United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, FIRST SESSION

Vol. 169 WASHINGTON, THURSDAY, JULY 27, 2023 No. 130

Senate

The Senate met at 10 a.m. and was called to order by the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Majestic God, You have been our dwelling place in all generations, and we are sustained by Your unfailing love.

Today, surround our Senators with the shield of Your favor as they labor to keep our Nation strong. Lord, teach them to be obedient to Your commands, doing Your good will as Your presence fills them with joy. May they be quick to listen, slow to speak, and slow to anger. Manifest Your power throughout their labors so that this Nation will be exalted by righteousness. May Your angels guide us all in our ways.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 27, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. KING thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2226, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2226) to authorize appropriations for fiscal year 2024 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.

Pending:

Schumer (for Reed-Wicker) amendment No. 935, in the nature of a substitute.

Schumer amendment No. 936 (to amendment No. 935), to add an effective date.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

S. 2226

Mr. SCHUMER. Mr. President, today the Senate will continue to process the National Defense Authorization Act, the NDAA. I believe we have had a really good process so far, and I hope this bipartisan work can get us through to the finish as soon as possible.

We made good progress on amendments last night. It took a while, but we have voted on 19 amendments to the NDAA and have at least 8 more amendment votes lined up for today. We have a lot of votes to get through, so I urge Senators—I urge my colleagues on both sides of the aisle—to be cooperative, to remain in the Senate Chamber as the series of votes progresses through the afternoon so we can keep the process moving.

Last night, we ran a hotline that includes a few additional votes and a managers' package of 48 amendments—23 from Democrats, 23 from Republicans, and 2 bipartisan. Each side of the aisle has amendments they really want in that managers' package and a good number of them were bipartisan. We have had an open and constructive amendment process for the NDAA, with both sides—both sides—working together in good faith. This is exactly how the process for the NDAA should look: bipartisan, cooperative.

I want to thank all of my colleagues, particularly Senators REED and WICKER, for their good work.

I am also proud of our first managers' package that had 51 amendments—21 from Republicans, 21 from Democrats, and 9 bipartisan. And some of the biggest accomplishments in this bill, I am proud to say, are broadly bipartisan, like progress on our efforts to outcompete the Chinese Government.

As I have been saying for weeks, passing the NDAA is a chance to show the American people how the Senate can productively work.

Another really important thing that is in this bill is the FEND Off Fentanyl Act, which will help give the administration tools it needs, including emergency powers, to stop the precursor

drugs from flowing out of China—the Chinese Government has done virtually nothing to help us thus far—going to Mexico, being made into fentanyl, and then being shipped to the United States to kill our children. Over 100,000 people have died of fentanyl last year.

So as I have been saying for weeks, the NDAA is a chance to show the American people the Senate can work productively on significant things they care about as well as on national security matters, which they care about as well.

What is happening in the Senate is a stark contrast to the partisan race to the bottom we saw in the House, where House Republicans are pushing partisan legislation that has zero chance of passing. House Republicans should look to the Senate to see how things get done. We are passing important bipartisan legislation. They are throwing on the floor partisan legislation that has no chance of passing. The contrast is glaring. If House Republicans would look to how we are working here in the Senate and emulate us a little more, they could be far more productive.

We have every reason today to believe that we can finish the NDAA as soon as possible, and I am hopeful we can get it done.

APPROPRIATIONS

Mr. President, off the floor, our appropriators continue to make good progress on the appropriations bill. This morning, the Appropriations Committee is marking up the remaining four appropriations bills.

It is just like the NDAA. Both sides—Democrats, Republicans—have been working really well together. This is never an easy process. But I really want to thank Chair MURRAY and Vice Chair COLLINS. They have worked together in a really supremely bipartisan, almost exquisite, way for shepherding these bills through committee with bipartisan support. It ain't easy in this time when the country is so divided.

This is a model for how appropriations processes should always work: both sides coming together, finding common ground, and advancing bills that invest in American families, keep communities safe, drive down our costs, and keep our government open. It is this type of bipartisanship that has prevented any government shutdowns last Congress when Democrats had majorities in the House and Senate. And the American people certainly don't want to see a shutdown now.

So there is a lot of work left to do, but I am pleased that our appropriators are making progress on these markups, and I thank them again.

You look at the NDAA bill and you look at the appropriations bill, you compare the House to the Senate, the contrast, as I said, is glaring. And House Republicans should look to the Senate for how to really get things done and help the American people instead of just shouting partisan screeds.

ARTIFICIAL INTELLIGENCE

Mr. President, on the AI briefing, yesterday, we held our third all-Senate briefing on AI. This was our final briefing, in a three-part series on AI, and it focused on U.S. investment and innovation and American leadership in AI technology that will continue to shape our world over the next decade and beyond.

The presentation was informative. Our briefers did a superb job highlighting just how quickly AI technology is developing.

I want to thank our briefers: Rick Stevens from the Department of Energy; Dr. Geri Richmond from the Department of Energy; Dr. Sethuraman Panchanathan, nicknamed affectionately ''Panch,'' head of the National Science Foundation; Dr. Kathleen Fisher from DARPA; and our moderator, Dr. Jose-Marie Giffiths.

We had great attendance on all three of our AI briefings. Both Democrats and Republicans were engaged and asked a lot of really good questions. It shows there is real bipartisan interest in AI, which will be necessary if we want to make progress on what really is imperative for this country: putting together AI legislation that encourages innovation but has safeguards to prevent the liabilities that AI could present.

Later this fall, we will continue our work on AI by convening the first ever AI Insight Forums. These forums will bring the top AI developers, executives, and experts together to lay the foundation for action on AI.

And, again, I want to thank my colleagues who attended our briefings, including, of course, Senators HEINRICH, ROUNDS, and YOUNG, part of our little group that helped to organize them.

REMEMBERING TONY BENNETT

Mr. President, finally, on a great, great American icon, Anthony Dominick Benedetto, more affectionately and widely known as Tony Bennett. We lost an American icon last week, a son of Astoria, Queens, and one of the most beloved singers of our time—the incomparable, wonderful, caring Tony Bennett. On Tuesday, I introduced a resolution declaring Tony Bennett's birthday, August 3, as ''Tony Bennett Day.''

It didn't matter if you were young, old, or in the middle, if you were a close friend or a new fan, everyone just loved Tony. Just to hear him sing a few bars, you knew he cared about you and he really cared about the words of the song. He wasn't just getting up there to make some money. He really wanted to show his love for music and for people.

Tony Bennett leaves behind a tremendous legacy that will inspire generations of artists to come, and I look forward to passing this resolution honoring him today a little bit later.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Montana.

MARC FOGEL

Mr. DAINES. Mr. President, I would like to use my time today to raise awareness about an important issue. Actually, it is about an important person, and his name is Marc Fogel.

Marc is a beloved father and husband. He is also a son, a brother, and an uncle. Over the course of his life, he has been a formative mentor to many young minds. You see, Marc Fogel spent 35 years teaching American history at American international schools around the world and most recently in Moscow. But after dedicating so much of his life to the service of others, he is currently detained in a Russian labor camp.

On August 14, 2021, as Marc returned to Russia for 1 final year of teaching before a much-deserved retirement, he was arrested in a Moscow airport for carrying about half an ounce of medical marijuana in his luggage. Marc had been prescribed the medical marijuana as an alternative to opioids to manage his chronic pain after undergoing multiple back surgeries, including a spinal fusion and various other challenging and painful procedures. Marc did not think that this healthcare decision would cost him his freedom and maybe even his life, but following his arrest, a Russian court convicted Marc of ''large-scale drug smuggling'' and sentenced him to 14 years in a maximum security penal colony. He has been there ever since.

In 2021, the same year as Marc's arrest, the U.S. State Department described the conditions in Russian prisons and detention centers as ''often harsh and life threatening.'' They reported overcrowding, abuse by guards and inmates, limited access to healthcare, food shortages, and inadequate sanitation as common occurrences—many practices that most Americans can't even imagine.

Considering the inhumane and harsh treatment reported in these centers and especially given the health challenges that Marc was already facing upon his arrest, Marc's family now fears he is not going to survive his sentence.

This is an injustice at the highest level, and it must not be tolerated by our government.

It is important to recognize that Marc is not the only American illegally detained abroad. U.S. Marine Paul Whelan and Wall Street Journal reporter Evan Gershkovich are both still trapped in Russian prisons as well.

But while all three of these men are wrongfully detained in Russia, only Paul Whelan and Evan Gershkovich have been recognized as wrongfully detained by the State Department. The State Department considers a formal

wrongful detention status as being one of the first steps to getting an American who is detained abroad back home. This determination mobilizes multiple U.S. Agencies to work with the State Department and the family of the detained to secure the prisoner's release.

There are currently over 50 American citizens the State Department lists as wrongfully detained in Russia, China, Iran, and Venezuela. However, despite being unjustly detained for the last nearly 2 years—with no end in sight—Marc is still not designated as wrongfully detained by the U.S. State Department.

You may recall the Biden administration's high-profile negotiation to bring WNBA star Brittney Griner home after she was detained in Russia, just after Fogel, over a similar drug-related offense. Ms. Griner is, thankfully, home. One of the key differences between Brittney Griner's and Marc Fogel's cases is that, less than 3 months after Griner's arrest, the State Department classified her as wrongfully detained. Fogel deserves the same justice, and we should be using every tool at our disposal to bring him home.

I have had the privilege of getting to know some of Marc's family, some of whom are Montanans. They have been fierce advocates here stateside, but they fear they will never see their brother's face again or hear their father's voice. We can't let that happen.

In working alongside the Fogel family, I have also teamed up with President Obama's U.S. Ambassador to Russia, Mike McFaul. Mike McFaul was my former Bozeman High School debate partner, whose son was actually a student of Marc Fogel when Ambassador McFaul was serving in Moscow. Mike McFaul and I are working together to implore the State Department to finally declare Marc as wrongfully detained.

This week, I also worked with colleagues across the aisle to introduce a resolution highlighting the unjust and disproportionate criminal sentence by Russia and calling for the immediate release of Mr. Fogel.

Time is of the essence. Tomorrow is Marc's 62nd birthday, but instead of celebrating with his friends and family, he will be spending it illegally detained in a Russian labor camp.

No American should ever have to endure this type of injustice. It is time the country and the world know about Mr. Fogel's case, and I urge the administration to help bring this American back home once again.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOOKER). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

THE ECONOMY

Mr. MCCONNELL. Mr. President, yesterday, Senate Democrats celebrated the anniversary of their reckless taxing-and-spending spree. As the Democratic leader put it, ''this legislation is paying huge dividends.'' Well, he is right about that, but the windfalls from the deluge of liberal spending are headed all in the wrong directions.

Last year, Senate Republicans warned anyone who would listen about the dangers of our colleagues' plan. We explained how green slush funds dreamed up by leftwing activists wouldn't bring on the American industrial renaissance that Democrats were claiming it would, how half-baked climate schemes that relied on Chinese components and raw materials would give American workers and job creators the short end of the stick, and how crucial industries would face even heavier reliance on foreign supply chains.

But Washington Democrats paid these warnings no mind. They rammed through their radical spending on a party-line basis. Afterward, the senior Senator from West Virginia boasted that he ''did it to help America.'' The senior Senator from Montana said he ''look(s) forward to seeing the benefits of that bill.'' And President Biden summed up their action by saying:

> We are going to invest in America again. . . . That's been my economic vision.

Well, it is now crystal clear. Either Democrats didn't know what their own bill was actually designed to do or they knew exactly what it would do and decided to sell out American workers and job creators.

Here is the inconvenient—and dangerous—truth. Of the $110 billion this scheme has spent on green projects so far, foreign companies are involved in over 60 percent of it. In fact, foreign entities have their hand in 15 of the 20 biggest projects receiving money from the bill, and a full $8 billion is benefiting companies either based in or with significant ties to the People's Republic of China—over $100 billion in leftwing spending, and the majority has some tie to foreign countries, including America's biggest strategic adversary.

So our Democrat colleagues sold their reckless spending spree as a ''Made in America'' investment, but the only thing it appears to be making in America is a mess.

S. 2226

Now, on another matter, Mr. President, almost 2 years ago, the United States took an important step toward deeper cooperation with two of our closest friends: Australia and the United Kingdom.

The AUKUS agreement promises to equip our Australian allies with cutting-edge U.S. attack submarines to help deter aggression in the Indo-Pacific and clear the way for closer collaboration between all three nations on advanced defense technologies.

Like Ranking Member WICKER, Vice Chair COLLINS, and many other colleagues on both sides of the aisle, I have been supportive of this important effort. Outcompeting China is going to take a coalition of committed allies and partners. Senate Republicans want AUKUS to be more than just a talking point or a one-time summit deliverable. We want it to be an enduring contribution to our collective security and a major expansion of defense cooperation with our closest allies.

But standing in the way of the historic opportunity—AUKUS—is the same persistent roadblock holding back our other efforts in military modernization. President Biden's defense budget request grossly—grossly—underestimates what is required to meet the challenges his own national defense strategy identifies.

If we are serious about deterring conflict in the Indo-Pacific, we must address America's aging attack submarine fleet.

Senior military leaders say they need 66 attack submarines to carry out necessary missions, but the Navy currently has 49. Right now, our defense industrial base produces 1.2 new submarines a year, but the Department of Defense will need to double production capacity just to avoid further reductions in the fleet.

Our allies' significant investments in shipbuilding are welcome steps that will improve our mutual security, but if the United States doesn't increase our own shipbuilding capacity and production rate, we will both fall behind, as China erodes our key advantage in the undersea domain. As Ranking Member WICKER has pointed out, that means funding for more attack submarines and concrete investments in the production lines that will help us meet our goals.

If the administration is serious about making AUKUS a success, it should work with Congress this fall to make urgent supplemental investments in meeting military requirements in the Indo-Pacific. Importantly, the administration should also prioritize removing barriers in the technology transfer process that prevent more effective long-term cooperation with our closest allies.

The reforms laid out in Pillar Two of AUKUS are essential not just for putting more cutting-edge U.S. technology in the Indo-Pacific but also for tapping into our allies' own technical advances and industrial bases.

If we are serious about building secure, high-tech supply chains, we should go further to shore up this critical pillar of AUKUS and lower barriers to cooperation with our closest allies. As I have said before, for the purposes of defense technology cooperation, we should treat Australia and the United Kingdom like we treat Canada.

So, today, I joined Ranking Member WICKER, Vice Chair COLLINS, and several of our colleagues in making the

case to President Biden. I hope and expect that the administration will recognize the need to invest further in our capacity to counter growing threats in the Indo-Pacific. And for our part, I expect the Senate to continue our work to provide for the common defense in earnest.

The PRESIDING OFFICER. The Senator from California.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. PADILLA. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Executive Calendar No. 266, Tara K. McGrath, to be U.S. Attorney for the Southern District of California; that the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Ohio.

Mr. VANCE. Reserving the right to object, Mr. President, my objection is not specific to this nominee. I think the Biden administration is not sending its best to the Department of Justice. Many of the nominees are unqualified. Some of them seem actively corrupt, and some, I assume, are good people. But the problem is not this specific nominee. The problem is the fact that the Department of Justice has been corrupted under the Biden administration, and there needs to be some reckoning with the American people and with this body and with the nominations process before we allow these nominees to glidepath to the confirmation process.

Let's just talk about a tale of two leaders in this country right now, one a Democrat and one a Republican. Of course, for the President of the United States, his son Hunter Biden has multiple Federal charges, multiple Federal investigations that implicate directly on the President's business dealings and may very well implicate the President directly and plausibly could lead to some significant problems for the President in the Presidential election.

Yesterday, the plea deal that the Department of Justice cut with Hunter Biden fell apart with minimal scrutiny from the Federal judge in that case. That is how the Department of Justice treats the Democratic leadership in this country, with kid gloves, even in the face of very serious corruption.

Let's ask ourselves how they treat the former Republican President in the face of a classified document scandal, where, literally, the claim is that the President of the United States mishandled the documents of his own administration.

Now, nobody doubts that President Trump had the right to declassify documents at issue in this case. The argument is that he didn't, and, therefore, they want to throw him in jail. Is that really what we are doing at the height of the Presidential campaign—trying to throw the former President in jail, the likely leader of the opposition, in prison, because he didn't cross the t's and dot the i's on the classification or declassification process? This is a ridiculous scandal in our entire country.

Look, whether these nominees are qualified or not qualified, we should have the vote and make that determination as a body. It is not, at the end of the day—as I have learned in 8 months—all that difficult and all that hard to vote. But we have to stop giving these nominees a glidepath until Merrick Garland commits to using the Department of Justice for justice and not for politics, as it is being used today.

So I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from California.

Mr. PADILLA. Mr. President, let me just add that it is beyond disappointing and beyond frustrating that our colleague from Ohio continues to hold the Senate process hostage for political gain.

I won't get into the credentials and stellar qualifications that Ms. McGrath has to serve in this capacity. I will reserve that for a more constructive day relative to her confirmation. But I will note this with a sense of urgency. In the Southern District of California, the current acting U.S. attorney is due to step down on August 4. So there is an urgency to this particular confirmation—a confirmation which was approved by the Senate Judiciary Committee, by the way, but has not been voted on by the entire Senate.

And it is not just this confirmation. I am not going to talk about Federal judges. I am not going to talk about military promotions that are on hold because of politics being played on the other side of the aisle.

I believe the American people deserve to know that when even the confirmation of U.S. attorneys are being held up, it is impeding the investigation of crimes. It is impeding the enforcement of our Nation's laws. It is impeding the cooperation and coordination between various prosecutors' offices throughout the country. That is the job of a U.S. attorney. And it is shameful that Republican colleagues are holding these confirmations up, particularly of candidates for these positions who are far and above the qualifications necessary to serve in these capacities.

ENERGY

Mr. President, I also rise to speak today on this hot summer day in Washington, DC, where the forecast, as I was on the way in, showed that it was going to be 99 degrees today. Well, 35 years ago, on a scorching 98-degree summer day here in Washington, NASA scientist Dr. James Hansen testified in the Senate Energy and Natural Resources Committee to share an alarming conclusion.

Thirty-five years ago, he said this: Manmade pollution was causing our climate to change. It was one of the earliest major scientific warnings that, without action, one day our planet would be at risk of catastrophic climate events.

So colleagues, I am here to say that day has come. This past May, in a report in the Environmental Research Letters journal, researchers found a direct correlation between increased carbon emissions and wildfires in the Western United States.

Eight of the last ten largest wildfires in California history have occurred in just the last 6 years. In June, last month, New York City experienced the worst air pollution recorded on the planet, while Washington, DC, was blanketed in smoke not because of wildfires in California but because of wildfires in Canada. And over the last several weeks, a heat wave has brought record-breaking temperatures from coast to coast and put over 140 million Americans under heat alerts. And just today, we learned that this July is set to be the hottest month in recorded history.

So the question is no longer hypothetical; the question is real: How viable of a planet are we going to leave to our children and our grandchildren? We must act, colleagues. Yet, even in the year 2023, with indisputable proof in many scientific studies, too many of our Republican colleagues remain defiant.

Now, I will acknowledge that the deliberate attempt to distract from the problem at hand has evolved over time. What was once ''climate change is a hoax'' has become ''defense of industry'' or ''market-based solutions.'' What was once the Republican chair of the Senate Environment and Public Works Committee bringing a snowball onto the floor of the U.S. Senate to somehow disprove the dynamic of a warming planet has been replaced with press conferences promising energy independence if we only allow continued polluting.

It is a new kind of climate denial, a sophisticated campaign to create delays and undermine climate progress in order to enrich major corporations' bottom lines. But, make no mistake, the result is the same: Republicans continuing to obstruct desperately needed solutions.

They vilify President Biden and all of us Democrats for having the courage to fight for bold action, and all too often they hold up California as the punching bag for enacting lifesaving policies that they disagree with. That is right; they bash California for having the audacity to lead.

So, today, I want to set the record straight. Yes, in California we have long accepted the truth about climate change, and as a result, we have been trailblazers for enacting environmental protections and leading our clean energy transition. As far back as 1966, California established the first tailpipe

emission standards for passenger vehicles in the Nation. Three years later, after a catastrophic oil spill off the coast of Santa Barbara, Californians rose up and demanded environmental protections, spurring the birth of the modern-day environmental movement and eventually creating the very first Earth Day, which we now celebrate every year.

Mr. President, flash forward to 2006, when California passed AB 32, also known as the Global Warming Solutions Act—legislation with the bold goal of reducing emissions to 1990 levels by the year 2020. I was elected to the State senate that year, eager to be part of implementation of that measure, and I went on to serve for 6 years as chair of the State senate Committee on Energy.

Now, since then, California has continued to lead the Nation with increasingly ambitious goals for cutting emissions, conserving public lands, becoming the first State committed to conserving 30 percent of our lands and water by the year 2030, a goal that President Biden has called for nationally.

Just this month, California's environmental leadership came in the form of the Nation's heavy-duty truck manufacturers agreeing to comply with California's first-in-the-Nation zero emission truck standards, which will advance the adoption of 100 percent zero-emission trucks by 2036, a truly historic achievement. And I think it is important to repeat and emphasize here, I am talking about a standard that truck manufacturers have agreed to.

But let me make another point, Mr. President, just to demonstrate just how partisan this conversation ought not to be. It has not just been Democrats in California who have led the way. As President, former California Senator Richard Nixon signed into law landmark legislation, including the National Environmental Policy Act, the Clean Air Act of 1970, the Endangered Species Act, and the creation of the EPA. That is right; a Republican President did that.

As President, former California Gov. Ronald Reagan built on California's leadership when he signed the first national energy efficiency standards for appliances into law. That is right; a Republican President did that.

It was Republican Gov. Pete Wilson, who established the California EPA, and it was Republican Gov. Arnold Schwarzenegger, who signed the 2006 Global Warming Solutions Act that I referenced earlier.

The net result in California's efforts is that, in 2023, our State has a diverse portfolio of clean energy resources, not hypothetical—operational solar, wind, and geothermal energy—all while fostering a growing economy that is on its way to becoming the fourth largest economy in the world. It is that long-term vision and commitment to clean energy and a transition to it that will bring the first-ever transition to Caltrain's all-new electric fleet in 2024, a three-decade-long project that will result in the first transition from diesel trains in the West. It is that same vision that diversified our energy sources so that, after a winter of extreme storms like we saw this last year, we can take advantage of torrential rains with hydropower capabilities or reap the benefits of our expanded solar capacity and battery storage.

I raise these examples, colleagues, not just to showcase California's leadership but to prove that these aren't just lofty climate aspirations. California is proving that a clean energy transition is not only possible; it is actually good for our economy. And, today, the Federal Government is smart to follow California's lead.

Over the last 2 years, we have made huge strides toward transitioning our Nation's energy sector to clean, renewable sources and adopting California's clean vehicle emission standards. When we passed the bipartisan infrastructure law, we also chose to invest in clean schoolbuses, to invest in electrifying public transit across the country. We chose to expand electric vehicle charging stations to make the switch to electric vehicles that much more convenient for Americans.

Last summer, we passed the Inflation Reduction Act, which is jump-starting clean energy and clean transportation projects, providing tax credits for Americans to upgrade their appliances and their homes and making electric vehicle ownership more affordable.

And, more recently, we were able to defend our hard-fought gains during the debt ceiling negotiations from Republicans who wanted to undercut our progress.

Now, part of making sure we fully realize the investments in the IRA is speeding up the permitting process for transmission lines that are needed to deliver the renewable energy from where it occurs as a natural resource to the communities where it is needed. It also means pushing Agencies like the EPA to embark on ambitious regulatory efforts on light- and heavy-duty vehicles, trains, and ships, thanks to investments in the IRA.

So when we hear the defeatist attitude of Republicans who say this is going to hurt jobs, we can show them the millions of good-paying jobs being created by the Inflation Reduction Act.

When we hear about alleged overreliance on foreign imports, we will show them badly needed investments in domestic manufacturing and a new generation of American solar, wind, geothermal, and green hydrogen.

And when we hear cynics who prefer inaction to intervention, a planet burning to Congress acting, we will show them that the audacity to lead has paid off before, and it can pay off again.

Now, I am willing to forgive all that has been said—all the misinformation about climate change, all the ranting about California—if my Republican colleagues were just willing to do what is right. Now, in the end, I wouldn't even ask my Republican colleagues to reverse their positions and have the courage to lead. I will settle for their courage to follow or at least get out of the way because California has already shown us the path forward.

Have the courage, colleagues. Have the courage for the sake of our children and future generations.

I yield the floor.

The PRESIDING OFFICER (Mr. LUJÁN). The Senator from Wyoming.

Mr. BARRASSO. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection.

AMENDMENT NO. 999

(Purpose: To require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, establish an HALEU for Advanced Nuclear Reactor Demonstration Projects Program, and submit a report on a civil nuclear credit program, and to enhance programs to build workforce capacity to meet critical mission needs of the Department of Energy)

Mr. BARRASSO. Mr. President, at this point, I call up my amendment No. 999 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO], for himself and others, proposes an amendment numbered 999.

(The amendment is printed in the RECORD of July 20, 2023, under ''Text of Amendments.'')

Mr. BARRASSO. For decades now, Russia has flooded America's uranium market. Russia has driven America's nuclear fuel suppliers out of business. Russia now supplies 24 percent of our enriched uranium imports. Russia is our third largest supplier. We spend nearly $1 billion each year on Russian uranium. Russia uses these revenues to fund its invasion of Ukraine.

Here in America, we have the resources to fuel our own reactors. My amendment authorizes the Department of Energy to take the steps necessary to expand U.S. nuclear fuel production.

The Energy Committee passed this legislation by voice vote in May. The Senate passed this legislation by voice vote last December. It was included in last year's Senate Defense bill.

I would like to thank Senator MANCHIN, Senator RISCH, Senator MARK WARNER, Senator BUDD, and Senator COONS for their effort and their support and cosponsorship on this critical issue.

I urge you to support this bipartisan amendment.

I yield back all time.

VOTE ON AMENDMENT NO. 999

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

The yeas and nays resulted—yeas 96, nays 3, as follows:

[Rollcall Vote No. 202 Leg.]

YEAS—96

Baldwin	Graham	Paul
Barrasso	Grassley	Peters
Bennet	Hagerty	Reed
Blackburn	Hassan	Ricketts
Blumenthal	Hawley	Risch
Booker	Heinrich	Romney
Boozman	Hickenlooper	Rosen
Braun	Hirono	Rounds
Britt	Hoeven	Rubio
Brown	Hyde-Smith	Schatz
Budd	Johnson	Schmitt
Cantwell	Kaine	Schumer
Capito	Kelly	Scott (FL)
Cardin	Kennedy	Scott (SC)
Carper	King	Shaheen
Casey	Klobuchar	Sinema
Cassidy	Lankford	Smith
Collins	Lee	Stabenow
Coons	Luján	Sullivan
Cornyn	Lummis	Tester
Cortez Masto	Manchin	Thune
Cotton	Marshall	Tillis
Cramer	McConnell	Tuberville
Crapo	Menendez	Van Hollen
Cruz	Merkley	Vance
Daines	Moran	Warner
Duckworth	Mullin	Warnock
Ernst	Murkowski	Welch
Feinstein	Murphy	Whitehouse
Fetterman	Murray	Wicker
Fischer	Ossoff	Wyden
Gillibrand	Padilla	Young

NAYS—3

Markey	Sanders	Warren

NOT VOTING—1

Durbin

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 96, the nays are 3.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The amendment (No. 999) was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask unanimous consent to speak for 1 minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTE TO RORY STANLEY

Mr. MANCHIN. First of all, I want to take time for recognizing a gentleman who has given 10 years of service being our nuclear expert on the Senate Energy Committee, Rory Stanley. He is leaving us, but he is not going far. He is going to the Department of Energy's Department of Nuclear Energy.

Rory, thank you for the service you have given us. We appreciate it very much.

S. 2226

Next of all, I want to thank everyone for voting for this amendment. Finally, the United States is going to start taking care of its own and producing the enriched uranium that we need rather than depending on Russia. It is long past due, and we, finally, with this amendment, will get started in the right direction.

I want to thank all of my colleagues for voting for that.

Again, Rory, thank you for your service.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

AMENDMENT NO. 1030

Mr. SANDERS. Mr. President, I call up my amendment No. 1030 and ask that it be reported by number.

The ACTING PRESIDENT pro tempore. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself and others, proposes an amendment numbered 1030.

The amendment is as follows:

(Purpose: To reduce military spending)

At the appropriate place, insert the following:

SEC. ___. REDUCTION IN MILITARY SPENDING.

The total amount of funds authorized to be appropriated by this Act is hereby reduced by 10 percent, with the amount of such reduction to be applied on a pro rata basis among the accounts and funds for which amounts are authorized to be appropriated by this Act, excluding accounts and funds relating to military personnel, the Defense Health Program, and assistance to Ukraine. The amount of reduction for each account and fund subject to such requirement shall be applied on a pro rata basis across each program, project, and activity funded by such account or fund.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 minutes for debate, equally divided, before a vote on the Sanders amendment No. 1030.

The Senator from Vermont.

Mr. SANDERS. Mr. President, our healthcare system is broken. Eighty-five million Americans are uninsured or underinsured, and we don't even have enough doctors, nurses, or mental health providers. Unbelievably, our life expectancy is actually declining. Our childcare system is dysfunctional. Millions of parents are unable to find affordable sites for their kids.

We have a major housing crisis, 600,000 Americans are homeless, and—oh, yes—the planet is on fire, and the world we are leaving future generations will be increasingly unhealthy. But somehow we never have enough money to address those crises.

Mr. President, if we have learned anything from the COVID pandemic, where we have lost over 1 million Americans, and climate change, which is causing massive destruction throughout the world, it is that national security is not just about nuclear weapons, submarines, and fighter planes; it is about making sure that all Americans have decent healthcare, education, housing, and other necessities of life.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. SANDERS. Mr. President, I ask unanimous consent for 30 more seconds.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SANDERS. Year after year, with very little debate, we pour hundreds of billions of dollars into the military-industrial complex. This year, it is about $900 billion. While defense contractors make huge profits, while the Pentagon remains unaudited, with massive waste and fraud, we now spend more than the next 10 nations combined.

Enough is enough. It is time to change our national priorities, and cutting military spending by 10 percent is a good way to begin.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise in opposition to the amendment.

An across-the-board cut of 10 percent makes no distinction between those programs that are actually vital and necessary for the defense of the country and those programs that may be subject to reduction based on our evaluation of the program.

The Senator's amendment excludes defense health programs, military personnel accounts, and assistance to Ukraine, but that means the actual cuts on every other function will be much greater than 10 percent.

The other point that I think should be made—he has made a very rousing description, an accurate description of some of the issues facing us domestically, but we are now involved in an existential conflict, helping the Ukrainians to defend democracy. That costs money. We are in a situation where China has increased their military dramatically, and we must be prepared to react to such a change.

This world is more dangerous perhaps today than at any time, and to simply walk away from adequately funding our Defense Department would be, I think, an error.

VOTE ON AMENDMENT NO. 1030

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. REED. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

The result was announced—yeas 11, nays 88, as follows:

[Rollcall Vote No. 203 Leg.]

YEAS—11

Baldwin	Paul	Warren
Markey	Sanders	Welch
Merkley	Smith	Wyden
Murphy	Van Hollen	

NAYS—88

Barrasso	Gillibrand	Padilla
Bennet	Graham	Peters
Blackburn	Grassley	Reed
Blumenthal	Hagerty	Ricketts
Booker	Hassan	Risch
Boozman	Hawley	Romney
Braun	Heinrich	Rosen
Britt	Hickenlooper	Rounds
Brown	Hirono	Rubio
Budd	Hoeven	Schatz
Cantwell	Hyde-Smith	Schmitt
Capito	Johnson	Schumer
Cardin	Kaine	Scott (FL)
Carper	Kelly	Scott (SC)
Casey	Kennedy	Shaheen
Cassidy	King	Sinema
Collins	Klobuchar	Stabenow
Coons	Lankford	Sullivan
Cornyn	Lee	Tester
Cortez Masto	Luján	Thune
Cotton	Lummis	Tillis
Cramer	Manchin	Tuberville
Crapo	Marshall	Vance
Cruz	McConnell	Warner
Daines	Menendez	Warnock
Duckworth	Moran	Whitehouse
Ernst	Mullin	Wicker
Feinstein	Murkowski	Young
Fetterman	Murray	
Fischer	Ossoff	

NOT VOTING—1

Durbin

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 11, the nays are 88.

Under the previous order requiring 60 affirmative votes for adoption of this amendment, the amendment is not agreed to.

The amendment (No. 1030) was rejected.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate.

Mr. REED. Mr. President?

The PRESIDING OFFICER. The Senator from Rhode Island.

UNANIMOUS CONSENT AGREEMENT—AMENDMENT NOS. 1078 AND 944

Mr. REED. Mr. President, I ask unanimous consent that following the disposition of amendments under the previous order, that it be in order to call up the following amendments to S. 2226: Schatz No. 1078; Scott No. 944; further, that with respect to the amendments listed above, the Senate vote on the amendments in the order listed, with no further amendments or motions in order, and with 60 affirmative votes required for adoption, and that there be 2 minutes, equally divided, prior to each vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maryland.

AMENDMENT NO. 705

Mr. CARDIN. Mr. President, I call up my amendment No. 705 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Maryland [Mr. CARDIN], for himself and Mr. YOUNG, proposes an amendment numbered 705.

(The amendment is printed in the RECORD of July 13, 2023, under ''Text of Amendments.'')

Mr. CARDIN. Mr. President, first let me thank Senator YOUNG, my coauthor of this amendment that deals with our foreign policy being grounded in our democratic values to fight corruption. I also want to thank Senator WICKER for his help, particularly in the Helsinki Commission where this issue was debated.

I also want to thank Senator MENENDEZ and Senator RISCH, the chair and ranking members of the Senate Foreign Relations Committee. This bill has been reported out by that committee at least twice by near-unanimous or unanimous votes.

I think we all recognize that corruption provides the fuel for Mr. Putin and other corrupt leaders to do their nefarious actions, including the war in Ukraine. It is in our core national security interests to fight corruption, as has been declared by President Biden.

So this bill patterns the efforts we have made in the trafficking of persons to have the State Department evaluate the capacity of what countries are doing to combat corruption using standard evaluations such as criminalizing corruption, investigating and prosecuting, adopting measures to prevent corruption, adequate resources, and protecting victims of corruption.

This amendment will continue the U.S. leadership in fighting corruption globally. I ask my colleagues to support the amendment.

VOTE ON AMENDMENT NO. 705

Mr. President, it is my understanding that we can do this by voice vote. If that is the case, I ask unanimous consent that the 60-vote threshold with respect to this amendment be vitiated.

The PRESIDING OFFICER (Mr. SCHATZ). Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 705) was agreed to.

Mr. REED. Mr. President, I ask unanimous consent that the previous order be amended so that consideration of the Scott amendment No. 944 occur immediately, with all previous provisions remaining in effect.

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

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 944

Mr. SCOTT of South Carolina. Mr. President, I call up my amendment No. 944 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. SCOTT] proposes an amendment numbered 944.

The amendment is as follows:

(Purpose: To require an assessment of the impact and feasibility of restricting gifts and grants to United States institutions of higher education from entities on the Non-SDN Chinese Military-Industrial Complex Companies List)

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

SEC. 1269. ASSESSMENT OF GIFTS AND GRANTS TO UNITED STATES INSTITUTIONS OF HIGHER EDUCATION FROM ENTITIES ON THE NON-SDN CHINESE MILITARY-INDUSTRIAL COMPLEX COMPANIES LIST.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the appropriate congressional committees an assessment of gifts and grants to United States institutions of higher education from entities on the Non-SDN Chinese Military-Industrial Complex Companies List maintained by the Office of Foreign Assets Control.

(b) ELEMENTS.—The Secretary, in consultation with the Secretary of Education, shall include in the assessment required by subsection (a) an estimate of—

(1) a list and description of each of the gifts and grants provided to United States institutions of higher education by entities described in subsection (a); and

(2) the monetary value of each of those gifts and grants.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(2) GIFTS AND GRANTS.—The term ''gifts and grants'' includes financial contributions, material donations, provision of services, scholarships, fellowships, research funding, infrastructure investment, contracts, or any other form of support that provides a benefit to the recipient institution.

Mr. SCOTT of South Carolina. Mr. President, my amendment is a very simple amendment. It directs the Treasury Department to provide transparency on the state of Chinese military donations to U.S. universities. Every year, undisclosed sources within the People's Republic of China sends millions of dollars in gifts, grants, and other financial means to U.S. colleges and universities, and the sad fact is we know too little about that. My amendment would be the first step in understanding their impact.

I ask unanimous consent that the 60-vote threshold with respect to this amendment be vitiated.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 944

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that we do this by voice vote as well.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 944) was agreed to.

The PRESIDING OFFICER. The Marshall amendment is next.

The Senator from Kansas.

AMENDMENT NO. 874

Mr. MARSHALL. Mr. President, I call up my amendment No. 874, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kansas [Mr. MARSHALL] proposes an amendment numbered 874 to amendment No. 935.

The amendment is as follows:

(Purpose: To prohibit the flying, draping, or other display of any flag other than the flag of the United States at public buildings)

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

SEC. ___. PROHIBITION ON FLAGS OTHER THAN THE FLAG OF THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) FLAG OF THE UNITED STATES.—The term ''flag of the United States'' has the meaning given the term in section 700(b) of title 18, United States Code.

(2) PUBLIC BUILDING.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''public building'' has the meaning given the term in section 3301(a) of title 40, United States Code.

(B) INCLUSION.—The term ''public building'' includes—

(i) a military installation (as defined in section 2801(c) of title 10, United States Code); and

(ii) any embassy or consulate of the United States.

(b) PROHIBITIONS.—Notwithstanding any other provision of law and except as provided in subsection (c), no flag that is not the flag of the United States may be flown, draped, or otherwise displayed—

(1) on the exterior of a public building; or

(2) in the hallway of a public building.

(c) EXCEPTIONS.—The prohibitions under subsection (b) shall not apply to—

(1) a National League of Families POW/MIA flag (as designated by section 902 of title 36, United States Code);

(2) any flag that represents the nation of a visiting diplomat;

(3) the State flag of the State represented by a member of Congress, outside or within the office of the member;

(4) in the case of a military installation, any flag that represents a unit or branch of the Armed Forces;

(5) any flag that represents an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); or

(6) any flag that represents the State, territory, county, city, or local jurisdiction in which the public building is located.

Mr. MARSHALL. I ask unanimous consent that there be up to 4 minutes of debate, equally divided, prior to the rollcall vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MARSHALL. Mr. President, every time our flag is unfurled, I would ask you all: What emotion is stirred in your hearts? Old Glory means many things to many people. Some stand and some kneel. Some salute her while others burn her.

Regardless of your sentiments, what no one can deny is that hundreds of thousands of Americans have died for this one flag that gives you the freedoms we all enjoy. Few, if any, Americans have died for any other flag.

As for me, every time this flag is unfurled, I think about my own family members who have served. My family has had someone from every generation serve under this one flag since the Civil War. Four of my grandfathers' grandfathers enlisted in the Union to preserve this Republic, three of whom died on a bloody battlefield. My mom's uncle served in World War I and was exposed to mustard gas in the Argonne Forest, and two of my dad's uncles stormed the beaches of Normandy. My own uncles and cousins have served. My father served. My brother served. I served. My son is serving. And we all serve under one flag. My family who served, that is what I think of when this flag is unfurled.

Look, many Americans have died to give you the freedom to honor or disgrace the flag as you see fit for your own home. Wouldn't you think that, to honor America and those who serve, especially for those who have made the ultimate sacrifice and the Gold Star families, our country should honor one American flag?

