

strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1077. JAPANESE AMERICAN CONFINEMENT EDUCATION GRANTS.

Public Law 109-441 (120 Stat. 3290) is amended—

(1) in section 2, by adding at the end the following:

“(4) JAPANESE AMERICAN CONFINEMENT EDUCATION GRANTS.—The term ‘Japanese American Confinement Education Grants’ means competitive grants, awarded through the Japanese American Confinement Sites Program, for Japanese American organizations to educate individuals, including through the use of digital resources, in the United States on the historical importance of Japanese American confinement during World War II, so that present and future generations may learn from Japanese American confinement and the commitment of the United States to equal justice under the law.

“(5) JAPANESE AMERICAN ORGANIZATION.—The term ‘Japanese American organization’ means a private nonprofit organization within the United States established to promote the understanding and appreciation of the ethnic and cultural diversity of the United States by illustrating the Japanese American experience throughout the history of the United States.”; and

(2) in section 4—

(A) by inserting “(a) IN GENERAL.—” before “There are authorized”;

(B) by striking “\$38,000,000” and inserting “\$80,000,000”; and

(C) by adding at the end the following:

“(b) JAPANESE AMERICAN CONFINEMENT EDUCATION GRANTS.—

“(1) IN GENERAL.—Of the amounts made available under this section, not more than \$10,000,000 shall be awarded as Japanese American Confinement Education Grants to Japanese American organizations. Such competitive grants shall be in an amount not less than \$750,000 and the Secretary shall give priority consideration to Japanese American organizations with fewer than 100 employees.

“(2) MATCHING REQUIREMENT.—

“(A) FIFTY PERCENT.—Except as provided in subparagraph (B), for funds awarded under this subsection, the Secretary shall require a 50 percent match with non-Federal assets from non-Federal sources, which may include cash or durable goods and materials fairly valued, as determined by the Secretary.

“(B) WAIVER.—The Secretary may waive all or part of the matching requirement under subparagraph (A), if the Secretary determines that—

“(i) no reasonable means are available through which an applicant can meet the matching requirement; and

“(ii) the probable benefit of the project funded outweighs the public interest in such matching requirement.”.

SA 6417. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, 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 X, add the following:

Subtitle H—Use of Medical Marijuana by Veterans

SEC. 1081. SAFE HARBOR FOR USE BY VETERANS OF MEDICAL MARIJUANA.

(a) SAFE HARBOR.—Notwithstanding the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or any other Federal law, it shall not be unlawful for—

(1) a veteran to use, possess, or transport medical marijuana in a State or on Indian land if the use, possession, or transport is authorized and in accordance with the law of the applicable State or Indian Tribe;

(2) a physician to discuss with a veteran the use of medical marijuana as a treatment if the physician is in a State or on Indian land where the law of the applicable State or Indian Tribe authorizes the use, possession, distribution, dispensation, administration, delivery, and transport of medical marijuana; or

(3) a physician to recommend, complete forms for, or register veterans for participation in a treatment program involving medical marijuana that is approved by the law of the applicable State or Indian Tribe.

(b) DEFINITIONS.—In this section:

(1) INDIAN LAND.—The term “Indian land” means any of the Indian lands, as that term is defined in section 824(b) of the Indian Health Care Improvement Act (25 U.S.C. 1680n).

(2) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(3) PHYSICIAN.—The term “physician” means a physician appointed by the Secretary of Veterans Affairs under section 7401(1) of title 38, United States Code.

(4) STATE.—The term “State” has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(5) VETERAN.—The term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(c) SUNSET.—This section shall cease to have force or effect on the date that is five years after the date of the enactment of this Act.

SEC. 1082. STUDIES ON USE OF MEDICAL MARIJUANA BY VETERANS.

(a) STUDY ON EFFECTS OF MEDICAL MARIJUANA ON VETERANS IN PAIN.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a study on the effects of medical marijuana on veterans in pain.

(2) REPORT.—Not later than 180 days after the date on which the study required under paragraph (1) is completed, the Secretary shall submit to Congress a report on the study, which shall include such recommendations for legislative or administrative action as the Secretary considers appropriate.

(b) STUDY ON USE BY VETERANS OF STATE MEDICAL MARIJUANA PROGRAMS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary shall conduct a study on the relationship between treatment programs involving medical marijuana that are approved by States, the access of veterans to such programs, and a reduction in opioid use and abuse among veterans.

