article 19 of the WHO Constitution and legally binding on the parties.

(4) On December 5 through 7, 2022, the INB held its third meeting at which it accepted a conceptual zero draft of the Convention and agreed to prepare a zero draft for consideration at the INB's next meeting.

(5) In early January 2023, an initial draft of the Convention was sent to WHO member states in advance of its formal introduction at the fourth meeting of the INB. The draft includes broad and binding provisions, including rules governing parties' access to pathogen genomic sequences and how the products or benefits of such access are to be distributed.

(6) On February 27 through March 3, 2023, the INB held its fourth meeting at which it—

(A) formally agreed to the draft distributed in January as the basis for commencing negotiations; and

(B) established an April 14, 2023 deadline for member states to propose any changes to the text.

(7) Section 723.3 of title 11 of the Department of State's Foreign Affairs Manual states that when ''determining whether any international agreement should be brought into force as a treaty or as an international agreement other than a treaty, the utmost care is to be exercised to avoid any invasion or compromise of the constitutional powers of the President, the Senate, and the Congress as a whole'' and includes the following criteria to be considered when determining whether an international agreement should take the form of a treaty or an executive agreement:

(A) ''The extent to which the agreement involves commitments or risks affecting the nation as a whole''.

(B) ''Whether the agreement is intended to affect state laws''.

(C) ''Whether the agreement can be given effect without the enactment of subsequent legislation by the Congress''.

(D) ''Past U.S. practice as to similar agreements''.

(E) ''The preference of the Congress as to a particular type of agreement''.

(F) ''The degree of formality desired for an agreement''.

(G) ''The proposed duration of the agreement, the need for prompt conclusion of an agreement, and the desirability of concluding a routine or short-term agreement''.

(H) ''The general international practice as to similar agreements''.

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

(1) a significant segment of the American public is deeply skeptical of the World Health Organization, its leadership, and its independence from the pernicious political influence of certain member states, including the People's Republic of China;

(2) the Senate strongly prefers that any agreement related to pandemic prevention, preparedness, and response adopted by the World Health Assembly pursuant to the work of the INB be considered a treaty requiring the advice and consent of the Senate, with two-thirds of Senators concurring;

(3) the scope of the agreement which the INB has been tasked with drafting, as outlined by the Director-General, is so broad that any application of the factors referred to in subsection (b)(11) will weigh strongly in favor of it being considered a treaty; and

(4) given the level of public distrust, any relevant new agreement by the World Health Assembly which cannot garner the two-thirds vote needed for Senate ratification should not be agreed to or implemented by the United States.

(d) APPLICABILITY OF SENATE ADVICE AND CONSENT CONSTITUTIONAL REQUIREMENT.—Notwithstanding any other provision of law, any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the World Health Assembly pursuant to the recommendations, report, or work of the International Negotiating Body established by the second special session of the World Health Assembly is deemed to be a treaty that is subject to the requirements of article II, section 2, clause 2 of the Constitution of the United States, which requires the advice and consent of the Senate, with two-thirds of Senators concurring.

SA 12. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. AGREEMENTS RELATED TO NUCLEAR PROGRAM OF IRAN DEEMED TREATIES SUBJECT TO ADVICE AND CONSENT OF THE SENATE.

(a) TREATY SUBJECT TO ADVICE AND CONSENT OF THE SENATE.—Notwithstanding any other provision of law, any agreement reached by the President with Iran relating to the nuclear program of Iran is deemed to be a treaty that is subject to the requirements of article II, section 2, clause 2 of the Constitution of the United States requiring that the treaty is subject to the advice and consent of the Senate, with two-thirds of Senators concurring.

(b) LIMITATION ON SANCTIONS RELIEF.—Notwithstanding any other provision of law, the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions under any other provision of law or refrain from applying any such sanctions pursuant to an agreement related to the nuclear program of Iran that includes the United States, commits the United States to take action, or pursuant to which the United States commits or otherwise agrees to take action, regardless of the form it takes, whether a political commitment or otherwise, and regardless of whether it is legally binding or not, including any joint comprehensive plan of action entered into or made between Iran and any other parties, and any additional materials related thereto, including annexes, appendices, codicils, side agreements, implementing materials, documents, and guidance, technical or other understandings, and any related agreements, whether entered into or implemented prior to the agreement or to be entered into or implemented in the future, unless the agreement is subject to the advice and consent of the Senate as a treaty and receives the concurrence of two-thirds of Senators.

SA 13. Mr. SCOTT of Florida (for himself, Mr. TILLIS, and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. JOINT SELECT COMMITTEE ON AFGHANISTAN.

(a) ESTABLISHMENT.—There is established a joint select committee of Congress to be known as the ''Joint Select Committee on Afghanistan'' (in this section referred to as the ''Joint Committee'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Joint Committee shall be composed of 12 members appointed pursuant to paragraph (2).