I hope you will agree with me as patriots that it would be right and proper that on the buildings and grounds owned by we the people, only one flag, with reasonable exceptions—the flag so many Americans have fought and died for, the one flag that represents this idea of America—should be unfurled. This is exactly what our amendment does.

A vote against this amendment is a slap on the face of those of us who have served, and it is disrespectful to the families whose loved ones have died in defending this one flag and the Republic for which it stands.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise in opposition to this amendment.

The author has not truly revealed what the amendment does.

On all of our Federal buildings, we often see many different flags—the U.S. flag that we all join in pledging in this body but also, in certain States, the State flag. We see the MIA flag. I will tell you, in Madison, WI, at the State capitol, during the month of June, it adorns the Pride flag.

This really is thinly veiled. Let's be clear that this is about not being able to fly the Pride flag.

I was so proud last year to work across the aisle with both Democrats and Republicans to pass the Respect for Marriage Act. It was a milestone for equal rights for all Americans. But like so many other Americans in leading this march toward equality, I am reminded of how much work we have yet to do.

LGBTQ+ Americans are our neighbors, our loved ones, our constituents, and our colleagues. They serve in our Armed Forces and in the Federal Government, making sacrifices every day for their country. They work in our Federal buildings, our post offices, and in our own offices. They serve in our military and put their lives at risk for our country. These Federal buildings connect Americans to their government—a government of, by, and for the people. But, for too long, LGBTQ+ Americans have felt unwelcomed and sometimes unsafe in these spaces—these spaces that are meant to serve them too.

I think the American people are getting tired of politicians who make their support for our military servicemembers and their families contingent upon pushing a discriminatory agenda whether that be about women's rights or LGBTQ+ rights.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. BALDWIN. I urge opposition.

The PRESIDING OFFICER. The Senator from Rhode Island.

ORDER OF BUSINESS

Mr. REED. Mr. President, I ask unanimous consent that the previous order be amended so that the consideration of the Kennedy amendment occur immediately preceding the Gillibrand amendment, with all previous provisions remaining in effect.

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

VOTE ON AMENDMENT NO. 874

The question is on agreeing to the Marshall amendment.

Mr. REED. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 204 Leg.]

YEAS—50

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Manchin	Tillis
Crapo	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young
Fischer	Murkowski	

NAYS—49

Baldwin	Hickenlooper	Sanders
Bennet	Hirono	Schatz
Blumenthal	Kaine	Schumer
Booker	Kelly	Shaheen
Brown	King	Sinema
Cantwell	Klobuchar	Smith
Cardin	Luján	Stabenow
Carper	Markey	Tester
Casey	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Feinstein	Ossoff	Welch
Fetterman	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Reed	
Heinrich	Rosen	

NOT VOTING—1

Durbin

The PRESIDING OFFICER (Mr. BOOKER). On this vote, the yeas are 50, the nays are 49.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 874) was rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 1034

Mr. KENNEDY. Mr. President, I call up my amendment No. 1034. I ask that it be reported by number. I ask unanimous consent that Senator MENENDEZ and I each have 3 minutes to discuss this amendment.

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

The clerk will report.

The bill clerk read as follows:

The Senator [Mr. KENNEDY] proposes an amendment numbered 1034 to amendment No. 935.

The amendment is as follows:

(Purpose: To prohibit allocations of Special Drawing Rights at the International Monetary Fund for perpetrators of genocide and state sponsors of terrorism without congressional authorization)

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

SEC. 1299L. PROHIBITION ON ALLOCATIONS OF SPECIAL DRAWING RIGHTS AT INTERNATIONAL MONETARY FUND FOR PERPETRATORS OF GENOCIDE AND STATE SPONSORS OF TERRORISM WITHOUT CONGRESSIONAL AUTHORIZATION.

Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended by adding at the end the following:

''(c) Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States vote to allocate Special Drawing Rights under article XVIII, sections 2 and 3, of the Articles of Agreement of the Fund to a member country of the Fund, if the government of the member country has—

''(1) committed genocide at any time during the 10-year period ending with the date of the vote; or

''(2) been determined by the Secretary of State, as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, to have repeatedly provided support for acts of international terrorism, for purposes of—

''(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i));

''(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

''(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

''(D) any other provision of law.''.

Mr. KENNEDY. Mr. President, as we all know, the International Monetary Fund—or the IMF, as we call it—is an international bank. Most countries belong to it—190, in fact. Virtually every country in the world is a member of the IMF—there are 190 countries—and everybody puts up money. When another country gets in trouble, the IMF helps bail them out.

Now, not every country in the IMF is equal in voting rights. The countries that put up the most money get most of the voting rights and have most of the control. And you will not be surprised to learn that the United States of America puts up over $100 billion, and we have the largest share of voting rights.

Periodically, the IMF issues what are called special drawing rights. The technical definition of a special drawing right is an international reserve asset created by and issued by the IMF. But forget that. Let me tell you what a special drawing right is. A special drawing right is like a dividend. Think of it as a poker chip. So the IMF says: We are going to give dividends or poker chips to every member of the IMF.

Well, what can you do with this poker chip? Well, if you are Iran, for example, you can take this poker chip and go to the IMF and say ''Here is my poker chip, and I want $1.42''—that is the exchange rate—''of U.S. dollars,'' whether Iran needs it or not. Pretty sweet deal.

Iran would never have to pay back that money. The IMF does charge Iran interest on those U.S. dollars. Iran wouldn't have to pay it back, but they have to pay interest. Guess what the interest rate is. It is .05 percent—not 5 percent, .05 percent. Sweet deal for Iran, especially when they don't need the money.

My amendment would simply say that the United States cannot—Secretary of the Treasury—cannot vote to approve special drawing rights, or these poker chips, for any country that, according to the State Department, sponsors genocide or state-backed terrorism—genocide or state-backed terrorism—unless Congress approves.

I will reserve my time but yield to Senator MENENDEZ, my good friend from New Jersey.

The PRESIDING OFFICER. The senior Senator from New Jersey.

Mr. MENENDEZ. Mr. President, that only means I got there before you.

Mr. President, I rise in opposition to Senator KENNEDY's amendment. I have a great deal of respect for my colleague. No one—no one—in this Chamber has taken a harder line against the Iranian regime than I have. No one. But in this case, a well-intended motion can produce very bad consequences. So let me speak to why I oppose the Senator's amendment.

These special drawing rights—I always love how my colleague from Louisiana can bring it to an earthy tone. We have poker chips we are throwing around, but these aren't quite poker chips; they are a critical liquidity tool to support lower income countries in response to global financial youcrises. It is in our interest to do so, to create stability. They assist in creating economic stability. They are an absolutely essential part of U.S. foreign policy tools, especially as we are dealing with the China challenge. We want to help these countries instead of China helping them.

The Biden administration supported a new round of special drawing rights allocations at the IMF. This funding played an essential role in helping countries address the COVID–19 pandemic and the related economic fallout of the pandemic, which we are still hearing about from many of these countries. Without this funding, many of these countries would have fallen to economic crisis, which means political instability, which means chaos, which means refugees coming to the shores of many countries.

The International Monetary Fund's rules dictate that a new general issuance of special drawing rights must go to all members. That means a requirement to prohibit SDRs for one country would prohibit SDRs for all countries. As a consequence, Senator KENNEDY's amendment would effectively kill the possibility of issuing SDRs to any country ever again.

Now, Senator KENNEDY offered the same exact amendment with the Endless Frontier Act on the floor in May of 2021. That amendment failed by a significant vote.

Of course we oppose those state sponsors of terrorism. Of course, we oppose those who would be responsible for genocide.

But I would note that most of our adversaries the Senator wants to pursue—which I would agree if we could do it antiseptically, but we can't—already face obstacles to drawing special drawing rights because of the sanctions that we have against them.

So due to the harmful impact this amendment would have on the Treasury Department's ability to respond to deficit in the global supply of reserves on a global crisis, I would vote no and I would recommend my colleagues do so, as well.

I reserve the balance of my time.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, how much additional time do I have?

The PRESIDING OFFICER. You have 20 seconds remaining.

Mr. KENNEDY. Mr. President, this bill will not take poker chips—and that is what they are—away from any country unless they are engaging in genocide or State-sponsored terrorism. That is it. The world will not spin off its axis. If you think a country that commits genocide or State-sponsored terrorism should get poker chips, vote against this bill.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. If we were talking about poker chips, I would be all in with Senator KENNEDY. But what we are talking about is the ability to prevent a crisis in the world. That is something we can use. That is why the Senator's amendment needs to fail.

VOTE ON AMENDMENT NO. 1034

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 205 Leg.]

YEAS—51

Barrasso	Fischer	Mullin
Blackburn	Graham	Murkowski
Boozman	Grassley	Paul
Braun	Hagerty	Ricketts
Britt	Hawley	Risch
Budd	Heinrich	Romney
Capito	Hoeven	Rounds
Cardin	Hyde-Smith	Rubio
Cassidy	Johnson	Schmitt
Collins	Kennedy	Scott (FL)
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Merkley	Wicker
Ernst	Moran	Young

NAYS—47

Baldwin	Hirono	Sanders
Bennet	Kaine	Schatz
Blumenthal	Kelly	Schumer
Booker	King	Shaheen
Brown	Klobuchar	Sinema
Cantwell	Luján	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Feinstein	Ossoff	Warren
Fetterman	Padilla	Welch
Gillibrand	Peters	Whitehouse
Hassan	Reed	Wyden
Hickenlooper	Rosen	

NOT VOTING—2

Durbin	Scott (SC)

The PRESIDING OFFICER (Mr. FETTERMAN). On this vote, the yeas are 51, the nays are 47. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 1034) was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that I be given 2 minutes and that Senator GILLIBRAND be given 2 minutes on this amendment.

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

AMENDMENT NO. 1065 TO AMENDMENT NO. 935

Mr. SCHUMER. Mr. President, I want to thank my dear friend Senator GILLIBRAND for her work on this amendment and for being such a fierce advocate for 9/11 responders and survivors.

I would like to thank the Republican cosponsors, including Senators Braun and Lummis, for their support. And Senator WICKER, I thank him as well as thanking Leader MCCONNELL.

This amendment is a huge step forward in making sure the first responders and those injured on 9/11 are never left behind.

Before the smoke even cleared on 9/11 and before the rubble even quit burning, our first responders—our firefighters, our police officers, EMT, FBI agents, construction workers—were just running to danger, trying to do their jobs and save lives. For their sacrifice, many first responders developed severe health complications from working in the aftermath of the attack—lifelong injuries, serious cancers. Many of them are no longer with us, and some of them were friends of mine. Twenty-two years later, people are still getting sick from the dust, the air, the poisons.

We have created the World Trade Center Health Program so that 9/11 responders could afford the necessary healthcare, but we can't let funding for the program dry up. We cannot fail to properly care for those who answered the call of duty. Our work is not done. Just as the first responders have been there for us and for America, we will continue fighting for them.

This will fund $450 million to the World Trade Center Health Program and another over $200 million for the military employees who rushed to danger at the Pentagon and in Shanksville. It will be fully paid for. It will also, for the first time, help those, as I said, at the Pentagon and the DOD.

I hope, from all of my colleagues, that we can have unanimous and broad support for this amendment.

I yield to the Senator from New York, my colleague, who is such a leader on this legislation.

Mrs. GILLIBRAND. Mr. President, I want to thank Senator SCHUMER for his unbelievable conviction and persistence in helping our 9/11 first responders.

I also want to thank my Republican colleagues who helped us write this bill—Senator BRAUN, Senator LUMMIS, and Senator COTTON.

I am just going to give you a vignette of what this is about.

Mariama, a New Yorker, came home after 9/11 to find her apartment covered in a thick coat of ash. Her children have all developed life-changing respiratory conditions.

Jamie, a 19-year-old, was a volunteer with the Sayville Ambulance that day. He spent weeks cleaning up at Ground Zero. He developed a rare 9/11 cancer as well.

Another amazing person is Nate, who responded to the attack at the Pentagon. He spent weeks climbing in and out of the wreckage, searching for remains. He is now a disabled veteran who is suffering from PTSD and another rare, life-threatening disease.

It has been over two decades since 9/11, but, still, thousands of people like Mariama, Jamie, and Nate suffer from these terrible cancers and conditions.

In 2011, when Congress created the World Trade Center Health Program, which provided medical treatment and monitoring for the survivors, it was not fully funded then, and we are hoping to get closer to fully funding it with this addition. My amendment brings us one step closer to this funding gap, and it includes the Pentagon and Shanksville responders.

9/11 was a horrible day for everyone, but one thing I can say is that this body has stood with those responders every single year since then, and this body has never given up in making sure they have the healthcare they need to survive.

AMENDMENT NO. 1065

(Purpose: To amend title XXXIII of the Public Health Service Act with respect to funding for the World Trade Center Health Program.)

Mrs. GILLIBRAND. Mr. President, I call up my amendment No. 1065, and I ask that the Gillibrand amendment be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mrs. GILLIBRAND], for herself and others, proposes an amendment numbered 1065 to amendment No. 935.

(The amendment is printed in the RECORD of July 26, 2023, under ''Text of Amendments.'')

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, there is widespread bipartisan support for this amendment. I am going to vote for it, and a number of Republicans have cosponsored it. Although we are going to have to call the roll, perhaps this could be the moment when a 10-minute vote actually means that.

Mr. SCHUMER. Will the Senator yield?

Mr. WICKER. I yield.

UNANIMOUS CONSENT AGREEMENT

Mr. SCHUMER. Mr. President, I ask unanimous consent that this vote be 10 minutes, that subsequent votes be 10 minutes, and that we all hang around and get the job done.

Mr. WICKER. I yield the floor.

VOTE ON AMENDMENT NO. 1065

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 94, nays 4, as follows:

[Rollcall Vote No. 206 Leg.]

YEAS—94

Baldwin	Britt	Cassidy
Barrasso	Brown	Collins
Bennet	Budd	Coons
Blackburn	Cantwell	Cornyn
Blumenthal	Capito	Cortez Masto
Booker	Cardin	Cotton
Boozman	Carper	Cramer
Braun	Casey	Crapo

Cruz	Lankford	Schatz
Daines	Luján	Schmitt
Duckworth	Lummis	Schumer
Ernst	Manchin	Scott (FL)
Feinstein	Markey	Shaheen
Fetterman	Marshall	Sinema
Fischer	McConnell	Smith
Gillibrand	Menendez	Stabenow
Graham	Merkley	Sullivan
Grassley	Moran	Tester
Hagerty	Murkowski	Thune
Hassan	Murphy	Tillis
Hawley	Murray	Van Hollen
Heinrich	Ossoff	Vance
Hickenlooper	Padilla	Warner
Hirono	Peters	Warnock
Hoeven	Reed	Warren
Hyde-Smith	Ricketts	Welch
Johnson	Risch	Whitehouse
Kaine	Romney	Wicker
Kelly	Rosen	Wyden
Kennedy	Rounds	Young
King	Rubio	
Klobuchar	Sanders	

NAYS—4

Lee	Paul
Mullin	Tuberville

NOT VOTING—2

Durbin	Scott (SC)

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 4.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The amendment (No. 1065) was agreed to.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 1058

(Purpose: To extend the period for filing claims under the Radiation Exposure Compensation Act and to provide for compensation under such Act for claims relating to Manhattan Project waste, and to improve compensation for workers involved in uranium mining.)

Mr. HAWLEY. Mr. President, I would like to call up my amendment No. 1058 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Missouri [Mr. HAWLEY] proposes an amendment numbered 1058.

(The amendment is printed in the RECORD of July 26, 2023, under ''Text of Amendments.'')

Mr. HAWLEY. Mr. President, I ask for 6 minutes of debate prior to the rollcall vote.

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

Mr. HAWLEY. Mr. President, for 50 years—50 years—the Federal Government has put into the water, into the soil, into the air of St. Louis and surrounding regions radioactive nuclear material.

They have not told the people of St. Louis. They have not compensated the people of St. Louis. They have not helped the people of St. Louis—in fact, just the opposite. For decades—decades—they told the people of St. Louis: No problem. There is no problem here.

Meanwhile, children were dying of cancer, and people all over the region were contracting autoimmune diseases. Why? Because the groundwater had been poisoned, because the creeks where they played in had been poisoned. And now we know for a fact that the government has covered it up for decades.

Mr. President, it is time to make this right. The amendment we are about to vote on is a very simple amendment. It is about basic justice: compensating the victims of the Federal Government's negligence for what the government itself has done.

And it hasn't only happened in Missouri. It has happened around the country, which is why this amendment would reauthorize a victims fund for those who have suffered because of the government's negligence. And by ''suffered'' I mean gotten sick and had family members die—in Missouri, in States across the country. It reauthorizes it, and it makes it available to those who have been the victims of what the government has done.

This is a bipartisan bill. I am proud to have worked with Senator LUJÁN, Senator CRAPO, Senator SCHMITT, and others.

Now I would like to recognize the Senator from New Mexico, Senator LUJÁN.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. LUJÁN. Mr. President, I want to commend Mr. HAWLEY and Mr. CRAPO for the work they have done here and all of our colleagues and staff who have contributed to telling this story and the support that I expect to see today and that I hope will get this across the finish line.

Almost 80 years ago, New Mexico became ground zero for the detonation of the first nuclear bomb. Millions of people across the country traveled to theaters this weekend, and they saw a blockbuster centered around this infamous date. But not enough people have focused on the collateral damage caused by our Nation's nuclear weapons testing. People who sacrificed on behalf of our country for national security purposes, working day in and day out, in States like Colorado, New Mexico, Arizona, Missouri, Wyoming, South Dakota, Nevada, Texas, Oregon, North Dakota, Idaho, Utah, Montana, and others—they deserve our support.

Folks have traveled to Washington with lung cancer, oral cancer, asthma, heart problems, begging us to extend and expand the Radiation Exposure Compensation Act. A few years ago, an elder from the Navajo Nation traveled here to testify, and she looked us all in the eye, and she asked a simple question: Are you waiting for us all to die for the problem to go away?

I ask this body to show these victims compassion, understand their pain and suffering so that they know it has not gone unnoticed.

I respectfully ask for your vote.

I yield back.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, when America conducted nuclear tests in Nevada, New Mexico, and the Pacific, we had little understanding of how radiation spread.

Throughout my time in Congress, I have advocated for expanding the Radiation Exposure Compensation Act to cover the forgotten victims of these tests, including the residents of all the affected States that have been identified here today.

Downwinders, those affected by these tests, deserve to be compensated for the effects of these weapons. I am grateful for working with Senator LUJÁN and Senator HAWLEY and our other colleagues to ensure that we do not leave our downwinders behind.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. SCHMITT. Mr. President, I rise in support of this amendment, and I am proud to work with my colleague from Missouri and others in a bipartisan way to provide some relief to the people who have been affected by this.

Here in Missouri, I can tell you—a couple weeks ago, I gave my maiden speech, and I talked a lot about where I grew up. I grew up in a blue-collar town in the shadow of the airport in Bridgeton, and that is the epicenter of where this happened—near the airport, near a landfill.

In those areas in the city and north county, people work hard. They always have. Little did they know that this hazardous toxic waste was being dumped in their water, in the ground where their children play.

And all this amendment does is reauthorize something that has been on the books for decades, and it allows people who have been affected to apply.

So I am proud to support the people who have been affected who are looking for some measure of justice. Nothing will make them whole, but this is a step, and I am proud to work with my colleagues in that regard too.

VOTE ON AMENDMENT NO. 1058

Mr. REED. Mr. President, I request the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 61, nays 37, as follows:

[Rollcall Vote No. 207 Leg.]

YEAS—61

Baldwin	Carper	Feinstein
Bennet	Casey	Fetterman
Blumenthal	Coons	Gillibrand
Booker	Cortez Masto	Graham
Braun	Crapo	Hassan
Brown	Cruz	Hawley
Cantwell	Daines	Heinrich
Cardin	Duckworth	Hickenlooper

Hirono	Ossoff	Smith
Kaine	Padilla	Stabenow
Kelly	Peters	Tester
King	Reed	Van Hollen
Klobuchar	Risch	Vance
Luján	Rosen	Warner
Markey	Rubio	Warnock
Marshall	Sanders	Warren
Menendez	Schatz	Welch
Merkley	Schmitt	Whitehouse
Mullin	Schumer	Wyden
Murphy	Shaheen	
Murray	Sinema	

NAYS—37

Barrasso	Grassley	Paul
Blackburn	Hagerty	Ricketts
Boozman	Hoeven	Romney
Britt	Hyde-Smith	Rounds
Budd	Johnson	Scott (FL)
Capito	Kennedy	Sullivan
Cassidy	Lankford	Thune
Collins	Lee	Tillis
Cornyn	Lummis	Tuberville
Cotton	Manchin	Wicker
Cramer	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

NOT VOTING—2

Durbin	Scott (SC)

The PRESIDING OFFICER. On this vote, the yeas are 61, the nays are 37.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The amendment (No. 1058) was agreed to.

The PRESIDING OFFICER. The Senator from New Jersey.

AMENDMENT NO. 638

Mr. MENENDEZ. Mr. President, I call up my amendment No. 638 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ], for himself and others, proposes an amendment numbered 638.

The amendment is as follows:

(Purpose: To reauthorize the Firefighter Cancer Registry Act of 2018)

At the appropriate place in subtitle G of title X, insert the following:

SEC. ___. REAUTHORIZATION OF VOLUNTARY REGISTRY FOR FIREFIGHTER CANCER INCIDENCE.

Section 2(h) of the Firefighter Cancer Registry Act of 2018 (42 U.S.C. 280e–5(h)) is amended by striking ''$2,500,000 for each of the fiscal years 2018 through 2022'' and inserting ''$5,500,000 for each of fiscal years 2024 through 2028''.

Mr. MENENDEZ. Mr. President, I ask that there be unanimous consent for 3 minutes, equally divided.

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

Mr. MENENDEZ. Mr. President, this amendment is to reauthorize the Firefighter Cancer Registry, which was passed unanimously by Congress and signed into law in 2018.

The Firefighter Cancer Registry improves our Nation's ability to conduct research and gather data on the cancer risk associated with firefighting. It is a vital program, one that furthers our understanding of how to protect the brave first responders who run toward danger when everyone else runs away from it. And yet, on October 1 of last year, the program expired.

My bipartisan, commonsense amendment would reauthorize the program for an additional 5 years while bringing it into line with the current appropriation level.

Supported by Senators MURKOWSKI, BROWN, KLOBUCHAR, FISCHER, RUBIO, and TESTER, it would benefit both career firefighters as well as volunteers like my constituent Edward Diaz. He was the son of Eduardo Diaz, a North Bergen firefighter who tragically passed away in 2017 from pancreatic cancer. Today, he carries on his family's legacy of service as a volunteer firefighter in Hasbrouck Heights, NJ.

I submit to my colleagues, the Diaz family, along with their fellow brothers and sisters in the profession, are the reason we should all support this amendment today. Firefighting is more than a job. It is a calling, a calling that sometimes takes your life as we saw in the loss of two Newark firefighters within the last month.

Let's honor that calling by reauthorizing the Firefighter Cancer Registry Act with this amendment. I urge my colleagues to support it and reserve the balance of my time.

I yield the floor.

VOTE ON AMENDMENT NO. 638

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 96, nays 2, as follows:

[Rollcall Vote No. 208 Leg.]

YEAS—96

Baldwin	Fetterman	Mullin
Barrasso	Fischer	Murkowski
Bennet	Gillibrand	Murphy
Blackburn	Graham	Murray
Blumenthal	Grassley	Ossoff
Booker	Hagerty	Padilla
Boozman	Hassan	Peters
Braun	Hawley	Reed
Britt	Heinrich	Ricketts
Brown	Hickenlooper	Risch
Budd	Hirono	Romney
Cantwell	Hoeven	Rosen
Capito	Hyde-Smith	Rounds
Cardin	Johnson	Rubio
Carper	Kaine	Sanders
Casey	Kelly	Schatz
Cassidy	Kennedy	Schmitt
Collins	King	Schumer
Coons	Klobuchar	Scott (FL)
Cornyn	Lankford	Shaheen
Cortez Masto	Luján	Sinema
Cotton	Lummis	Smith
Cramer	Manchin	Stabenow
Crapo	Markey	Sullivan
Cruz	Marshall	Tester
Daines	McConnell	Thune
Duckworth	Menendez	Tillis
Ernst	Merkley	Tuberville
Feinstein	Moran	Van Hollen
Vance	Warren	Wicker
Warner	Welch	Wyden
Warnock	Whitehouse	Young

NAYS—2

Lee	Paul

NOT VOTING—2

Durbin	Scott (SC)

The PRESIDING OFFICER. On this vote, the yeas are 96, the nays are 2.

Under the previous order requiring 60 affirmative votes for the adoption of this amendment, the amendment is agreed to.

The amendment (No. 638) was agreed to.

The PRESIDING OFFICER. The Senator from Hawaii.

AMENDMENT NO. 1078

Mr. SCHATZ. I call up my amendment No. 1078 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. SCHATZ], for himself and Ms. MURKOWSKI, proposes an amendment numbered 1078.

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

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes for debate, equally divided, before the vote on the Schatz amendment No. 1078.

Mr. SCHATZ. Mr. President, I want to urge passage of an amendment to reauthorize this critical housing law for American Indians, Native Hawaiians, and Alaska Natives, NAHASDA. This amendment would reauthorize NAHASDA for 7 years, promote greater local control over NAHASDA programs, streamline environmental reviews for Native housing projects, and incentivize private partnerships.

Senator MURKOWSKI and I introduced a stand-alone bill to reauthorize NAHASDA, which cleared our committee unanimously.

This amendment is an important win for Native communities to address their urgent housing needs. It has gone through regular order and has been well studied for years.

I urge my colleagues to vote yes on this important measure.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I join my colleague in supporting this very important reauthorization, the Native American Housing Assistance and Self-Determination Act, NAHASDA. This has been 10 years in the making. This has seen process, this has seen input, this has seen extraordinary effort, and, as the chairman of the Indian Affairs Committee has noted, this process has led to a place where we were able to incorporate this into the NDAA last Congress. Earlier this year, we moved it out of committee by voice vote.

We need to move it. People need housing. It is a priority in so many of our States. I thank those who have been working with us over the years to

accomplish this, and I would ask for strong support in this body for housing within our American Indian, Alaska Native, and Native Hawaiian communities.

Mr. CASEY. Mr. President, due to my mother's sudden hospitalization late this afternoon for a serious illness, I need to leave Washington unexpectedly and immediately. As a result, I will miss the vote on final passage of the National Defense Authorization Act, as well as any remaining amendment votes.

I would like the CONGRESSIONAL RECORD to reflect that I support final passage of this legislation. When I return to Washington following the August work period, I will submit another statement to the RECORD detailing how I would have cast my vote on each of the amendment votes I was forced to miss.

VOTE ON AMENDMENT NO. 1078

I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 86, nays 11, as follows:

[Rollcall Vote No. 209 Leg.]

YEAS—86

Baldwin	Graham	Peters
Barrasso	Grassley	Reed
Bennet	Hassan	Ricketts
Blumenthal	Hawley	Risch
Booker	Heinrich	Romney
Boozman	Hickenlooper	Rosen
Braun	Hirono	Rounds
Britt	Hoeven	Sanders
Brown	Hyde-Smith	Schatz
Budd	Johnson	Schumer
Cantwell	Kaine	Scott (FL)
Capito	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Cassidy	Lankford	Stabenow
Collins	Luján	Sullivan
Coons	Lummis	Tester
Cornyn	Manchin	Thune
Cortez Masto	Markey	Tillis
Cotton	McConnell	Van Hollen
Cramer	Menendez	Warner
Crapo	Merkley	Warnock
Cruz	Moran	Warren
Daines	Mullin	Welch
Duckworth	Murkowski	Whitehouse
Feinstein	Murphy	Wicker
Fetterman	Murray	Wyden
Fischer	Ossoff	Young
Gillibrand	Padilla	

NAYS—11

Blackburn	Lee	Schmitt
Ernst	Marshall	Tuberville
Hagerty	Paul	Vance
Kennedy	Rubio	

NOT VOTING—3

Casey	Durbin	Scott (SC)

The PRESIDING OFFICER (Mr. KAINE). On this vote, the yeas are 86, the nays are 11.

Under the previous order requiring 60 votes for the adoption of the amendment, the amendment is agreed to.

The amendment (No. 1078) was agreed to.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, for the information of the Members, we are getting very close to locking down a final agreement, which will allow us to vote on a number of things, including the managers' amendments and final passage this evening. We are still waiting for some final paperwork to be done. So, in the meantime, I am going to introduce and ask unanimous consent for a resolution praising Tony Bennett, making August 3, his birthday, Tony Bennett Day.

COMMEMORATING THE LIFE, LEGACY, AND ENTERTAINMENT CAREER OF TONY BENNETT

Mr. SCHUMER. So, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 322, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 322) commemorating the life, legacy, and entertainment career of Tony Bennett.

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 322) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. SCHUMER. Mr. President, I am really proud today that my resolution declaring Tony Bennett's birthday, August 3, as Tony Bennett Day has just passed the Senate. I would like to thank Senator CORNYN for joining me in this bipartisan resolution, as well as Speaker Emerita Pelosi for working on a companion resolution in the House.

As we all know, we all loved Tony Bennett. Tony is an American icon, a son of Astoria, Queens—a New Yorker through and through—and, without doubt, one of the most beloved singers of our time. You only come across a Tony Bennett once in a lifetime.

I would like to think Frank Sinatra got it right when he called Tony Bennett ''the best singer in the business.''

Known for his unparalleled talent and his exceptional vocal range, Tony spanned generations and genres. He touched the hearts of millions around the world.

It didn't matter if you were young or old or somewhere in between, it didn't matter if you were a friend or a fan, just about everyone loved Tony, and Tony loved just about everyone.

And you could feel that he was in it for the right reasons, not for the money or the fame, but he just loved making music and having people enjoy it. Just to hear him sing a few bars, you knew he cared about the song and he wanted to share that caring with everybody. And he cared about you, as he sang it to you, just about more than anything.

And let's not forget, as great a musician as Tony was, he was a very good human being. He fought and served our country admirably during World War II. This always amazed me: He was a lifelong champion of civil rights and marched along Martin Luther King, Jr., in Selma in 1965, at a time when the agents of most entertainers discouraged them from marching in these kinds of things because they might lose some fans. But Tony didn't care. He believed in equality.

And he raised money for great causes, including the very disease he was fighting, Alzheimer's.

If that still wasn't enough, he was an accomplished painter, and he drew his inspiration from his little bench in Central Park.

Tony Bennett's legacy will live on in the hearts of fans, friends, and countless artists he inspired along the way. I am proud we could come together to pass this resolution honoring an extraordinary man and his immeasurable contribution to the arts and our society.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—Continued

Now, until we get the paperwork done and can lock everything in, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that it be in order to call up the following amendments to S. 2226: Rubio, No. 523; Young, No. 230; Daines, No. 1084; further, that with respect to the amendments listed above, the Senate vote on the amendments in the order listed, with no further amendments or motions in order, and with 60 affirmative votes required for adoption and that there be 2 minutes equally divided prior to each vote; further, that upon disposition of the Daines amendment, that it be in order to send to the desk a managers' package of 47 amendments, and after the clerk reports it, I ask that the clerk

also read the numbers and sponsors of each of the individual amendments in this package and that they be the only amendments remaining in order to be offered to S. 2226; that the Senate vote on the amendment with no intervening action or debate; that upon disposition of the managers' amendments, the cloture motions filed during Wednesday's session ripen and the Senate vote on the motion to invoke cloture on the substitute amendment No. 935, as amended; further, that if cloture is invoked, all postcloture time be considered expired, the Schumer amendment No. 936 be withdrawn, and the Senate vote on the substitute amendment, as amended, with no intervening action or debate; further, that if the substitute amendment is agreed to, the cloture motion with respect to the underlying bill, S. 2226, be withdrawn, the bill, as amended, be considered read a third time, and the Senate vote on passage of the bill, as amended, with 60 affirmative votes required for passage; that the motion to reconsider be considered made and laid upon the table, with up to 10 minutes for debate, equally divided, prior to the vote on passage; finally, that upon disposition of S. 2226, the Senate immediately proceed to the consideration of H.R. 2670, which was received from the House and is at the desk; that all after the enacting clause be stricken, the text of the Senate bill, as passed, be inserted; H.R. 2670, as amended, be considered read a third time and passed, the Senate bill then be indefinitely postponed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. MERKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 523

Mr. RUBIO. Mr. President, I call up my amendment No. 523 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida [Mr. RUBIO] proposes an amendment numbered 523 to amendment No. 935.

(The amendment is printed in the RECORD of July 13, 2023, under ''Text of Amendments.'')

Mr. RUBIO. Mr. President, this is my amendment that is going to be voted on here by agreement. It is pretty straightforward. The Federal Thrift Savings Plan is the largest defined contribution plan in the world. It has 22 China-only funds. Every single one of them has money going towards companies that are sanctioned, that are on the Entity List—companies that are responsible for the human rights violations against Uighurs; companies that our own government has said are helping the Chinese build their military—Chinese-sponsored companies. And so this amendment, basically, is geared towards that. It tells the TSP—the Thrift Savings Plan—board that they can no longer invest your money—the money of Members of Congress, members of the military, Federal employees.

Federal employee retirement money is being invested in companies that are undermining American national security according to our own government. We are investing in those.

Think about the irony. You are a member of the military and your retirement money is being invested in companies that are building missiles designed to blow up the ship that you serve on.

So if we are serious about this, we need to cut this off. This is not a ban on Chinese investment. This is a ban on the Thrift Savings Plan and its money—your money, the investment money of Federal employees—being used to invest in companies that our own government has placed on lists for human rights violations and posing a threat to the national security of the country.

VOTE ON AMENDMENT NO. 523

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from Illinois (Mr. DURBIN) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 42, as follows:

[Rollcall Vote No. 210 Leg.]

YEAS—55

Barrasso	Graham	Mullin
Blackburn	Grassley	Murkowski
Boozman	Hagerty	Peters
Braun	Hassan	Ricketts
Britt	Hawley	Risch
Brown	Hoeven	Romney
Budd	Hyde-Smith	Rounds
Capito	Johnson	Rubio
Collins	Kennedy	Schmitt
Cornyn	King	Scott (FL)
Cotton	Lankford	Shaheen
Cramer	Lee	Sinema
Crapo	Lummis	Sullivan
Cruz	Manchin	Tester
Daines	Marshall	Thune
Ernst	McConnell	Tillis
Fischer	Moran	Tuberville
		Vance
		Warner
		Wicker
		Young

NAYS—42

Baldwin	Heinrich	Paul
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Cantwell	Kelly	Schatz
Cardin	Klobuchar	Schumer
Carper	Luján	Smith
Cassidy	Markey	Stabenow
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warnock
Duckworth	Murphy	Warren
Feinstein	Murray	Welch
Fetterman	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden

NOT VOTING—3

Casey	Durbin	Scott (SC)

The PRESIDING OFFICER (Mr. BENNET). On this vote, the yeas are 55, the nays are 42. Under the previous order requiring 60 affirmative votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 523) was rejected.

The PRESIDING OFFICER. The Senator from Indiana.

AMENDMENT NO. 230

Mr. YOUNG. I call up my amendment No. 230, and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Indiana [Mr. YOUNG] proposes an amendment numbered 230.

The amendment is as follows:

(Purpose: To ensure that the Department of Defense has received an unqualified opinion on its financial statements by October 1, 2027)

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

SEC. ___. REQUIREMENT FOR UNQUALIFIED OPINION ON FINANCIAL STATEMENT.

The Secretary of Defense shall ensure that the Department of Defense has received an unqualified opinion on its financial statements by October 1, 2027.

Mr. YOUNG. Mr. President, Congress has passed an annual Defense authorization bill for the past 62 years. This body—both parties—takes seriously the threats our servicemembers face and the sacrifices their families make.

To date, the Department of Defense has executed five audits—five audits. No uniformed service has returned a clean audit, nor have major offices and agencies within the Office of the Secretary of Defense.

By setting this deadline, we communicate Congress's seriousness on this issue. We also communicate to the Secretary of Defense that we believe this should be a priority of his and that we will hold him responsible for failing to meet this deadline. In 4 years—4 years—we must have a clean audit.

As the Department undergoes an extensive vital modernization and seeks to take care of its people, policymakers must be able to debate and consider the Department's budgetary priorities in a transparent manner with

all the facts at our disposal. My cosponsor, Senator KING, and I believe DOD is doing the right things to be able to complete a full, clean audit in the next 4 years. This amendment serves as a commonsense communication of intense seriousness and urgency to the Department in a practical manner.

I urge a ''yes'' vote, and I request a voice vote.

The PRESIDING OFFICER. The majority leader.

VOTE ON AMENDMENT NO. 230

Mr. SCHUMER. Mr. President, I ask unanimous consent that the 60-vote threshold with respect to this amendment be vitiated and we vote by voice.

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

The question is on agreeing to the amendment.

The amendment (No. 230) was agreed to.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 1084

(Purpose: To provide for the settlement of the water rights claims of the Fort Belknap Indian Community.)

Mr. DAINES. Mr. President, I call up my amendment No. 1084 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Montana [Mr. DAINES] proposes an amendment numbered 1084.

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

Mr. DAINES. Mr. President, I would like to thank my colleague from Montana, Senator TESTER, and all of those who have worked so hard to get this home today.

This settles a 100-plus-year battle in Montana. This is the last Indian water rights settlement for the State of Montana—the Fort Belknap water rights settlement. It codifies existing water rights, prevents costly litigation, provides clean drinking water, and invests in irrigation for farmers and ranchers to provide food for our country.

This bill passed out of committee by a voice vote. It is supported by the Governor of Montana, by the entire Montana congressional delegation, the Fort Belknap community, all of the locally affected counties, including the county commissioners, and our farmers and our ranchers.

This is truly a win for our State and the country. I ask my colleagues to support this amendment, and I am going to ask for a voice vote.

The PRESIDING OFFICER. The senior Senator from Montana.

Mr. TESTER. Mr. President, I want to thank Senator DAINES for all the effort he put into this legislation, the Fort Belknap Indian Community Water Rights Settlement Act. It has been a long time coming, and I want to take a moment to acknowledge the current leader of the Fort Belknap Indian Community, President Stiffarm.

President Stiffarm is a courageous leader, and he deserves a tremendous amount of credit for bringing this bill to the moment we are at today.

This bill was first introduced by me in 2012. The bipartisan version that we are voting on today is the result of years of negotiation between the Tribe, local elected officials, State legislators, Federal Agencies, and other stakeholders that hammered out a fair compromise that honors the trust and treaty responsibilities while guaranteeing water certainty to all water users in North Central Montana through the rehabilitation of the Milk River Project.

Look, I am a farmer, and I know how critical water is for the health of communities, for agriculture, and for economic growth. Water is necessary for our crops, for our businesses, for our homes. We all rely on it.

For the Fort Belknap Indian Community the work started on this over 100 years ago. In the Senate, we have been debating moving this water settlement forward for years, and, today, we can make it happen.

I would urge my colleagues to do right by the Tribe by honoring our trust and treaty responsibilities, and do right by all the folks who rely on clean water in the Treasure State. And I support Senator DAINES' call for a voice vote.

The PRESIDING OFFICER. The majority leader.

VOTE ON AMENDMENT NO. 1084

Mr. SCHUMER. Mr. President, I ask unanimous consent that the 60-vote threshold be vitiated and that we vote by voice.

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

The question is on agreeing to the amendment.

The amendment (No. 1084) was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 1087

(Purpose: To provide for a managers' package.)

Mr. REED. Mr. President, I believe it is in order now to call up the managers' package.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for himself and Mr. WICKER, proposes an amendment numbered 1087.