(2) REPORT.—Not later than 180 days after the date on which the study required under paragraph (1) is completed, the Secretary shall submit to Congress a report on the study, which shall include such recommendations for legislative or administrative action as the Secretary considers appropriate.

(c) VETERAN DEFINED.—In this section, the term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out this section.

SA 6418. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, 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, insert the following:

SEC. . UNMANNED AIRCRAFT SYSTEM DETECTION AND MITIGATION ENFORCEMENT AUTHORITY.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, is amended by adding at the end the following:

“§ 44811. Unmanned aircraft system detection and mitigation enforcement

“(a) PROHIBITION.—

“(1) IN GENERAL.—No person may operate a system or technology to detect, identify, monitor, track, or mitigate an unmanned aircraft or unmanned aircraft system in a manner that adversely impacts or interferes with safe airport operations, navigation, or air traffic services, or the safe and efficient operation of the national airspace system.

“(2) ACTIONS BY THE ADMINISTRATOR.—The Administrator may take such action as may be necessary to address the adverse impacts or interference of operations that violate paragraph (1).

“(b) PENALTIES.—A person who operates a system or technology referred to in subsection (a)(1) in a manner that adversely impacts or interferes with safe airport operations, navigation, or air traffic services, or the safe and efficient operation of the national airspace system, is liable to the Federal Government for a civil penalty of not more than \$25,000 per violation.

“(c) RULE OF CONSTRUCTION.—The term ‘person’ as used in this section does not include—

“(1) the Federal Government or any bureau, department, instrumentality, or other agency of the Federal Government; or

“(2) an officer, employee, or contractor of the Federal Government or any bureau, department, instrumentality, or other agency of the Federal Government if the officer, employee, or contractor is authorized by the Federal Government or any bureau, department, instrumentality or other agency of the Federal Government to operate a system or technology referred to in subsection (a)(1).”.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 448 is amended by inserting at the end the following:

“44811. Unmanned aircraft system detection and mitigation enforcement.”.

SA 6419. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, 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, insert the following:

SEC. ____ DETECTING, IDENTIFYING, MONITORING, AND TRACKING UNMANNED AIRCRAFT SYSTEMS AND UNMANNED AIRCRAFT THAT THREATEN CERTAIN FACILITIES AND ASSETS.

(a) IN GENERAL.—Subchapter III of chapter 201 of title 51, United States Code, is amended by adding at the end the following:

“§ 20150. Detecting, identifying, monitoring, and tracking unmanned aircraft systems and unmanned aircraft that threaten certain facilities and assets

“(a) AUTHORITY.—Notwithstanding section 46502 of title 49 or any provision of title 18, the Administrator may take, and may authorize personnel with assigned duties that include the safety, security, or protection of people, facilities, or assets to take, such actions as are described in subsection (b) that are necessary to detect, identify, monitor, and track a credible threat (as defined by the Administrator, in consultation with the Secretary of Transportation through the Administrator of the Federal Aviation Administration) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset.

“(b) ACTIONS DESCRIBED.—The actions authorized under subsection (a) are limited to actions during the operation of an unmanned aircraft system or unmanned aircraft, to detect, identify, monitor, and track the unmanned aircraft system or unmanned aircraft, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft system or unmanned aircraft.

“(c) RESEARCH, TESTING, TRAINING, AND EVALUATION.—

“(1) REQUIREMENT.—

“(A) IN GENERAL.—For any action described in subsection (b), notwithstanding section 46502 of title 49 or any provision of title 18, the Administrator shall conduct research, testing, training on, and evaluation of any equipment, including any electronic equipment, to determine the capability and utility of the equipment prior to the use of the equipment for any action described in subsection (b).

“(B) COORDINATION.—Personnel and contractors who do not have duties that include the safety, security, or protection of people, facilities, or assets may engage in research, testing, training, and evaluation activities pursuant to subparagraph (A).

“(2) TRAINING OF PERSONNEL.—The Administrator may provide training on measures to detect, identify, monitor, and track dangerous or illegally operated unmanned aircraft or unmanned aircraft systems to any personnel who are authorized to take such measures, including personnel authorized to take the actions described in subsection (b).