(2) APPOINTMENT.—Members of the Joint Committee shall be appointed as follows:

(A) The majority leader of the Senate shall appoint 3 members from among Members of the Senate.

(B) The minority leader of the Senate shall appoint 3 members from among Members of the Senate.

(C) The Speaker of the House of Representatives shall appoint 3 members from among Members of the House of Representatives.

(D) The minority leader of the House of Representatives shall appoint 3 members from among Members of the House of Representatives.

(3) CO-CHAIRS.—

(A) IN GENERAL.—Two of the appointed members of the Joint Committee shall serve as co-chairs. The Speaker of the House of Representatives and the majority leader of the Senate shall jointly appoint one co-chair, and the minority leader of the House of Representatives and the minority leader of the Senate shall jointly appoint the second co-chair. The co-chairs shall be appointed not later than 14 calendar days after the date of the enactment of this Act.

(B) STAFF DIRECTOR.—The co-chairs, acting jointly, shall hire the staff director of the Joint Committee.

(4) DATE.—Members of the Joint Committee shall be appointed not later than 14 calendar days after the date of the enactment of this Act.

(5) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Joint Committee. Any vacancy in the Joint Committee shall not affect its powers, but shall be filled not later than 14 calendar days after the date on which the vacancy occurs, in the same manner as the original designation was made. If a member of the Joint Committee ceases to be a Member of the House of Representatives or the Senate, as the case may be, the member is no longer a member of the Joint Committee and a vacancy shall exist.

(c) INVESTIGATION AND REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Joint Committee shall conduct an investigation and submit to Congress a report on the United States 2021 withdrawal from Afghanistan.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A summary of any intelligence reports that indicated an imminent threat at the Hamid Karzai International Airport preceding the deadly attack on August 26, 2021, and the risks to United States and allied country civilians as well as Afghan partners for various United States withdrawal scenarios.

(B) A summary of any intelligence reports that indicated that withdrawing military personnel and closing United States military installations in Afghanistan before evacuating civilians would negatively affect the evacuation of United States citizens, green card holders, and Afghan partners and thus put them at risk.

(C) A full review of planning by the National Security Council, the Department of State, and the Department of Defense for a noncombatant evacuation from Afghanistan, including details of all scenarios used by the Department of State or the Department of Defense to plan and prepare for noncombatant evacuation operations.

(D) An analysis of the relationship between the retrograde and noncombatant evacuation operation plans and operations.

(E) A description of any actions that were taken by the United States Government to protect the safety of United States forces and neutralize threats in any withdrawal scenarios.

(F) A full review of all withdrawal scenarios compiled by the intelligence community and the Department of Defense with timelines for the decisions taken, including all advice provided by military leaders to President Joseph R. Biden and his national security team beginning in January 2021.

(G) An analysis of why the withdrawal timeline expedited from the September 11, 2021, date set by President Biden earlier this year.

(H) An analysis of United States and allied intelligence shared with the Taliban.

(I) An analysis of any actions taken by the United States Government to proactively prepare for a successful withdrawal.

(J) A summary of intelligence that informed statements and assurances made to the American people that the Taliban would not take over Afghanistan with the speed that it did in August 2021.

(K) A full and unredacted transcript of the phone call between President Joe Biden and President Ashraf Ghani of Afghanistan on July 23, 2021.

(L) A summary of any documents, reports, or intelligence that indicates whether any members of the intelligence community, the United States Armed Forces, or NATO partners supporting the mission warned that the Taliban would swiftly reclaim Afghanistan.

(M) A description of the extent to which any members of the intelligence community, the United States Armed Forces, or NATO partners supporting the mission advised steps to be taken by the White House that were ultimately rejected.

(N) An assessment of the decision not to order a noncombatant evacuation operation until August 14, 2021.

(O) An assessment of whose advice the President heeded in maintaining the timeline and the status of forces on the ground before Thursday, August 12, 2021.

(P) A description of the initial views and advice of the United States Armed Forces and the intelligence community given to the National Security Council and the White House before the decisions were taken regarding closure of United States military installations, withdrawal of United States assets, and withdrawal of United States military personnel.

(Q) An assessment of United States assets, as well as any assets left behind by allies, that could now be used by the Taliban, ISIS–K, and other terrorist organizations operating within the region.

(R) An assessment of United States assets slated to be delivered to Afghanistan, if any, the delivery of which was paused because of the President's decision to withdraw, and the status of and plans for those assets now.

(S) An assessment of vetting procedures for Afghan civilians to be evacuated with a timeline for the decision making and ultimate decisions taken to ensure that no terrorist suspects, persons with ties to terrorists, or dangerous individuals would be admitted into third countries or the United States.

(T) An assessment of the discussions between the United States Government and allies supporting our efforts in Afghanistan and a timeline for decision making regarding the withdrawal of United States forces, including discussion and decisions about how to work together to repatriate all foreign nationals desiring to return to their home countries.