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

The PRESIDING OFFICER. Under the previous order, the clerk will read the names and sponsors of the amendments.

The senior assistant legislative clerk read as follows:

Murray No. 205, Cruz No. 188, Reed No. 270, Menendez No. 292, Lankford No. 1082, Klobuchar No. 416, Murkowski No. 411, Coons No. 475, Grassley No. 484, Schatz No. 555, Ernst No. 506, Cardin No. 701, Ernst No. 508, Merkley No. 740, Rubio No. 525, Brown No. 761, Sullivan No. 647, Cortez Masto No. 800, Cornyn No. 814, Fetterman No. 825, Kennedy No. 861, Manchin No. 826, Braun No. 871, Ossoff No. 908, Schmitt No. 906, Padilla No. 910, Graham No. 917, Warner No. 913, Ernst No. 988, Shaheen No. 928, Lummis No. 1000, Warnock No. 977, Cotton No. 1015, Kelly No. 985, Risch No. 1017, Wyden No. 1035, Lankford No. 1027, Whitehouse No. 1036, Hoeven No. 1037, Rosen No. 1040, Barrasso No. 1042, Cardin No. 1050, Lee No. 1051; Sinema No. 1070, Hyde-Smith No. 1064, Peters No. 1043, and Warner No. 1053.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. REED. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

The Senator from Mississippi.

Mr. WICKER. Does the distinguished chairman wish to speak on the motion?

Mr. REED. Go ahead.

Mr. WICKER. Mr. President, this represents another degree of cooperation. This comes to us by unanimous consent. According to the rules, we must have a vote of the yeas and nays, but we are approaching the finish line, and out of consideration for those who have travel plans later tonight, I hope we can stick to the 10-minute rule.

I urge the passage of this important managers' package.

VOTE ON AMENDMENT NO. 1087

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays were ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from Illinois (Mr. DURBIN), are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 94, nays 3, as follows:

[Rollcall Vote No. 211 Leg.]

YEAS—94

Baldwin	Daines	Lee
Barrasso	Duckworth	Luján
Bennet	Ernst	Lummis
Blackburn	Feinstein	Manchin
Blumenthal	Fetterman	Marshall
Booker	Fischer	McConnell
Boozman	Gillibrand	Menendez
Braun	Graham	Merkley
Britt	Grassley	Moran
Brown	Hagerty	Mullin
Budd	Hassan	Murkowski
Cantwell	Hawley	Murphy
Capito	Heinrich	Murray
Cardin	Hickenlooper	Ossoff
Carper	Hirono	Padilla
Cassidy	Hoeven	Peters
Collins	Hyde-Smith	Reed
Coons	Johnson	Ricketts
Cornyn	Kaine	Risch
Cortez Masto	Kelly	Romney
Cotton	Kennedy	Rosen
Cramer	King	Rounds
Crapo	Klobuchar	Rubio
Cruz	Lankford	Schatz

Schmitt	Tester	Warren
Schumer	Thune	Welch
Scott (FL)	Tillis	Whitehouse
Shaheen	Tuberville	Wicker
Sinema	Van Hollen	Wyden
Smith	Vance	Young
Stabenow	Warner	
Sullivan	Warnock	

NAYS—3

Markey	Paul	Sanders

NOT VOTING—3

Casey	Durbin	Scott (SC)

The amendment (No. 1087) was agreed to.

The PRESIDING OFFICER (Mr. OSSOFF). The majority leader.

Mr. SCHUMER. Mr. President, let me give the order. We are almost done. We are about to vote.

I first have to do a unanimous consent to vitiate cloture. I am going to speak on the NDAA bill, on the pages, and yield to Leader MCCONNELL to follow me, and then we vote.

UNANIMOUS CONSENT AGREEMENT

So, first, I ask unanimous consent to modify the previous order so cloture motions with respect to the substitute amendment No. 935, as amended, and the underlying bill, S. 2226, be withdrawn; that the Schumer amendment No. 936 be withdrawn; that the substitute amendment No. 935, as amended, be agreed to; further, that the bill, as amended, be considered read a third time and the Senate vote on passage of the bill, as amended, with 60 affirmative votes required for passage; that the motion to reconsider be considered made and laid upon the table with up to 10 minutes for debate, equally divided, prior to the vote on passage, with all previous provisions remaining in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I want to thank the Senator from Utah and the Senator from Maryland for putting forward this critical amendment ending China's developing nation status.

The ability of countries to take advantage of ''special and differential treatment'' as it is called in the World Trade Organization—WTO—to skip out on meaningful obligations and upend the trade playing field has long concerned me and other members of the Finance Committee on both sides of the aisle.

While I support the goal of the amendment, the language needs to be refined to effectively achieve that objective. I want to work with you in conference to ensure this amendment directs the U.S. Trade Representative to meaningfully address China's status at the WTO. The WTO has a unique and, frankly, antiquated form of governance and is long overdue for significant reform, including its treatment of major economies like China.

Mr. ROMNEY. I thank the Senator from Oregon. I agree with him that this amendment is critical.

Congress needs to push the Federal Government on this policy. Our government must acknowledge the reality that China is no longer a developing country. I commit to working with the chairman of the Finance Committee, in good faith, in conference.

Mr. MENENDEZ. Mr. President, as a strong supporter of U.S. assistance to Ukraine, I am keenly aware of the important role that appropriate and effective oversight plays in ensuring that support can continue. I support independent, effective oversight and believe we should be doing all that we can to make sure those oversight mechanisms are strong and that our inspectors general have the resources they need to carry out their work.

But given that we have an existing framework, given that there are three inspectors general who have been working day in and out, effectively, to conduct such oversight, I do not think we should create new offices and additional layers without evidence that the current framework is not working. So while I appreciate that my colleagues share the same goals of ensuring we have robust oversight of U.S. assistance to Ukraine, I do not agree that these amendments are the best way to achieve that goal.

The Wicker amendment would create a new office that could impede the work that is ongoing, not enhance it. There is an existing statutory framework for designating a lead inspector general. I have not heard a good case for why that framework should not be used here.

The inspectors general from the Department of State, USAID, and Department of Defense have been on the ground in Ukraine, conducting work of virtually all U.S. assistance involving multiple Agencies. They have an established working group that ensures oversight is efficient and not duplicative. Creating a new office, with the need for new staff and potentially conflicting roles, would likely make those efforts less, not more, efficient.

The Paul amendment would add further and unnecessary complexity to ongoing oversight efforts. It would likely impair ongoing oversight by drawing personnel away from the inspectors general already engaged in oversight work. Instead of ramping up current efforts, inspectors general would spend time deconflicting or sorting out personnel issues. It is also unclear how an expanded Special Inspector General for Afghanistan Reconstruction—SIGAR—would successfully pivot to oversight of Ukraine assistance or how it would an expanded mandate would be funded.

I am committed to ensuring that we have robust, independent, effective oversight of all U.S. assistance to Ukraine. But the answer to ensuring that we have successful mechanisms for such oversight is not to create new structures and additional layers of bureaucracy. It is to make sure those who already have the tools, expertise, and resources to conduct oversight and audit spending, have sufficient resources to do so, and for us to hold them to account. That is precisely what I intend to do, and I call on my colleagues in this body to do the same.

Mr. VAN HOLLEN. Mr. President, I concur with many of my colleagues that spending on defense is important to meet our national security needs and support our allies like Ukraine. My State of Maryland plays an important role in bolstering national defense, advancing critical research, and supporting our military, and I strongly support the work of our bases.

However, it is clear to me that we as a country are not spending our money wisely. The defense budget has grown considerably and, despite its size, has not passed an independent audit. Admiral Mike Mullin, the former Chairmen of the Joint Chiefs of Staff, said in reference to defense spending that ''with the increasing defense budget, which is almost double, it hasn't forced us to make the hard trades. It hasn't forced us to prioritize.''

While I do not believe that across-the-board cuts are ever the best way to reduce spending, I voted in favor of the Sanders amendment to send a message that we need to put our defense dollars to much better use and make the hard choices necessary to right-size our defense spending.

Mr. KING. Mr. President, I want to say a few words about my vote in support of the Hawley amendment No. 1058, relating to expansion of the Radiation Exposure Compensation Act. I voted in favor of this amendment, but I would like to highlight that an important group is left out of this expansion: payments to beneficiaries of deceased individuals who were responsible for cleaning up atomic testing sites. While this amendment includes payments to beneficiaries of deceased individuals who qualify under the new Manhattan Project Waste sections, cleanup veterans are notably left out of such payments to their beneficiaries upon their passing.

I hope that during the conference process for the underlying bill, we are able to include this provision to ensure just compensation for these veterans and their families. If we are not able to include these veterans during the conference process, I hope to work with my colleagues to provide benefits to our cleanup veterans as standalone legislation or through another appropriate, legislative vehicle.

The PRESIDING OFFICER. The majority leader.

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, it has been a long day but a very successful day.

The NDAA is a prime example of both sides coming together and crafting a strong, bipartisan defense bill that will strengthen America's national security, take care of our servicemembers, and keep the United States the leader in innovation for years to come.

This was a bipartisan process through and through. I want to thank

Chairman REED and Ranking Member WICKER and all the Members for their good work on this.

A bipartisan process is precisely what the American people are yearning for in a fractured Congress, Democrats and Republicans coming together to provide something as critical as our national defense.

The NDAA and the bipartisan process we went through to get here should be a glimmer of hope for the American people, a sign that bipartisanship is alive and well in the Senate, but it is not the only glimmer. We also came together to avert a first-ever default a few months ago, and we are currently making great progress on the appropriations bill, where, almost miraculously, under the leadership of Senator MURPHY and Senator COLLINS, they have advanced all 12 bills out of committee with bipartisan support.

(Applause.)

I hope what has happened on this bill, the NDAA bill, and these other bills can be a metaphor for future bills down the road.

These are two of our highest responsibilities—appropriations and national defense—and we made great progress in these last few months. It has been a really good Senate that the American people can be proud of.

It was a good process on and off the floor. Listen to this: 98 amendments. We talk about how we don't do amendments—98; 44 Democrat, 44 Republican, and the rest bipartisan. That is what an NDAA bill should look like—a full floor process with input and debate from both sides. As a result, there are many critical provisions in this NDAA bill as well that we should be proud of.

We made critical downpayments on our effort to outcompete the Chinese Government by limiting the flow of investment and advanced technology to China.

We are passing the first piece of legislation related to artificial intelligence, including important provisions to increase data sharing with the DOD and increase reporting on AI's use in financial services.

Maybe most important to everyone here aware of this fentanyl crisis, we are boosting resources in a major way to tackle the fentanyl crisis by including the FEND Off Fentanyl Act. Senators BROWN, SCOTT, and many others led to that legislation. This act gives the President more powers to stop any country—China, Mexico—from sending the precursor materials that are made into fentanyl to kill our children.

Together, all of these provisions provide a strong foundation for the safety and security of our country.

One more point. It is in stark contrast to the partisan race to the bottom we saw in the House. House Republicans should look to the bipartisan Senate to see how to get things done. We are passing important bipartisan legislation; they are throwing partisan legislation on the floor that has no chance of passing. The contrast is glaring. If the House of Representatives would look at how we are working here in the Senate and emulate us a little more, they could be far more productive.

SENATE PAGES

Mr. President, now on a final note and a serious note. Today is the final day for this page class. It has been a busy session. The pages can help make this place run smoothly. They are here when we need them, and they have served this institution with grace. However, I understand that late last night, a Member of the House majority thought it appropriate to curse at some of these young people, these teenagers, in the Rotunda. I was shocked when I heard about it, and I am further shocked at his refusal to apologize to these young people.

I can't speak for the House of Representatives, but I do not think that one Member's disrespect is shared by this body, by Leader MCCONNELL, and myself.

So I would like to take a moment to thank these pages for their assistance these many weeks. We wish them well as they return to their homes and families.

(Applause.)

Mr. President, I ask unanimous consent that the names of the current pages be printed at the appropriate place in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Amelia Barnum, Claire Erickson, Ava Heaphy, Benjamin Kagan, Tova Korry, Arav Mehta, Andrew Morgan, Chloe Patricof, Daniel Ross, Colton Sorce, Angela Valle-Rivera, Evangeline Enright, Christopher Freshwater, Mila Jolley, Maya Karafotas, Emily Maikoo, Jack Milroy, Amrutha Nandakumar, Matthew Pollak, Julia Sandoval, Allison Stoudt, Patrick Willocks Duncan.

Isabella Aversano, Robert Charles Cresanti, Andrew James Kozeny, Reed Daniel Gray, Mia Solomon, Augusten ''Gus'' James Sugarman, James Christian Pittman, Owen Peter White, Brady Patrick Butler, Dorsa Tajvidi, DeLacy Jane Poletti, Madeline Garcia, Colin Hughes Cole Murkowski, Josee Compton, Evans O'Brien Reynolds, John Andrew Guyer, Nora Shitandi, Brianna Elizabeth Schmitz, Maxwell Noah White, Brett Aaron Poggi, Walker Bryan Coley, Katherine Kaia Wrench.

Mr. SCHUMER. I now turn to Leader MCCONNELL.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I want to associate myself with the remarks of the majority leader. Everybody on this side of the aisle feels exactly the same way.

S. 2226

I also want to offer my congratulations to those deeply involved in passing this important NDAA. We kept our record. This is the 63rd year, I guess, and a good way to wrap up this session. This is really important for our country.

Mr. SCHUMER. Thank you, Leader MCCONNELL.

I ask for the yeas and nays on final passage of the NDAA.

CLOTURE MOTIONS WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the cloture motions are withdrawn.

AMENDMENT WITHDRAWN

The amendment (No. 936) was withdrawn.

AMENDMENT NO. 935, AS AMENDED

The amendment (No. 935), as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read a third time.

VOTE ON S. 2226

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from Illinois (Mr. DURBIN) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 86, nays 11, as follows:

[Rollcall Vote No. 212 Leg.]

YEAS—86

Baldwin	Graham	Padilla
Barrasso	Grassley	Peters
Bennet	Hagerty	Reed
Blackburn	Hassan	Ricketts
Blumenthal	Hawley	Risch
Boozman	Heinrich	Romney
Britt	Hickenlooper	Rosen
Brown	Hirono	Rounds
Budd	Hoeven	Rubio
Cantwell	Hyde-Smith	Schatz
Capito	Johnson	Schmitt
Cardin	Kaine	Schumer
Carper	Kelly	Scott (FL)
Cassidy	Kennedy	Shaheen
Collins	King	Sinema
Coons	Klobuchar	Smith
Cornyn	Lankford	Stabenow
Cortez Masto	Luján	Sullivan
Cotton	Lummis	Tester
Cramer	Manchin	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Menendez	Van Hollen
Duckworth	Moran	Warner
Ernst	Mullin	Warnock
Feinstein	Murkowski	Whitehouse
Fetterman	Murphy	Wicker
Fischer	Murray	Young
Gillibrand	Ossoff	

NAYS—11

Booker	Merkley	Warren
Braun	Paul	Welch
Lee	Sanders	Wyden
Markey	Vance	

NOT VOTING—3

Casey	Durbin	Scott (SC)

The PRESIDING OFFICER. On this vote, the yeas are 86, the nays are 11.

The 60-vote threshold having been achieved, the bill, as amended, is passed.

The bill (S. 2226), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consider H.R. 2670, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2670) to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and 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.

Thereupon, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the previous order, a substitute amendment, which is the text of S. 2226, as passed, is agreed to; the bill, as amended, is considered read a third time and passed; and the motion to reconsider is considered made and laid upon the table.

The amendment, in the nature of a substitute, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2670), as amended, was passed.

The PRESIDING OFFICER. Under the previous order, S. 2226 is indefinitely postponed.

The Senator from Mississippi.

Mr. WICKER. Mr. President, I now would like to congratulate my colleagues in the Senate for passing a very important National Defense Authorization Act for Fiscal Year 2024.

I see that my distinguished chairman has come back to the floor, and I want to thank him for his cooperation. I want to thank every member of the committee and every Member of the Senate for their cooperation. As the public has learned, we do much of this through unanimous consent, and it is a tribute that we have gotten as far as we have and it is July 27, with another full 2 months to go before the end of the fiscal year. I think we are on the right track.

This year's National Defense Authorization Act will help meet the dangerous national security moment we face. It will equip our military with many of the tools necessary to implement the national defense strategy.

Every year, as has been mentioned, we pass the NDAA. This is the 63rd time we have done so, and it is a lasting, continual testament to Congress's commitment to our servicemembers and our security.

To be sure, our threats are much greater than they were back in 1961 when the first NDAA passed. Today, the United States faces undoubtedly the most complex and dangerous security situation since World War II.

This year's NDAA is an important step forward in our quest to build our arsenal. Ideally, we would have an annual 3 to 5 percent boost above inflation to our top line. We were not able to come to an agreement on that, but even without that budget increase, our committee has advanced a strong, bipartisan product that contains numerous important provisions. Let me summarize just a few.

The bill authorizes a 5.2-percent pay raise for servicemembers and includes a host of other quality-of-life improvements for our troops and their families.

The bill also contains provisions that will help the military solve its recruiting crisis.

We include a massive expansion of the Junior ROTC Program, a citizenship builder in our high schools. We also included support for our submarine programs. We need to do more in that regard.

The legislation addresses the ongoing maintenance delays by sending funds to our shipyards. It expands our deterrent capabilities with a sea-launched nuclear cruise missile and allows us to make good on our commitments to the United Kingdom and Australia, commonly referred to as the AUKUS agreement.

The bill makes six more munitions eligible for the all-important multiyear procurement contracts. These multiyear commitments send a clear signal to our industrial base. And we will produce these arms at home, here in the United States, equipping American troops with American-made weapons and ammunition.

Notably, we have fully authorized the construction of the next amphibious ship, the LPD–33.

Our committee realizes military competition in the 21st century will be decided by our willingness to harness emerging technology. This NDAA accelerates the development of artificial intelligence, offensive cyber, hypersonics, and unmanned platforms. Because we intend to lap Beijing in the 100-year innovation marathon, we are authorizing a new Pentagon authority with the Office of Strategic Capital.

As always, partnerships with our allies act as a force multiplier on all the tools we are providing American soldiers. I am glad this bill enhances security cooperation with allies in every part of the free world, from the Baltics to the Pacific.

Starting in January, the Armed Services Committee held countless hearings, briefings, and oversight hearings of the Department. This is one of the most encompassing bills as a result of our work, which began in January. The committee mark included 1,217 provisions. Of that, 504 were the result of member inputs. During the committee markups, an additional 240 amendments were considered.

Throughout the process, my colleague and teammate, Senator JACK REED of Rhode Island, has been a gentleman in every way and a patriot, as demonstrated by his service in the military and his service in the House and Senate. I thank him for helping to make this process exceedingly smooth.

To take a moment, let me thank the following staff members who were so essential in getting this done smoothly and efficiently: Rick Berger, Brendan Gavin, James Mazol, Greg Lilly, Brad Patout, Olivia Trusty, Eric Trager, Adam Trull, Kevin Kim, Adam Barker, Sean O'Keefe, Katie Magnus, Isaac Jalkanen, Eric Lofgren, Kristina Belcourt, Pat Thompson, Katie Romaine, Travis Brundrett, Jack Beyrer, and Philip Waller. And all of these people on my side of the dais were led effectively by a veteran staff member from the House and Senate, my staff director, John Keast. Thank you to all of these people.

Thank you once again to my colleague Senator REED.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, let me commend Senator WICKER, the ranking member, for his extraordinary cooperation, thoughtfulness, and insight throughout this entire process. As a result, this evening, we passed in an overwhelming vote a bipartisan piece of legislation that confronts the challenges we face today in a very, very difficult world.

The first thing we did was we took care of the troops. We have a 5.2-percent increase in pay—one of the largest in decades. We also took care of the troops by investing in the best possible platforms in technology in many dimensions—underwater submarines, in the air. We are recapitalizing our triad for nuclear deterrence. We are looking closely at space, what we can do there both to defend ourselves and prevent space from undermining our national security. All of these things were done on a collaborative basis. Hundreds of amendments were considered in both the committee and here on the floor. As a result, we have legislation that I think we are all very, very proud of.

I would also like to thank and commend Leader SCHUMER and Leader MCCONNELL because they allowed us to conduct a very open process on the floor, to entertain amendments, to work closely so that we could have the conclusion we did this evening—- a strong, strong bipartisan vote.

I am confident that what we have done will provide the Department of Defense and our military men and women with the resources they need to meet and overcome the challenges of a dangerous world.

Like my colleague, I recognize that the work of others made our work much easier. Indeed, the work of our staffs made this bill possible. So let me thank first my staff director, Elizabeth King, and I also thank John Keast, the staff director to Senator WICKER, who has done an extraordinary job. Together, they are a formidable team and also consummate professionals.

As my colleague has done, let me recognize the staff members on my side of the aisle: Jody Bennett, who made a very strong contribution to this effort, Carolyn Chuhta, Jon Clark, Jenny Davis, Jonathan Epstein, Jorie Feldman, Kevin Gates, Creighton Greene,

Gary Leeling, Kirk McConnell, Maggie McNamara Cooper, Bill Monahan, Mike Noblet, John Quirk, Andy Scott, Cole Stevens, Isabelle Picciotti, Alison Warner, Leah Brewer, Megan Lustig, Joe Gallo, Brittany Amador, Griffin Cannon, Sofia Kamali, Chad Johnson, Jessica Lewis, Vannary Kong, Noah Sisk, Zachary Volpe, and once again my staff director, Elizabeth King, who deserves great credit for this.

Let me also thank the floor staff and the leadership staff who have been part of this process and who have been able to keep our floor open so we could conclude this bill.

This is an important, important step. Now I look forward to joining my colleague Senator WICKER and our colleagues in the committee to go to conference to work out a bill that we can support as vigorously on a bipartisan basis as we have this Senate legislation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

MORNING BUSINESS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

SECURING THE U.S. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK ACT

Mr. WYDEN. Mr. President, before I make a unanimous request on this important bipartisan, bicameral bill, I wish to talk for a moment about why it is so critical that the Senate pass this urgently needed legislation.

For hundreds of thousands of Americans and their families waiting for a transplant, this is not an abstract issue. We are talking about life and death. More than 100,000 people are on the waiting list to receive a transplant, and, on average, 17 people die each day waiting for an organ transplant. In the first half of this year alone, more than 2,200 Americans have died while waiting for a transplant.

The inadequacies of the current system are especially harmful to minority populations who are disproportionately represented on the organ transplant waitlist, yet, on average, wait longer for a transplant and are at a higher risk of death while waiting.

I would just say to my colleagues that this is morally repugnant, and this legislation begins, finally, to root out this bias against our minority communities.

For the last 40 years, the same contractor has had a stronghold on this contract. The lack of competition has not been in the best interest of patients, and this fall the contract will be up for renewal.

In last year's bipartisan investigation, the Finance Committee found shocking failures with the current contractor who oversees the entire system: long wait times for patients on transplant lists, viable organs being lost or damaged in transit. We saw pictures of these organs lying around in airport hangars. There has just been a lack of accountability when the problems happen, technology failures, and even patient deaths.

The last place anybody wants to hear about gross mismanagement and incompetence is in the business of saving lives. It is time for real accountability and real change.

This bill would build on the administration's recently announced plans to modernize the program and clarify that there is the ability to award multiple contracts for these key functions. This would create real competition for these contracts and ensure the best-in-class organizations can be awarded contracts to support this critical system.

The bill, which passed in the other body last week, would bring much needed change and modernization of the organ transplant system by supporting the administration's efforts and codifying, in the black letter law, modernization efforts where we aren't going to turn back the clock. We are not going to go back. We are going to go forward.

I would like to thank a number of Members on both sides of the aisle who have been on the frontlines in this fight, particularly Senator GRASSLEY, Senator CARDIN, and Senator YOUNG, who always worked in a bipartisan way. Senator GRASSLEY, in particular, has been a longtime leader on this issue, an outspoken advocate for fixing a broken organ transplant system. I believe he had a challenging schedule, as many Senators did tonight, but I wanted to thank Senator GRASSLEY. And I want to also thank my friend from Vermont, Senator SANDERS, and his very talented staff for their commitment to help us get to this point, and we are going to continue to work in the future.

Let's be clear about what is on offer. Every Member of Congress wants Americans to have the best-in-class organ transplant system. Our legislation is written from top to bottom to ensure competition for technical functions like those that will help this program perform to the highest possible level.

I said we were going to pull out all the stops to get this passed because the patients deserve it. This is the final stop after all of these years of footdragging and excuses. And tonight, this is the final stop. Let's send the Securing the U.S. Organ Procurement Transplantation Network Act to the President's desk today.

Mr. GRASSLEY. Mr. President, the Securing the U.S. Organ Procurement and Transplantation Network Act is an opportunity for Congress to make history, an opportunity to change the lives of the more than 100,000 Americans waiting for an organ transplant.

Organ donation has always been a bipartisan issue. In 1984, Congress passed the National Organ Transplant Act. That bill was cosponsored by Senator Al Gore and Senator Orrin Hatch. I would like to thank the bipartisan group of Senate colleagues who cosponsored our bill. I would like to give special thanks to Senator CASSIDY, who championed the bill in the HELP Committee. I would also like to recognize Senators WYDEN, CARDIN, and YOUNG, who have worked with me for years to shine a light on the deadly failures of the Nation's organ donation system.

Thank you all for your leadership. Our bipartisan work will continue. The organ donation system has failed patients and generous donor families from all walks of life. After years of bipartisan work in the House and Senate, we have finally passed this bill. Success with this bill means patients are the winners.

For almost two decades, Congress, government watchdogs, and the media have questioned the United Network for Organ Sharing's ability to carry out its responsibilities. I have written about these issues since 2005. Since then, 200,000 Americans have died on the organ waiting list.

Those aren't numbers; those are lives. To put it in perspective, that is the population of Des Moines, IA. There is a reason I call the United Network for Organ Sharing the fox guarding the hen house.

In August of 2022, the Senate Finance Committee issued a bipartisan report that detailed vast disparities in how Organ Procurement Organizations serve their communities. Based on the findings, the organ network has worse outcomes for people of color and rural residents. This bipartisan investigation, which started when I was chairman of the Senate Finance Committee, uncovered fraud, waste, abuse, criminality, deadly patient safety issues, failure to recover organs, and retaliation against whistleblowers. The Senate Finance Committee's bipartisan report was clear: ''From the top down, the U.S. transplant network is not working, putting Americans' lives at risk.''

We must break up the monopoly that has held the U.S organ donation system hostage since 1986. Patients deserve the best possible care; it is the difference between life and death. Our bipartisan bill will help ensure they get the best care.

Earlier this week, our colleagues in the House passed this same legislation to break up the organ monopoly and serve patients instead of special interests. Today, by passing this bill, we have accomplished a major milestone in saving lives and taking care of those who need it most.

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2544, which was received at the House and is at the desk; further, that the bill be considered read a

third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SANDERS. Reserving the right to object

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Let me begin by thanking Chairman WYDEN for his leadership on the need to fundamentally reform our Nation's organ transplant program. I share his concerns. A 2020 bipartisan Finance Committee investigation that Chairman WYDEN co-led with respect to the current system found ''lapses in patient safety, misuse of taxpayer dollars, and tens of thousands of organs going unrecovered or not transplanted . . . resulting in fraud, waste, and abuse of our Nation's Medicare program and American taxpayer dollars.''

That is unacceptable and that has got to change. The legislation Senator WYDEN would like to pass in the Senate today by unanimous consent, while not perfect, includes important reforms to the current system that I support. Once it is signed into law, there may need to be some technical changes to it that I look forward to working with Chairman WYDEN and my other colleagues on.

All of us believe that the administration should have the flexibility it needs to fix the current system. We also believe that corporations should not be able to make an outrageous profit from the organ network.

As my good friend from Oregon knows, this bill is within the jurisdiction of the HELP Committee, a committee that I chair.

Before I withdraw my objections to the organ transplant bill, I want to raise an issue of enormous importance to the American people, and that is the need to address the very serious primary care crisis in America and the massive shortage of doctors, nurses, mental health professionals, and dentists in America.

As my colleague from Oregon knows very well, tens of millions of Americans are unable to access the primary medical care, dental care, and mental health care that they desperately need.

As everyone in America understands, we don't have enough doctors, nurses, psychologists, psychiatrists, dentists, and home healthcare workers in our country.

As the Senator from Oregon knows very well, on September 30, mandatory funding for Community Health Centers, the National Health Service Corps, and Teaching Health Centers will expire unless Congress acts, and Congress must act.

The HELP Committee is working on bipartisan legislation, not only to reauthorize these critical programs, but to significantly expand them. We need a major expansion of Community Health Centers in America to make sure that tens of millions of underserved Americans not only receive the primary care they need, but are also able to receive the high-quality mental health care and dental care they need as well.

We need a major expansion of the National Health Service Corps Program, the program that provides scholarships and debt forgiveness for doctors, nurses, dentists, and mental health providers who are prepared to work in our Nation's most underserved areas.

We need a major expansion of the Teaching Health Center Program, the Nurse Corps, and the Nurse Faculty Loan Program, among many other things.

Of particular concern is an issue I heard about from every single major medical organization in our country, and that is that over the next decade, our Nation faces a shortage of more than 120,000 doctors, including a major shortage of primary care doctors. I don't know how we can grow the number of doctors in America without expanding the Medicare Graduate Medical Education—GME—Program, a program that is within the jurisdiction of the Finance Committee.

Let's be clear. The problem is not so much about the number of doctors graduating from medical school. No, the problem—the bottleneck—is that some 6,800 applicants for a residency position don't match into a program due to a shortage of spots. As my colleague from Oregon knows, if a doctor graduates from medical school but cannot get a residency slot, that person cannot practice medicine in the United States.

In my view, it is critically important that we expand the GME Program. There is bipartisan legislation that does this: S. 1302. The Resident Physician Shortage Reduction Act of 2023, led by Senators MENENDEZ, BOOZMAN, SCHUMER, and COLLINS, would raise the number of GME positions by 14,000 over the next 7 years. Consistent with legislation that passed the House last Congress, I believe that a significant percentage of these additional slots should be dedicated to primary care and mental health care.

As you know, the Medicare GME Program is within the jurisdiction of the Finance Committee, and the other programs I mentioned are within the jurisdiction of the HELP Committee.

I ask my good friend and colleague from Oregon, will you commit today that as chairman of the Finance Committee, you will do everything within your ability to pass bipartisan legislation in the Senate that includes a major expansion of the Medicare Graduate Medical Education Program?

Mr. WYDEN. I thank my colleague for all his leadership, and I am certainly planning to speak on the very strong merits of what you described. And if you would like to continue, we will go through that shortly.

Would the gentleman like to yield to me?

Mr. SANDERS. Sure.

Mr. WYDEN. I thank my colleague for being our leader here in the Congress and, frankly, for this Nation because he has consistently made the point that given the demographics of where we are going to have so many more older people, where we have so many young people at risk, we desperately need Chairman SANDERS to do what he is talking about, which is to address this massive shortage of healthcare workers in America.

Addressing healthcare workforce shortages means we are going to have to have fresh, big league ideas to get these workers all across our country, and it is vitally important that we address several of the biggest ideas Chairman SANDERS and I are talking about.

For example, expanding funding for the Medicare Graduate Medical Education Program—what is called GME—would grow the number of doctors, especially primary care physicians and psychiatrists.

This evening, Chairman SANDERS, I want to make it clear that our two committees—yours doing important work, what is known as HELP, and ours on the Finance Committee—we are committed to bipartisan legislation that is going to increase investments in the Medicare Graduate Medical Education Program. We are also going to focus on incentivizing healthcare providers to partner with schools to train and develop healthcare professionals from medical assistants to advanced practice nurses.

We are also going to have to address expanding the number of behavioral health providers because we know we have an enormous mental health program challenge in America. We have to increase access to maternal health programs in rural areas and invest in the direct care workforce to ensure the health and safety of older Americans and those with disabilities.

What Senator SANDERS is talking about is an all-hands-on-deck approach with our two committees, the two lead committees in the healthcare area working together to increase the number of workers.

Tonight, Chairman SANDERS, as chair of the Finance Committee, I want to make clear that I intend to work very closely with you on these issues. We are going to be partners in the effort in the Finance and HELP Committees to bring forward legislation in the fall to address the healthcare workforce crisis in America. And I want to hear the rest of your remarks and hope then we can have a lifting of the objection and pass the bill.

Mr. SANDERS. My remarks will be brief.

I just want to thank the chairman, Senator WYDEN, of the Finance Committee, for his commitment and for his leadership on these issues. I look forward to working with him to expand access to primary care in America and address the major shortage of healthcare workers in America.

Mr. President, with that commitment, I will not object.

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

The bill (H.R. 2544) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senator from Delaware.

NOMINATION OF JULIE A. SU

Mr. COONS. Mr. President, I rise to share with my colleagues and with our country my enthusiastic support for Julie Su, my gratitude for her ongoing work as Acting Secretary of Labor, and my support for President Biden's nomination of Julie Su to lead the Department of Labor.

Throughout her career, Julie has worked tirelessly to level the playing field for American workers as an advocate for trafficked garment workers, running our Nation's largest State-level labor department.

Two years ago, this Senate confirmed her to serve as Deputy Secretary of Labor. And as Deputy to Secretary Marty Walsh, Julie helped lead a resurgence in workforce training: expanding apprenticeships in in-demand industries like trucking, teaching, and cyber security; building pathways to jobs and advanced manufacturing and clean energy technology and semiconductors; ensuring that our country has the workforce we need to meet the needs of our economy and ensuring that those jobs are good jobs.

Julie has now led the Department for 5 months and has continued her focus on creating good jobs, empowering workers, and enforcing our labor laws.

Last month, she worked tirelessly to help avert a strike at our west coast ports, bringing labor and management together to reach an agreement that kept our ports up and running and our economy moving forward.

This is the kind of leadership that we need on labor issues, in the Department of Labor and across our country. Someone who will persevere through difficult, tense negotiations. Someone who will work through challenging issues and drive outcomes that are good for workers, businesses, and our country.

Julie has done this hard work even while facing unwarranted attacks on her record—a coordinated campaign of misrepresentation about a dedicated public servant. I am confident that her toughness and drive to serve will allow her to endure this opposition and continue to do right by the American people and American workers.

In her time as Deputy Secretary, and now as Acting Secretary, Julie Su has proven to this Senator and to the Senate as a whole that it was wise for President Biden to nominate her and for the Senate to confirm her 2 years ago.

I urge my Senate colleagues to once again support Julie Su and empower her to lead the Department with the experience, expertise, and deeply held values she brings to the job.

NOMINATION OF JACK A. MARKELL

Mr. COONS. Mr. President, I rise this evening to speak about 17 nominees who will be confirmed in the wrap-up of this evening's session—17 nominees to serve as Ambassadors for the United States around the world or to represent us in international organizations.

I am grateful that we have been able to reach an agreement with those Senators who have been blocking their confirmation. I, frankly, wish we had been able to clear even further. There are 38 ambassadorial or senior position nominees waiting for action on this floor, and it is my hope that when we return in September, we will clear the remaining ones.

But this evening, I wanted to speak about one nominee in particular, the Honorable Jack Markell, who has been nominated and will this evening be confirmed to serve as U.S. Ambassador to Italy and San Marino.

I have known Jack and his wife Carla for more than three decades. As Jack liked to say when he was Governor, Delaware is a ''State of neighbors,'' and no one better epitomizes that friendly attitude, that commitment to one another's well-being more than our former Governor Jack Markell.

As treasurer, as Governor, as a businessman, now as Ambassador to the OECD—the Organization for Economic Cooperation and Development—Jack is used to working cooperatively with others to get things done and to do things the right way.

As Governor, he steered our State through an incredibly difficult and demanding fiscal crisis, getting us back on track. Along the way, he expanded opportunities for people with intellectual disabilities. He created a national model for workplace experience and college credit opportunities, and he launched a much lauded kindergarten language immersion program.

As the White House Coordinator for Operation Allies worldwide, he facilitated the vetting and resettlement of Afghans who served alongside us during 20 years of conflict; and now as ambassador to the OECD, he has worked with our partner nations to emphasize energy security, sustainable development goals, and to support Ukraine against a brutal Russian invasion.

Italy is, obviously, a key NATO ally. And Italy is facing some of its biggest challenges in decades and has come out the stronger for it. Italy is a committed partner in NATO to the United States and to Ukraine as a nation fighting on the front lines of freedom.

Earlier today, I had the honor of joining our leader Senator SCHUMER and the Republican Leader Senator MCCONNELL in a meeting with Prime Minister Meloni of Italy during her visit to the United States, on a day when she met with our President, Joe Biden, to talk about how we can further deepen and strengthen the transatlantic alliance.

And I was grateful to hear the strong bipartisan support of this Chamber's two leaders for the continued effort to arm, to equip, to support Ukraine in its important fight against Russian aggression.

I am also thrilled that in just a few moments, this Chamber will confirm the nomination of Jack Markell to serve as our ambassador to Italy and San Marino. This position has been vacant for more than 2 years, and we cannot ignore such a vital post any longer. In these uncertain times, the United States has found greater strength in allies and partner nations, and Jack is the consummate bridge-builder who understands how important alliances are.

He will bring a little bit of the ''Delaware Way'' of working across the aisle, of finding commonsense solutions, and of solving real problems to his new post in Rome. So to a dedicated and capable public servant with experience to match, to a friend of decades, congratulations to Governor Markell, Ambassador Markell, as you embark on this next chapter in service to our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

MILITARY PROMOTIONS

Mr. LEE. Mr. President, as we wrap up our work in the National Defense Authorization Act, we need to address an issue, an issue that has been the focus of a lot of controversy. It has been the focus of a lot of heated words. Now, I understand heated words happen around here. It occurs; people feel passionate about things. But when heated words become untrue words, defamatory words, fighting words, sometimes the record needs to be corrected. This is one of those times.

Moments ago, the President of the United States—who, to put it mildly, has not had a good week—made some comments that I regard as not only insensitive, inflammatory, but also downright misleading and unfair. He has made them about and directed them toward a Member of this body, our friend and colleague, the Senator from Alabama, Senator TUBERVILLE.

These attacks against Senator TUBERVILLE have been relentless. Relentless all because he has chosen to take a stand, a stand against what he properly, legitimately, understandably perceives as a violation of the spirit—if not also the letter—of the law. The law in question is codified in 10 U.S.C. section 1093.

And 10 U.S.C. 1093, in a nutshell, says that the U.S. Department of Defense may not spend Department of Defense funds to perform an abortion, and it may not use a Department of Defense property, facility, to perform an abortion.

This has been in place for a long time. It has been in place for decades. This, you see, represents something of an island oasis in the debate of abortion, this idea about government funding. It is one of the last bastions of our overwhelming bipartisan agreement when it comes to abortion in America, which is to say, regardless of how people feel about abortion in general—whether they support it, whether they are against it, in what circumstances they might recognize it as something that can appropriately be legal or not—what unites them and unites them overwhelmingly along bipartisan lines is this: That, in part, because of the widespread disagreement among the American people about abortion, Federal funds shouldn't be performing abortions. They shouldn't be used to promote or conduct or perform abortions.

It is a very simple matter. This can and does unite Americans across party lines—and overwhelmingly so. And so it was with good reason in another National Defense Authorization Act—we just finished up the National Defense Authorization Act for 2024, at least the initial Senate version of it. But it was in another National Defense Authorization Act a few decades ago that, I understand, 10 U.S.C. 1093 came to be law, because the American people agreed then, as they agree now, that regardless of how people feel about abortion, we ought not to be using Federal funds, particularly in the military but also otherwise, to perform abortions.

Well, late last year, the U.S. Department of Defense started considering a measure to get around 10 U.S.C. 1093 for a method that was at once really creative and too cute by half.

When I say ''too cute by half'' not as a compliment, I, indeed, mean it as a criticism, because it cleverly attempts to step around the stated purpose, intent, spirit of 10 U.S.C. 1093. And one could not argue that you avoid the technical grip of its talents if you do what the Department of Defense started considering doing last year.

They started thinking about saying, OK, well, let's say that we will give 3 weeks of paid leave time and reimburse travel expenses to any military woman who wants to get an abortion and needs to travel interstate to do it. We will pay for their interstate travel, for their lodgings, their meals, and 3 weeks of paid leave.

It is understandable why this would cause some consternation, because the only purpose of this could be to flout, to circumvent the stated purpose and effect of 10 U.S.C. section 1093. Technically speaking, one could argue, yeah, this is not performing abortions, so you can get away with it. Sometimes in the military, it is not just about getting away with it; sometimes in the military there ought to be some concern for whether the American people have a voice in this, and the fact that their elected representatives have tried to take things like this off the table, and not let them do that.

So Senator TUBERVILLE saw this coming. He also understood—as I think anyone rationally looking at it has the ability to understand—that the distinction between this and providing funding for the performance of an abortion is really difficult to differentiate. If you add up the value, the economic value, of the 3 weeks of paid leave and add to that interstate travel—in many cases, it is going to be interstate air travel—and lodgings, meals, per diem for that period of time, at the end of the day, performance of the abortion is going to be dwarfed by that policy. It is almost the afterthought. It is the least expensive part of all of that. And so, yeah, can you say that you have evaded the letter of the law? Yeah, I think you can make that argument, but it is too cute by half, and they are trying deliberately to flout this law while claiming that they are respecting it.

So what did Senator TUBERVILLE do? Well, Senator TUBERVILLE serves on the Senate Armed Services Committee. And in that capacity, he has oversight authority, oversight responsibilities over the Department of Defense. So he did what he felt was appropriate and what I think was appropriate, and he decided to sit down with the Secretary of Defense and just talk it out with him, rather than relying on the rumor mill to either confirm or dispel what might be happening. He articulated his concerns.

He said: Look, if you were to do this, it is just a poke in the eye. You are doing it because you can get away with it for the time being. So don't do it. And if you still do it, there will be consequences. And then he spelled out what those consequences would be.

You see, in the Senate, when we confirm people, particularly when we confirm people who are up for consideration for a military promotion, there is a custom and practice that we don't require the full procedures to be followed—the full procedures, which takes some time.

And so Senators, typically, agree to expedite that process so that these military promotions can be considered as a group, en bloc, and on a really fast-tracked basis. It is, nonetheless, a senatorial courtesy; it is something that we choose to do. It is our choice, and it is the choice of each Senator individually. Any one Senator can decide for him or herself when, whether, to what extent to allow that person and where to withhold it.

And so what Senator TUBERVILLE told Secretary Lloyd Austin, the Secretary of Defense, was simple: If you do this, I will not any longer be able to justify giving expedited treatment to military promotions for flag officers—you know, admirals and generals. I won't do that, so don't do it, because you will be flouting the law. You will be flouting the law in a way that may take a significant amount of time, whether through litigation—if it follows that course—or through legislation. Probably be able to run out the clock through the end of this administration.

Senator TUBERVILLE felt that would be an unfortunate result and wanted to give Secretary Austin the chance to avoid it. So he said: Don't do it; but if you do do it, it is going to take you a whole lot longer to confirm your admirals and your generals.

Well, what happened? A month or two later, lo and behold, the Department of Defense releases that policy: 3 weeks of paid leave and compensated, reimbursed travel expenses, and per diem, for the purpose of getting an abortion. Sure, they try to dress it up in other language. This is about abortion. This is about Dobbs because the administration doesn't like the Dobbs decision. It is mad that the Supreme Court of the United States stood up for the plain text of the Constitution.

The plain text of the Constitution does not make abortion itself categorically a Federal issue and certainly doesn't prohibit to the States the authority to protect unborn human life. It doesn't take that away, and because it doesn't take that away, it is not an issue that nine lawyers wearing robes can just decide, just graft it on to the Constitution.

So the Dobbs Court reached that conclusion. Whether you agree with the Dobbs Court or not—I do. It was right. But whether you agree with me on that or not, it is the Supreme Court's ruling.

This is a temper tantrum. It is a temper tantrum by the Department of Defense and by the Biden administration. They are still mad that they lost the Dobbs ruling. That is what this is.

So they proceeded with it, and Coach TUBERVILLE said: I told you what I would do, and I am going to stand up for what I told you I would do. This isn't right. You are encouraging, you are facilitating abortions, and it sends the wrong message altogether. This is not something that we are comfortable with the Department of Defense doing. We made that clear in law decades ago. And you are doing this for the sole purpose of flouting—of circumventing. So don't do it.

Now, it is clear as a bell: This doesn't stop anyone from getting confirmed. There is not one person whom we stop from getting confirmed simply because any one Senator decides that he or she isn't going to continue to expedite the process. Every one of these people could be confirmed. Essentially, every one of them could be confirmed in not a whole lot of time. It would be some time-consuming processes they would have to go through, but it is not overwhelming.

In the meantime, all this pressure is mounting. The message from the White House and from the Pentagon has been to put the blame entirely at Senator TUBERVILLE's feet and to say that all kinds of horrible things are going to happen—dogs and cats living together in the streets; Book of Revelations

stuff, apocalyptic stuff is going to happen—and it is all Senator TOMMY TUBERVILLE's fault. This is nonsense.

For those who have made that argument within this body, it is uncollegial. For the President of the United States to jump on this bandwagon and do the same thing—the President of the United States, a longtime Member of this body who never served with Senator TUBERVILLE, but if he had, he would have known him and he would have liked him. They would have been friends. Senator Biden, I have no doubt, would have respected as a matter of senatorial courtesy what Senator TUBERVILLE is doing because we respect each other's procedural rights, especially when standing on a sincerely held conviction. But that is not what President Biden is doing.

He gave a speech just a little while ago. He begins with the words ''Something dangerous is happening.''

A few sentences later, he says:

The Republican Party used to . . . support the military, but today they're undermining the military. The senior senator from Alabama, who claims to support our troops, is now blocking more than 300 military operations with his extreme political agenda.

Let's talk for a moment about what is extreme. It is extreme to take U.S. taxpayer dollars and use them to facilitate, promote, and encourage abortion. That is extreme. It is also extreme for this administration to refuse even to consider the possibility that maybe they overstepped.

Now, there is dispute among people in the military as to whether or to what extent any delay in the promotion of these members is a matter of national security. I understand there are disagreements on that. There are also no fewer than 5,000 veterans who have signed on to support Senator TUBERVILLE's Pentagon hold—5,000—who say that Senator TUBERVILLE's decision to place these holds is absolutely right and that he is not to blame and that there are no circumstances in which Senator TUBERVILLE should be blamed for any impact on military readiness.

Now, let's step back for a minute, and let's just assume. Let's assume for purposes of argument here that we are living in a world in which there are legitimate national security ramifications flowing from the nonconfirmation of any or all of the roughly 300 promotions we are talking about. Let's assume that into existence.

If that is the case, to whatever extent that is true, what is true for the goose is also true for the gander. It is not something that you could put solely on Senator TUBERVILLE, especially given the fact that we could promote and confirm the promotions of every single one of these people right now within the next 5 minutes. We could do it if only this administration would stop trying to advance its radical, proabortion agenda through every jurisdiction, every Department, every Agency. This is an all-of-government thing. They don't care; they are going to promote abortion in whatever way possible. All they would have to do is say: You know, let's set that aside. In the interest of national security, let's do that.

It is not as if members of the military choosing to get an abortion are prohibited from doing so. It is not as though members of the military choosing to seek an abortion are denied leave or denied the ability to do this.

So what exactly are we fighting for, and to whatever degree this is impairing and impacting national security, who exactly is doing this? The President of the United States and Secretary Austin both independently have at their disposal the ability to end this now.

So a national security threat? Not a national security threat? To the extent it is, it is on you, President Biden, and you certainly can't put this entirely at Senator TUBERVILLE's feet. This is your doing. You have chosen this route. He warned you that Federal law itself cautioned against it, and you did it anyway.

It goes on a few sentences later:

This partisan freeze is already harming military readiness, security and leadership, and troop morale.

He goes on:

Freezing pay, freezing people in place. Military families who have already sacrificed so much unsure of where or when they change stations, unable to get housing or start their kids in the new school [because they are not there yet].

Here again, I get it. It would be great to get those people confirmed. It really would. I would like to see them confirmed. So even though this wasn't my decision—I wasn't in his shoes. I wasn't the one who chose this particular option. But he is my friend, he is my colleague, and he is a U.S. Senator who holds an election certificate just like the rest of us and just like President Biden did for the many decades he served in this body. He has every right to decide when and when not to extend the courtesy of expediting these confirmations. He went about it in a gentlemanly, courteous way, giving advance notice. He rested his theory on a law that has been in place for decades that is being flouted.

The President of the United States has the audacity to lay at his feet any suffering, any misfortune, any unhappiness among these families, any military readiness that may flow from it, when he himself knows darn well that in order to score cheap political points with the abortion lobby, he is willing to bring these things on. And then he has the audacity to blame this on one Senator from Alabama.

Shame on you, President Biden. Shame on you.

He goes on:

Military spouses are forced to take critical career decisions, not knowing where or if they can apply for a new job. . . . a growing cascade of damage and disruption all because one senator from Alabama and 48 Republicans refused to stand up to him to lift the blockade over a Pentagon policy offering servicemen and women and their families access to reproductive health care rights they deserve if they're stationed in states that deny it.

He can dress that up all he wants. It is still on him. He can call this healthcare all he wants, but he is talking about a procedure that has one purpose, and that is to culminate in the cessation of unborn human life.

I find that difficult to take—difficult to take especially in the face of 10 U.S.C. 1093, which on its face makes clear that the American people don't want and have outlawed the use of military funds and facilities to perform abortions. Why should we be willing to tolerate something that indirectly, in a way that is way too cute by at least half, openly flouts the intended purpose and spirit of that law?

He continues:

I think it's outrageous. But don't just take it from me. Hundreds of military spouses petitioned to end the extreme blockade.

One spouse, referring to the Senator from Alabama, said:

This isn't a football game. This nonsense must stop right now. Enough.

You know, the military spouse quoted is right. This isn't a football game. It is much more serious than that—in fact, far more serious. This is about the law. This is about maintaining military readiness. This is about making sure that our laws aren't openly flouted by those charged with managing and directing the affairs of what is our largest Department and one of the central, key parts of the Federal Government, one of its main reasons for existing. It is not a football game, and this business of openly flouting the law and the business of law in which we work is also not a game.

You see, the fact is, Secretary Austin made a grave miscalculation when he decided he was going to make policy and make policy utterly at odds with the policy embodied in enacted law. You see, you can't legislate from the E-ring of the Pentagon. It can't be done.

My copy of the Constitution, the very first operative provision of that document, article I, section 1, says:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

Article I, section 7, puts additional meat on the bones and makes abundantly clear what is teed up in article I, section 1, clause 1. It says that in order to make a law within the Federal Government, it has to be through Congress. In order to make a law, you have to pass it through the House and pass it through the Senate. Once you pass the same text through both Houses of Congress, it has to be presented to the President for signature, veto, or acquiescence.

Maybe he didn't get the memo on article I. Maybe he needs to be reminded of the fact that he doesn't get to make law. It is not within his prerogative.

He openly, brazenly and I believe very, very deliberately sought to undermine the stated purpose, intent, effect, and spirit of 10 U.S.C. 1093. He chose to do that.

What is sad in this day and age, when the government is as big as ours, a government that unwisely gives as much deference as it does to the executive branch—not just to the President himself but those who serve him in various capacities in executive branch Agencies and Departments. In this day and age, it is almost analogous to the expression that ''possession is nine-tenths of the law.'' As long as he remains in charge of the Department of Defense, he can say up is down and is surrounded by people who literally salute him every day and people who follow those orders. Unless or until Congress does something about it, he may get away with openly flouting the law.

(Ms. CANTWELL assumed the Chair.)

That doesn't mean that nobody in the Senate can have anything to say about it, and it certainly does not entitle the Secretary of Defense or the President of the United States to have every Member of the U.S. Senate agree to continue to reward them with continued deference and a grant of expedited consideration of all military promotions, whether flag officers or otherwise. This is not something they are entitled to. It is something that Senators freely choose to give or to withhold. Here, he has chosen to withhold it.

The beginning of the end of his speech says:

I urge Senate Republicans to do what they know is right.

On that point, I agree, and we will.

The PRESIDING OFFICER. The Senator from Vermont.

VERMONT FLOODING

Mr. WELCH. Madam President, I would like to address the Senate and describe the situation in Vermont.

On July 10, we had a catastrophic flood that affected parts of the entire State. What I would like to speak about today are a couple of things: one, where Vermont stands in the recovery and, two, to describe specifically damages to our agriculture community and our farming community.

Before I do start, I want to express my gratitude to the Biden administration, to the FEMA folks who visited, to the Secretary of Transportation, who visited, and to the staff at FEMA, who have been working tirelessly to help Vermonters go through the very difficult process.

There are folks who have lost their homes or suffered significant damage to their homes, folks who have lost their businesses. We saw, when I was here originally, a photograph of Montpelier, where the entire downtown district was flooded, and the individuals in the farming community who have seen all of their work and all of their crops destroyed.

Senator SANDERS and Congresswoman BALINT and I are working as closely as we possibly can with Governor Scott, whose administration is totally dedicated to trying to help Vermonters recover. What did happen in Vermont affected homes, it affected infrastructure, it affected businesses, but it also affected the farming communities.

Earlier this week, Governor Scott and I visited the farm of Paul Mazza in Essex Junction. Paul has been farming for about 40 years, since he was 11 years old. The farmland that we see here along the river—as you can see, it has risen up so that it covers much of the acreage. The acreage included raspberries, blueberries, blackberries—crops for which neighbors and Vermonters from all around look forward to coming to the Mazza farm and self-harvesting.

As Paul Mazza said to Governor Scott and to me, ''The people of Essex and the people of Vermont need my farm, and my farm needs the people of Vermont.''

A custom in Vermont was for folks, with their families, to go to the Mazza farm and do their own picking.

He has about 40 acres that are dedicated to those extraordinary crops, and they have been destroyed. We walked that farm and saw the devastation. When the flooded waters rose up above the crops and then receded, it left a residue which destroyed them. He also has almost 300 acres of corn, feed corn, and about 250 acres of that were destroyed as well.

What we understand is that about 100,000 acres of forest and cropland have been affected by the flood. About 10,000 of those acres are in direct agricultural activity.

As for the vegetable crops from our small farmers, whose work is only paid for at the end of the season when they harvest and sell those crops, those crops are destroyed. So, with many of our smaller vegetable farmers, who are so important to community life and so important to getting good, nutritious food, those crops have been destroyed.

The question is whether those farmers are going to be able to get back in business, and we are going to need to be able to help them if that is going to happen.

I have a couple of things I would like to say. One is to Vermonters and to Vermont farmers: Report. Report. Report.

In order for us here in Washington to be able to make the case for the aid that we need and you need, we have to document what the damages are. Some folks in Vermont are hesitant to make that report, thinking they might affect their neighbor's ability to get aid. That is not the case. We need to document how much loss has been suffered by every Vermonter.

So, please, especially our farmers but our homeowners and our businesses, report. Call 211, and let us know what the damage is where you live. It could be anything from driveway damage to Paul Mazza's crop damage of a couple hundred acres.

Second, Senator SANDERS and I will be asking at some point, when we know what that damage is, for the assistance of our colleagues to help out Vermonters who have been the victims of this natural disaster, this catastrophic flood, that occurred 17 days ago.

Before I finish, I want to express the inspiring response that Vermonters have had.

You know, we are 17 days into this, and immediately after the flood, there was an outpouring of support from volunteers—other Vermonters—to come to help businesses that were flooded, to help homeowners who were flooded, and even to help our farmers.

People are going back to their lives, but Vermonters still want to help. Some of the stories so inspired me, and I will give one.

In Marshfield, there is an owner of a general store, Michelle Eddleman McCormick. She thought she was running a country store. Well, on the day of the storm, in Marshfield, it was absolutely devastated. She took in three dozen people who stayed in her store, and she sheltered them. I just can't believe the generosity of this person to fellow Vermonters in need—taking three dozen people in, sleeping on the floor, and doing whatever they could to get through the night and the next day. The damage was enormous. Marshfield, where the country store is, lost three bridges, and a fourth was severely damaged.

In the small town of Johnson, a sewer main was taken out when the line attached to the bottom of a bridge was ripped away by a car that was floating down the river. The wastewater treatment facility in Johnson was totally destroyed. It suffered 8 feet of water in the plant itself. Across Vermont, we lost 33 wastewater treatment plants.

In the small town of Cabot—famous for its Cabot/Agri-Mark cheese—every single road was damaged, and people were stranded within the community because you couldn't get out, and you couldn't get in.

In Cambridge and Jeffersonville, these small towns were completely cut off during the flood. A senior low-income housing project was lost to the flood.

So we are now in that stage where the initial trauma of that flood on July 10 is behind us, but there is very hard work that is required to try to get that business back on its feet or for that homeowner to find shelter, for that farmer—Paul Mazza and his daughter, Katie, and the folks who worked so hard on the Mazza farm—they have to do the day by day, step-by-step recovery because we want folks to be back in their homes; we want folks to be back on their farms; and we want folks to be back in their businesses.

Vermonters are going to do everything they possibly can. The Governor's response and the legislative response is important, and there is public and private activity that is going on to help Vermonters get back on their feet, but we in the Federal Government have to do our part.

Vermonters have always, always been there to help other parts of our country that have suffered natural disasters, which is through no fault of anyone's, but for the folks who are on the receiving end—in this case a flood, in another case a hurricane, in another case a wildfire—we have to help each other, and Vermonters have always helped others.

My hope—and I am confident on the basis of the very supportive comments that my colleagues have made to Senator SANDERS and to me—is that we will get the help that we need for Vermonters. I am inspired by how Vermonters have helped each other, and my hope is that we will help them get back, fully recovered as soon as possible.

I yield the floor.

(Mr. COONS assumed the Chair.)

(Mr. WELCH assumed the Chair.)

The PRESIDING OFFICER (Mr. COONS). The Senator from Washington.

FEND OFF FENTANYL ACT

Ms. CANTWELL. Mr. President, I rise tonight to speak about important legislation that was included in the National Defense Authorization Act tonight and something that will help us fight the scourge of illicit fentanyl in the United States of America.

An urgent public health crisis is gripping our State and many other parts of the United States. I want to thank my colleagues Senator SCOTT from South Carolina and Senator BROWN from Ohio for their leadership on the bipartisan legislation known as the FEND Act that was included in tonight's legislation.

The fentanyl crisis is having a direct and dire impact on families in the State of Washington and all throughout the United States. In the past 12 months, more than 65,000 Americans have died by overdosing on synthetic opioids like fentanyl. That is why it is so important that, tonight, included in this legislation is the FEND Act, and that is part of a response that we need to have to take this national crisis seriously.

This legislation declares the international trafficking of fentanyl, and its precursors needed to make it, a national emergency. This gives the President and us the focus that we need to fight, as it says in the legislation, ''an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.''

Mr. President, a crisis of this magnitude demands a robust Federal response, and that is why this legislation provides the President with new tools to stop the illicit fentanyl flooding our borders and those who are trying to transport it into our country.

First, the new tools in this legislation are sanctions targeting transnational criminal organizations and foreigners engaged in international fentanyl trafficking. The bill specifically calls out eight known cartels in Mexico, which means that Treasury can investigate suspicious activities involved here and declare sanctions. It recognizes that these traffickers, once identified, can have sanctions imposed and can have forfeiture of their property.

Recognizing that fentanyl production is not simply these entities but also diverse networks of players, this legislation helps us go after those. Sanctions will enable the U.S. Government to try to disrupt the flow of this product: the distributors, the brokers, the wholesalers, the retailers, the sellers of precursors—anyone who is involved in trafficking these deadly pills can now be targeted.

Second, the Senate-passed legislation goes after financial institutions that participate in fentanyl-related money laundering. Once caught, property forfeited by international fentanyl traffickers can be used by the Department of Justice and State and local law enforcements to help participate in additional investigations, and this legislation also empowers Treasury to use special measures to pursue fentanyl-related and other types of drug laundering activity. For example, a foreign financial institution engaged in fentanyl-related money laundering, it can impose restrictions on those banks and U.S. banks doing business with those foreign entities.

So the bottom line is there are new tools. Once this legislation makes it to the President's desk and through the finish of our colleagues working together on a final House and Senate NDAA package, it will give the U.S. Government Agencies more tools to disrupt the illicit fentanyl trafficking and the supply chains that exist internationally.

Severely penalizing those engaged in fentanyl trafficking is just one step. According to the Centers for Disease Control and Prevention, my State, Washington, experienced the single highest increase among U.S. States in reported drug overdoses last year—an increase of more than 21 percent.

Hundreds of traumatized families that will never be the same, thousands of first responders struggling to cope with this daily tragedy that they respond to—the statistics are stunning, but they are also just very tragic. Sometimes it is hard to even listen to the stories, but I have been going around my State listening to people affected by this crisis and talking to those in my State about the opportunities to do something—the heartwrenching stories of individuals who have been impacted by this: a mother whose son went off to college and just simply didn't come home; a beloved brother who fought addiction for years and who got help to kick heroin, got sober, and got his life back but then, sadly, succumbed to fentanyl; a woman struggling with addiction who realized she needed help but then couldn't find a bed available for detox, only to hear, time and time again, that such a bed did not exist; a young man who took a single pill he thought was Percocet who died from an illicit counterfeit pill laced with fentanyl.

That is why we need legislation. In addition to the FEND Off Fentanyl Act, we need to do more with just the supply. In the Tri-Cities, a police officer told me that their local task force has already seized over 200,000 fentanyl pills this year. Statewide, we have already surpassed the number of fentanyl seizures in all of last year. Law enforcement in Washington has already seized more than 1.6 million fentanyl pills this year compared to a total of 1.3 million in all of last year.

So the U.S. Drug Enforcement Agency has seized over 379 million deadly doses of fentanyl. That was last year. That is more than enough supply in the United States. We need to do something now to also aid in the stopping and obstruction to make sure that we are preventing this from happening in the rest of the United States and to stop it in my State of Washington.

I plan to work with TSA and DEA to make sure that we strengthen the laws that allow for the investigation of fentanyl distribution at our airports, to make sure that we are tracking the supply and investigating and giving our law enforcement any tool that they can use to help stop the movement of this product.

I am also grateful that our colleagues tonight acted in a bipartisan way, and I hope they will act in a bipartisan way in the future. There are other things that we need to do to stop the cycle of addiction.

As one doctor told me: We could have access to recovery be as easy as access to the drug, but it is not.

We have heard from people all over the State—from our firefighters, from our police officers, from our courts, to our healthcare treatment centers—and we have seen unbelievable pilot programs that are being used to try to tackle this problem. We have seen fire stations use new equipment and first responders so they can quickly get to the scene and have the tools in place.

We have heard from our State and from our healthcare officials like Dr. Banta-Green from the University of Washington, who has helped to understand and pioneer a program so that people can just walk into a facility that is community-based and get access to care and treatment immediately. So no more trying to respond every day of where to go or having a first responder having to go back to the same place, but giving people a place that they can go.

I hope our colleagues will look at some of these innovative prevention

measures that my State is trying to undertake. I hope that we can work in a bipartisan effort to give more tools to DEA, but I hope tonight we will be happy that we are now declaring this a national emergency, that we have given the President and Treasury and our officials new tools to stop the trafficking of this product and to pursue those who are involved in it in an aggressive way around the world.

I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 256.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Philip Nathan Jefferson, of North Carolina, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER (Mr. COONS). The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 256, Philip Nathan Jefferson, of North Carolina, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

Charles E. Schumer, Sherrod Brown, Margaret Wood Hassan, Mark Kelly, Jack Reed, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Mazie K. Hirono, Tina Smith, Edward J. Markey, Tim Kaine, Tammy Baldwin.

LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 260.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Gwynne A. Wilcox, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2028. (Reappointment)

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 260, Gwynne A. Wilcox, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2028. (Reappointment)

Charles E. Schumer, Bernard Sanders, Margaret Wood Hassan, Mark Kelly, Jack Reed, Ron Wyden, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Mazie K. Hirono, Tina Smith, Edward J. Markey, Tim Kaine, Tammy Baldwin.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 255.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2024. (Reappointment)

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 255, Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2024. (Reappointment)

Charles E. Schumer, Sherrod Brown, Margaret Wood Hassan, Mark Kelly, Jack Reed, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Mazie K. Hirono, Tina Smith, Edward J. Markey, Tim Kaine, Tammy Baldwin.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 257.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The clerk will report the nomination.

The legislative clerk read the nomination of Adriana Debora Kugler, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2012.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 257, Adriana Debora Kugler, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2012.

Charles E. Schumer, Sherrod Brown, Margaret Wood Hassan, Mark Kelly, Jack Reed, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Mazie K. Hirono, Tina Smith, Edward J. Markey, Tim Kaine, Tammy Baldwin.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 253.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The clerk will report the nomination.

The legislative clerk read the nomination of Anna M. Gomez, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2021.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 253, Anna M. Gomez, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2021.

Charles E. Schumer, Maria Cantwell, Margaret Wood Hassan, Mark Kelly, Jack Reed, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Mazie K. Hirono, Tina Smith, Edward J. Markey, Tim Kaine, Tammy Baldwin.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, July 27, be waived.

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

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 146, 147, 149, 150, 152, 154, 210, 211, 213, 215, 218, 219, 221, 273, 277, 278, and 279; that the Senate vote on the nominations en bloc, without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the nominations of Eric W. Kneedler, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Rwanda; Hugo Yue-Ho Yon, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives; Kathleen A. FitzGibbon, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Niger; Martina Anna Tkadlec Strong, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Arab Emirates; Robin Dunnigan, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Georgia; Nicole D. Theriot, of Louisiana, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Co-operative Republic of Guyana; Ervin Jose Massinga, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Ethiopia; Yael Lempert, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Hashemite Kingdom of Jordan; Julie Turner, of Maryland, to be Special Envoy on North Korean Human Rights Issues, with the rank of Ambassador; William W. Popp, of Missouri, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda; Matthew D. Murray, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC); Jennifer L. Johnson, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federated States of Micronesia; Bryan David Hunt, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Sierra Leone; Joel Ehrendreich, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Palau; Jack A. Markell, of Delaware, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of San Marino; Gerald H. Acker, of Michigan, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada; and Nisha Desai Biswal, of Virginia, to be Deputy Chief Executive Officer of the United States International Development Finance Corporation (New Position)?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nominations: all nominations placed on the Secretary's desk in the Air Force, Army, Foreign Service, Marine Corps, and Navy; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN599 AIR FORCE nominations (83) beginning JULIE L. AIRHART, and ending TERRI L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2023.

PN696 AIR FORCE nominations (30) beginning JUSTIN V. AHRENS, and ending RYAN E. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of May 30, 2023.

PN777 AIR FORCE nomination of Oliver E. Barfield, which was received by the Senate and appeared in the Congressional Record of June 12, 2023.

PN778 AIR FORCE nominations (2) beginning Ashley L. Shull, and ending Sean M. Williams, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2023.

PN779 AIR FORCE nominations (73) beginning RONALD MARK ALLIGOOD, and ending MATTHEW DAVID WOOLUMS, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2023.

PN780 AIR FORCE nominations (158) beginning BRIAN CHARLES ANDERSON, and ending JERRY WAYNE ZOLLMAN, JR., which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2023.

PN839 AIR FORCE nomination of Ryan C. Boyle, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN840 AIR FORCE nominations (359) beginning FEYSEL A. ABDULKAF, and ending NANCY M. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN841 AIR FORCE nominations (49) beginning SCOTT A. ABUSO, and ending ROBERT ZAVALA, JR., which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN842 AIR FORCE nominations (391) beginning NANLISHA T. ABDULLAI, and ending STEVEN ZIMMER, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN843 AIR FORCE nominations (160) beginning MATTHEW N. ALOMBRO, and ending GARRETT C. ZUPAN, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN844 AIR FORCE nominations (1201) beginning KEVIN B. ABBOTT, and ending KAITLIN E. ZITO, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN845 AIR FORCE nomination of James H. Gutzman, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN846 AIR FORCE nominations (53) beginning DANIELLE N. ANDERSON, and ending BRIAN J. WELCH, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN847 AIR FORCE nomination of Ryan C. Caguillo, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN848 AIR FORCE nomination of Mary M. Gutierrez, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN849 AIR FORCE nomination of Edward W. Hale, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

IN THE ARMY

PN781 ARMY nomination of Paul A. Stelzer, which was received by the Senate and appeared in the Congressional Record of June 12, 2023.

PN789 ARMY nomination of Andrew R. Updike, was received by the Senate and appeared in the Congressional Record of June 21, 2023.

PN791 ARMY nomination of Erica L. Kane, which was received by the Senate and appeared in the Congressional Record of June 21, 2023.

PN792 ARMY nominations (31) beginning JOSHUA T. ADE, and ending EVERETT E. ZACHARY, which nominations were received by the Senate and appeared in the Congressional Record of June 21, 2023.

PN850 ARMY nomination of Charles K. Djou, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN851 ARMY nomination of Nicholas C. Molczyk, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN852 ARMY nomination of David Hernandez, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN853 ARMY nomination of Clydellia S. Prichard-Allen, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN854 ARMY nomination of Espada J. Ruiz, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

IN THE FOREIGN SERVICE

PN283—1 FOREIGN SERVICE nominations (3) beginning Michael J. Fitzpatrick, and ending Thomas Laszlo Vajda, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2023.

PN356 FOREIGN SERVICE nominations (5) beginning Christopher M. Cushing, and ending Ryan G. Washburn, which nominations were received by the Senate and appeared in the Congressional Record of February 13, 2023.

PN357 FOREIGN SERVICE nominations (30) beginning Maura E. Barry Boyle, and ending Jaidev Singh, which nominations were received by the Senate and appeared in the Congressional Record of February 13, 2023.

PN495 FOREIGN SERVICE nomination of Ali Abdi, which was received by the Senate and appeared in the Congressional Record of March 30, 2023.

PN496 FOREIGN SERVICE nominations (2) beginning Mark Petry, and ending Kimberly Sawatzki, which nominations were received by the Senate and appeared in the Congressional Record of March 30, 2023.

PN737 FOREIGN SERVICE nominations (100) beginning Ihuoma A. Akamiro, and ending Jeffrey Paul Lodinsky, which nominations were received by the Senate and appeared in the Congressional Record of May 30, 2023.

IN THE MARINE CORPS

PN783 MARINE CORPS nomination of Leron E. Lane, which was received by the Senate and appeared in the Congressional Record of June 12, 2023.

PN793 MARINE CORPS nomination of William M. Schweitzer, which was received by the Senate and appeared in the Congressional Record of June 21, 2023.

IN THE NAVY

PN784 NAVY nomination of Andres S. Piscoya, which was received by the Senate and appeared in the Congressional Record of June 12, 2023.

PN856 NAVY nominations (4) beginning MARY M. AYRES, and ending REBECCA M. RIEGER, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN857 NAVY nomination of Daniel I. Morrison, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN858 NAVY nomination of Alan A. Gutberlet, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN859 NAVY nomination of Guillermo M. Arguello, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN860 NAVY nomination of Christopher S. Williams, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN861 NAVY nomination of Kristopher M. Brazil, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN862 NAVY nominations (10) beginning JOSHUA P. CORBIN, and ending NATHAN S. WEMETT, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN863 NAVY nominations (14) beginning NICHOLAS B. ARTABAZON, and ending SARA A. ZANITSCH, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN864 NAVY nominations (39) beginning MARY H. BAKER, and ending TRENT A. WARNER, which nominations were received by the Senate and appeared in the Congressional Record of July 12, 2023.

PN865 NAVY nomination of Peter J. Maculan, which was received by the Senate and appeared in the Congressional Record of July 12, 2023.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REAPPOINTMENT OF DR. PHILLIP SWAGEL

Mrs. MURRAY. Mr. President, I ask unanimous consent to have printed in the RECORD a joint letter from me, in my capacity as President pro tempore of the Senate, along with the Speaker of the House of Representatives, KEVIN MCCARTHY, regarding the reappointment of Dr. Phillip Swagel as the Director of the Congressional Budget Office.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, July 21, 2023.

Pursuant to section 201(a)(2) of the Congressional Budget Act of 1974, and upon recommendations by the House and Senate Budget Committees, the Speaker of the House of Representatives and the Senate President pro tempore hereby appoint Dr. Phillip Swagel as the Director of the Congressional Budget Office for the term expiring January 3, 2027.

KEVIN MCCARTHY,
Speaker, United States House of Representatives.
PATTY MURRAY,
President pro tempore, U.S. Senate.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Mr. DURBIN. Mr. President, I was necessarily absent for rollcall vote No. 198, adoption of the Warnock amendment to provide enhanced protection against debt collector harassment of members of the Armed Forces (199). Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 199, adoption of the Cruz amendment to provide remedies to members of the Armed Forces discharged or subject to adverse action under the COVID–19 vaccine mandate (421). Had I been present for the vote, I would have voted nay.

I was necessarily absent for rollcall vote No. 200, adoption of the Wicker amendment to establish the Office of the Lead Inspector General for Ukraine Assistance (1055). Had I been present for the vote, I would have voted nay.

I was necessarily absent for rollcall vote No. 201, adoption of the Paul amendment to provide for the independent and objective conduct and supervision of audits and investigations relating to the programs and operations funded with amounts appropriated or otherwise made available to Ukraine for military, economic, and humanitarian aid (438). Had I been present for the vote, I would have voted nay.

I was necessarily absent for rollcall vote No. 202, adoption of the Barrasso amendment to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, establish an HALEU for Advanced Nuclear

Reactor Demonstration Projects Program, and submit a report on a civil nuclear credit program, and to enhance programs to build workforce capacity to meet critical mission needs of the Department of Energy (999). Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 203, adoption of the Sanders amendment to reduce military spending (1030). Had I been present for the vote, I would have voted nay.

I was necessarily absent for rollcall vote No. 204, adoption of the Marshall amendment to prohibit the flying, draping, or other display of any flag other than the flag of the United States at public buildings (874). Had I been present for the vote, I would have voted nay.

I was necessarily absent for rollcall vote No. 205, adoption of the Kennedy amendment to prohibit allocations of Special Drawing Rights at the International Monetary Fund for perpetrators of genocide and state sponsors of terrorism without congressional authorization (1034). Had I been present for the vote, I would have voted nay.

I was necessarily absent for rollcall vote No. 206, adoption of the Gillibrand amendment to amend title XXXIII of the Public Health Service Act with respect to funding for the World Trade Center Health Program (1065). Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 207, adoption of the Hawley amendment to extend the period for filing claims under the Radiation Exposure Compensation Act and to provide for compensation under such Act for claims relating to Manhattan Project waste, and to improve compensation for workers involved in uranium mining (1058). Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 208, adoption of the Menendez amendment to reauthorize the Firefighter Cancer Registry Act of 2018 (638). Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 209, adoption of the Schatz amendment to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996 (1078). Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 210, adoption of the Rubio amendment to provide that sums in the Thrift Savings Fund may not be invested in securities that are listed on certain foreign exchanges (523). Had I been present for the vote, I would have voted nay.

I was necessarily absent for rollcall vote No. 211, adoption of the Reed-Wicker amendment: managers package (1087). Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 212, passage of S. 2226, as amended, an original bill to authorize appropriations for fiscal year 2024 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. Had I been present for the vote, I would have voted yea.●

NATIONAL WHISTLEBLOWER APPRECIATION DAY

Mr. GRASSLEY. Mr. President, today is National Whistleblower Appreciation Day on the Hill. So today we celebrate and recognize the contributions and sacrifices that whistleblowers make every day for our country.

I have said this many times before, whistleblowers get treated like skunks at a picnic. It shouldn't be that way. Whistleblowers are patriots. This year is special because it marks the 10th anniversary of National Whistleblower Appreciation Day. And I am proud to introduce the National Whistleblower Appreciation Day resolution for the 10th year in a row along with Senator WYDEN and the rest of the Senate Whistleblower Protection Caucus.

As early as the Revolutionary War, the first whistleblower reported fraud and misconduct. On July 30, 1778, the Founding Fathers passed the first piece of legislation to protect whistleblowers in our country. Whistleblowers are critical to the operation of good government. Whistleblowers risk their jobs, livelihoods, and reputations when they blow the whistle on government waste, fraud, and abuse.

Recently, VA whistleblowers approached my office and alerted me of the Agency's failure to secure veterans' sensitive, private information. They also exposed how the failure in security allows for staff to learn the identities of whistleblowers, leaving them vulnerable to retaliation. DEA whistleblowers also have provided important details about alleged contract irregularities and the DEA's failure to root out corruption in its foreign operations. The oversight that flows from this kind of crucial information can help clean house at DEA and save taxpayer money. It can also improve international drug interdiction and save lives. Let's also not forget about the IRS whistleblowers who have recently testified before Congress regarding wrongdoing at the IRS and Justice Department.

As many know, I have had my fair share of Justice Department whistleblowers over the years. Most recently, my public oversight activities regarding the Justice Department and FBI shows that more have come my way. God bless them all.

The information that I have made public, whether it is the VA, DEA, DOJ, or IRS, it is only because of whistleblowers that I am able to do the work. The government hides information that the American people ought to know about. Simply put, that is wrong and we must ensure that all whistleblowers are fully protected from retaliation and championed for their work.

Accordingly, it is critically important that all Federal Agencies promote openness and transparency. They must also ensure Federal employees know their rights to blow the whistle on wrongdoing, including to Congress. Federal Agencies must protect their employees from retaliation and take appropriate corrective actions against those who retaliate against whistleblowers. For me, there is no middle ground when it comes to whistleblowers. They must be protected and fought for. Full stop.

This year, I introduced the SEC Whistleblower Reform Act to expand protections for whistleblowers and ensure SEC whistleblower awards are made in a timely manner. This bill ensures that these whistleblowers would be fully protected if they report wrongdoing to a supervisor. Since we created the SEC's Whistleblower Program in 2010, it has been a massive success. The SEC reported receiving a record number of whistleblower tips in 2022—over 12,000.

This year, I also introduced the IRS Whistleblower Program Improvement Act. And this week, I have introduced the False Claims Amendments Act and the CFTC Whistleblower Fund Improvement Act.

There is still a lot of work to be done. In April, I wrote to President Biden requesting him to honor whistleblowers by hosting a Rose Garden ceremony on Whistleblower Appreciation Day. I have asked every President since President Reagan to hold a Rose Garden ceremony to honor whistleblowers. No President has done so.

The task of supporting whistleblowers doesn't start and stop on Whistleblower Appreciation Day. It is a year-round job. Whistleblowers are brave men and women who perform an invaluable public service. Again, they are patriots.

Together, one day we are going to get that Rose Garden ceremony.

MEMBERS OF THE SENATE NATO OBSERVER GROUP

Mr. MCCONNELL. Mr. President, in 2018, we reestablished the Senate NATO Observer Group. I ask for the following Republican Senators to participate in the group: TILLIS, cochair; BARRASSO, ERNST, ROUNDS, HAGERTY, MORAN, and SCOTT of South Carolina.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent

to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23–54, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Romania for defense articles and services estimated to cost $120.5 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 23–54

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Romania.

(ii) Total Estimated Value:

Major Defense Equipment* $75.5 million.

Other $45.0 million.

Total $120.5 million.

Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Sixteen (16) Assault Amphibious Vehicles, Personnel Variant (AAVP–7A1)

Three (3) Assault Amphibious Vehicles, Command Variant (AAVC–7A1)

Two (2) Assault Amphibious Vehicle, Recovery Variant (AAVR–7AI)

Sixteen (16) 50 Cal Machine Guns (Heavy Barrel)

Five (5) 7.62 mm M240B Machine Guns

Non-MDE: Also included are MK–19 Grenade Launchers; M36E Tl Thermal Sighting Systems (TSS); supply support (spare parts); support equipment (including special mission kits/Enhanced Applique Kits (EAAK)); training, unclassified technical manuals, technical data package, engineering and technical support and assistance (including Contractor Engineering Technical Services (CETS)); and other related elements of program and logistics support.

(iv) Military Department: Navy (RO–P–L–WL).

(v) Prior Related Cases. if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known at this time.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: July 27, 2023.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Romania—Assault Amphibious Vehicles

The Government of Romania has requested to buy sixteen (16) Assault Amphibious Vehicles (AAVs), Personnel Variant (AAVP–7A1); three (3) Assault Amphibious Vehicles, Command Variant (AAVC–7A1); two (2) Assault Amphibious Vehicles, Recovery Variant (AAVR–7A1); sixteen (16) 50 Cal Machine Guns (Heavy Barrel); and five (5) 7.62 mm M240B Machine Guns. Also included are MK–19 Grenade Launchers; M36E T1 Thermal Sighting Systems (TSS); supply support (spare parts); support equipment (including special mission kits/Enhanced Applique Kits (EAAK)); training, unclassified technical manuals, technical data package, engineering and technical support and assistance (including Contractor Engineering Technical Services (CETS)); and other related elements of program and logistics support. The total estimated program cost is $120.5 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a North Atlantic Treaty Organization (NATO) Ally which is an important force for political and economic stability in Europe. It is vital to the U.S. national interest to assist Romania in developing and maintaining a strong and ready self-defense capability.

The proposed sale will improve Romania's capability to meet current and future threats by modernizing and ensuring Romania's continued expeditionary capability to counter regional threats. Romania will have no difficulty absorbing this equipment and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

A principal contractor has not been determined for potential sale. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of U.S. Government personnel but will require the assignment of one (1) contractor representative to Romania for approximately one (1) year to deliver AAVs, related equipment, and support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 23–54

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The mission of the Assault Amphibious Vehicle (AAV) is to maneuver surface assault elements of the landing force and their equipment from assault shipping during amphibious operations to inland objectives and to conduct mechanized operations and related combat support in subsequent operations ashore.

a. The AAV–7A1 family of vehicles includes the personnel variant, which carries troops in amphibious operations from ship to shore, through the surf zone, and to inland objectives. The AAVP–7A1 provides protected transport of up to 25 combat-loaded personnel through all types of terrain.

b. The Command Variant, AAVC–7A1, is an armored assault amphibious full-tracked landing vehicle. The vehicle provides a mobile task force communication center in amphibious operations from ship to shore through surf zone to inland objectives.

c. The Recovery Variant, AAVR–7A1, is an armored assault amphibious full-tracked vehicle. The vehicle is designed to recover similar or smaller size vehicles. It also carries basic maintenance equipment to provide field support maintenance to vehicles in the field.

d. The 50 Cal Machine Gun (Heavy Barrel) is the standard weapon for the AAVP–7A1.

e. The 7.62 mm M240B Machine Gun is the standard weapon for the AAVC–7A1 and the AAVR–7A1.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Romania can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign pc,Hcy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Romania.

CUBA

Mr. WELCH. Mr. President, on May 24, 2023, Congressman JIM MCGOVERN spoke on the House floor about the distressing situation in Cuba, and I want to associate myself with his remarks. He expressed his deep disappointment and frustration, which I share, with the current policy of the United States toward Cuba that amounts to little more than a continuation of the failed policies of the previous administration.

If the consequences of our policy were benign, perhaps one could ignore what is happening on that tiny island of 11 million people. But, as Congressman MCGOVERN described, it is anything but benign. Our policy is contributing, directly and indirectly, to widespread hardships and hunger in Cuba that caused some 313,000 Cubans to abandon the island last year alone, seeking entry to the United States.

As any objective observer of Cuba knows, since long before the Castro revolution, the Cuban people have suffered continuous deprivations and humiliations. Political oppression and severely limited economic opportunities, punctuated by recurrent natural disasters, have circumscribed their lives. Through it all, they have persevered, propelled by their extraordinary ingenuity, national pride, and innate resilience. However, the mass exodus of Cubans in the past two years illustrates how dire the situation has become.

This is by no means the first time that large numbers of Cubans have risked their lives to seek refuge and a better life in the United States, but none were on the scale of recent years. Several factors have led to the current calamity, including punitive Cold War sanctions reimposed by the previous administration and unfortunately kept in place by the current administration.

The Cuban Government's mismanagement of the economy and its reluctance to fully unleash and energize Cuba's fledgling private sector, the global COVID pandemic and economic downturn, and the cutbacks in oil imports from Venezuela have all played a role in the Cuban people's plight.

However, there also are several deeply flawed U.S. policies which enable Cuban authorities to continue to deflect blame for their own failures onto the United States. They have compounded the misery of average Cubans and damaged our relations with partners in the hemisphere. These policies must change.

First, Cuba must be removed from the state sponsors of terrorism list. We will continue to have profound differences with the Cuban Government over the importance of democracy and protection of human rights. But the designation as a state sponsor of terrorism is based on a determination that a government has ''repeatedly provided support for acts of international terrorism,'' not on differences of opinion about democracy or association with unsavory governments. Removing Cuba from this list, as President Obama did, will bolster Cuba's growing private sector and enable American commercial investment, trade, and travel to Cuba. Both are critical to the future prosperity of the Cuban people. The Biden administration should expeditiously complete any necessary review to remove Cuba from the terrorism list.

Second, the administration should waive the extraterritorial sanctions under title 3 of the Helms-Burton Act, which drew the ire of our hemispheric allies when it was enacted in 1996 and have been waived by all previous Republican and Democratic administrations, save one. Cubans continue to flee the island out of desperation, and we cannot credibly claim to ''stand with the Cuban people,'' while supporting policies designed to cripple their economy and increase their daily hardships.

Finally, we should continue on the path of improving relations between our two governments, including by sending an ambassador to Havana. U.S. engagement with a foreign country does not ascribe legitimacy to its government. If that were the case, we would recall our Ambassadors and close our Embassies in dozens of countries. Our isolationist policy is helping to expand malign Chinese and Russian influence in Cuba, not prevent it. Engagement creates opportunities to cooperate when it is in our national interest and to actively defend universal rights and freedoms. Notably, engagement provides the United States the ability to more effectively counter the influence of our adversaries who seek to exploit the vacuum created by our absence.

None of us condone the repressive policies and practices of the Cuban Government but there are serious consequences to our policy of unilateral isolation. History has shown that regardless of how difficult life is in Cuba, the Cuban authorities will take whatever measures they deem necessary to crush public dissent to maintain control, as we saw in the wake of the historic street protests of July 11, 2021. Hundreds of brave protesters continue to languish in Cuban jails.

For years, Senator Patrick Leahy worked to replace an anachronistic, failed, punitive policy toward Cuba with one based on common sense and in accordance with our national interests. His efforts played a central role in President Obama's decision to restore diplomatic relations and engagement with Cuba in 2015. That policy was producing unprecedented, positive results for the Cuban people until it was unfortunately reversed. I urge the Biden administration to continue the work Senator Leahy and President Obama began. It is the only policy worthy of the United States.

SUPREME COURT ETHICS, RECUSAL, AND TRANSPARENCY ACT

Mr. OSSOFF. Mr. President, last week, I voted to advance the Supreme Courts Ethics, Recusal, and Transparency Act out of the Judiciary Committee, as I believe that strong judicial ethics are critical to maintaining public trust in our judiciary. I rejected amendments unrelated to ethics reform to maximize prospects for successful passage of this measure, but I am willing to consider the nongermane amendments offered if put forward as standalone measures or as amendments to germane legislation.

NATIONAL MINORITY MENTAL HEALTH MONTH

Mr. CARDIN. Mr. President, I rise today to urge my colleagues to join me in recognizing July as National Minority Mental Health Month. Since 2008, Congress has declared this month as National Minority Mental Health Awareness Month in honor of author, journalist and teacher Bebe Moore Campbell, a national agent of change who passed away in 2006.

Thanks to President Biden, through the 988 Suicide and Crisis Lifeline, millions of Americans have been able to seek out help with nearly 5 million calls, texts, and chats that have been answered over the past year.

Unfortunately, mental health is a subject that often still has stigma attached to it, even though mental illness touches the lives of millions of Americans each year.

This month provides an opportunity to bring awareness and recommit us to tackling longstanding health disparities and improve the public's awareness of the health challenges that disproportionately affect racial and ethnic minorities in the United States. Mental illness can have a devastating impact on an individual's overall health and quality of life. Racial and ethnic minorities often suffer from poor mental health outcomes due to multiple factors, including lack of access to quality mental health care services, cultural stigma surrounding mental health care, discrimination, and overall lack of awareness about mental health.

Today, because of historical injustices across our society, including those in the healthcare system, communities of color continue to face health disparities that result in poorer quality of life and lower life expectancies when compared to their White counterparts. For people of color who identify as lesbian, gay, bisexual, or transgender—LGBT—these disparities are often exacerbated. In 2021, according to estimates, only 39 percent of Black or African-American adults, 25 percent of Asian adults, and 36 percent of Hispanic/Latino adults with any mental illness were treated, compared to 52 percent of non-Hispanic White adults.

According to the Department of Veterans Affairs' Veterans Health Administration, American Indian and Alaska Native Veterans report experiencing posttraumatic stress disorder—PTSD—at double the rate of non-Hispanic White Veterans—20.5 percent compared to 11.6 percent.

In 2020, suicide was the leading cause of death among Asian Americans and Pacific Islanders aged 10 to 19; it was the second leading cause of death among those aged 20 to 34.

Mental illness also has a significant impact on our country's economy. According to the Centers for Disease Control and Prevention—CDC—the economic cost of mental illness in the United States was more than $300 billion in 2021. Fewer than half of those in need, however, receive any mental health care in the United States. This is simply unacceptable. Stigma, cost, and other barriers, such as limited capacity in some areas to serve all those in need, prevent many individuals from receiving necessary mental health care. It is imperative that we act to improve access to high-quality, evidence-based mental health care services in our country.

Maternal mental health has been an enduring issue that has stricken women across the Nation. The types of disorders are vast, though the most common include depression, anxiety, and psychosis. The consequences of leaving such disorders untreated are dire, as they impact not only the mother, but her child, and the community, as well. While all women are potentially susceptible to maternal mental health disorders, there is an evident disparity in the rates at which certain racial and ethnic groups are affected. Around one in seven women suffers specifically from postpartum depression, though mothers of color possess rates at around 38 percent, nearly double that of White mothers. Despite this alarming statistic, these mothers of color are still less likely to receive

both a diagnosis and treatment for their disorder.

Too many children and their families do not have adequate access to high-quality specialty child and adolescent behavioral health care. Child and adolescent psychiatrists practice in a wide range of settings and further facilitate access to treatment through telehealth and collaborative care arrangements with primary care providers, schools, and other systems. And yet, there is still a shortage of inpatient child and adolescent psychiatric beds. According to the American Academy of Child and Adolescent Psychiatry, there are 1,341,682 children under the age of 18 in Maryland, but only 365 practicing child and adolescent psychiatrists, or 1 for every 3,676 children. There are six counties in Maryland that have no child and adolescent psychiatrists available at all. This is simply unacceptable. Children should have access to a full array of prevention, early intervention, and treatment options within all child-facing systems. We need to act now and improve services with integrated care models, including collaborative care arrangements.

Several weeks ago, I had the opportunity to tour Brooke's House, a community-based sober living environment for women in Hagerstown, MD. I had the pleasure of attending the graduation of a resident who has completed treatment and is transitioning out of the residential treatment environment. Brooke's House was the dream of a young Maryland girl who struggled opioid addiction. It provides a community-based, safe, stable, and emotionally supportive living environment for adult women in the early stages of substance abuse recovery. This model of care ensures a tranquil, home-like facility to provide state-of-the-art treatment and recovery services with resources to help residents achieve their dreams of living drug-free and productive lives. This year, Brooke's House will use an ARC INSPIRE grant to expand support and engagement services, specifically by hiring a coordinator for a commercial driver's license—CDL—program to help more women access job training and placement while in recovery. The addition of this coordinator will help expand the CDL program to serve 12 participants.

Behavioral health equity is the right of all individuals—regardless of race, age, ethnicity, gender, disability, socioeconomic status, sexual orientation, or ZIP Code—to access high-quality and affordable healthcare support.

I am excited to see reforms such as the SUPPORT Act, enacted in 2018 with overwhelming bipartisan support, which addresses the opioid epidemic and tackles many aspects of the epidemic, including treatment, prevention, recovery, and enforcement. This year, we begin work to reauthorize key programs within the SUPPORT Act. This bipartisan legislation takes an important step forward in providing additional tools to battle the opioid crisis. It is imperative we work toward advancing access to high-quality behavioral health care.

The United States is an ever-changing cultural landscape that shapes the way we experience diversity. Cultural values and beliefs not only affect our daily activities, but also influence the way we perceive physical and emotional distress and the need for interventions to deal with them. Mental illness is perceived differently by various cultures, as is the ability to express certain symptoms. Emotional distress and mental health problems occur in all socio-cultural backgrounds as well as ages.

Mental illness affects the lives of so many Americans. We have made great strides as a nation to better support individuals and communities, which is why we recently celebrated the anniversary of the 988 Suicide and Crisis Lifeline. This July, in honor of National Minority Mental Health Awareness Month, let us commit to continue working together on both sides of the aisle to improve mental health care in our country by building on the success of integrated care models and innovative systems.

REMEMBERING TOM MENTZER

Mrs. FEINSTEIN. Mr. President, I rise today to pay a heartfelt tribute to my long-time director of communications, Tom Mentzer, who passed away after a lengthy battle with cancer. Tom was a larger than life personality and his loss is still felt deeply by myself and our entire office.

Tom was born in Poulsbo, WA, but spent a large part of his youth in Germany in the cities of Kaiserslautern and Heidelberg. He was a graduate of Heidelberg American High School and went on to DePauw University, where he majored in political science and communications. Tom stayed in Indiana for his graduate work and completed his master's in journalism at Indiana University in 2001.

He began his communications career in 1994 as a reporter for the Heidelberg Herald-Post. Upon completion of his masters, Tom began work with Scripps Howard News Service before joining the Urban Institute. In 2007, he was hired as a press secretary for Congressman Sam Farr. Tom joined my staff in 2010 as a press secretary, and 4 years later, he assumed the role of director of communications, which he maintained until his passing.

Tom was among the best at his craft and he played a role in messaging nearly every piece of legislation from my office. I valued his wise counsel on many contentious issues, and he was by my side during the release of the torture report as well as multiple reelection campaigns, appropriations fights, and Supreme Court nominations. He was essential to our efforts on ending gun violence, climate change, water issues, and the Lake Tahoe Summit.

Always ready with a humorous quip, Tom understood how to lighten the mood during the most difficult of days. His zeal for life was infectious, and it extended to many things outside of the office, including travel, sports, cooking, food, and drinks. Tom had a unique ability to connect with people from all walks of life and was a mentor to many in our office. He had an empathy that I admired, and I, like so many others, will greatly miss his wry take on issues of the day.

Tom was private about his cancer diagnosis, and many did not know the extent of the disease. Although he did not beat cancer, he was determined not to let it define him. He was fond of a quote by the late comedian Norm MacDonald, who said, ''I'm no doctor, but I'm pretty sure if you die, the cancer dies at the same time. That's not a loss. That's a draw.''

I will forever be grateful for Tom's wisdom and dedication to my office and the people of California. I offer my sincere condolences to Tom's family and his wife Kristen, with whom he shared the better part of 22 years of his life. I wish all of them the best during this difficult chapter of their lives.

TRIBUTE TO DAVID GRANNIS

Mrs. FEINSTEIN. Mr. President, I rise today to give a belated and fond farewell to a valued and long-standing member of my staff, Mr. David Grannis.

Every Member of this Chamber understands the importance of having wise counsel in their corner. It is not only important, but essential, in order to produce meaningful results for your constituents. To that end, David Grannis was an essential part of my team for the past 5 years while serving as the chief of staff to my office.

I previously offered a similar tribute to David in 2016, when he left his position as staff director for the Senate Select Committee on Intelligence to serve as the Principal Deputy Under Secretary at the Department of Homeland Security's Office of Intelligence and Analysis. I will be forever grateful for his return to my personal office, where he ably guided my staff through multiple Supreme Court nominations, impeachments, all-night vote-a-ramas, a global pandemic, and an insurrection. I will also always remember his support during a particularly difficult period after my husband's passing in 2022.

David has had a long and distinguished history of public service. In addition to his time with the Department of Homeland Security, he served on the Senate Select Committee on Intelligence for over a decade, beginning as my designee in March of 2005, then serving as my staff director beginning in January of 2009 when I took over as chair of the committee. Prior to joining the Intelligence Committee in 2005, David worked on the House Select Committee on Homeland Security and was the senior policy adviser to Representative Jane Harman on matters of national security.

Before coming to Congress, David worked for 2 years at the National Research Council's Board on Chemical Sciences and Technology on projects studying the ability to make explosives more detectable and identifiable. He has a master's of public policy from the Harvard Kennedy School of Government, where he worked for former Secretary of Defense Ash Carter.

As my chief of staff, David led with wit and wisdom and demonstrated an uncanny ability to get the job done. He has been by my side for countless meetings with foreign leaders, ambassadors, military commanders, corporate chiefs, and local officials. David has served as a mentor for many members of my staff and his professionalism and dedication are second to none. He is someone that I am proud to call a friend.

I would also like to take this opportunity to thank David's wife, Kerry Searle Grannis, and their three wonderful children: Owen, Amelia, and Nathaniel. The chief of staff job is certainly not always easy. I appreciate their support of David throughout his tenure with my office, and I hope his next venture will allow for more time with his family.

While I am sad to see David leave, I am thrilled that he has taken on a new role as the executive director for the Commission on the National Defense Strategy. I have every confidence that his steady hand, insight on the issues, and decisive leadership will serve the commission well.

I thank David for his years of dedicated service to the people of California. I wish him all the best in his future endeavors, and I will deeply miss him.

TRIBUTE TO WENDY SHERMAN

Mr. CARDIN. Mr. President, I rise today to pay tribute to Wendy Sherman, a fellow native Marylander and a distinguished daughter of Baltimore—and a true friend of mine—as she retires tomorrow from her position as Deputy Secretary of the U.S. Department of State.

As Deputy Secretary of State since the start of the Biden administration, Ms. Sherman has been entrusted with handling some of the most intractable diplomatic engagements our country has to manage. It is no wonder that one of her senior colleagues in the administration told the New York Times recently that she is the one most often deployed to have ''hard conversations in hard places.'' This included a vital meeting with her Russian counterpart in Geneva in January of 2022 where she delivered the U.S. Government's final warnings to the Kremlin about the high costs they would incur should they invade Ukraine.

Wendy's early career was built around assisting women who had been abused and people in poverty, helping them to succeed despite underprivileged circumstances. The circle of people benefiting from her sharp intelligence and good heart widened quickly over the years. Advancing from her early career as a social worker, she became the executive director of EMILY's List, an important organization for the advancement of women in American politics, to the director of Maryland's office of child welfare, and later to become the founding president of the Fannie Mae Foundation.

Along the way, Ms. Sherman also worked closely with our former colleague Senator Barbara Mikulski as her chief of staff during her time in the House of Representatives, and so she worked on many legislative issues and constituent services that were important for the people of Maryland.

Ms. Sherman later served during the Clinton administration as an Assistant Secretary and then counselor at the U.S. Department of State and then as special adviser to President Bill Clinton and Secretary of State Madeleine Albright as North Korea policy coordinator. She was instrumental in negotiations related to North Korea's nuclear weapon and ballistic missile programs. Wendy directly contributed to our country's national security, as she secured a deal in which North Korea agreed not to produce, test, or deploy missiles with a range of more than 300 miles, preventing North Korea from fielding missiles that could strike the United States.

Working closely with Secretaries of State Hillary Clinton and John Kerry, Wendy returned to the Department during the Obama administration and continued her work to further our international goals as Under Secretary of State for Political Affairs, the fourth-ranking official in the U.S. Department of State, and the first women to rise to that rank.

As the lead negotiator for the Iran nuclear deal, Wendy led six arduous negotiating rounds between Iran and six world powers to reach consensus on Tehran's nuclear program. As leader of a special task force following 2012 Benghazi attack, Wendy leveraged her experience to help implement recommendations to improve protections for Foreign Service personnel, bolstering the safety and security of our diplomats serving our countries overseas. For these and many other diplomatic accomplishments requiring toughness, fortitude, and diplomatic savvy, she was awarded the National Security Medal by President Barack Obama.

Out of government, Wendy continued to work closely with Madeline Albright as vice president and senior counselor at Albright Stonebridge Group, before returning to the national security sector again in her present capacity.

Wendy has further leveraged her diplomatic experience to the benefit of academia and the nonprofit world, serving as professor of the practice of public leadership and director of the Center for Public Leadership at the Harvard's Kennedy School. She was also a senior fellow at the School's Belfer Center for Science and International Affairs. She has served on the President's Intelligence Advisory Board, as chair of the Board of Directors of Oxfam America, and on the DOD's Defense Policy Board and the Congressional Commission on the Prevention of Weapons of Mass Destruction, Proliferation, and Terrorism. Through these diverse roles, Wendy has helped to not only shape the next generation of diplomats and foreign affairs professionals, but the future of diplomacy.

This month, Wendy Sherman retires as one of the most accomplished diplomats in American history. Wendy will be missed by me and by her wide circle of professional colleagues and admirers. I have no doubt that she will continue to impart her wisdom and experience even as she returns to the private sector.

Wendy Sherman is the embodiment of a fine public servant and a true stateswoman, by turns persuasive and toughminded as the situation calls for, inspiring future generations to follow in her footsteps. I wish her all the best for her future endeavors.

MARC FOGEL

Mr. TESTER. Mr. President, I rise today to share a few words in honor of the 62nd birthday of Marc Hilliard Fogel, an American currently imprisoned in Russia.

Marc is an American schoolteacher, a father, a husband, and an uncle. And in August of 2021, after living and teaching in Russia for 9 years, Marc was arrested and sentenced to 14 years in Russian prison. His imprisonment is unjust and unacceptable, plain and simple.

I recently met with Marc's family, who currently reside in Montana, and I would like to honor his birthday today by taking the time to share some of what they shared with me as they work tirelessly to bring him home.

Marc is a dedicated partner to his wife Jane, an inspiring dad to his two sons Sam and Ethan, and a caring son to his 94-year-old mother Malphine. He is a committed brother to his sisters Anne and Lisa and an uncle to Anne's three children. He is a sports fanatic, a fan of Steely Dan, an avid reader, a passionate teacher, and a world traveler. If you talk to his family, they will tell you about his infectious personality, his love for learning and teaching, and his dedication to community. He devoted his life to children, and was steadfast in guiding his students to learn, grow, and think independently. And today, he is marking his 62nd birthday not with his loved ones, but in Russian prison.

As we approach the second anniversary of Marc's detention, it is our duty to use all the tools at our disposal to bring Marc home. This week, I introduced a bipartisan resolution calling for his immediate release, and I am

here today to strongly urge the Biden administration to prioritize securing his release and the State Department to designate him as ''wrongfully detained.''

The unjust imprisonment of Marc Fogel has gone on far too long. Now, we must do everything in our power to ensure this innocent American is reunited with his loved ones, so he can spend his next birthday—and many after—surrounded by family.

Happy Birthday, Marc. We will keep working to get you home.

TRIBUTE TO MORGAN CASHWELL

Mr. KING. Mr. President, today I want to take a moment to recognize a dear friend and devoted advocate for Maine, my legislative director, Morgan Cashwell. She proudly served my office and the people of Maine for more than 8 years. Years filled with sleepless nights of vote-a-ramas, preparation for committee hearings, and long negotiations. She has been an extraordinary leader, an effective policymaker, and a wonderful colleague and mentor to so many.

There is never an ''easy'' time to work in Congress, but certainly, there have been few times more challenging or unpredictable than during the COVID–19 pandemic. Taking over as legislative director amid regularly shifting public health guidance, Morgan was able to maintain a successful and efficient legislative team, all while keeping morale high and putting Maine people first. This leadership—rooted in kindness—has made her beloved by everyone in the office and all those who are lucky enough to know her.

You never want staff who will just tell you what you want to hear; that was never Morgan. In fact, Morgan embodies the Maine spirit of ''calling 'em like you see 'em'' and providing her honest advice in even the toughest situations. I valued her counsel and knew it was always guided by an unshakable moral compass and a true compassion for others.

Not only is Morgan among the best staffers I have had the privilege of working with; you could not find a more effective legislative director in Congress. During her time working for Maine, it is not an exaggeration to say that Morgan's steady hand has helped shape some our most important recent bills. Her impact can be found across generational investments in the great outdoors, the country's most significant piece of climate legislation, and a historic expansion of broadband infrastructure.

To cite just one example of many: When Maine's vital and iconic lobster industry came under threat last year, Morgan led the successful effort to defend the livelihood of thousands of men and women who responsibly work the water against an otherwise certain economic death sentence. Thanks to her fierce advocacy, the Maine delegation was able to include protection for our State's lobstering communities in the 2023 omnibus appropriations legislation, a last-minute addition that might not have happened without her dedication, selfless nature, and tireless determination to do what was right.

While I am truly sad to see her go, I wish Morgan all the best as she enters this next chapter of her career and profoundly thank her and her supportive family: husband Keith and her children Rory and Reese.

Morgan, I will be forever grateful for your service. Maine, my staff, and the entire country are all better for it.

ADDITIONAL STATEMENTS

RECOGNIZING GROWING HOPE GLOBALLY

● Mr. BROWN. Mr. President, I rise today to congratulate the board, staff, and supporters of Growing Hope Globally as they celebrate their commitment to putting their Christian faith into practice by helping end hunger globally.

Every day, Growing Hope Globally implements grassroots solutions to hunger that link rural communities in the U.S. with smallholder farmers in developing countries. Specifically, farmers in the United States tithe a portion of their crops to combatting global hunger. Their work makes a difference for so many people, both in the United States and around the world.

This small nonprofit with big ambitions began with the compassion of two Ohio farmers and their friends who wanted to put their faith into action and help build a better world. Over the past 25 years, Growing Hope Globally has expanded from just one project in Stryker, OH, started by Vernon and Carol Sloan, to supporting projects in 21 different States that have served more than 2.2 million people. Vernon and Carol's idea was simple but powerful: fund agricultural development programs that support small farmers and rural communities through grassroots farmer-to-farmer assistance.

I am inspired by the farmers in Ohio and across the Nation who invest their profits in agricultural development projects that support small farmers in countries facing hunger and food insecurity. Just last year, Growing Hope Globally hosted 130 U.S. projects. They oversaw 47 agricultural development programs in 30 countries, and they helped more than 200,000 people find lasting solutions to hunger.

I am sure my Senate colleagues join me in congratulating Growing Hope Globally's 25-year journey. I look forward to supporting this important organization, and seeing all you will accomplish in the next 25 years.●

TRIBUTE TO DAVID STAMEY

● Mr. DAINES. Mr. President, today I have the distinct honor of recognizing David Stamey, chief of emergency services for Stillwater County, MT, for his dedication to keeping his community safe, no matter what disaster may ensue.

David has served Stillwater County as the chief of emergency services for nearly a year and a half, and since assuming his position in April of 2022, he has managed several disasters that few county DES coordinators would see in a lifetime.

Just 2 months after stepping into his role, David was tasked with responding to historic 500-year flooding throughout the region. When the substantial amount of snow and heavy rainfall from earlier that spring met the rapidly rising temperatures in June, the snowmelt and water runoff sparked immediate flooding throughout the Yellowstone Valley. Agricultural land, homes, roads, bridges, and critical infrastructure took a significant hit. The Sibanye-Stillwater Mine in Nye, the world's only viable platinum and palladium mining operation outside South Africa and Russia, was forced to suspend operations for roughly 6 weeks due to a road that provided entry to the mine being washed out. David continued to work tirelessly with local, State, and Federal partners to ensure the road would be restored in a timely manner and that his community at large remained on a swift path to recovery.

Most recently, a portion of a train headed westbound near Reed Point derailed while crossing a bridge over the Yellowstone River. Thankfully, there were no reported injuries, but there were multiple railcars submerged in the river releasing asphalt downstream. About a week later, all of the railcars involved in the derailment were removed from the scene, and after just 28 days post outage, the bridge was newly constructed, allowing the first train to cross over safely as crews continue to work diligently to remove remaining asphalt from the river. Thanks to David's effective leadership and coordination within the Unified Command structure, train service was restored while never compromising anyone's health or safety.

It is my distinct honor to recognize David Stamey for his unwavering commitment to keeping residents of Stillwater County safe. He has selflessly dedicated 30 years of his life to disaster and emergency services, and I am confident his passion and expertise in this field will benefit folks in Stillwater County and across the State of Montana for years to come. Thank you for your continued efforts to keep Montanans safe, David. You make Montana proud.●

TRIBUTE TO BILLINGS HIGH SCHOOL CLASS OF 1973

● Mr. DAINES. Mr. President, today I have the honor of congratulating the Billings High School class of 1973. These graduates grew up in the shadow of the Cold War, they all remember the

day that President Kennedy was shot, and they came of age during a turbulent and restless period of our country. They saw protests over Vietnam, civil rights, and social unrest. They lived through the space race, listening on transistor radios as rockets launched into space. They memorized the names of all the Mercury astronauts, saw men land and walk on the moon. Some veterans in the class served through four wars, countless interventions, and many shows of force. They saw phones go from rotary dials with party lines, to cell phones and smart watches that can access almost any piece of information with the touch of a button. They saw television go from black and white boxes to 85-inch flat screen TVs streaming color events live via satellite around the world. They saw the dawn of computers, survived Y2K, and lived to see the birth of artificial intelligence. They have lived through two different centuries, and they saw and embraced more new technology than any previous generation. Now in their late 60s, they have children, grandchildren, and great-grandchildren who will lead the country into the next millennia.

It is my distinct honor to recognize the Billings High School class of 1973 for their incredible legacy. They have etched their name on those majestic sandstone rim rocks that grace their town.●

150TH ANNIVERSARY OF THE U.S. ARMY CORPS OF ENGINEERS VICKSBURG DISTRICT

● Mrs. HYDE-SMITH. Mr. President, I am pleased to recognize the Vicksburg District of the U.S. Army Corps of Engineers—USACE—for 150 years of exceptional service to the people of Mississippi and our Nation.

Founded in 1873 when Captain William Henry Harrison Benyaurd created a USACE office in Monroe, LA, the Vicksburg District now covers 68,000 square miles in Mississippi, Arkansas, and Louisiana; nine major river basins; 278 miles of the Mississippi River; and 460 miles of mainline Mississippi River levees. In 1884, the first permanent Vicksburg office was formed by Captain Eric Bergland. Vicksburg National Military Park was largely constructed by the Vicksburg District in the early 1900s. In response to the Great Mississippi Flood of 1927 and as directed by the Flood Control Act of 1928, the Vicksburg District designed and implemented an extensive flood control program, commonly referred to as the Mississippi Rivers and Tributaries—MR&T—project, which continues to serve the people of Mississippi to this day.

The benefits the Vicksburg District brings to Mississippians and the Nation are hard to quantify, but should not be taken for granted. The average annual benefits of the MR&T project alone are valued at $1.46 billion, but the positive impacts associated with the many watersheds, ports, locks and dams, reservoirs, and flood control structures the district manages go far beyond any dollar amount.

The Vicksburg District continues to boast some of the brightest engineering minds in the world as it designs, constructs, and maintains premier civil works projects. In addition to fulfilling its mission of flood control, it also excels in its other mission areas, including navigation, hydro-power, recreation, water supply, emergency operations, and environmental restoration. I am grateful for its important work to protect the people, economy, and natural resources of Mississippi, and I look forward seeing what the Vicksburg District accomplishes in the future.●

TRIBUTE TO RON CUNNINGHAM

● Ms. LUMMIS. Mr. President, it is my privilege to welcome Ron Cunningham of Lander, WY, to the Wyoming Agriculture Hall of Fame. This induction is held during the week of the Wyoming State Fair in Douglas, and it is truly one of the highest honors to receive during one of the best annual events Wyoming has to offer.

To be inducted into the Hall of Fame is truly an honor, no matter what profession you are in. When it comes to sports, the Hall of Fame is traditionally reserved for those who were among the best at their positions, were an exemplary teammate, treated the game with respect, and created a lasting legacy for future generations of fans to admire. While the Wyoming Agriculture Hall of Fame does not take into account how well an individual may run, hit, throw, catch, or tackle, it instead considers an individual's commitment and dedication to agriculture in Wyoming and what they have done to help improve and grow this essential industry in our State. Needless to say, Ron Cunningham checks all of those boxes and then some.

Ron has spent his entire lifetime in the industry, beginning with his early years growing up on a farm in Fremont County. This exposure to agriculture led Ron to pursue further academic endeavors at Casper College and ultimately the University of Wyoming. He then discovered that he had a passion for sharing his knowledge and experience with others and moved to Nebraska to teach agriculture at a high school. Fortunately for all of us in Wyoming, Ron decided he wanted to come home and took a position on a ranch in Ten Sleep. He later accepted a supervisor position with Weed and Pest. After a couple of years, Ron took a job with the University of Wyoming Extension in Fremont County, a position he held for 38 years.

Once Ron was back in Wyoming, he became even more involved in so many ag-related activities that it really would be impossible to name them all. He left his impression on just about every person he came across, whether it was with 4–H and FFA, planning and organizing Fremont County Farm and Ranch Days, or serving on numerous State boards and local civic organizations. He takes such pride in his work and his efforts will help ensure Wyoming agriculture continues to thrive for years to come.

With his decades of service to our State, as well as the numerous accolades and accomplishments that he has received, it goes without saying that he is absolutely worthy of the honor of being inducted into the Wyoming Agriculture Hall of Fame. I am so pleased that Ron will be joining the likes of so many others who have done so much for agriculture in our state. His legacy is something to behold and appreciate. I tip my hat to him.●

TRIBUTE TO JOHN W. KENNEDY

● Mr. MENENDEZ. Mr. President, I rise today to recognize the tireless efforts of one man to protect and defend the beating heart of the American economy: our manufacturing industry. Over a long career of service, Mr. John W. Kennedy of Madison, NJ, has advocated for greater prosperity and economic security in the Garden State. In particular, I want to thank Mr. Kennedy's outstanding work at the New Jersey Manufacturing Extension Program, or NJMEP.

Since 2012, Mr. Kennedy has led NJMEP, first as chief operating officer and then as chief executive officer, working to advance their mission of providing U.S. manufacturers with the resources they need to succeed. Supported by the National Institute of Standards and Technology, NJMEP has spread innovative technologies and best practices across New Jersey, boosting operational excellence, innovation and growth, and workforce development.

Studies have shown that for every dollar invested into NJMEP, they have in turn generated over $13 of added value. This remarkable return on investment goes hand in hand with the mission-oriented focus of the program which seeks to serve those who serve others. Today, Garden State residents can thank NJMEP for creating hundreds of thousands of highly skilled manufacturing jobs and contributing more than $7 billion in economic value.

Make no mistake, NJMEP has been able to succeed thanks to Mr. Kennedy's shining leadership. When his colleagues speak of him, the first thing they mention is his signature emails fired off every morning at 5:30 AM. This unflagging work ethic and unbridled passion for improving the lives of those around him is an inspiration to us all. He is the reason that NJMEP was able to grow from a 12-person operation to a well-oiled machine of more than 50 employees, catapulting it as the top-rated manufacturing extension program in the country.

Three years ago, when the first COVID wave reached our shores, John

and NJMEP were swift in identifying critical actions that governments could take to shield manufacturers from bearing the brunt of the impact. Whether it was prioritizing the health and equipment needs of frontline workers or advocating for manufacturers to be properly deemed as essential businesses, John's expertise and decisive leadership was invaluable.

In a similar way, Mr. Kennedy was immensely involved when Congress was drafting the CHIPS and Science Act last year. He provided strategic clarity about how to best protect and secure our domestic and international supply chains, the lifeblood of our Nation's economy. Thanks to him and his insightful recommendations, we included provisions in the bill that established a National Supply Chain Database, a landmark program that accurately tracks American manufacturing capabilities and inventories in real time. Because of John, our economy is now more secure against not only global pandemics, but also natural disasters, cyberattacks, foreign adversaries, and a myriad of other threats.

Beyond his professional career, Mr. Kennedy takes time to give back to the community. Prior to serving at NJMEP, he founded and sold two manufacturing businesses which provided him firsthand knowledge of the sector. He has also served on the local and national executive board for the Boy Scouts, the New Jersey Special Olympics, and the board of directors of the Park Avenue Club Foundation.

Today, I join his loving wife Cecelia, their son Sean, and all New Jerseyans in congratulating Mr. John W. Kennedy on his storied career and selfless service. Thanks to his dedicated leadership, not only has our economy created untold prosperity, we have also secured that prosperity for future generations. He is a shining example of why ''Made in the USA'' and ''Made in New Jersey'' are the best labels in the world.●

TRIBUTE TO PHYLLIS SALOWE-KAYE

● Mr. MENENDEZ. Mr. President, I come to the floor today to recognize and celebrate Mrs. Phyllis Salowe-Kaye, an exemplary leader in New Jersey and a lifelong advocate for social and economic justice.

Born and raised in Bradley Beach, Mrs. Salowe-Kaye graduated from Asbury Park High School and received her bachelor of arts in education from Boston University. In college, she began staging her first political actions: demonstrating against the Vietnam war and starting a ''food fight'' to protest poor cafeteria options. After earning her diploma, Phyllis began a teaching career in the city of Newark, ultimately rising to become a leader in the Newark Teachers Union.

It was in this role advocating for better conditions on behalf of her fellow educators that a fire was lit inside her. After nearly a decade as an elementary school teacher, she transitioned to organizing for more affordable housing. First as president of the tenant association in her building, then with the local tenants association in the city of Orange, and finally as head of the New Jersey Tenants Organization, Mrs, Salowe-Kaye's commitment to social activism and public advocacy was formed.

For the last 35 years, Mrs. Salowe-Kaye has capably led New Jersey Citizen Action—NJCA—the Garden State's largest and oldest multi-issue nonprofit organization. As a champion for fairness and justice, she has brought to the forefront many of the quality-of-life issues that are most important to New Jersey's residents. From healthcare to housing, environmental protections to a living wage, Mrs. Salowe-Kaye has consistently marshalled the full force of her organization's 60,000 members to move the needle on issues and push our State forward.

Of her many crowning achievements, she has successfully leveraged the Federal Community Reinvestment Act to secure more than $30 billion in commitments from local banks. These commitments have opened doors of opportunities for thousands of low-income families, women, and minorities who have been able to access financial tools including housing counseling, affordable mortgages, and more.

In addition to her public advocacy and leadership in civil society, Mrs. Salowe-Kaye has sat on too many councils, boards, and task forces to list. However, among other roles, she has proudly served as a trustee of the Teacher's Pension and Annuity Fund, a commissioner for New Jersey's Public Broadcasting Authority, and a member of the Federal Reserve Community Advisory Council during the Obama administration.