“(3) COORDINATION FOR RESEARCH, TESTING, TRAINING, AND EVALUATION.—The Administrator shall coordinate the procedures of the Administration [SLC Note: To respond to your comment, the term ‘Administration’ is defined in section 10101 of title 51, United States Code, to mean ‘the National Aeronautics and Space Administration’. That definition applies to all of title 51, including this section, which is amend-

atory text destined for title 51 if it is enacted. All of title 51 uses the term ‘Administration’ in this manner. Please let me know if you have questions.] governing research, testing, training, and evaluation to carry out any provision under this section with the Administrator of the Federal Aviation Administration before initiating such activity in order that the Administrator of the Federal Aviation Administration may ensure the activity does not adversely impact or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the national airspace system.

“(d) FORFEITURE.—Any unmanned aircraft system or unmanned aircraft that is lawfully seized by the Administrator pursuant to subsection (a) is subject to forfeiture to the United States pursuant to the provisions of chapter 46 of title 18, United States Code.

“(e) REGULATIONS AND GUIDANCE.—The Administrator and the Secretary of Transportation may—

“(1) prescribe regulations and shall issue guidance in the respective areas of the Administrator or the Secretary of Transportation to carry out this section; and

“(2) in developing regulations and guidance described in paragraph (1), consult the Federal Communications Commission, the Assistant Secretary of Commerce for Communications and Information, and the Administrator of the Federal Aviation Administration.

“(f) COORDINATION.—

“(1) IN GENERAL.—The Administrator shall coordinate with the Administrator of the Federal Aviation Administration before carrying out any action authorized under this section in order that the Administrator may ensure the action does not adversely impact or interfere with—

“(A) safe airport operations;

“(B) navigation;

“(C) air traffic services; or

“(D) the safe and efficient operation of the national airspace system.

“(2) GUIDANCE.—Before issuing any guidance, or otherwise implementing this section, the Administrator shall, respectively, coordinate with—

“(A) the Secretary of Transportation in order that the Secretary of Transportation may ensure the guidance or implementation does not adversely impact critical infrastructure relating to transportation; and

“(B) the Administrator of the Federal Aviation Administration in order that the Administrator of the Federal Aviation Administration may ensure the guidance or implementation does not adversely impact or interfere with—

“(i) safe airport operations;

“(ii) navigation;

“(iii) air traffic services; or

“(iv) the safe and efficient operation of the national airspace system.

“(3) COORDINATION WITH THE FAA.—The Administrator shall coordinate the development of guidance under subsection (e) with the Secretary of Transportation (through the Administrator of the Federal Aviation Administration).

“(4) COORDINATION WITH THE DEPARTMENT OF TRANSPORTATION AND NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.—The Administrator shall coordinate the development of the actions described in subsection (b) with the Secretary of Transportation (through the Administrator of the Federal Aviation Administration) and the Assistant Secretary of Commerce for Communications and Information.

“(g) PRIVACY PROTECTION.—The regulations or guidance issued to carry out an action described in subsection (b) by the Administrator shall ensure that—

“(1) the interception or acquisition of, access to, or maintenance or use of, any communication to or from an unmanned aircraft system or an unmanned aircraft under this section is conducted in a manner consistent with the First and Fourth Amendments to the Constitution of the United States and any applicable provision of Federal law;

“(2) any communication to or from an unmanned aircraft system or an unmanned aircraft is intercepted or acquired only to the extent necessary to support an action described in subsection (b);

“(3) any record of such a communication is maintained only for as long as necessary, and in no event for more than 180 days, unless the Administrator determines that maintenance of the record is—

“(A) required under Federal law;

“(B) necessary for the purpose of any litigation; or

“(C) necessary to investigate or prosecute a violation of law, including by—

“(i) directly supporting an ongoing security operation; or

“(ii) protecting against dangerous or unauthorized activity by unmanned aircraft systems and unmanned aircraft; and

“(4) such a communication is not disclosed to any person not employed or contracted by the Administration unless the disclosure—

“(A) is necessary to investigate or prosecute a violation of law;

“(B) would support—

“(i) the Department of Defense;

“(ii) a Federal law enforcement, intelligence, or security agency; or

“(iii) another relevant entity or person if the entity or person is engaged in a security or protection operation;

“(C) is necessary to support a department or agency listed in subparagraph (B) in investigating or prosecuting a violation of law;

“(D) would support the enforcement activities of a Federal regulatory agency relating to a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action relating to, an action described in subsection (b);

“(E) is necessary to protect against dangerous or unauthorized activity by unmanned aircraft systems or unmanned aircrafts; or

“(F) is otherwise required by law.