(U) A review of the policy decisions with timeline regarding all Afghan nationals and other refugees evacuated from Afghanistan by the United States Government and brought to third countries and the United States, including a report on what role the United States Armed Forces performed in vetting each individual and what coordination the Departments of State and Defense engaged in to safeguard members of the Armed Forces from infectious diseases and terrorist threats.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(d) MEETINGS.—

(1) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Joint Committee have been appointed, the Joint Committee shall hold its first meeting.

(2) FREQUENCY.—The Joint Committee shall meet at the call of the co-chairs.

(3) QUORUM.—A majority of the members of the Joint Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(4) VOTING.—No proxy voting shall be allowed on behalf of the members of the Joint Committee.

(e) ADMINISTRATION.—

(1) IN GENERAL.—To enable the Joint Committee to exercise its powers, functions, and duties, there are authorized to be disbursed by the Senate the actual and necessary expenses of the Joint Committee approved by the co-chairs, subject to the rules and regulations of the Senate.

(2) EXPENSES.—In carrying out its functions, the Joint Committee is authorized to incur expenses in the same manner and under the same conditions as the Joint Economic Committee is authorized by section 11 of Public Law 79–304 (15 U.S.C. 1024 (d)).

(3) HEARINGS.—

(A) IN GENERAL.—The Joint Committee may, for the purpose of carrying out this section, hold such hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths as the Joint Committee considers advisable.

(B) HEARING PROCEDURES AND RESPONSIBILITIES OF CO-CHAIRS.—

(i) ANNOUNCEMENT.—The co-chairs of the Joint Committee shall make a public announcement of the date, place, time, and subject matter of any hearing to be conducted, not less than 7 days in advance of such hearing, unless the co-chairs determine that there is good cause to begin such hearing at an earlier date.

(ii) WRITTEN STATEMENT.—A witness appearing before the Joint Committee shall file a written statement of proposed testimony at least 2 calendar days before the appearance of the witness, unless the requirement is waived by the co-chairs, following their determination that there is good cause for failure to comply with such requirement.

(4) COOPERATION FROM FEDERAL AGENCIES.—

(A) TECHNICAL ASSISTANCE.—Upon written request of the co-chairs, a Federal agency shall provide technical assistance to the Joint Committee in order for the Joint Committee to carry out its duties.

(B) PROVISION OF INFORMATION.—The Secretary of State, the Secretary of Defense, the Director of National Intelligence, the heads of the elements of the intelligence community, the Secretary of Homeland Security, and the National Security Council shall expeditiously respond to requests for information related to compiling the report under subsection (c).

(f) STAFF OF JOINT COMMITTEE.—

(1) IN GENERAL.—The co-chairs of the Joint Committee may jointly appoint and fix the compensation of staff as they deem necessary, within the guidelines for employees of the Senate and following all applicable rules and employment requirements of the Senate.

(2) ETHICAL STANDARDS.—Members on the Joint Committee who serve in the House of Representatives shall be governed by the ethics rules and requirements of the House. Members of the Senate who serve on the Joint Committee and staff of the Joint Committee shall comply with the ethics rules of the Senate.

(g) TERMINATION.—The Joint Committee shall terminate on the date that is one year after the date of the enactment of this Act.

(h) FUNDING.—Funding for the Joint Committee shall be derived in equal portions from—

(1) the applicable accounts of the House of Representatives; and

(2) the contingent fund of the Senate from the appropriations account ''Miscellaneous Items'', subject to the rules and regulations of the Senate.

SA 14. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

Strike section 2 and insert the following:

SEC. 2. REDUCED AUTHORITY UNDER THE AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is amended—

(1) by striking the preamble;

(2) in section 1, by striking ''Against Iraq Resolution of 2002'' and inserting ''Against Iranian backed Militias Operating in Iraq'';

(3) by striking section 2;

(4) by redesignating sections 3 and 4 as sections 2 and 3, respectively;

(5) in section 2, as redesignated by paragraph (4)—

(A) in subsection (a), by striking ''necessary and appropriate in order to'' and all that follows through the period at the end and inserting ''necessary and appropriate to defend the national security of the United States against Iranian-backed militias operating in Iraq.''; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''alone either'' and all that follows through ''regarding Iraq'' and inserting ''alone will not adequately protect the national security of the United States against the continuing threat posed by Iranian backed militias operating in Iraq''; and

(ii) in paragraph (2), by striking '', including'' and all that follows through ''September 11, 2001''; and

(6) in section 3, as so redesignated—

(A) in subsection (a)—

(i) by striking ''section 3'' and inserting ''section 2''; and

(ii) by striking '', including'' and all that follows through ''(Public Law 105–338)''; and

(B) by striking subsection (c).

SA 15. Mr. SCHUMER proposed an amendment to the bill S. 316, to repeal the authorizations for use of military force against Iraq; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 16. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows: