduct a hearing on nominations.

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, September 7, 2022, at 2:30 p.m., to conduct a closed hearing.

**SUBCOMMITTEE ON CLEAN AIR, CLIMATE, AND NUCLEAR SAFETY**

The Subcommittee on Clean Air, Climate, and Nuclear Safety of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 7, 2022, at 2:30 p.m., to conduct a hearing.

**SUBCOMMITTEE ON INTELLECTUAL PROPERTY**

The Subcommittee on Intellectual Property of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, September 7, 2022, at 2:30 p.m., to conduct a hearing.

**TOXIC EXPOSURE AWARENESS DAY**

Mr. BROWN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate proceed to S. Res. 737.

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

The legislative clerk read as follows:

A resolution (S. Res. 737) designating August 10, 2022, as "Toxic Exposure Awareness Day".

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

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

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

The resolution (S. Res. 737) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 2, 2022, under "Submitted Resolutions.")

**ORDERS FOR THURSDAY, SEPTEMBER 8, 2022**

Mr. BROWN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, September 8, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Mathis nomination, postcloture; and that all postcloture time on the nomination be considered expired at 11:30 a.m.; further, that following the vote on the Mathis nomination, the Senate resume consideration of the Mendoza nomination; that the cloture motions filed during yesterday's session ripen at 1:45 p.m., and that at 1:45 p.m. the Senate vote on the motion to invoke cloture on the Mendoza nomination; finally, that if any nominations are confirmed during Thursday's session, the motions to reconsider be considered made and laid upon the table and the President be notified immediately of the Senate's action.

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

**ORDER FOR ADJOURNMENT**

Mr. BROWN. Finally, Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of my colleague, Senator GRASSLEY.

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

The PRESIDING OFFICER. The Senator from Iowa.

**FBI**

Mr. GRASSLEY. Madam President, last week, while I was meeting with constituents in Iowa, news broke here