In 2012, I was honored to recognize her work by presenting her with a Trailblazer Award at my annual Women's History Month celebration. Since then, not only has she continued to demonstrate visionary leadership, genuine care, and selfless commitment, she has also grown the reach and influence of New Jersey Citizen Action. For this and for all she has done to distinguish herself as a passionate leader, I am honored to recognize her with these remarks which will live on forever in the CONGRESSIONAL RECORD.

Today, I join her loving husband of 47 years, Mr. Stewart Kaplowitz; her children Joanna and Zachary; and her three grandchildren in thanking Mrs. Phyllis Salowe-Kaye for her lifelong service as a community leader who has never stopped fighting for a better New Jersey for all.●

NICODEMUS, KANSAS, 145TH HOMECOMING EMANCIPATION CELEBRATION

● Mr. MORAN. Mr. President, this weekend, in the town of Nicodemus in western Kansas, folks from all over will gather to celebrate and commemorate the history of this town. This year they will celebrate the 145th Homecoming Emancipation Celebration.

Nicodemus holds a unique place in American history. In 1877, newly freed slaves migrated West determined to create a community where freedom and equality could flourish. Out of the resolve of those early settlers emerged Nicodemus. Nicodemus was the first Black community west of the Mississippi River and is the only predominantly Black community west of the Mississippi that remains a living community today. Far from other towns or the railroad, life in Nicodemus wasn't easy, but the early settlers were determined to build a life for themselves—farms, homes, and a community that was their own.

The Homecoming Emancipation Celebration serves as a poignant reminder of the significance of the Emancipation Proclamation, a proclamation that shattered the shackles of slavery and ignited the spark of hope and liberty across the Nation. Throughout the years, the Homecoming Emancipation Celebration has been a time of reflection, remembrance, and unity. Families gather to pay homage to their ancestors and cherish the sacrifices made by those who sought a new life and new opportunities.

The celebration this weekend is a time for grandparents to pass down stories and memories to the younger generations, ensuring that the legacy of Nicodemus lives on in the hearts and minds of all. I hope that this celebration is a chance to remember the history of Nicodemus and celebrate the men and women who bravely made the journey west to find a place of their own.

I hope anyone passing through western Kansas will take time to visit Nicodemus to learn the history of this brave little town on the plains of Kansas.●

RECOGNIZING THE STOCKTON LIONS CLUB

● Mr. MORAN. Mr. President, today I come to the Senate floor to pay tribute to the Stockton Lions Club and recognize their contributions to the community. This organization has been a part of the community since the 1950s, and its presence will be missed.

Lions Club International is the world's largest service organization, with more than 1.42 million members and 47,000 clubs in over 200 countries. In Kansas, 216 clubs serve various community needs. The international focus of the Lions Club is helping the visually impaired or blind. This cause came from Helen Keller at the International Convention at Cedar Point, OH, in June of 1925. She challenged the Lions to be the ''Knights of the Blind.'' From holding eyeglass drop-offs in the community, to paying for eye appointments and glasses, the Stockton Lions Club answered this challenge.

As a member of the Kansas Lions Club for almost 40 years, I have witnessed the hard work and dedication these members put forward to serve others. At its core, the Lions Club's mission is to empower communities through acts of service, and it has touched countless lives. Their willingness to devote their time, talents, and treasure to helping others is inspiring. Over the years, I have enjoyed attending Lions Clubs meetings in Stockton to visit with folks about the issues important to them. I will miss attending the Stockton Lions Club but want to take time to remember this community organization. The dedicated members of the club demonstrated that, together, they could make a difference in their community.

Whether by sponsoring the annual Free Watermelon Feed during the Rooks County Fair or taking students to the Cosmosphere in Hutchinson, the Stockton Lions Club made an incredible impact. Thank you to the Stockton Lions Club members for bettering Kansas.●

RECOGNIZING WATCO COMPANIES

● 1Mr. MORAN. Mr. President, I rise today to celebrate the 40th anniversary of the creation of Watco Companies. Watco is a Pittsburg, KS, based transportation and logistics company that demonstrates the very best of Kansas work ethic.

Following the deregulation of the railroad industry in October 1980, founder Dick Webb saw a niche available to serve customers in the rail industry. With no line of credit, Dick moved his family to Louisiana, purchased a locomotive, and began an industrial railcar switching operation. The first customer in Louisiana was Boise Cascade, a paper manufacturer, which is still a Watco customer today.

A company that started with only one locomotive in 1983 has now grown to nearly 5,000 employees across North America and Australia and is known for its world-class management of short-line railroads, ports, and dependable transportation and supply-chain services. Dick Webb laid the foundation for the growth Watco has experienced today. He set the core values of the company—humility, integrity, and respect for the customer—which has translated in Newsweek magazine naming Watco as one of the top 100 most loved places to work in the U.S. in 2022 and worldwide in 2023.

Dedication to serving the customers' needs drives Watco's business model and, over the years, has contributed to Watco's expansion. In Kansas, there are more than 2,000 miles of short-line rail alone, and for the last 40 years, Watco has been an integral mover of Kansas agricultural commodities such as grain and feed products, industrial products such as chemicals and liquid petroleum gasses, cement, coal, steel, and plastics.

Kansas providers rely on rail transportation to move their products to markets across the region. Without efficient and varied transportation options, a versatility innate to Watco, producers are at a significant disadvantage. Last June, a $375 million soybean crushing facility opened in Cherryvale, KS, and the South Kansas & Oklahoma Railroad, owned and operated by Watco, provides services to the facility, connecting it to the class 1 rail network.

I have been proud to support Watco in their applications to the Consolidated Rail Infrastructure and Safety Improvement—CRISI—Grant Program, not only because of their contributions to Kansas businesses, but also the larger impact to the Pittsburg community. Watco and the Webb family have made it a point to give back to local schools and universities, utilizing their platform to contribute graciously to the community in numerous philanthropic ways.

Companies like Watco exhibit the excellence of the Kansas workforce and a commitment to delivering quality service to their customers. I want to congratulate Watco on 40 years of excellence and reliability and look forward to 40 more years of delivering on their promises.●

FERNANDO VALENZUELA'S JERSEY RETIREMENT

Mr. PADILLA. Mr. President, I rise today as a proud, lifelong Los Angeles Dodgers fan to recognize the achievements and legacy of Fernando ''El Toro'' Valenzuela, whose jersey will soon be retired by the Los Angeles Dodgers.

Fernando Valenzuela stunned the baseball world, captured the hearts of millions of Californians, and inspired Little League baseball players, future Major League Baseball Hall of Famers, and Mexican Americans across the country to dream big.

The youngest of 12 children, Valenzuela was born and raised in the small town of Etchohuaquila, in Sonora, Mexico. His parents Avelino and Maria were poor farmers who worked the land with their children. Valenzuela learned to play baseball from his older brothers and started pitching professionally in Mexico at the age of 17. Discovered by legendary Dodgers scout Mike Brito, Valenzuela soon made his Major League debut at the age of 19. In 1980, his first season, he pitched in relief in 10 games and did not surrender a single earned run.

The 1981 season saw the cultural phenomenon of ''Fernandomania,'' which brought one of the best stretches of pitching in Major League Baseball history. He was on the mound for the Dodgers as their opening day starting pitcher and proceeded to win his first eight starts—at that time, the longest such streak since World War II. He finished the season with 11 complete games, 8 shutouts, and a 2.48 ERA. His sensational pitching brought packed crowds to Dodger Stadium as he captured the hearts of Los Angeles' Mexican-American community, and brought record crowds to every stadium he pitched in across the country.

During the deciding game 5 of the 1981 National League Championship Series against the Expos, Valenzuela locked into a grueling pitching duel for over eight innings and helped the Dodgers win the National League pennant. In game 3 of the 1981 World Series, Valenzuela pitched a complete game against the Yankees and jumpstarted a four-game Dodgers winning streak on their way to winning the World Series title.

On a personal note, as a kid growing up playing Little League baseball in the San Fernando Valley, I remember watching Fernando pitch, his iconic wind-up with his leg sweeping up chest high, his quick glance toward the heavens, and suddenly, El Toro would deliver a devastating screwball.

Valenzuela would go on to pitch for the Dodgers for 11 seasons, play for several other MLB teams, and even pitch in the Mexican Pacific League when he was nearly 44 years old. He ended his career as a World Series Champion, a six-time All-Star, a two-time Silver Slugger winner, and a Gold Glove winner. He also became the first player—and remains the only player—ever to win the Rookie of the Year and Cy Young awards in the same season for his remarkable 1981 season. And today, he remains part of the Dodgers organization as the color commentator for the team's Spanish language television broadcast.

More than 40 years later, Fernandomania lives on. Valenzuela continues to bring immense joy and pride to the Mexican-American community in Los Angeles and around the country. I am proud that the Dodgers will be retiring Valenzuela's No. 34 jersey, and I am proud to recognize his many years of dedication to the Los Angeles community and for inspiring generations of Latinos to pursue their dreams and be champions in their own right.

So now, enshrined in Dodger Stadium alongside names like ''Robinson,'' ''Koufax,'' ''Drysdale,'' ''Hodges,'' and ''Snider,'' finally, a new number will hang forever—34, for Valenzuela.

REMEMBERING EUGENE ''GUS'' NEWPORT

● Mr. SANDERS. Mr. President, I wish to commemorate the life of Gus Newport, a long-time champion for human rights and advocate for racial and economic justice, who passed away on June 17, 2023.

Gus will be remembered as a true progressive activist, having worked as the mayor of Berkeley, CA, as a member on the leadership committee of the National Council of Elders, the vice president from the U.S. to the World Peace Council serving on the United Nations Committee against Apartheid and the Committee on the Question of

Palestine, as a member of the Unity Reform Commission, and the board president for the Middle East Children's Alliance, among others.

I first met Gus when I was mayor of Burlington, VT, and I am proud to have called him my friend for the past 40 years. In addition to his work, Gus' family was important to him. As he said many times, his mom was his first role model, and the aspiration for his work came from his grandmother. At an early age, Gus immersed himself in local, national, and global politics.

Throughout his life, Gus worked alongside civil rights leaders and political activists including Malcolm X, Angela Davis, and Danny Glover. His accomplishments span from groundbreaking political initiatives and the implementation of critical community economic development programs, to global solidarity.

As mayor, Gus led the city of Berkeley to divest from apartheid South Africa, making them the first city in the U.S. to do so. Additionally, he created a domestic partner benefits program for LGBTQ+ families and childcare initiatives to aid working women. Gus also worked on affordable housing programs, rent control, policing reforms, environmental protections, and community development.

In whatever task he took on, Gus worked with his whole heart and a deep sense of solidarity for humanity. As Gus said, ''We need to come back to what Martin [Luther King Jr.] called Building the Beloved Community-helping communities address education, incarceration, mental and physical health in an integrated and systematic way. If we want a better future for the next generation, we need to build a movement that is strategic and constant!''

I ask my colleagues to join me in honoring Gus Newport for his tireless work on behalf of our communities and citizens.

May the memory of Gus Newport be a blessing.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Stringer, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:11 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3395. An act to direct the Chairman of the Federal Maritime Commission to seek to enter into an agreement with a federally funded research and development center to evaluate foreign ownership of marine terminals at the 15 largest United States container ports, and for other purposes.

H.R. 3399. An act to study the security of the Soo Locks and effects on the supply chain resulting from a malfunction or failure of the Soo Locks, and for other purposes.

ENROLLED BILLS SIGNED

At 4:07 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 423. An act to take certain land located in San Diego County, California, into trust for the benefit of the Pala Band of Mission Indians, and for other purposes.

H.R. 3672. An act to designate the clinic of the Department of Veterans Affairs in Indian River, Michigan, as the ''Pfc. Justin T. Paton Department of Veterans Affairs Clinic''.

H.R. 4004. An act to approve and implement the Agreement between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States regarding Trade between the United States of America and Taiwan, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mrs. MURRAY).

At 5 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to section 201(a)(2) of the Congressional Budget Act of 1974, and upon recommendations by the House and Senate Budget Committees, the Speaker and the President pro tempore of the Senate hereby jointly appoint the following individual to the Congressional Budget Office for the term expiring January 3, 2027: Dr. Phillip Swagel, Director.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3395. An act to direct the Chairman of the Federal Maritime Commission to seek to enter into an agreement with a federally funded research and development center to evaluate foreign ownership of marine terminals at the 15 largest United States container ports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3399. An act to study the security of the Soo Locks and effects on the supply chain resulting from a malfunction or failure of the Soo Locks, and for other purposes; to the Committee on Environment and Public Works.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1734. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''FINAL REGULATIONS: Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program'' (RIN1840–AD81) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC–1735. A communication from the Assistant Secretary, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Improve Tracking of Workplace Injuries and Illnesses'' (RIN1218–AD40) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC–1736. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin; Assessment Rate Increase'' (Docket No. AMS–SC–22–0068) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1737. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Washington Apricots; Termination of Marketing Order'' (Docket No. AMS–SC–21–0061) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1738. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Preserving Trust Benefits Under the Packers and Stockyards Act'' ((RIN0581–AE01) (Docket No. AMS–FTPP–21–0015)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1739. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''United States Standards for Soybeans'' (Docket No. AMS–AMS–22–0083) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1740. A communication from the Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporation's annual report for calendar year 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1741. A communication from the Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporation's annual report for calendar year 2022 received in the Office of the President pro tempore; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1742. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a semiannual report entitled, ''Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account'' and a semiannual listing of personal property contributed by coalition partners; to the Committee on Armed Services.

EC–1743. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of

the national emergency with respect to the situation in Mali that was declared in Executive Order 13882 of July 26, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–1744. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to Lebanon that was originally declared in Executive Order 13441 of August 1, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–1745. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule; Technical Correction'' ((RIN2050–AH23) (FRL No. 8687–02–OLEM)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Environment and Public Works.

EC–1746. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Removal of Title V Emergency Affirmative Defense Provisions from State Operating Permit Programs and Federal Operating Permit Program'' ((RIN2060–AV39) (FRL No. 8961–02–OAR)) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Environment and Public Works.

EC–1747. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Approval and Promulgation of Implementation Plans; Montana; Libby 1997 Annual PM2.5 Limited Maintenance Plan and Redesignation Request'' (FRL No. 10454–02–R8) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Environment and Public Works.

EC–1748. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Wisconsin; Emissions Reporting and Infrastructure SIP Requirements'' (FRL No. 10638–02–R5) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Environment and Public Works.

EC–1749. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Virginia; Startup, Shutdown, and Malfunction Amendments to Facility and Control Equipment Maintenance or Malfunction Regulations; Correction'' (FRL No. 10907–03–R3) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Environment and Public Works.

EC–1750. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Michigan; DTE River Rouge'' (FRL No. 10954–02–R5) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Environment and Public Works.

EC–1751. A communication from the President of the United States, transmitting, pursuant to law, the President's report to Congress relative to the Secretary of the Interior's certification under section 8 of the Fisherman's Protective Act of 1967, as amended (the ''Pelly Amendment'') (22 U.S.C. 1978) that nationals of Mexico are engaging in trade or taking of totoaba and vaquita that diminishes the effectiveness of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); to the Committee on Foreign Relations.

EC–1752. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–171, ''Fiscal Year 2023 Revised Local Budget Adjustment Temporary Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1753. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–176, ''Fiscal Year 2024 Budget Support Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1754. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–81, ''Marion Barry Avenue Designation Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1755. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–161, ''Fiscal Year 2024 Local Budget Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1756. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to the Representation of Others Before the United States Patent and Trademark Office'' (RIN0651–AD58) received in the Office of the President of the Senate on July 27, 2023; to the Committee on the Judiciary.

EC–1757. A communication from the Associate Administrator, Congressional and Legislative Affairs, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Business Investment Company Investment Diversification and Growth'' (RIN3245–AH90) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Small Business and Entrepreneurship.

EC–1758. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA Vocational Rehabilitation and Employment Nomenclature Change for Position Title—Revision'' (RIN2900–AQ11) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Veterans' Affairs.

EC–1759. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Names for National Cemeteries and Features'' (RIN2900–AR81) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Veterans' Affairs.

EC–1760. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1761. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Money Market Fund Reforms; Form PF Reporting Requirements for Large Liquidity Fund Advisers; Technical Amendments to Form N–CSR and Form N–1A'' (RIN3235–AM80) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC–1762. A communication from the Biologist of the Branch of Domestic Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Species Status With Section 4(d) Rule for Western Fanshell and 'Ouachita' Fanshell and Designation of Critical Habitat'' (RIN1018–BE79) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Environment and Public Works.

EC–1763. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Carryback of Consolidated Net Operating Losses'' (RIN1545–BP84) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Finance.

EC–1764. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''The Administration, Cost, and Impact of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2020''; to the Committee on Finance.

EC–1765. A communication from the Deputy Assistant Administrator, Bureau for Management, U.S. Agency for International Development, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulation: Foreign Tax Reporting, Conference Planning, and Trade and Investment Activities'' (RIN0412–AB04) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Foreign Relations.

EC–1766. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Creation and Maintenance of Federal Records'' (RIN3095–AC08) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1767. A communication from the Counsel to the Inspector General, Office of Inspector General, General Services Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General, General Services Administration, received in the Office of the President of the Senate on July 27, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1768. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Governance Requirements for Derivatives Clearing Organizations'' (RIN3038–AF15) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1769. A communication from the Sanctions Regulations Advisor, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Hostages and Wrongful Detention Sanctions Regulations'' received in the Office of the President of the Senate on July 27, 2023; to the Committee on Banking , Housing, and Urban Affairs.

EC–1770. A communication from the Chairman, National Credit Union Administration,

transmitting, pursuant to law, the Administration's 2022 annual report on Minority Depository Institutions received in the Office of the President pro tempore; to the Committee on Banking, Housing, and Urban Affairs.

EC–1771. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report entitled ''2023 National Export Strategy''; to the Committee on Banking, Housing, and Urban Affairs.

EC–1772. A communication from the Senior Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Revised Medical Criteria for Evaluating Digestive Disorders and Skin Disorders'' (RIN0960–AG65) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Finance.

EC–1773. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the 2023 Trade Policy Agenda and 2022 Annual Report of the President of the United States on the Trade Agreements Program; to the Committee on Finance.

EC–1774. A communication from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefit Payments and Allocation of Assets'' (RIN1212–AB27) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC–1775. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on the Prevention and Reduction of Underage Drinking 2022''; to the Committee on Health, Education, Labor, and Pensions.

EC–1776. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Records Management: Digitizing Permanent Records and Reviewing Records Schedules'' (RIN3095–AB99) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1777. A communication from the Vice President of External Affairs, U.S. International Development Finance Corporation, transmitting, pursuant to law, the Department's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1778. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–173, ''Expanding Access to Fertility Treatment Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–34. A concurrent resolution adopted by the General Assembly of the State of Ohio urging the President of the United States to rescind the Federal Housing Finance Agency's new loan-level price adjustments (LLPAs) for purchase, rate-term refinance, and cash-out refinance loans; to the Committee on Banking, Housing, and Urban Affairs.

SENATE CONCURRENT RESOLUTION NO. 115

Whereas, The Federal Housing Finance Agency announced a new fee structure for purchase, rate-term refinance, and cash-out refinance loans that will take effect on May 1, 2023; and

Whereas, The new fee structure reduces or eliminates fees for first-time and low-income homebuyers, but would significantly increase fees for borrowers with moderate incomes and higher credit scores; and

Whereas, These increased fees, combined with higher mortgage interest rates, could inhibit the ability of middle class Ohioans to afford a home or to obtain a loan to maintain or improve their current home; and

Whereas, The increased fees could have a significant chilling effect on the real estate market in Ohio and create greater uncertainty for both buyers and sellers; now therefore be it

Resolved, That we, the members of Ohio Senate of the 135th General Assembly, call upon the President of the United States to rescind the new loan-level price adjustments for purchase, rate-term refinance, and cash-out refinance loans and, should the President refuse, call upon the Unites States Congress to intervene; and be it further

Resolved, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the United States, the President Pro Tempore and Clerk of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Ohio congressional delegation, and the new media of Ohio.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TESTER, from the Committee on Appropriations, without amendment:

S. 2587. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2024, and for other purposes (Rept. No. 118–81).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1868. A bill to require an interagency study to produce a security assessment process on adjacent space to high-security leased space to accommodate a Federal agency, and for other purposes (Rept. No. 118–82).

By Mr. MERKLEY, from the Committee on Appropriations, without amendment:

S. 2605. An original bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2024, and for other purposes (Rept. No. 118–83).

By Ms. BALDWIN, from the Committee on Appropriations, without amendment:

S. 2624. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2024, and for other purposes (Rept. No. 118–84).

By Mr. MURPHY, from the Committee on Appropriations, without amendment:

S. 2625. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2024, and for other purposes (Rept. No. 118–85).

By Mr. HEINRICH, from the Joint Economic Committee:

Special Report entitled ''Joint Economic Committee on the 2023 Economic Report of the President'' (Rept. No. 118–86).

By Mr. SANDERS, from the Committee on Health, Education, Labor, and Pensions, with an amendment:

S. 133. A bill to extend the National Alzheimer's Project.

By Mr. SANDERS, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 134. A bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 1855. A bill to reauthorize the Special Diabetes Program for Type 1 Diabetes and the Special Diabetes Program for Indians.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUMENTHAL (for himself and Mr. KENNEDY):

S. 2555. A bill to amend the Animal Welfare Act to expand and improve the enforcement capabilities of the Attorney General, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARPER (for himself and Mr. CASSIDY):

S. 2556. A bill to amend title XIX of the Social Security Act to ensure Medicaid coverage of mental health services and primary care services furnished on the same day; to the Committee on Finance.

By Mr. WELCH:

S. 2557. A bill to amend the Higher Education Act of 1965 to eliminate interest on student loans, establish the Education Affordability Trust Fund, increase annual and aggregate loan limits, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself and Mr. HOEVEN):

S. 2558. A bill to reauthorize the Joint Chiefs Landscape Restoration Partnership program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MANCHIN (for himself, Mr. ROMNEY, Ms. WARREN, Mr. BLUMENTHAL, Mr. KING, Ms. SMITH, Mrs. SHAHEEN, Ms. KLOBUCHAR, Ms. BALDWIN, and Mr. WHITEHOUSE):

S. 2559. A bill to amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes; to the Committee on Finance.

By Mr. KAINE (for himself and Mr. YOUNG):

S. 2560. A bill to address and support research on Long COVID; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. BENNET):

S. 2561. A bill to provide greater controls and restrictions on revolving door lobbying; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RISCH (for himself, Mr. CRAPO, Mr. HOEVEN, Mr. DAINES, Mr. CRAMER, and Mr. TESTER):

S. 2562. A bill to require ports of entry along the northern border to remain open as many hours per day as they were open prior to the COVID–19 pandemic; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MURRAY (for herself and Ms. CORTEZ MASTO):

S. 2563. A bill to amend the Food and Nutrition Act of 2008 to allow for dual enrollment in the supplemental nutrition assistance program and the food distribution program on Indian reservations; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARPER (for himself and Mr. BRAUN):

S. 2564. A bill to amend the Food Security Act of 1985 to address emissions of certain greenhouse gasses and carbon storage through conservation incentive contracts; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself, Ms. HIRONO, Mr. PADILLA, Mr. WYDEN, and Mr. BLUMENTHAL):

S. 2565. A bill to remove linguistic barriers to participation in Gun Violence Prevention Strategies; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself and Mr. CORNYN):

S. 2566. A bill to reauthorize certain provisions of the Prioritizing Resources and Organization for Intellectual Property Act of 2008, to create a new grant program to fund legal aid programs to assist small businesses to protect intellectual property, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Ms. BALDWIN):

S. 2567. A bill to amend the Computer Crime Enforcement Act to reauthorize the State grant program for training and prosecution of computer crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. BRAUN (for himself and Mr. CARPER):

S. 2568. A bill to require State field offices of the National Resources Conservation Service to give preference to in-State applicants; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CORNYN (for himself, Mr. COONS, Mr. COTTON, Ms. KLOBUCHAR, and Mr. CASSIDY):

S. 2569. A bill to amend the Controlled Substances Act to clarify that the possession, sale, purchase, importation, exportation, or transportation of drug testing equipment that tests for the presence of fentanyl or xylazine is not unlawful; to the Committee on the Judiciary.

By Mr. BRAUN (for himself and Mr. FETTERMAN):

S. 2570. A bill to amend the Agricultural Trade Act of 1978 to provide technical assistance to improve infrastructure in foreign markets for United States agricultural commodities; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. RISCH (for himself, Mr. CRAPO, and Ms. LUMMIS):

S. 2571. A bill to provide for determination of the grizzly bear species consistent with the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PADILLA (for himself and Mr. CASSIDY):

S. 2572. A bill to amend the Public Works and Economic Development Act of 1965 to authorize the Secretary of Commerce to make predevelopment grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CASEY (for himself and Mr. DURBIN):

S. 2573. A bill to exempt juveniles from the requirements for suits by prisoners, and for other purposes; to the Committee on the Judiciary.

By Ms. ERNST (for herself and Ms. SINEMA):

S. 2574. A bill to amend the Family and Medical Leave Act of 1993, to repeal certain limits on leave for married individuals employed by the same employer; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNOCK (for himself, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. MERKLEY, Mr. FETTERMAN, Mr. WELCH, Ms. HIRONO, Mr. WYDEN, Mr. WARNER, Mr. DURBIN, and Mrs. FEINSTEIN):

S. 2575. A bill to amend the Help America Vote Act of 2002 to provide increased protections for election workers and voters in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. SCHATZ, Mr. LEE, Ms. BALDWIN, Mrs. MURRAY, and Mr. TESTER):

S. 2576. A bill to amend section 2702 of title 18, United States Code, to prevent law enforcement and intelligence agencies from obtaining subscriber or customer records in exchange for anything of value, to address communications and records in the possession of intermediary internet service providers, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mr. FETTERMAN, Mr. BROWN, Mr. WYDEN, Mrs. GILLIBRAND, Mr. WELCH, and Mr. BLUMENTHAL):

S. 2577. A bill to amend the Food, Conservation, and Energy Act of 2008 to improve the Gus Schumacher nutrition incentive program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. HIRONO:

S. 2578. A bill to amend the Emergency Food Assistance Act of 1983 to allow certain States to directly purchase commodities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. HIRONO:

S. 2579. A bill to amend the Food and Nutrition Act of 2008 to exclude from income certain funds received under the Social Security Act; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KING (for himself, Ms. SMITH, Mr. RUBIO, and Mr. SCOTT of Florida):

S. 2580. A bill to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, and Mr. MERKLEY):

S. 2581. A bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Energy and Natural Resources.

By Ms. HIRONO (for herself, Mr. WYDEN, and Ms. DUCKWORTH):

S. 2582. A bill to establish an integrated research, education, and extension competitive grant program and scholarship grant program for certain Asian American and Native American Pacific Islander-serving agricultural institutions, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BOOKER:

S. 2583. A bill to ban new corporate ownership of agricultural land, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. ROSEN (for herself and Mr. BOOZMAN):

S. 2584. A bill to establish a commission on long-term care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. HIRONO, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Ms. WARREN, and Mr. WYDEN):

S. 2585. A bill to establish the National Office of New Americans within the Executive Office of the President, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Ms. SMITH, and Mr. BLUMENTHAL):

S. 2586. A bill to address prescription drug shortages and improve the quality of prescription drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER:

S. 2587. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2024, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. WYDEN:

S. 2588. A bill to amend the Food Security Act of 1985 to create permanent payments within the environmental quality incentives program for soil health practices and carbon sequestration monitoring, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. HIRONO (for herself, Ms. KLOBUCHAR, Mr. KING, Ms. SMITH, Mr. DURBIN, Mr. FETTERMAN, Mr. WYDEN, Mr. MERKLEY, Mr. VAN HOLLEN, Mr. WELCH, and Mr. LUJÁN):

S. 2589. A bill to amend the Research Facilities Act and the Agricultural Research, Extension, and Education Reform Act of 1998 to address deferred maintenance at agricultural research facilities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN (for himself and Ms. DUCKWORTH):

S. 2590. A bill to amend the Public Health Service Act to provide additional funding for the Commissioned Corps of the Public Health Service; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FETTERMAN (for himself, Mr. BROWN, Mr. WYDEN, Mr. MARKEY, Mr. VAN HOLLEN, Mr. CASEY, and Mr. LUJÁN):

S. 2591. A bill to amend the Department of Agriculture Reorganization Act of 1994 to improve the Office of Urban Agriculture and Innovative Production, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FETTERMAN (for himself, Ms. SMITH, Ms. BALDWIN, Ms. HIRONO, Mr. MARKEY, Mr. MERKLEY, Mrs. MURRAY, Mr. SCHATZ, and Mr. SANDERS):

S. 2592. A bill to amend the Fair Credit Reporting Act to require nationwide consumer reporting agencies, upon request, to use the current legal name of a consumer on consumer reports, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR:

S. 2593. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to modify the provisions relating to treatment courts; to the Committee on the Judiciary.

By Ms. SMITH (for herself and Mr. LUJÁN):

S. 2594. A bill to amend the Farm Security and Rural Investment Act of 2002 to improve the Rural Energy for America Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SMITH (for herself, Mr. LUJÁN, and Ms. DUCKWORTH):

S. 2595. A bill to provide standing authority and accountability for the Secretary of Agriculture and senior leadership of the Department of Agriculture to improve the equitable availability and distribution of services and program benefits to the people of the United States, and for other purposes; to

the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COONS (for himself and Mr. CORNYN):

S. 2596. A bill to provide first-time, low-level, nonviolent simple possession offenders an opportunity to expunge records of disposition after successful completion of court-imposed probation; to the Committee on the Judiciary.

By Ms. WARREN (for herself and Mr. GRAHAM):

S. 2597. A bill to amend the Clayton Act to establish a new Federal commission to regulate digital platforms, including with respect to competition, transparency, privacy, and national security; to the Committee on the Judiciary.

By Mr. BROWN (for himself, Mr. WELCH, Mr. FETTERMAN, Ms. SMITH, Mr. BOOKER, and Mr. WARNOCK):

S. 2598. A bill to amend the Federal Crop Insurance Act to modify whole farm revenue protection, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WHITEHOUSE (for himself, Mr. MARKEY, and Mr. WELCH):

S. 2599. A bill to impose surcharges on private jet travel and certain first class and business tickets, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SMITH:

S. 2600. A bill to establish a grant program to provide amounts to public housing agencies to install automatic sprinkler systems in public housing, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WELCH (for himself, Mr. BOOKER, and Mr. WYDEN):

S. 2601. A bill to provide for the protection of agricultural workers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself, Mr. LEE, and Mr. BRAUN):

S. 2602. A bill to limit the scope of regulations issued by the Secretary of Health and Human Services to control communicable diseases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. ERNST (for herself, Mr. HEINRICH, Mr. MARSHALL, and Ms. KLOBUCHAR):

S. 2603. A bill to amend the Food Security Act of 1985 to streamline conservation practice standards, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BENNET (for himself and Mr. SCHUMER):

S. 2604. A bill to amend the Public Works and Economic Development Act of 1965 to provide grants for outdoor recreation projects to spur economic development, with a focus on rural communities, and to provide training for rural communities on funding opportunities for outdoor recreation, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MERKLEY:

S. 2605. An original bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. PADILLA (for himself, Ms. WARREN, Mr. LUJÁN, Mr. DURBIN, Mr. SANDERS, and Mr. BOOKER):

S. 2606. A bill to amend section 249 of the Immigration and Nationality Act to render available to certain long-term residents of the United States the benefit under that section; to the Committee on the Judiciary.

By Ms. ERNST (for herself and Mrs. FISCHER):

S. 2607. A bill to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REED (for himself, Mr. BROWN, Mr. MERKLEY, Mr. LUJÁN, Mr. VAN HOLLEN, Mr. CASEY, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Mr. MARKEY, Mr. WHITEHOUSE, Mr. DURBIN, Ms. HIRONO, Mr. MURPHY, Mr. HEINRICH, Ms. STABENOW, Ms. SMITH, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. BOOKER, Ms. KLOBUCHAR, and Mr. PADILLA):

S. 2608. A bill to provide for the long-term improvement of public school facilities, and for other purposes; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. LANKFORD, Mrs. BLACKBURN, Mr. TILLIS, Mr. BRAUN, Mr. RISCH, and Mr. CRAMER):

S. 2609. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation for the election to expense certain depreciable business assets; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. BROWN):

S. 2610. A bill to amend the Food Security Act of 1985 to modify payment and other limitations for commodity programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, and Mr. KING):

S. 2611. A bill to require the Secretary of Agriculture to expand the snow survey and water supply forecasting program to serve the Northeastern United States; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. ERNST:

S. 2612. A bill to establish a competitive bidding process for the relocation of the headquarters of Executive agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BRAUN:

S. 2613. A bill to modify certain technical data rights with respect to contracts; to the Committee on Armed Services.

By Mr. LUJÁN (for himself and Mr. MORAN):

S. 2614. A bill to amend the Food Security Act of 1985 to expand the provision of farmer-led technical assistance, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 2615. A bill to amend the Alaska Native Claims Settlement Act to provide that Village Corporations shall not be required to convey land in trust to the State of Alaska for the establishment of Municipal Corporations, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHMITT:

S. 2616. A bill to provide for a right of action against Federal employees for violations of rights secured by the First Amendment to the Constitution of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 2617. A bill to prohibit the Secretary of Health and Human Services from restricting direct access by health care facilities to medical countermeasures; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJÁN (for himself and Mr. TILLIS):

S. 2618. A bill to rename the Office of Technology Assessment as the Congressional Office of Technology, to revise the functions and duties of the Office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HIRONO (for herself and Mr. WICKER):

S. 2619. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to eliminate the prohibition on indirect costs with respect to aquaculture assistance, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VAN HOLLEN (for himself, Mr. CARDIN, Mr. WARNER, and Mr. KAINE):

S. 2620. A bill to establish the Chesapeake National Recreation Area as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself, Mr. RISCH, and Mr. BRAUN):

S. 2621. A bill to amend the Internal Revenue Code of 1986 to expand and improve health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 2622. A bill to clarify the application of the appointment and confirmation requirements for the Director of the Centers for Disease Control and Prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROUNDS:

S. 2623. A bill to require the Secretary of the Treasury to harmonize the effective dates of all rules that the Secretary is required to issue under the Corporate Transparency Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN:

S. 2624. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MURPHY:

S. 2625. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2024, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. RUBIO (for himself and Mr. PADILLA):

S. 2626. A bill to impose sanctions with respect to the Supreme Leader of Iran and the President of Iran and their respective offices for human rights abuses and support for terrorism; to the Committee on Foreign Relations.

By Ms. BALDWIN (for herself, Mrs. MURRAY, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HIRONO, Ms. KLOBUCHAR, Ms. SMITH, Ms. STABENOW, Ms. WARREN, Mr. SANDERS, Mr. CASEY, Mr. KAINE, Mr. MERKLEY, Mr. WYDEN, and Mr. BLUMENTHAL):

S. 2627. A bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROUNDS:

S. 2628. A bill to amend title 31, United States Code, to require the Director of the Financial Crimes Enforcement Network of the Department of the Treasury to be appointed by the President and confirmed by the Senate, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE (for himself and Mr. SCOTT of Florida):

S. 2629. A bill to amend the Higher Education Act of 1965 to provide for fiscal accountability, to require institutions of higher education to publish information regarding student success, to provide for school accountability for student loans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KAINE (for himself and Mr. WARNER):

S. 2630. A bill to establish the Shenandoah Mountain National Scenic Area in the State of Virginia, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself and Mr. WICKER):

S. 2631. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish the forest conservation easement program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR (for herself and Mr. MORAN):

S. 2632. A bill to improve visa processing times, and for other purposes; to the Committee on the Judiciary.

By Mr. FETTERMAN:

S. 2633. A bill to amend the Packers and Stockyard Act, 1921, to provide administrative enforcement authority over live poultry dealers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HICKENLOOPER (for himself and Mr. CORNYN):

S. 2634. A bill to require the Administrator of the National Aeronautics and Space Administration to establish a program to acquire and disseminate commercial Earth observation data and imagery in order to satisfy the scientific, operational, and educational requirements of the Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. RICKETTS):

S. 2635. A bill to require the Administrator of the Environmental Protection Agency to ensure that flexible fuel vehicles may use certain gram per mile carbon dioxide values for purposes of determining fleet average carbon dioxide standards for certain vehicles; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself, Mrs. FISCHER, and Mr. MERKLEY):

S. 2636. A bill to amend the Watershed Protection and Flood Prevention Act to improve that Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BROWN (for himself, Mr. TILLIS, and Mr. CORNYN):

S. 2637. A bill to develop a scenario-based training curriculum for law enforcement personnel, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mr. CASEY, Mr. WELCH, Mr. MARKEY, Ms. SMITH, Mr. COONS, Mrs. GILLIBRAND, Ms. WARREN, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. PADILLA, Mr. SANDERS, Ms. BALDWIN, Mrs. FEINSTEIN, Mr. WARNOCK, Mr. MENENDEZ, Ms. HIRONO, Mr. REED, Mr. WHITEHOUSE, Mr. MURPHY, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WYDEN, Ms. DUCKWORTH, and Mr. SULLIVAN):

S. 2638. A bill to authorize the Secretary of Health and Human Services to build safer, thriving communities, and save lives, by investing in effective community-based violence reduction initiatives, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY:

S. 2639. A bill to amend the Public Health Service Act to require the Secretary of Health and Human Services to carry out activities to establish, expand, and sustain a public health nursing workforce, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. TILLIS, and Mr. BOOZMAN):

S. 2640. A bill to amend the Adam Walsh Child Protection and Safety Act of 2006 to reauthorize the Fugitive Safe Surrender Program; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. MORAN, Mr. KING, Mr. BRAUN, Mr. WARNER, and Ms. STABENOW):

S. 2641. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Finance.

By Mr. MORAN:

S. 2642. A bill to amend the Federal Financial Institutions Examination Council Act of 1978 to improve the examination of depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LUJÁN (for himself and Mr. MARSHALL):

S. 2643. A bill to amend the Federal Crop Insurance Act to modify eligibility for prevented planting insurance under certain drought conditions, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CORNYN (for himself, Mr. WHITEHOUSE, Mr. TILLIS, Mr. COONS, and Mr. PADILLA):

S. 2644. A bill to establish standards for trauma kits purchased using funds provided under the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. PADILLA, Ms. SINEMA, Mr. WYDEN, Mr. BLUMENTHAL, Mr. SANDERS, and Mrs. FEINSTEIN):

S. 2645. A bill to reduce the health risks of heat by establishing the National Integrated Heat Health Information System within the National Oceanic and Atmospheric Administration and the National Integrated Heat Health Information System Interagency Committee to improve extreme heat preparedness, planning, and response, requiring a study, and establishing financial assistance programs to address heat effects, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Mr. MARKEY, Ms. HIRONO, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. SANDERS, Ms. WARREN, Mr. PADILLA, Mrs. MURRAY, and Mr. HEINRICH):

S. 2646. A bill to expand access to health care services for immigrants by removing legal and policy barriers to health insurance coverage, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. RUBIO, Mrs. GILLIBRAND, and Mr. DAINES):

S. 2647. A bill to improve research and data collection on stillbirths, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN (for himself and Ms. HIRONO):

S. 2648. A bill to amend title 38, United States Code, to treat certain individuals who served in Vietnam as a member of the armed forces of the Republic of Korea as a veteran of the Armed Forces of the United States for purposes of the provision of health care by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. TESTER:

S. 2649. A bill to improve community care provided by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HICKENLOOPER:

S. 2650. A bill to establish a Commission on the Federal Regulation of Cannabis to study a prompt and plausible pathway to the Federal regulation of cannabis, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mr. MERKLEY, and Ms. WARREN):

S. 2651. A bill to require the Secretary of Labor to establish a pilot program to provide grants for job guarantee programs; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mr. REED, Mr. CARPER, Mr. MERKLEY, Mr. VAN HOLLEN, Ms. WARREN, Mr. FETTERMAN, Mr. WELCH, Mr. CASEY, Ms. KLOBUCHAR, Mr. MARKEY, Mr. PADILLA, Ms. HIRONO, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. BOOKER, Mr. CARDIN, Mr. SANDERS, and Mr. HEINRICH):

S. 2652. A bill to amend chapter 44 of title 18, United States Code, to ensure that all firearms are traceable, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN:

S. 2653. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to qualified small issue manufacturing bonds, to expand certain exceptions to the private activity bond rules for first-time farmers, and for other purposes; to the Committee on Finance.