“(h) ASSISTANCE AND SUPPORT.—

“(1) IN GENERAL.—Subject to paragraph (2), the Administrator is authorized to provide support or assistance, upon the request of a Federal agency or department conducting—

“(A) a mission described in section 130i of title 10;

“(B) a mission described in section 210G of the Homeland Security Act of 2002 (6 U.S.C. 124n); or

“(C) a mission described in section 4510 of the Atomic Energy Defense Act (50 U.S.C. 2661).

“(2) REQUIREMENTS.—Any support or assistance provided by the Administrator shall only be granted—

“(A) for the purpose of fulfilling the roles and responsibilities of the Federal agency or department that made the request for the mission for which the request was made;

“(B) when exigent circumstances exist;

“(C) for a specified duration and location;

“(D) within available resources;

“(E) on a non-reimbursable basis; and

“(F) in coordination with the Federal Aviation Administration.

“(i) SEMIANNUAL BRIEFINGS AND NOTIFICATIONS.—

“(1) IN GENERAL.—On a semiannual basis beginning on the date that is 180 days after the date of the enactment of this section, the Administrator shall provide a briefing to the appropriate congressional committees on the

activities carried out pursuant to this section.

“(2) REQUIREMENT.—Each briefing required under paragraph (1) shall be conducted jointly with the Secretary of Transportation.

“(3) CONTENT.—Each briefing required under paragraph (1) shall include—

“(A) policies, programs, and procedures to mitigate or eliminate impacts of activities carried out pursuant to this section to the national airspace system and other critical national transportation infrastructure;

“(B) a description of—

“(i) each instance in which actions described in subsection (b) have been taken, including any instance that may have resulted in harm, damage, or loss to a person or to private property;

“(ii) the guidance, policies, or procedures established by the Administrator to address privacy, civil rights, and civil liberties issues implicated by the actions permitted under this section, as well as any changes or subsequent efforts by the Administrator that would significantly affect privacy, civil rights or civil liberties;

“(iii) options considered and steps taken by the Administrator to mitigate any identified impacts to the national airspace system related to the use of any system or technology, including the minimization of the use of any technology that disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (b); and

“(iv) each instance in which a communication intercepted or acquired during the course of operations of an unmanned aircraft system or an unmanned aircraft was—

“(I) held in the possession of the Administrator for more than 180 days; or

“(II) shared with any entity other than the Administration;

“(C) an explanation of how the Administrator and the Secretary of Transportation have—

“(i) informed the public as to the possible use of authorities granted under this section; and

“(ii) engaged with Federal, State, local, Tribal, and territorial enforcement agencies to implement and use such authorities;

“(D) an assessment of whether any gaps or insufficiencies remain in laws, regulations, and policies that impede the ability of the Administration to detect, identify, monitor, and track the threat posed by the malicious use of unmanned aircraft systems and unmanned aircrafts;

“(E) recommendations to remedy any such gaps or insufficiencies, including recommendations relating to necessary changes in law, regulations, or policies; and

“(F) a description of the impact of the authorities granted under this section on—

“(i) lawful operator access to national airspace; and

“(ii) the integration of unmanned aircraft systems and unmanned aircrafts into the national airspace system.

“(4) UNCLASSIFIED FORM.—Each briefing required under paragraph (1) shall be in unclassified form but may be accompanied by an additional classified briefing.

“(j) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

“(1) to vest in the Administrator any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration; or

“(2) to vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Administrator.

“(k) SCOPE OF AUTHORITY.—Nothing in this section shall be construed to provide the Administrator with any additional authority

other than the authorities described in subsections (a), (c), and (d).

“(1) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

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

“(B) the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives.