By Mr. PADILLA:

S. 2654. A bill to increase efficiency and conservation in public water systems, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KENNEDY:

S. 2655. A bill to require certain entities to submit to Congress information on the Basel Committee on Bank Supervision, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VANCE:

S. 2656. A bill to require aliens seeking admission to the United States as nonimmigrants to pay a bond or cash payment and to impose penalties on such aliens who fail to timely depart the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY:

S. 2657. A bill to provide for green and resilient health care infrastructure, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER:

S. 2658. A bill to prohibit a court from awarding damages based on race, ethnicity, gender, religion, or actual or perceived sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNET (for himself, Mr. WELCH, and Mr. WYDEN):

S. 2659. A bill to provide increased financial assistance for farmers' markets and farmers' market nutrition programs, to increase local agricultural production through food bank in-house production and local farmer contracting, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. SHAHEEN (for herself, Mr. MARKEY, Mr. BLUMENTHAL, Mr. WELCH, Mr. MURPHY, Ms. WARREN, and Ms. HASSAN):

S. 2660. A bill to direct restoration and protection efforts of the 5-State Connecticut River Watershed region, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BRAUN (for himself, Mr. LANKFORD, and Mr. CRUZ):

S. 2661. A bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending; to the Committee on the Budget.

By Mr. WYDEN:

S. 2662. A bill to require the Secretary of Agriculture to carry out certain activities relating to research for wood products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BENNET (for himself and Mr. BUDD):

S. 2663. A bill to amend the Rural Electrification Act of 1936 to reform broadband permitting, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. ERNST (for herself, Mr. HAWLEY, Mr. RUBIO, and Mr. YOUNG):

S. 2664. A bill to prohibit the suspension of collections on loans made to small businesses related to COVID–19, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. CARPER (for himself and Ms. COLLINS):

S. 2665. A bill to require the Secretary of Defense to provide to firefighters of the Department of Defense medical testing and related services to detect and prevent certain cancers; to the Committee on Armed Services.

By Ms. HASSAN (for herself and Mr. MULLIN):

S. 2666. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to provide for requirements for electronic-prescribing for controlled substances under group health plans and group and individual health insurance coverage; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJÁN:

S. 2667. A bill to amend the Agricultural Marketing Act of 1946 to include support for sustainable fibers in the Local Agriculture Market Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself and Mr. FETTERMAN):

S. 2668. A bill to amend the Consolidated Farm and Rural Development Act to reform farm loans, to amend the Department of Agriculture Reorganization Act of 1994 to reform the National Appeals Division process, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. WARREN (for herself, Mr. MARSHALL, Mr. MANCHIN, and Mr. GRAHAM):

S. 2669. A bill to require the Financial Crimes Enforcement Network to issue guidance on digital assets, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WELCH (for himself, Mr. BOOKER, and Ms. WARREN):

S. 2670. A bill to regulate market concentration and competition in the food and agriculture industry, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DAINES (for himself, Mr. THUNE, Mr. LEE, Mr. MARSHALL, Mr. WICKER, and Mr. ROUNDS):

S. 2671. A bill to prohibit the Administrator of the Federal Motor Carrier Safety Administration from issuing a rule or promulgating a regulation requiring certain vehicles to be equipped with speed limiting devices, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SMITH (for herself and Ms. COLLINS):

S. 2672. A bill to require the Secretary of Health and Human Services to develop a strategic framework to improve the development and distribution of diagnostic tests in response to chemical, biological, radiological, or nuclear threats; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself and Mr. RISCH):

S. 2673. A bill to ensure European, including Ukrainian, energy security, protect, modernize, and rebuild European energy resources and infrastructure according to accepted principles of international good governance, and support European efforts to reduce the reliance of allied European countries on imported Russian energy resources, and for other purposes; to the Committee on Foreign Relations.

By Mr. DAINES (for himself, Mr. WARNER, Mr. CRAPO, and Mr. WARNOCK):

S. 2674. A bill amend the Community Development Banking and Financial Institutions Act of 1994 to increase transparency and accountability regarding the operations of the Community Development Financial Institutions Fund; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BUDD:

S. 2675. A bill to clarify minimum altitudes for go-arounds, inspection passes, practice approaches, and qualified instrument approaches, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mrs. CAPITO):

S. 2676. A bill to require executive agencies and Federal courts to comply with address confidentiality programs, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself, Mr. KENNEDY, Mr. MARKEY, Mr. RISCH, and Ms. HIRONO):

S. 2677. A bill to improve certain programs of the Small Business Administration to better assist small business customers in accessing broadband technology, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. CORNYN (for himself and Mr. CASEY):

S. 2678. A bill to provide for an investment screening mechanism relating to covered sectors; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself, Mr. MORAN, and Mr. ROUNDS):

S. 2679. A bill to strengthen accountability and oversight at the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OSSOFF (for himself and Mr. ROUNDS):

S. 2680. A bill to require the provision of information and counseling regarding Federal food assistance programs as part of the Transition Assistance Program; to the Committee on Veterans' Affairs.

By Mr. COONS (for himself, Mr. CORNYN, Mr. DURBIN, Mr. LEE, Mr. BOOKER, Mr. TILLIS, Mr. WICKER, Mr. CRAMER, and Mr. LANKFORD):

S. 2681. A bill to amend title 18, United States Code, to provide appropriate standards for the inclusion of a term of supervised release after imprisonment, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNOCK (for himself and Mr. TILLIS):

S. 2682. A bill to amend the Agricultural Act of 2014 with respect to the tree assistance program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCOTT of Florida:

S. 2683. A bill to establish requirements for purchasing certain generic drugs from manufacturers who produce the drug domestically; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida (for himself and Mr. VAN HOLLEN):

S. 2684. A bill to amend title XI of the Social Security Act to require the Secretary of Health and Human Services to verify whether a health care provider is licensed in good standing before issuing the provider a unique health identifier, and for other purposes; to the Committee on Finance.

By Mr. PETERS (for himself and Mr. LANKFORD):

S. 2685. A bill to make data and internal guidance on excess personal property publicly available, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BRAUN:

S. 2686. A bill to require the Comptroller General of the United States to conduct a study on the economic impact and health outcomes associated with the response to the COVID–19 pandemic in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 2687. A bill to provide additional requirements for the purchase and sale of conventional mortgages by the enterprises, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MULLIN (for himself and Ms. CORTEZ MASTO):

S. 2688. A bill to amend the Public Health Service Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 2689. A bill to provide for the appointment of a Special Envoy for Belarus; to the Committee on Foreign Relations.

By Ms. WARREN (for herself, Ms. HIRONO, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. MARKEY, Mr. MURPHY, Mrs. GILLIBRAND, Mr. DURBIN, Mr. FETTERMAN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. MENENDEZ, Mr. BROWN, Mr. WYDEN, Mr. SANDERS, and Mr. WELCH):

S. 2690. A bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHATZ (for himself and Mr. KENNEDY):

S. 2691. A bill to require disclosures for AI-generated content, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER (for himself and Mr. ROUNDS):

S. 2692. A bill to amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to establish a Portal for Appraiser Credentialing and AMC Registration Information, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself and Ms. MURKOWSKI):

S. 2693. A bill to amend the Family Violence Prevention and Services Act to make improvements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself and Mr. WHITEHOUSE):

S. 2694. A bill to amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself and Mr. MULLIN):

S. 2695. A bill to amend the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities, and for other purposes; to the Committee on Indian Affairs.

By Mrs. FEINSTEIN (for herself, Mr. MARSHALL, Mr. BENNET, Mr. LUJÁN, Mr. PADILLA, Mr. KELLY, Ms. SINEMA, and Mr. HEINRICH):

S. 2696. A bill to amend the Food Security Act of 1985 to modify the water conservation or irrigation efficiency practice waiver authority; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 2697. A bill to amend the Consolidated Farm and Rural Development Act to modify the definitions of the terms ''rural'' and ''rural area'' for purposes of grants and loans to remedy a lack of compliance with certain drinking water standards, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 2698. A bill to require the Secretary of Agriculture to carry out a program to provide payments to producers experiencing certain crop losses as a result of a disaster; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCOTT of Florida:

S. 2699. A bill to combat the fentanyl crisis; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SULLIVAN (for himself, Mr. CRAPO, Mr. GRASSLEY, Mr. CORNYN, Mr. TILLIS, Ms. LUMMIS, Mr. DAINES, Mr. CRAMER, Mr. RUBIO, and Mr. SCOTT of Florida):

S. 2700. A bill to amend the Investment Advisers Act of 1940 to require investment advisers for passively managed funds to arrange for pass-through voting of proxies for certain securities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PADILLA (for himself, Mrs. FEINSTEIN, Ms. HIRONO, Mr. MARKEY, Mrs. GILLIBRAND, and Mr. BOOKER):

S. 2701. A bill to address the homelessness and housing crises, to move toward the goal of providing for a home for all Americans. and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PADILLA (for himself, Mr. BOOKER, Mr. BROWN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. WARREN, Mr. WELCH, and Mr. WYDEN):

S. 2702. A bill to amend the Department of Agriculture Reorganization Act of 1994 to reauthorize the position of Farmworker Coordinator; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PADILLA (for himself, Mr. BROWN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. WARREN, Mr. WELCH, and Mr. WYDEN):

S. 2703. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish the Office of the Farm and Food System Workforce; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PADILLA (for himself and Mr. TILLIS):

S. 2704. A bill to amend the Food Security Act of 1985 to establish an exception to certain payment limitations in the case of person or legal entity that derives income from agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. RICKETTS, and Mr. HICKENLOOPER):

S. 2705. A bill to grant States the authority to request additional nonimmigrant visas for foreign workers in their respective States, and for other purposes; to the Committee on the Judiciary.

By Mrs. FISCHER (for herself and Mr. BENNET):

S. 2706. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to require the Secretary of Agriculture to enter into cooperative agreements relating to drought prevention, preparedness, response, and mitigation, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FISCHER (for herself, Ms. DUCKWORTH, Mrs. CAPITO, Mr. RICKETTS, Mr. THUNE, Mr. ROUNDS, Mr. MARSHALL, Ms. ERNST, Mr. GRASSLEY, Mr. MORAN, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. WICKER, and Ms. BALDWIN):

S. 2707. A bill to amend the Clean Air Act with respect to the ethanol waiver for Reid Vapor Pressure under that Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WARNER (for himself, Mrs. FISCHER, Ms. KLOBUCHAR, and Mr. THUNE):

S. 2708. A bill to prohibit the use of exploitative and deceptive practices by large online operators and to promote transparency and consumer choice in the use of behavioral research by such providers; to the Committee on Commerce, Science, and Transportation.

By Mr. HEINRICH:

S. 2709. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish an Assistant Secretary of Agriculture for Tribal Relations, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARDIN (for himself, Mr. CASEY, Mr. VAN HOLLEN, Mr. WARNER, and Mr. KAINE):

S. 2710. A bill to provide for the conservation of the Chesapeake Bay, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR (for herself, Ms. HIRONO, and Mr. BLUMENTHAL):

S. 2711. A bill to provide immigration status for certain battered spouses and children; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Ms. CORTEZ MASTO):

S. 2712. A bill to provide funding for the deployment of Next Generation 9–1–1, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY:

S. 2713. A bill to amend the Food and Nutrition Act of 2008 and the Emergency Food Assistance Act of 1983 to make commodities available for the Emergency Food Assistance Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HEINRICH (for himself, Mr. YOUNG, Mr. BOOKER, and Mr. ROUNDS):

S. 2714. A bill to establish the National Artificial Intelligence Research Resource, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROUNDS (for himself and Mr. MANCHIN):

S. 2715. A bill to authorize the Secretary of Defense to conduct detection, monitoring, and other operations in cyberspace to counter Mexican transnational criminal organizations that are engaged in certain activities that cross the southern border of the United States, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND (for herself, Mr. CARDIN, Mr. PADILLA, Mr. SANDERS, Mrs. MURRAY, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, Mr. MERKLEY, Mr. VAN HOLLEN, Mr. WELCH, Mr. WYDEN, Mr. KAINE, Mr. MENENDEZ, and Ms. WARREN):

S.J. Res. 39. A joint resolution expressing the sense of Congress that the article of amendment commonly known as the ''Equal Rights Amendment'' has been validly ratified and is enforceable as the 28th Amendment to the Constitution of the United States, and the Archivist of the United States must certify and publish the Equal Rights Amendment as the 28th Amendment without delay; to the Committee on the Judiciary.

By Ms. WARREN (for herself, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. MARKEY, Mr. BROWN, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. BOOKER, Mr. PADILLA, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. MURRAY, Ms. CANTWELL, Mr. WHITEHOUSE, Mr. FETTERMAN, Mr. DURBIN, and Ms. SMITH):

S.J. Res. 40. A joint resolution designating a ''Slavery Remembrance Day'' on August 20th, to serve as a reminder of the evils of slavery; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mrs. BLACKBURN, Mrs. BRITT, Mr. TUBERVILLE, Ms. LUMMIS, Mr. BUDD, Mr. DAINES, and Mrs. HYDE-SMITH):

S.J. Res. 41. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by U.S. Citizenship and Immigration Services and the Executive Officer for Immigration Review relating to ''Circumvention of Lawful Pathways''; to the Committee on the Judiciary.

By Mr. MARSHALL (for himself, Mr. COTTON, Mr. LANKFORD, Mr. RISCH, Mrs. BLACKBURN, Mr. BRAUN, Mr. HAWLEY, Mr. CRAPO, Mr. WICKER, and Ms. ERNST):

S.J. Res. 42. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Food and Nutrition Service relating to ''Application of Bostock v. Clayton County to Program Discrimination Complaint Processing-Policy Update''; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWN (for himself, Mr. BOOKER, Mr. PADILLA, Ms. WARREN, Mr. MERKLEY, Mr. MARKEY, Ms. SMITH, Mr. WHITEHOUSE, Mr. CARPER, Mr. CARDIN, Ms. HIRONO, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. BALDWIN, Mr. WYDEN, Mr. REED, Ms. STABENOW, and Ms. DUCKWORTH):

S. Res. 319. A resolution declaring racism a public health crisis; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. Res. 320. A resolution calling for the immediate release of Eyvin Hernandez, a United States citizen and Los Angeles County public defender, who was wrongfully detained by the Venezuelan regime in March 2022; to the Committee on Foreign Relations.

By Mr. BUDD (for himself, Mr. COONS, Mr. MANCHIN, Mr. BROWN, Mr. CRAMER, Ms. SINEMA, Mr. RICKETTS,

Mr. TILLIS, Mr. KELLY, Mr. BOOKER, Mr. WICKER, Mr. RISCH, Mr. CRAPO, Mr. WARNER, Mr. GRAHAM, and Mr. WHITEHOUSE):

S. Res. 321. A resolution expressing the sense of the Senate relating to nuclear power and the commitment of the Senate to embracing and promoting nuclear power as a clean baseload energy source necessary to achieve a reliable, secure, and diversified electric grid; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mr. CORNYN, and Mr. REED):

S. Res. 322. A resolution commemorating the life, legacy, and entertainment career of Tony Bennett; considered and agreed to.

By Mr. GRASSLEY (for himself and Mrs. FEINSTEIN):

S. Res. 323. A resolution supporting the goals and ideals of Fentanyl Prevention and Awareness Day on August 21, 2023; considered and agreed to.

By Mr. PADILLA (for himself and Ms. ERNST):

S. Res. 324. A resolution designating the week of August 6 through August 12, 2023, as ''National Farmers Market Week''; considered and agreed to.

By Mr. COONS (for himself and Mr. GRASSLEY):

S. Res. 325. A resolution recognizing the importance of trademarks in the economy and the role of trademarks in protecting consumer safety, by designating the month of August as ''National Anti-Counterfeiting and Consumer Education and Awareness Month''; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mrs. FISCHER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. BRITT, Mr. BROWN, Mrs. CAPITO, Mr. CASEY, Ms. CORTEZ MASTO, Mr. FETTERMAN, Mrs. FEINSTEIN, Mr. HAGERTY, Mr. KAINE, Mr. KELLY, Mr. KING, Mr. MARKEY, Mr. MERKLEY, Mr. PADILLA, Ms. SMITH, Mr. VAN HOLLEN, Ms. WARREN, Mr. WELCH, Mr. WICKER, and Mr. WYDEN):

S. Res. 326. A resolution recognizing August 23, 2023, as ''National Poll Worker Recruitment Day''; considered and agreed to.

By Mr. REED (for himself, Ms. MURKOWSKI, Mr. SULLIVAN, Mr. KING, Ms. CORTEZ MASTO, Ms. ROSEN, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. OSSOFF, Ms. HIRONO, Mr. KELLY, Mr. WARNOCK, Ms. DUCKWORTH, Mr. WHITEHOUSE, Mr. COTTON, and Mr. MCCONNELL):

S. Res. 327. A resolution designating August 16, 2023, as ''National Airborne Day''; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mr. COONS, Mr. MARKEY, Mr. DURBIN, Mr. PADILLA, Mr. CARDIN, Ms. WARREN, Mr. MERKLEY, Mr. MENENDEZ, Mr. WHITEHOUSE, and Ms. DUCKWORTH):

S. Con. Res. 19. A concurrent resolution urging the establishment of a United States Commission on Truth, Racial Healing, and Transformation; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 42

At the request of Mr. TESTER, the names of the Senator from Delaware (Mr. COONS), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from California (Mrs. FEINSTEIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 42, a bill to improve the management and performance of the capital asset programs of the Department of Veterans Affairs so as to better serve veterans, their families, caregivers, and survivors, and for other purposes.

S. 106

At the request of Ms. BALDWIN, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 106, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

S. 120

At the request of Mr. CASSIDY, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 120, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for charitable donations to nonprofit organizations providing education scholarships to qualified elementary and secondary students.

S. 197

At the request of Mr. RISCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 197, a bill to permanently enact certain appropriations Act restrictions on the use of funds for abortions and involuntary sterilizations, and for other purposes.

S. 234

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 234, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 414

At the request of Mr. TESTER, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 414, a bill to amend title 38, United States Code, to improve and to expand eligibility for dependency and indemnity compensation paid to certain survivors of certain veterans, and for other purposes.

S. 423

At the request of Mr. VAN HOLLEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 423, a bill to streamline enrollment in health insurance affordability programs and minimum essential coverage, and for other purposes.

S. 431

At the request of Mr. RISCH, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 431, a bill to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

S. 443

At the request of Mr. BROWN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 443, a bill to treat certain liquidations of new motor vehicle inventory as qualified liquidations of LIFO inventory for purposes of the Internal Revenue Code of 1986.

S. 502

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 502, a bill to amend the Animal Health Protection Act with respect to the importation of live dogs, and for other purposes.

S. 657

At the request of Mr. CARDIN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 657, a bill to amend the Internal Revenue Code of 1986 to establish a tax credit for neighborhood revitalization, and for other purposes.

S. 785

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 785, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid Vapor Pressure under that Act, and for other purposes.

S. 789

At the request of Mr. VAN HOLLEN, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Colorado (Mr. HICKENLOOPER) were added as cosponsors of S. 789, a bill to require the Secretary of the Treasury to mint a coin in recognition of the 100th anniversary of the United States Foreign Service and its contribution to United States diplomacy.

S. 930

At the request of Ms. KLOBUCHAR, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from Wyoming (Mr. BARRASSO), the Senator from Vermont (Mr. WELCH) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 930, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer benefits for exposure-related cancers, and for other purposes.

S. 993

At the request of Ms. CORTEZ MASTO, the names of the Senator from Ohio (Mr. VANCE) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 993, a bill to prohibit certain uses of xylazine, and for other purposes.

S. 1109

At the request of Mr. VANCE, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 1109, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization

under article I, section 8, of the Constitution.

S. 1291

At the request of Mr. SCHATZ, the names of the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Kansas (Mr. MARSHALL) were added as cosponsors of S. 1291, a bill to require that social media platforms verify the age of their users, prohibit the use of algorithmic recommendation systems on individuals under age 18, require parental or guardian consent for social media users under age 18, and prohibit users who are under age 13 from accessing social media platforms.

S. 1377

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1377, a bill to amend the Internal Revenue Code of 1986 to improve the low-income housing credit.

S. 1379

At the request of Mr. BROWN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1379, a bill to require the Secretary of Housing and Urban Development to establish an excess urban heat mitigation grant program, and for other purposes.

S. 1384

At the request of Mr. COTTON, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 1384, a bill to promote and protect from discrimination living organ donors.

S. 1409

At the request of Mr. BLUMENTHAL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1409, a bill to protect the safety of children on the internet.

S. 1440

At the request of Mr. BOOKER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1440, a bill to establish a program to award grants to entities that provide transportation connectors from critically underserved communities to green spaces, and for other purposes.

S. 1474

At the request of Ms. KLOBUCHAR, the names of the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Vermont (Mr. WELCH) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 1474, a bill to amend the Food and Nutrition Act of 2008 to establish a dairy nutrition incentive program, and for other purposes.

S. 1478

At the request of Mr. WYDEN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1478, a bill to designate United States Route 20 in the States of Oregon, Idaho, Montana, Wyoming, Nebraska, Iowa, Illinois, Indiana, Ohio, Pennsylvania, New York, and Massachusetts as the ''National Medal of Honor Highway'', and for other purposes.

S. 1525

At the request of Mr. SCHMITT, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 1525, a bill to amend the Communications Act of 1934 to address governmental interference in content moderation decisions by providers of interactive computer services, and for other purposes.

S. 1529

At the request of Mr. BOOKER, the names of the Senator from New Mexico (Mr. LUJÁN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1529, a bill to amend the Animal Welfare Act to provide for greater protection of roosters, and for other purposes.

S. 1538

At the request of Mr. HEINRICH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1538, a bill to authorize the Secretary of Education to award grants for outdoor learning spaces and to develop living schoolyards.

S. 1557

At the request of Ms. CANTWELL, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Alabama (Mrs. BRITT) were added as cosponsors of S. 1557, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1606

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1606, a bill to end preventable maternal mortality, severe maternal morbidity, and maternal health disparities in the United States, and for other purposes.

S. 1639

At the request of Mr. RUBIO, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1639, a bill to amend the Farm Security and Rural Investment Act of 2002 to increase funding for the purchase of specialty crops, and for other purposes.

S. 1650

At the request of Mr. RUBIO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1650, a bill to amend title 5, United States Code, to provide that sums in the Thrift Savings Fund may not be invested in securities that are listed on certain foreign exchanges, and for other purposes.

S. 1666

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 1666, a bill to amend the Animal Health Protection Act to reauthorize animal disease prevention and management programs.

S. 1688

At the request of Mr. YOUNG, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 1688, a bill to require certain grantees under title I of the Housing and Community Development Act of 1975 to submit a plan to track discriminatory land use policies, and for other purposes.

S. 1706

At the request of Mr. DAINES, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1706, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for qualified business income.

S. 1729

At the request of Mr. CASEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1729, a bill to facilitate nationwide accessibility and coordination of 211 services and 988 services in order to provide information and referral to all residents and visitors in the United States for mental health emergencies, homelessness needs, other social and human services needs, and for other purposes.

S. 1751

At the request of Mr. LUJÁN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1751, a bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

S. 1829

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1829, a bill to impose sanctions with respect to persons engaged in the import of petroleum from the Islamic Republic of Iran, and for other purposes.

S. 1887

At the request of Mr. VAN HOLLEN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Nebraska (Mr. RICKETTS) were added as cosponsors of S. 1887, a bill to provide visa availability for the Government Employee Immigrant Visa program, and for other purposes.

S. 1915

At the request of Mr. KELLY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1915, a bill to amend the Public Works and Economic Development Act of 1965 to provide for the establishment of a Critical Supply Chain Site Development grant program, and for other purposes.

S. 1972

At the request of Mr. CASSIDY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1972, a bill to increase college transparency and for other purposes.

S. 2003

At the request of Mr. RISCH, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from

Mississippi (Mr. WICKER) and the Senator from Nebraska (Mr. RICKETTS) were added as cosponsors of S. 2003, a bill to authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, and for other purposes.

S. 2036

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 2036, a bill to prohibit the Secretary of Energy from changing energy conservation standards for distribution transformers for a certain period, and for other purposes.

S. 2129

At the request of Mr. LANKFORD, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2129, a bill to amend title XVIII of the Social Security Act to require PDP sponsors of a prescription drug plan and Medicare Advantage organizations offering an MA–PD plan under part D of the Medicare program that use a formulary to include certain drugs and biosimilar biological products on such formulary, and for other purposes.

S. 2195

At the request of Mr. CARPER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2195, a bill to amend the Energy Policy Act of 2005 to reauthorize the diesel emissions reduction program.

S. 2217

At the request of Mr. VAN HOLLEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2217, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 2228

At the request of Mr. KELLY, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 2228, a bill to amend the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 to clarify the scope of a major Federal action under the National Environmental Policy Act of 1969 with respect to certain projects relating to the production of semiconductors, and for other purposes.

S. 2248

At the request of Ms. HASSAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2248, a bill to require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the availability in the United States of emerging and foundational technologies subject to export controls.

S. 2260

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 2260, a bill to require transparency in notices of funding opportunity, and for other purposes.

S. 2286

At the request of Mr. PETERS, the names of the Senator from Georgia (Mr. WARNOCK) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 2286, a bill to improve the effectiveness and performance of certain Federal financial assistance programs, and for other purposes.

S. 2327

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2327, a bill to provide support for nationals of Afghanistan who supported the United States mission in Afghanistan, adequate vetting for parolees from Afghanistan, adjustment of status for eligible individuals, and special immigrant status for at-risk Afghan allies and relatives of certain members of the Armed Forces, and for other purposes.

S. 2357

At the request of Mr. VANCE, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 2357, a bill to amend chapter 110 of title 18, United States Code, to prohibit gender-affirming care on minors, and for other purposes.

S. 2428

At the request of Mr. BOOKER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2428, a bill to establish a grant program for innovative partnerships among teacher preparation programs, local educational agencies, and community-based organizations to expand access to high-quality tutoring in hard-to-staff schools and high-need schools, and for other purposes.

S. 2430

At the request of Mrs. FISCHER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2430, a bill to amend the Emergency Planning and Community Right-To-Know Act of 1986 to exclude certain air emissions from emergency notification requirements, and for other purposes.

S. 2449

At the request of Mr. LUJÁN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2449, a bill to amend the Food and Nutrition Act of 2008 to make permanent the moratorium on benefit transaction fees, and for other purposes.

S. 2451

At the request of Mr. WYDEN, the names of the Senator from Kentucky (Mr. PAUL) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2451, a bill to allow for hemp-derived cannabidiol and hemp-derived cannabidiol containing substances in dietary supplements and food.

S. 2488

At the request of Mr. SANDERS, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 2488, a bill to provide for increases in the Federal minimum wage, and for other purposes.

S. 2494

At the request of Mr. MARKEY, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 2494, a bill to update the 21st Century Communications and Video Accessibility Act of 2010.

S. 2502

At the request of Mr. ROUNDS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2502, a bill to require the Chief Data and Artificial Intelligence Officer of the Department of Defense to develop a bug bounty program relating to dual-use foundational artificial intelligence models.

S. 2553

At the request of Mr. FETTERMAN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2553, a bill to amend the Food and Nutrition Act of 2008 to ensure that striking workers and their households do not become ineligible for benefits under the supplemental nutrition assistance program, and for other purposes.

S.J. RES. 36

At the request of Mr. LANKFORD, the names of the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Texas (Mr. CRUZ), the Senator from Florida (Mr. RUBIO), the Senator from Florida (Mr. SCOTT), the Senator from Texas (Mr. CORNYN), the Senator from Indiana (Mr. BRAUN), the Senator from Ohio (Mr. VANCE), the Senator from Kansas (Mr. MARSHALL), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Missouri (Mr. HAWLEY), the Senator from Louisiana (Mr. CASSIDY), the Senator from Mississippi (Mr. WICKER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Montana (Mr. DAINES), the Senator from Alabama (Mrs. BRITT), the Senator from North Dakota (Mr. CRAMER), the Senator from Utah (Mr. LEE), the Senator from Idaho (Mr. RISCH), the Senator from Alabama (Mr. TUBERVILLE), the Senator from Tennessee (Mr. HAGERTY), the Senator from South Dakota (Mr. THUNE), the Senator from Idaho (Mr. CRAPO) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S.J. Res. 36, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Federal Contract Compliance Programs of the Department of Labor relating to ''Rescission of Implementing Legal Requirements Regarding the Equal Opportunity Clause's Religious Exemption Rule''.

S. RES. 285

At the request of Mr. BROWN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 285, a resolution to provide for the approval of final regulations relating

to Federal service labor-management relations that are applicable to the Senate and the employees of the Senate, and that were issued by the Office of Compliance, now known as the Office of Congressional Workplace Rights, on August 19, 1996, and for other purposes.

S. RES. 306

At the request of Ms. KLOBUCHAR, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 306, a resolution recognizing that the United States needs to support and empower mothers in the workforce by investing in the Mom Economy.

AMENDMENT NO. 455

At the request of Mr. PADILLA, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 455 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 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.

AMENDMENT NO. 523

At the request of Mr. RUBIO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 523 proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 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.

AMENDMENT NO. 638

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 638 proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 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.

AMENDMENT NO. 1037

At the request of Mr. HOEVEN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of amendment No. 1037 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 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.

AMENDMENT NO. 1058

At the request of Mr. LUJÁN, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Arizona (Ms. SINEMA), the Senator from Montana (Mr. TESTER) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of amendment No. 1058 proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 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.

At the request of Mr. HAWLEY, the name of the Senator from Missouri (Mr. SCHMITT) was added as a cosponsor of amendment No. 1058 proposed to S. 2226, supra.

AMENDMENT NO. 1069

At the request of Mr. WHITEHOUSE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 1069 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RISCH (for himself, Mr. CRAPO, and Ms. LUMMIS):

S. 2571. A bill to provide for determination of the grizzly bear species consistent with the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

Mr. RISCH. Madam President, I rise today to introduce the Grizzly Bear Review and Resource Restart Act.

The grizzly bear was originally listed under the Endangered Species Act, ESA, in 1975 with the worthy intent to recover the species. The ESA has succeeded and grizzly bear populations have rebounded. However, the overly-broad listing, which covers all of the lower 48 States, has led courts to block the Fish and Wildlife Service from delisting populations which by all measures are recovered and no longer require strict ESA protections.

This has prevented the ESA from being what it is meant to be, a temporary assistance for wildlife recovery. It was never intended to provide a permanent designation for robust species. If enacted, the Grizzly Bear Review and Resource Restart Act will remove the unreachable recovery targets based on the erroneous first listing and allow wildlife managers to focus on areas in the lower 48 which actually host grizzly bears, not the 30 States currently listed where bears never were in the first place.

Giving the opportunity to ''delist and relist'' based on scientific and historic data rather than a panicked first plan from 1975 will help mitigate human-bear interactions, protect rural communities, and emphasize and recenter the role of science in grizzly bear recovery. It will also allow funding and focus to be given where it is needed most: to grizzly bear populations and other species actually at risk.

By Mr. PADILLA (for himself and Mr. CASSIDY):

S. 2572. A bill to amend the Public Works and Economic Development Act of 1965 to authorize the Secretary of Commerce to make predevelopment grants, and for other purposes; to the Committee on Environment and Public Works.

Mr. PADILLA. Madam President, I rise to introduce the bipartisan Economic Empowerment Through Predevelopment Act. This legislation would improve support for capacity building and early-stage project development activities to ensure inclusive economic growth across communities.

Predevelopment activities are projects that must be completed prior to construction to advance infrastructure and development projects from concept to reality. This includes planning and design, community asset mapping, training, technical assistance, feasibility and environmental studies, demonstration projects, permitting, and organizational capacity building.

This bill would enhance the Economic Development Administration's role in the initial stages of a project by authorizing the Agency to make grants and cooperative agreements for predevelopment activities and capacity building purposes.

Many underserved, low-income, and rural communities simply do not have the institutions, expertise, or capacity to plan, design, coordinate, or implement new economic development initiatives. Building an inclusive economy requires policies for comprehensive economic development plans that better equip our communities to sustain and grow investments, leverage community-based assets, and diversify local economies to withstand potential disruptions.

Additional support for predevelopment projects would also allow for more intentional investments and longer term sustainability in local economies by preventing costly mistakes or unwise investments.

Since the passage of the Infrastructure Investment and Jobs Act and the American Rescue Plan Act, Congress, State and local governments, as well as community organizations, have increasingly turned to EDA and economic development districts for assistance in predevelopment activities. This legislation will strengthen the Agency's work in this space.

I thank Senator CASSIDY for introducing this important legislation with me in the Senate. I hope all of our colleagues will join us in supporting this bill for the economic empowerment of our communities.

By Mr. PADILLA (for himself, Ms. WARREN, Mr. LUJÁN, Mr. DURBIN, Mr. SANDERS, and Mr. BOOKER):

S. 2606. A bill to amend section 249 of the Immigration and Nationality Act to render available to certain long-term residents of the United States the

benefit under that section; to the Committee on the Judiciary.

Mr. PADILLA. Madam President, I rise to introduce the Renewing Immigration Provisions of the Immigration Act of 1929 Act.

This legislation would permit individuals who have lived in the United States continuously for at least 7 years to file for lawful permanent residence here.

The Renewing Immigration Provisions of the Immigration Act of 1929 Act will provide long-term residents of the U.S. a path to lawful permanent residence.

Specifically, this bill would amend the existing Registry mechanism in the Immigration and Nationality Act by opening the application to register permanent or adjust status to long-term residents who have lived in the United States for at least 7 years at the time of filing.

This bill would also allow long-term residents who have been in the United States for at least 7 years, waiting patiently for a visa number to become available, to immediately file an application to register permanent or adjust status.

This legislation has the added benefit of creating a much needed pathway to permanent residency for Dreamers and forcibly displaced individuals, such as TPS holders, who have been stuck in legal limbo for years.

By making the eligibility cutoff rolling, this bill would also preempt the need for Congress to repeatedly update the Registry's cutoff date to a specific year of entry into the United States.

There is strong precedent for Congress to advance the Registry date, which it has done on a bipartisan basis four times since it first codified the Registry in 1929. In 1958, Congress opened the Registry mechanism to long-term residents of the United States who had entered the country improperly, overstayed a visa, or otherwise violated the terms of a temporary period of entry. Congress clearly intended the Registry to allow undocumented immigrants to adjust to lawful permanent resident status.

Currently, the eligibility cutoff date for the Registry is January 1, 1972, more than 50 years ago. Just a handful of immigrants can currently satisfy this cutoff entry date requirement, rendering the 1972 entry cutoff all but meaningless. From 2015 to 2019, only 305 individuals adjusted their status based on the Registry, compared to the 58,914 individuals who did so between 1985 and 1989. If this legislation passed today, over 8 million individuals—who are already living in the United States and have longstanding ties to their communities—would become eligible to apply for permanent residency through the Registry.

Today, about 11 million undocumented immigrants live in the United States. It is not feasible or productive to remove all of them, and it would significantly hurt the U.S. economy to do so. The overwhelming majority of these undocumented immigrants have established roots in the United States and are law-abiding citizens. They are integral parts of our communities who work essential jobs, pay taxes, and even serve in our military. Leaving them without a path to permanent residency relegates them to second-class status and denies them the opportunity to fulfill the American Dream.

It is imperative that we create a path to permanent residence status for immigrants who lack certainty about their futures.

By Mr. REED (for himself, Mr. BROWN, Mr. MERKLEY, Mr. LUJÁN, Mr. VAN HOLLEN, Mr. CASEY, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Mr. MARKEY, Mr. WHITEHOUSE, Mr. DURBIN, Ms. HIRONO, Mr. MURPHY, Mr. HEINRICH, Ms. STABENOW, Ms. SMITH, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. BOOKER, Ms. KLOBUCHAR, and Mr. PADILLA):

S. 2608. A bill to provide for the long-term improvement of public school facilities, and for other purposes; to the Committee on Finance.

Mr. REED. Madam President, among the many challenges to improving educational outcomes for students and recruiting and retaining educators for our public schools is the condition of school facilities. A 2020 Government Accountability Office, GAO, report found that over half, 54 percent, of school districts nationwide need to update or replace multiple systems in their schools, such as heating, ventilation, air-conditioning, HVAC, or plumbing. These systems are especially critical to safeguarding public health, as we learned during the COVID–19 pandemic. Functioning and efficient HVAC systems and ventilation can help keep indoor air quality healthy and reduce the spread of infectious airborne viral particles.

Investing in school buildings will make them healthy and safe learning environments. It will also improve student learning, reduce carbon emissions, and create jobs. That is why I am proud to partner with Representative BOBBY SCOTT, ranking member of the House Education and Workforce Committee, to introduce the Rebuild America's Schools Act—legislation that will invest $130 billion in fixing our schools. I would like to thank my Senate colleagues who are joining in this effort, including Senators BROWN, BLUMENTHAL, BOOKER, CASEY, CORTEZ MASTO, DUCKWORTH, DURBIN, HEINRICH, HIRONO, KLOBUCHAR, LUJÁN, MARKEY, MERKLEY, MURPHY, SHAHEEN, SMITH, STABENOW, VAN HOLLEN, and WHITEHOUSE.

Public schools play a vital role in every community across the Nation—educating the next generation, serving as polling places for our elections, hosting community meetings and cultural events, and so much more. When there is a natural disaster or an emergency, people often gather at their public schools for shelter, information, and resources. They are essential facilities and should be treated as essential infrastructure.

Safe, healthy, modern, well-equipped schools are essential for advancing student achievement and ensuring that the next generation is prepared to meet the economic, social, environmental, and global challenges our Nation faces. Yet too many of the over 50 million students and 6 million staff who learn and work in our public schools spend their days in facilities that fail to make the grade. In fact, the American Society of Civil Engineers gave public school buildings across the country an overall grade of D+ in its latest report card. The 2021 State of our Schools Report identified an $85 billion annual shortfall in school facilities investment.

States and local communities cannot bridge this gap alone, especially when many struggle to simply keep teachers and staff on the payroll. We know that budget shortfalls hit low-income and minority communities the hardest. The GAO noted that capital construction expenditures, on average, were about $300 less per student in high-poverty districts compared to low-poverty districts. With inflation, interest rates, and extreme weather events on the rise, the gap between what is needed to maintain safe and modern schools and what communities can afford will only grow. Addressing this need with robust Federal investment is not only the right thing to do for our students; it will also give a needed boost to our economy, putting people to work in family—sustaining jobs. According to an analysis by the Economic Policy Institute, every $1 billion spent on construction generates 17,785 jobs.

The Rebuild America's Schools Act will create a Federal-State partnership for school infrastructure. It will provide, over 5 years, a total of $130 billion in direct grants and school construction bonds to help fill the annual gap in school facility capital needs, while creating nearly 2 million jobs.