“(2) COVERED FACILITY OR ASSET.—The term ‘covered facility or asset’ means any facility or asset that—

“(A) is identified as high-risk and a potential target for unlawful unmanned aircraft or unmanned aircraft system activity by the Administrator, in coordination with the Secretary of Transportation with respect to potentially impacted airspace, through a risk-based assessment for purposes of this section;

“(B) is located within the property of the National Aeronautics and Space Administration; and

“(C) directly relates to 1 or more missions of the National Aeronautics and Space Administration pertaining to—

“(i) launch services;

“(ii) reentry services; or

“(iii) the protection of space support vehicles or payloads.

“(3) ELECTRONIC COMMUNICATION; INTERCEPT; ORAL COMMUNICATION; WIRE COMMUNICATION.—The terms ‘electronic communication’, ‘intercept’, ‘oral communication’, and ‘wire communication’ have the meanings given those terms in section 2510 of title 18.

“(4) LAUNCH SERVICES; REENTRY SERVICES; SPACE SUPPORT VEHICLE; PAYLOAD.—The terms ‘launch services’, ‘reentry services’, ‘space support vehicle’, and ‘payload’ have the meanings given those terms in section 50902 of this title.

“(5) PERSONNEL.—

“(A) IN GENERAL.—The term ‘personnel’ means an officer, employee, or contractor of the Administration who is authorized to perform duties that include safety, security, or protection of people, facilities, or assets.

“(B) USE OF AUTHORITY.—To qualify for use of the authority under subsection (a), a contractor conducting operations under that subsection must—

“(i) be directly contracted by the Administration;

“(ii) operate at a government-owned or government-leased facility;

“(iii) not conduct inherently governmental functions; and

“(iv) be trained and certified by the Administration to meet the established guidance and regulations of the Administration.

“(6) RISK-BASED ASSESSMENT.—The term ‘risk-based assessment’ means an evaluation of threat information specific to a covered facility or asset and, with respect to potential impacts on the safety and efficiency of the national airspace system and the needs of law enforcement and national security at each covered facility or asset identified by the Administrator of each of the following factors:

“(A) Potential impacts to safety, efficiency, and use of the national airspace system, including potential effects on manned aircraft and unmanned aircraft systems or unmanned aircraft, aviation safety, airport operations, infrastructure, and air navigation services related to the use of any system or technology for carrying out the actions described in subsection (b).

“(B) Options for mitigating any identified impacts to the national airspace system relating to the use of any system or technology, including minimizing, when possible,

the use of any technology which disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (b).

“(C) Potential consequences of the impacts of any actions taken under subsection (b) to the national airspace system and infrastructure if not mitigated.

“(D) The ability to provide reasonable advance notice to aircraft operators consistent with the safety of the national airspace system and the needs of law enforcement and national security.

“(E) The setting and character of any covered facility or asset, including—

“(i) whether the covered facility or asset is located in a populated area or near other structures;

“(ii) whether the covered facility or asset is open to the public;

“(iii) whether the covered facility or asset is used for nongovernmental functions; and

“(iv) any potential for interference with wireless communications or for injury [or damage to persons or property].

“(F) The setting, character, timeframe, and national airspace system impacts of launch services and reentry services.

“(G) Potential consequences to national security, public safety, or law enforcement if threats posed by unmanned aircraft systems or unmanned aircraft are not detected, identified, monitored, and tracked.

“(7) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ‘unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 44801 of title 49.”

(b) CONFORMING AMENDMENT.—The table of sections for chapter 201 of title 51, United States Code, is amended by inserting after the item relating to section 20149 the following:

“20150. Detecting, identifying, monitoring, and tracking unmanned aircraft systems and unmanned aircraft that threaten certain facilities and assets.”.

SA 6420. Mr. SANDERS (for himself, Mr. MARKEY, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, 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 A of title X, add the following:

SEC. 1003. REDUCTION IN AMOUNT AUTHORIZED TO BE APPROPRIATED FOR FISCAL YEAR 2023 BY THIS ACT.

(a) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2023 by this Act is—

(1) the aggregate amount authorized to be appropriated for fiscal year 2023 by this Act (other than for military personnel, the Defense Health Program, pay and benefits for persons appointed into the civil service as defined in section 2101 of title 5, United States Code, and assistance for Ukraine); minus

(2) \$45,000,000,000.

(b) ALLOCATION.—The reduction made by subsection (a) shall apply on a pro rata basis among the accounts and funds for which amounts are authorized to be appropriated