Specifically, the Rebuild America's Schools Act will provide $100 billion in formula funds to States for local competitive grants for school repair, renovation, and construction. States will focus assistance on communities with the greatest financial need, encourage green construction practices, and expand access to high-speed broadband to ensure that all students have access to digital learning. Our legislation would also provide $30 billion for qualified school infrastructure bonds, QSIBs, $10 billion each year from FY 2023 through FY 2025, and restore the qualified zone academy bonds, QZABs, that were eliminated in the Republican Tax Cuts and Jobs Act. The legislation also eases the matching requirements and expands the authority and eligible purposes of QZABs to allow local education agencies to construct, rehabilitate, retrofit, or repair school facilities. The Rebuild America's Schools

Act also supports American workers by ensuring that projects use American-made iron, steel, and manufactured products and meet labor standards.

I would like to thank the broad coalition of educators, community organizations, unions, civil rights advocates, and employers that have provided feedback and support for this legislation, including the 21st Century Schools Fund, A4LE: the Association for Learning Environments, AASA: The School Superintendents Association, American Federation of State, County and Municipal Employees, American Federation of Teachers, American Industrial Hygiene Association, American Institute of Architects, BASIC Coalition, Council of the Great City Schools, Heart of America, International Unions of Bricklayers and Allied Craft Workers, National Association of Energy Service Companies, National Association of Federally Impacted Schools, National Council on School Facilities, National Education Association, Rebuild America's Schools Coalition, Safe Traces, Teach Plus, and the U.S. Green Building Council.

We have no time to waste in fixing our deteriorating school infrastructure. In the words of a student activist in Providence, Rhode Island: ''Students cannot learn in a crumbling building, a school that isn't fit to uplift our minds.'' We need to listen to our students, strengthen our communities, and improve our school buildings. I urge all of our colleagues to support the Rebuild America's Schools Act and press for its passage.

By Mr. KAINE (for himself and Mr. WARNER):

S. 2630. A bill to establish the Shenandoah Mountain National Scenic Area in the State of Virginia, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. KAINE. Madam President, today, I am introducing legislation that is the product of at least 18 years of collaborative work by a diverse group of stakeholders in Virginia, including local recreation groups, conservationists, timber industry representatives, and sportsmen.

The Shenandoah Mountain Act would designate more than 92,000 acres of the George Washington National Forest lands in Virginia as the Shenandoah Mountain National Scenic Area, SMNSA.

Congress designates national scenic areas to protect the natural and scenic value of lands that are also compatible with recreational uses such as hiking, fishing, hunting, camping, mountain biking, among others.

The SMNSA encompasses four wilderness areas: Skidmore Fork, Little River, Ramsey's Draft, and Lynn Hollow, which in total include 10 peaks above 4,000 feet and 150 miles of trails to attract campers, hikers, mountain bikers, fishermen, birders, and equestrians. The legislation also establishes a 5,779-acre wilderness area at Beech Lick Knob, located 10 miles to the north.

The SMNSA will protect important water resources, as it covers headwaters for the Potomac and James Rivers and watersheds that provide drinking water for Harrisonburg, Staunton, and communities farther downstream, such as Washington, DC, and Richmond. This area is also a hotspot for biodiversity. Cold mountain streams in the area are a stronghold for native brook trout. Today's legislation would permanently protect these rivers and streams from industrial development. It would also help safeguard plant and wildlife habitat for black bears, wild turkeys, more than 250 species of birds, and at-risk species like the Cow Knob and Shenandoah Mountain salamanders.

The Shenandoah Mountain National Scenic Area will provide a boost to the region's growing tourism industry. In 2021, the tourism economy directly employed 6,543 people and generated $728.5 million in Augusta, Rockingham, Bath, and Highland Counties, as well as Harrisonburg, Staunton, and Waynesboro. In addition to the direct benefits to tourism, James Madison University scientists estimate that lands within the SMNSA proposal already generate $13.7 million per year in other local benefits, including the value of the water supply. Designation of the SMNSA would further grow these benefits.

The challenges of the past 3 years have underscored that getting out into nature is critical to our health and well-being. I am proud that the Shenandoah Mountain Act will expand these opportunities within the George Washington National Forest for visitors near and far, while also boosting our local economies, protecting drinking water sources, and preserving the wildlife that makes this area so special.

The local governments of Staunton, Augusta, Rockingham, and Harrisonburg, along with over 400 businesses and organizations, have endorsed the new designation for the vast benefits it will have on the surrounding communities. I thank my colleague Senator MARK WARNER for joining me in introducing this legislation. I also commend our local stakeholders for working on this proposal for so many years.

By Mr. PADILLA:

S. 2654. A bill to increase efficiency and conservation in public water systems, and for other purposes; to the Committee on Environment and Public Works.

Mr. PADILLA. Madam President, I rise to introduce the Water Efficiency, Conservation, and Sustainability Act of 2023. This legislation would authorize $550 million for the Environmental Protection Agency to address water inefficiencies and losses in public water systems.

Every year, household leaks waste nearly 1 trillion gallons of water nationwide, increasing water bills and wasting water meant for critical drinking water and clean water uses.

The Water Efficiency, Conservation, and Sustainability Act of 2023 creates a suite of options for States, municipalities, water systems, and Tribal nations to address water inefficiencies and losses in public water systems and to support leak reduction as one of the most cost-effective urban water management tools we have.

Leaking pipes waste an estimated 17 percent of water before a drop reaches a consumer's faucet. In my home State of California, 8 percent is wasted in a State that cannot afford any waste as we face increasingly unpredictable weather whiplash between drought and flooding.

Water efficiency is the most cost-effective way to ensure clean, affordable drinking water for communities across the country. Much like energy efficiency measures, improving water efficiency saves consumers money, reduces demand, decreases strain on water supply systems, and saves energy.

Yet Federal spending on energy efficiency and renewable energy in outpaced spending on water efficiency and water reuse by approximately 80 to 1 since 2000, resulting in millions of gallons wasted each year that could otherwise be saved or utilized.

Achieving widespread water efficiency will require both inside-the-home and system upgrades. Fixes at the individual building level can add up to make a big difference. The EPA estimates that installation of water-efficient fixtures and appliances can reduce water use 20 percent and save money for consumers.

The bipartisan Infrastructure Investment and Jobs Act provided a historic level of water infrastructure investment—including for Bureau of Reclamation States and for wastewater efficiency—but more investment is needed in the water systems that deliver drinking water to our homes and businesses across all States.

As drought continues to impact the Western United States and regions across the country, investing in resilient water supplies is an increasingly urgent priority for States, water systems, and families facing rising water rates.

In a survey completed as part of a 2014 GAO report, 40 out of 50 State water managers expected water shortages in some portion of their State in the next decade. Improving water efficiency saves money, saves energy, and helps ensure a more resilient water supply.

I would like to thank my House colead, Congressman LEVIN, for championing this effort with me, and I look forward to working with my colleagues to enact the Water Efficiency, Conservation, and Sustainability Act of 2023.

By Mrs. FEINSTEIN (for herself, Mr. MARSHALL, Mr. BENNET, Mr. LUJÁN, Mr. PADILLA, Mr.

KELLY, Ms. SINEMA, and Mr. HEINRICH):

S. 2696. A bill to amend the Food Security Act of 1985 to modify the water conservation or irrigation efficiency practice waiver authority; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Madam President, I rise today to introduce the EQIP Water Conservation Act of 2023 and thank Senators MARSHALL, BENNET, LUJÁN, PADILLA, KELLY, and SINEMA for joining me as original cosponsors.

Our bill would clarify eligibility requirements for water conservation and irrigation efficiency practices funded under the U.S. Department of Agriculture's Environmental Quality Incentives Program, EQIP, to allow irrigation districts to undertake large-scale off-farm water conservation projects that benefit many farms rather than only single-farm projects.

Drought poses a persistent and potentially lethal threat to agriculture in Western States. In 2021 alone, drought cost California's agricultural sector $1.1 billion in direct costs and nearly 9,000 jobs, while farmers were forced to leave 400,000 acres of land unplanted. This situation is causing irreparable harm to agricultural communities across the West, and farmers need tools to adapt. EQIP is a crucial tool in the effort to combat drought, and the programs' funds must be made fully available to water agencies, which often serve hundreds of farmers.

In the 2018 farm bill, Congress authorized the Secretary of Agriculture to waive payment limitations and adjusted gross income, AGI, limitations to more effectively support water district projects that conserve water, provide fish and wildlife habitat, and combat drought. However, a subsequent USDA rule effectively nullified this provision by capping EQIP payments for water agencies at $900,000, which is only twice the cap for projects that benefit individual farmers.

Since water agencies often serve dozens or even hundreds of farmers, this rule makes no sense and undermines the 2018 farm bill's goal of facilitating water conservation projects by water agencies.

Our bill would require the Secretary of Agriculture to waive the EQIP payment cap of $900,000 for water agencies. To be clear, this bill does not attempt to bypass the payment cap for individual farms; rather, it would set the cap on projects based on the number of farmers it serves. For instance, if a water agency serves 10 farmers, the total payment limitation would be $4.5 million, or $450,000 per farmer. Our bill would also deduct for EQIP payments already made to farmers served by that agency's project.

In maintaining a per-farmer payment limitation at the same level as the limit for individual farmers, our bill recognizes that water agencies serve many farmers and that providing adequate funds to these entities will allow USDA to more effectively meet conservation and irrigation efficiency goals.

Congress has an opportunity this year to make significant strides in improving irrigation efficiency and water conservation while more faithfully adhering to the conservation goals of the 2018 farm bill. I thank my cosponsors for their partnership on this bill, and I urge the Senate to take it up and pass it as soon as possible.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 2697. A bill to amend the Consolidated Farm and Rural Development Act to modify the definitions of the terms ''rural'' and ''rural area'' for purposes of grants and loans to remedy a lack of compliance with certain drinking water standards, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Madam President, I rise today to introduce the Clean Drinking Water for Rural Communities Act of 2023 and thank my colleague Senator PADILLA for joining me as an original cosponsor.

Our bill would change the eligibility limit for the water and wastewater programs within the U.S. Department of Agriculture's Office of Rural Development from 10,000 residents to 20,000 residents for investments to treat contaminated drinking water that does not meet Federal and State standards. Modifying the threshold would correct an oversight that is a barrier for many rural and agricultural communities to access clean drinking water.

Many rural communities across the United States lack access to safe drinking water because their aging systems have not kept pace with worsening pollution. In many of these communities, agricultural runoff has caused nitrate concentrations to soar, which can cause cancer, thyroid disease, and developmental defects. The problem has become widespread in low-income, rural, and farmworker communities in California's Central Valley, where the majority of residents get their water from wells without any treatment system.

Unfortunately, the cost of addressing this problem can be prohibitive for small water systems that serve mostly low-income residents. Many of these communities exceed the 10,000-resident limit for USDA programs but are too small to be competitive for other drinking water assistance programs. These communities are left to rely on bottled water or drinking water that does not comply with Federal or State standards.

The small change proposed in this bill would enable more communities in the Central Valley and around the country to use USDA funds to remove contamination or connect to larger water systems.

Congress has an opportunity this year to make this small change to USDA's Water and Waste Disposal Loan and Grant Program to improve access to safe, clean drinking water for individuals in small, agricultural communities. I thank Senator PADILLA for his partnership on this bill, and I urge the full Senate to take it up and pass it as soon as possible.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 2698. A bill to require the Secretary of Agriculture to carry out a program to provide payments to producers experiencing certain crop losses as a result of a disaster; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Madam President, I rise today to introduce the Agricultural Emergency Relief Act of 2023 and thank my colleague Senator PADILLA for joining me as an original cosponsor.

Our bill would establish a consistent structure and end the delays in administering ad hoc agricultural disaster assistance by authorizing the U.S. Department of Agriculture's Emergency Relief Program. In addition to improving the distribution of supplemental disaster funds appropriated by Congress, this program would encourage participation in crop insurance by requiring producers who receive relief payments to purchase 2 years of insurance.

Every year, farmers across the country are contending with disasters of increasing severity and frequency, whether droughts and wildfires in the West, hurricanes in the Southeast, freezes in the Midwest, or flooding throughout the country. In some cases, crop insurance is able to cover the damages caused by these storms, but producers often require additional assistance due to the scale of the damage. This is especially true with specialty crops, where producers may lack affordable insurance options and, as a result, often operate with little coverage or no insurance at all. Federal disaster assistance has been a critical bridge back to production for these farmers, who are producing the Nation's food supply amid the worsening impacts of climate change.

Since fiscal year 2018, Congress has appropriated more than $19 billion for agricultural disaster assistance. However, these funds, lacking proper authorizing language, have been distributed through four different USDA programs, with changing requirements, forms, and processes from year to year. Each time USDA has had to create a new program, administrative delays have slowed the dispersal of relief, leaving producers, their families, and their communities in limbo. Farmers deserve more reliability, which our bill would provide.

Our bill would authorize USDA's Emergency Relief Program to provide consistent, authorized guidelines for program administration of ad hoc disaster funds. Payment calculations for farmers would rely on indemnities reported to USDA or on calculation of

lost revenue. This flexibility will help support farmers producing both commodities and specialty crops. Our bill would also require producers to purchase crop insurance for 2 years after receiving a relief payment.

Congress has an opportunity to provide clarity and consistency to our Nation's farmers who have weathered disasters and delays in assistance. I thank Senator PADILLA for his partnership on this bill, and I urge the Senate to take it up and pass it as soon as possible.

By Mr. PADILLA (for himself, Mrs. FEINSTEIN, Ms. HIRONO, Mr. MARKEY, Mrs. GILLIBRAND, and Mr. BOOKER):

S. 2701. A bill to address the homelessness and housing crises, to move toward the goal of providing for a home for all Americans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. PADILLA. Madam President, I rise in support of the Housing for All Act of 2023, which I introduced today.

Our Nation's homelessness and affordable housing crises have reached a breaking point. As of January 2022, over 580,000 individuals in the United States—disproportionately people of color—experienced homelessness. The rate of homelessness has increased by 6 percent since 2017. In Los Angeles County alone, the mortality rate for people experiencing homelessness increased by 55 percent between 2019 to 2021.

The lack of adequate Federal investment in affordable housing and housing assistance programs contributes to these crises. There is currently a shortage of 7.3 million affordable and available rental homes in the United States. According to a recent National Low Income Housing Coalition report, no State or county exists where a person working 40 hours a week and earning the State or local minimum wage can afford to rent a modest two-bedroom apartment, and 86 percent of all low-income renters in the Nation are considered cost-burdened, spending more than 30 percent of their income on just housing costs alone.

The affordable housing and homelessness crises are not just a Democrat problem or an urban problem but impact every Senator's State. From our metropolitan areas to our rural heartlands, our constituents everywhere feel the real impact of housing unaffordability. And it is time for the Federal Government to step up, partner with our State and local governments alongside service providers on the ground and other stakeholders, and invest in solving these problems at a rate commensurate with the need.

I am proud to reintroduce this bill, which represents a comprehensive approach to tackling housing and homelessness. If enacted, it would invest in and align Federal resources to support people experiencing housing instability. To address the affordable housing and homelessness crises, we must invest in proven policies that support strong, sustainable, inclusive communities and ensure quality, affordable homes for all.

Specifically, this bill will address the affordable housing shortage by investing in the housing trust fund, the Section 202 Supportive Housing for the Elderly Program, Section 811 Supportive Housing for Persons with Disabilities Program, and the HOME Program. It establishes a commission to focus on racial equity in housing and homelessness.

The bill will address homelessness by investing in housing choice vouchers, project-based rental assistance, emergency solutions grants, and continuums of care. It also builds on locally-developed and -driven approaches by creating new grant programs to strengthen mobile crisis intervention teams; to support hotel and motel conversions to permanent supportive housing with services; to aid libraries in supporting persons experiencing homelessness; to provide people living in vehicles with a safe place to park overnight and facilitate a transition to stable housing; and to coordinate behavioral health care with homelessness services. And it commissions a report on the connection between evictions and emergency rental assistance during the pandemic, so we can make smarter policies moving forward.

When I have traveled around California—from Los Angeles County and the Inland Empire to the Central Valley, San Diego, and San Francisco—to better understand the needs for housing in different communities, some key elements stood out. On the production side, there is a need for more dedicated funding for affordable housing from the Federal Government. There is also missing middle-income housing for families, especially people of color. And there is not enough housing near transit. That is why my bill focuses on supporting inclusive, transit-oriented development. When I talked to researchers about keeping families housed, one main point they made is that we don't have enough data on renters and evictions, and that is why I wanted to include a section of the bill on data—so we can make evidence-based policies.

Right now, the cost to build low-income housing in California is very high in part because of land and material costs and the fragmented way funding is distributed in California. This is a common problem across the Nation, not just in California. That is why I included a section to provide technical assistance for localities navigating Federal and State housing funding sources.

Affordable housing is essential infrastructure. Every person deserves dignity, security, and a space of their own.

I want to thank Representatives TED LIEU and SALUD CARBAJAL for introducing this bill with me, and I hope our colleagues will join us in supporting this comprehensive solution to our nationwide affordable housing and homelessness crises.

By Mr. PADILLA (for himself, Mr. BOOKER, Mr. BROWN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. WARREN, Mr. WELCH, and Mr. WYDEN):

S. 2702. A bill to amend the Department of Agriculture Reorganization Act of 1994 to reauthorize the position of Farmworker Coordinator; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. PADILLA. Madam President, I rise to speak in support of the Voice for Farm Workers Act of 2023, which I introduced today.

Farmworkers feed our Nation. This is especially true in California, agricultural heart of the Nation. California is the most successful State in agricultural production and has the largest population of farmworkers. During COVID–19, a time of incredible hardship, farmworkers put food on the tables of millions of Americans despite working in extreme conditions and facing deep-rooted inequities.

Right now, just one person is statutorily dedicated to serving as a liaison between farmworkers and the U.S. Department of Agriculture—the Farmworker Coordinator. While the 2008 farm bill created this position, Congress has never provided the proper resources to support or staff this position. The 2023 U.S. Department of Agriculture Equity Commission Interim Report even included a strong recommendation for the USDA to fund and elevate roles for professional staff solely dedicated to farmworkers' concerns and perspectives.

It is time that we support the USDA staff who are dedicated to integrating the valuable perspectives of farmworkers into the decisions that directly affect the lives and livelihoods of these workers.

That is why I am proud to introduce this bill, which would expand the current role of USDA Farmworker Coordinator to allow for the Coordinator to create recommendations for new initiatives and programs, collaborate within the Department on programmatic and policy decisions that related to farm and food system workers, and allow for the employment of additional staff to support the Coordinator in their duties.

This bill would include additional entities for the Farmworker Coordinator to consult with, including institutions of higher education, local education agencies, and community-based nonprofit organizations, to increase outreach efforts and ensure that more farmworkers in more communities can be heard.

As we work towards passing this year's farm bill, I urge my colleagues to consider the farmworkers who keep our families and communities fed and healthy.

By Mr. PADILLA (for himself, Mr. BROWN, Mrs. FEINSTEIN,

Mrs. GILLIBRAND, Ms. WARREN, Mr. WELCH, and Mr. WYDEN):

S. 2703. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish the Office of the Farm and Food System Workforce; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. PADILLA. Madam President, I rise to speak in support of the Supporting Our Farm and Food System Workforce Act of 2023, which I introduced today.

Farm and food system workers feed our Nation. We know this well in California—the agricultural heart of the Nation—where we have one of the largest populations of farmworkers and food system workers in the United States. Throughout pandemic, these workers put food on our tables and kept our grocery store shelves stocked—despite facing deep-rooted inequities in the workforce and often experiencing food insecurity themselves.

Right now, just one person in the entire Federal Government is statutorily dedicated to serving as a liaison between farmworkers and the U.S. Department of Agriculture—the Farmworker Coordinator. While the 2008 farm bill created this position, Congress has never provided the proper resources to support or staff this position. The 2023 U.S. Department of Agriculture Equity Commission Interim Report even included a strong recommendation for USDA to fund and elevate roles for professional staff solely dedicated to farmworkers' concerns and perspectives.

It is time that we give those who provide the food for our Nation a voice in the national conversation. We must give farm and food system workers a dedicated office within the USDA to integrate their invaluable perspectives into the decisions that directly affect their lives and livelihoods.

That is why I am proud to introduce this bill, which will create the USDA Office of the Farm and Food System Workforce to not only serve as a liaison for farm and food system workers but also to provide a platform for their concerns and interests to assist in the creation of recommendations and new initiatives for the Department.

The bill would also create a Farm and Food System Worker Advisory Committee, composed of a diverse cross-section of members representing these workers' varied interests and perspectives, such as workers themselves, labor unions, higher education professionals, civil rights advocates, women worker focused groups, and trusted community-based nonprofits.

The legislation would also establish a Farm and Food System Workforce Interagency Council comprised of representatives from various Federal Agencies to improve coordination, planning, program development, and policymaking across Cabinet-level leadership. The Office will also appoint staff to various USDA entities to serve as liaisons on matters related to farm and food system workers within the Department.

Finally, the bill would require annual, publicly available reports in multiple languages about the Office's work in the past year, including recommendations to improve the work and livelihood of farm and food system workers, climate change impacts on the food system, and the barriers workers face in accessing Federal programs.

During this year's Farm Bill, I urge my colleagues to remember the workers behind the American food system, the workers who keep our families and communities fed and healthy. These workers deserve a seat at the table.

By Mr. PADILLA (for himself and Mr. TILLIS):

S. 2704. A bill to amend the Food Security Act of 1985 to establish an exception to certain payment limitations in the case of person or legal entity that derives income from agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. PADILLA. Madam President, I rise to introduce the Fair Access to Agriculture Disaster Programs Act of 2023. This legislation would allow specialty crop producers to access critical disaster relief programs at the U.S. Department of Agriculture.

Increasingly frequent and catastrophic floods, fires, freezes, and other disasters are threatening the long-term sustainability of agriculture across the country.

The impact has been particularly acute for California's agricultural communities, who face year-round threats from drought, heat, floods, and fires.

To ensure producers can get back on their feet following natural disasters, the farm bill authorizes a number of safety net programs. But these programs simply don't work for specialty crop producers, who, despite facing the same challenges posed by extreme weather as other growers, are excluded from meaningful participation in USDA disaster programs based on the application of outdated adjusted gross income, AGI, limitations.

As a result, producers from California to Florida are excluded from accessing critical disaster programs.

The Fair Access to Agriculture Disaster Programs Act would codify flexibility used in the Coronavirus Food Assistance Program to waive the AGI limitation for producers that derive 75 percent of their income from farming, ranching, or related farming practices.

What are referred to as specialty crops are just that—special. Specialty crops, which include fruits and vegetables, tree nuts, dried fruits, horticulture, and nursery crops, are cultivated for food, medicine, and aesthetic purposes, requiring overall higher inputs and specialized processes for planting, growing, and harvesting.

Did you know that it costs more than $30,000 to produce an acre of strawberries? The cost of production for specialty crops is typically thousands of dollars per acre.

As a result, both large and small producers of specialty crops end up exceeding the AGI limitations put in place to means-test critical disaster assistance.

That is why we need to pass the Fair Access to Agriculture Disaster Programs Act to ensure farmers and ranchers can access agricultural safety net programs in the wake of increasingly more frequent and catastrophic disasters.

I would like to thank Senator Tillis for joining me to introduce this bill, as well as Congressman Panetta for championing this bill in the House.

I look forward to working with my colleagues to pass the Fair Access to Agriculture Disaster Programs Act as quickly as possible.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. RICKETTS, and Mr. HICKENLOOPER):

S. 2705. A bill to grant States the authority to request additional nonimmigrant visas for foreign workers in their respective States, and for other purposes; to the Committee on the Judiciary.

Mr. THUNE. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2705

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

SECTION 1. SHORT TITLES.

This Act may be cited as the ''State Executive Authority for Seasonal Occupations Needing Additional Labor Act'' or the ''SEASONAL Act''.

SEC. 2. STATE EXEMPTION AUTHORITY FOR SEASONAL OCCUPATIONS NEEDING ADDITIONAL LABOR.

Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended by adding at the end the following:

''(12)(A) Notwithstanding the numerical limitation set forth in paragraph (1)(B), the Governor of any State may submit a petition to the Secretary of Homeland Security and the Secretary of Labor for the issuance of a specified number of supplemental H–2B nonimmigrant visas in a fiscal year for employers based in such State, employers based in such State that have employees who work within a specified Standard Occupational Classification Group (as defined by the Department of Labor), or employers in a specific Economic Development District designated by the Economic Development Administration of the Department of Commerce that encompasses any portion of such State if—

''(i) the number of applications for such visas received from all employers exceeds such numerical limitation for such fiscal year;

''(ii) the State had a seasonally adjusted unemployment rate of not more than 3.5 percent in at least 9 of the 12 most recent monthly reports issued by the Bureau of Labor Statistics;

''(iii) such Governor certifies that—

''(I) there is a persistent, unmet need for labor within the State, the specified Standard Occupational Classification Group in the

State, or the specific Economic Development District in the State; and

''(II) the allocation of additional H–2B nonimmigrant visas pursuant to this paragraph—

''(aa) will not displace domestic workers; and

''(bb) will not negatively affect average wages in such State; and

''(iv) employers who hire H–2B nonimmigrant workers pursuant to this paragraph comply with any additional requirements imposed by the Secretary of Labor, by regulation.

''(B) The Secretary of Homeland Security, acting through the Director of U.S. Citizenship and Immigration Services, shall issue the supplemental H–2B nonimmigrant visas requested by the Governor of a State pursuant to subparagraph (A) to the extent that the applications for such visas submitted by employers based in such State meet all applicable requirements of the H–2B nonimmigrant visa program.

''(C) If the number of employer applications from a State exceed the number of H–2B nonimmigrant visas requested pursuant to subparagraph (A), the Office of Foreign Labor Certification shall randomly assign for processing all of the remaining H–2B nonimmigrant visa applications and issue supplemental visas to all qualified applicants until the number of supplemental visas allocated to such State pursuant to subparagraph (B) have been issued.

''(D) This paragraph shall cease to have force or effect on the date that is 4 years after the date of the enactment of the SEASONAL Act.

''(E) Nothing in this paragraph may be construed to prohibit the legislature of any State from setting limits with respect to supplemental H–2B nonimmigrant visas that the Governor of such State may request, including—

''(i) limiting the number of such visas that may be requested in a fiscal year; and

''(ii) limiting the allocation of such visas to H–2B nonimmigrant workers who are employed—

''(I) within such State;

''(II) within specified Standard Occupational Classification Groups; or

''(III) within specified Economic Development Districts.''.

SEC. 3. ANNUAL REPORT.

Not later than 15 months after the date of the enactment of this Act, and annually thereafter until the date that is 4 years after such date of enactment, the Secretary of Homeland Security and the Secretary of Labor shall submit a joint report to Congress that includes, with respect to the preceding year—

(1) the number of supplemental H–2B nonimmigrant visas issued pursuant to section 214(g)(12) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(12)), disaggregated by the State in which the recipients of such visas are working;

(2) a breakdown of Standard Occupational Classification Groups or Economic Development Districts for which supplemental H–2B nonimmigrant visas were issued, disaggregated by the State in which the recipients of such visas are working;

(3) an analysis of any effect caused by the issuance of supplemental H–2B nonimmigrant visas that led to the displacement of domestic workers or a reduction in the average wages, disaggregated by State; and

(4) an assessment of whether the issuance of supplemental H–2B nonimmigrant visas led to increased economic opportunities and productivity in the States in which the recipients of such visas are working.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 319—DECLARING RACISM A PUBLIC HEALTH CRISIS

Mr. BROWN (for himself, Mr. BOOKER, Mr. PADILLA, Ms. WARREN, Mr. MERKLEY, Mr. MARKEY, Ms. SMITH, Mr. WHITEHOUSE, Mr. CARPER, Mr. CARDIN, Ms. HIRONO, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. BALDWIN, Mr. WYDEN, Mr. REED, Ms. STABENOW, and Ms. DUCKWORTH) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 319

Whereas a public health crisis is an issue—

(1) that affects many people, is a threat to the public, and is ongoing;

(2) that is unfairly distributed among different populations and disproportionately impacts health outcomes, access to health care, and life expectancy;

(3) the effects of which could be reduced by preventive measures; and

(4) for which those preventive measures are not yet in place;

Whereas public health experts agree that significant racial inequities exist in the prevalence, severity, and mortality rates of various health conditions in the United States;

Whereas examples of those inequities include—

(1) life expectancies for Black and Native American people in the United States are significantly lower than those of White people in the United States;

(2) Black and Native American women are 2 to 4 times more likely than White women to suffer severe maternal morbidity or die of pregnancy-related complications;

(3) Black and Native American infants are 2 to 3 times more likely to die than White infants;

(4) the Black infant mortality rate in the United States is higher than the infant mortality rates recorded in 27 of the 36 democratic countries with market-based economies that are members of the Organization for Economic Co-operation and Development;

(5) Hispanic women are 40 percent more likely to be diagnosed with and 30 percent more likely to die from cervical cancer compared to non-Hispanic White women;

(6) Asian Americans face health disparities in cancer and chronic diseases, and are the only population in the United States for which cancer is the leading cause of death;

(7) Native Hawaiians and Pacific Islanders suffer from a number of poor health outcomes such as high rates of overweight status, obesity, hypertension, and asthma and cancer mortality;

(8) Native Hawaiians suffer from coronary heart disease, stroke, heart failure, cancer, and diabetes at a rate 3 times greater than in other ethnic populations in Hawaii and become afflicted with those diseases a decade earlier in their lives compared with other ethnic populations; and

(9) during the COVID–19 pandemic, Black, Hispanic or Latino, Asian American, Native Hawaiian or Pacific Islander, and Native American communities experienced disproportionately high rates of COVID–19 infection, hospitalization, and mortality compared to the White population of the United States;

Whereas inequities in health outcomes are exacerbated for people of color who are LGBTQIA+;

Whereas inequities in health outcomes are exacerbated for people of color who have disabilities;

Whereas, historically, explanations for health inequities have focused on false genetic science such as eugenics;

Whereas, historically, explanations for health inequities have focused on incomplete social scientific analyses that narrowly focus on individual behavior to highlight ostensible deficiencies within racial and ethnic minority groups;

Whereas modern public health officials recognize the broader social context in which health inequities emerge and acknowledge the impact of historical and contemporary racism on health;

Whereas racism is recognized in modern public health discourse as one of many social determinants of health, which—

(1) are a broad range of nonmedical factors that can enhance or hinder quality of life and influence health outcomes;

(2) are the conditions in which people are born, grow, work, live, and age, and include the wider set of forces and systems shaping the conditions of daily life;

(3) include such factors as housing, employment, education, health care, food, transportation, social support, poverty, crime, violence, segregation, and environmental toxins;

(4) are linked to a lack of opportunity and resources to protect, improve, and maintain health; and

(5) taken together, create health inequities that stem from unfair and unjust systems, policies, and practices, and limit access to the opportunities and resources needed to live the healthiest life possible;

Whereas, since its founding, the United States has had a longstanding history and legacy of racism, mistreatment, and discrimination that has perpetuated health inequities for members of racial and ethnic minority groups;

Whereas that history and legacy of racism, mistreatment, and discrimination includes—

(1) the immoral paradox of freedom and slavery, which is an atrocity that can be traced throughout the history of the United States, as African Americans lived under the oppressive institution of slavery from 1619 through 1865, endured the practices and laws of segregation during the Jim Crow era, and continue to face the ramifications of systemic racism through unjust and discriminatory structures and policies;

(2) the failure of the United States to carry out the responsibilities and promises made in more than 350 treaties ratified with sovereign indigenous communities, including American Indians, Alaska Natives, and Native Hawaiians or Pacific Islanders, as made evident by the chronic and pervasive underfunding of the Indian Health Service and Tribal, Urban Indian, and Native Hawaiian health care, the vast health and socioeconomic inequities faced by Native American people, and the inaccessibility of many Federal public health and social programs in Native American communities;

(3) the enactment of immigration laws in the United States that scapegoated Asians, separated families, and branded Asians as perpetual outsiders, such as—

(A) the enactment of the Act entitled ''An Act supplementary to the Acts in relation to immigration'', approved March 3, 1875 (commonly known as the ''Page Act of 1875'') (18 Stat. 477, chapter 141), which effectively prohibited the entry of East Asian women into the United States;

(B) the Act entitled ''An Act to execute certain treaty stipulations relating to Chinese'', approved May 6, 1882 (commonly known as the ''Chinese Exclusion Act''; 22 Stat. 58, chapter 126), which banned thousands of Chinese-born laborers, who were

essential in the completion of the transcontinental railroad and development of the West Coast of the United States; and

(C) the Act entitled ''An Act to regulate the immigration of aliens to, and the residence of aliens in, the United States'', approved February 5, 1917 (commonly known as the ''Immigration Act of 1917'') (39 Stat. 874, chapter 29), which barred all immigrants from the ''Asiatic zone'' and prevented the migration of individuals from South Asia, Southeast Asia, and East Asia; and

(4) during the Great Depression Era, the deportation of approximately 1,800,000 individuals based on their Mexican ethnic identity, although approximately 60 percent of the deported individuals were citizens of the United States, and the targeting of individuals of Mexican descent for ''repatriation'' due to scapegoating efforts, which blamed those individuals for ''stealing'' jobs from ''real'' Americans;

Whereas, in 1967, President Lyndon B. Johnson established the National Advisory Commission on Civil Disorders, which concluded that White racism is responsible for the pervasive discrimination and segregation in employment, education, and housing, causing deepened racial division and the continued exclusion of Black communities from the benefits of economic progress;

Whereas overt racism was embedded in the development of medical science and medical training during the 18th, 19th, and 20th centuries, causing disproportionate physical and psychological harm to members of racial and ethnic minority groups, including—

(1) the unethical practices and abuses experienced by Black patients and research participants, such as the Tuskegee Study of Untreated Syphilis in the Negro Male, which serve as the foundation for the mistrust the Black community has for the medical system; and

(2) the egregiously unethical and cruel treatment of enslaved Black women who were forced to be the subject of insidious medical experiments to advance modern gynecology, including those perpetuated by the so-called ''father of gynecology'', J. Marion Sims;

Whereas structural racism cemented historical racial and ethnic inequities in access to resources and opportunities, contributing to worse health outcomes;

Whereas examples of that structural racism include—

(1) before the enactment of the Medicare program, the United States health care system was highly segregated, and, as late as the mid-1960s, hospitals, clinics, and doctors' offices throughout the northern and southern United States complied with Jim Crow laws and were completely segregated by race, leaving Black communities with little to no access to health care services;

(2) the landmark case Simkins v. Moses H. Cone Memorial Hospital, 323 F.2d 959 (4th Cir. 1963), which challenged the use of public funds by the Federal Government to expand, support, and sustain segregated hospital care and provided justification for title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the Medicare hospital certification program by establishing Medicare hospital racial integration guidelines that applied to every hospital that participated in the Federal program;

(3) Pacific Islanders from the Freely Associated States experience unique health inequities resulting from United States nuclear weapons tests on their home islands while they have been categorically denied access to Medicaid and other Federal health benefits;

(4) language minorities, including Chinese-, Korean-, Vietnamese-, and Spanish-speaking Americans, were not assured nondiscriminatory access to federally funded services, including health services, until the signing of Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to improving access to services for persons with limited English proficiency) in 2000;

(5) the COVID–19 pandemic exacerbated economic, health, housing, and food security barriers for Black, Hispanic or Latino, Asian American, Native Hawaiian or Pacific Islander, and Native American households, which already suffer from disproportionately higher rates of food insecurity; and

(6) members of the Black, Native American, Alaska Native, Asian American, Native Hawaiian or Pacific Islander, and Hispanic or Latino communities are disproportionately impacted by the criminal justice and immigration enforcement systems and face a higher risk of contracting COVID–19 within prison populations and detention centers due to the over-incarceration of members of those communities;

Whereas subtle or implicit racism in all sectors of the medical service profession continues to cause disproportionate physical and psychological harm to members of racial and ethnic minority groups;

Whereas examples of subtle or implicit racism in the medical service profession include—

(1) the history and persistence of racist and nonscientific medical beliefs, which are associated with ongoing racial inequities in treatment and health outcomes;

(2) implicit racial and ethnic biases within the health care system, which have an explicit impact on the quality of care experienced by members of racial and ethnic minority groups, such as the undertreatment of pain in Black patients;

(3) nearly ⅕ of Hispanic or Latino Americans avoid medical care due to concern about being discriminated against or treated poorly;

(4) the United States health care system and other economic and social structures remain fraught with biases based on race, ethnicity, sex (including sexual orientation and gender identity), and class that lead to health inequities;

(5) women of color, including Black, Native American, Hispanic or Latina, Asian American, and Native Hawaiian or Pacific Islander women, have faced and continue to face attacks on their prenatal, maternal, and reproductive health and rights; and

(6) physicians routinely, through the early 1980s, sterilized members of racial and ethnic minority groups, specifically American Indian and Alaska Native women (with ¼ of childbearing-age women sterilized by the Indian Health Service) and African American and Latina women, performing excessive and medically unnecessary procedures without their informed consent;

Whereas structural racism perpetuates racial and ethnic inequities in the social determinants of health, which produces unintended negative health outcomes for members of racial and ethnic minority groups;

Whereas examples of that structural racism include—

(1) there are fewer pharmacies, medical practices, and hospitals in predominantly Black and Hispanic or Latino neighborhoods, compared to White or more diverse neighborhoods;

(2) environmental hazards such as toxic waste facilities, garbage dumps, and other sources of airborne pollutants, are disproportionately located in predominantly Black, Hispanic or Latino, Asian American, Native Hawaiian or Pacific Islander, and low-income communities, resulting in poor air quality conditions, which can increase the likelihood of chronic respiratory illness and premature death from particle pollution;

(3) employed Black adults are 10 percent less likely to have employer-sponsored health insurance than employed White adults because of racial segregation in occupation sectors and the types of organizations in which they work, nearly ¼ of American Indians and Alaska Natives lack health insurance, and nonelderly Native Hawaiian or Pacific Islander adults and certain groups of nonelderly Asian American adults, including Korean, Vietnamese, and Cambodian adults, also have lower levels of insurance than White adults;

(4) several States with higher percentages of Black, Hispanic or Latino, and Native American populations have not expanded their Medicaid programs, continuing to disenfranchise minority communities from access to health care as of the date of adoption of this resolution;

(5) discriminatory housing practices, such as redlining, which have, for decades, systemically excluded members of racial and ethnic minority groups from housing by robbing them of capital in the form of low-cost, stable mortgages and opportunities to build wealth, and the use by the Federal Government of its financial power to segregate renters in public housing;

(6) social inequities such as differing access to quality health care, healthy food and safe drinking water, safe neighborhoods, education, job security, and reliable transportation, which affect health risks and outcomes;

(7) exclusionary disciplinary practices (such as detention and suspension) in primary education and even early education settings, which disproportionately affect children from racial and ethnic minority backgrounds, particularly Black children; and

(8) that, as much as 60 percent of the health of a person in the United States can be determined by their zip code;

Whereas structural racism perpetuates ongoing knowledge gaps in data, research, and development, which produces unintended negative health outcomes for members of racial and ethnic minority groups;

Whereas examples of that structural racism include—

(1) most participants in clinical trials are White, so there is insufficient data to develop evidence-based recommendations for people from racial and ethnic minority groups;

(2) medical research equipment and medical devices are typically developed by majority-White teams and thus can have racial blind spots unintentionally built into their design, rendering them less effective for people from racial and ethnic minority groups, such as—

(A) electroencephalogram (EEG) electrodes used in neuroimaging research do not collect reliable data when used on scalps with thick, curly hair; and

(B) pulse oximeters produce less accurate oxygen saturation readings when used on fingertips with darker skin;

(3) a lack of images depicting darker skin in medical textbooks, literature, and journals contributes to higher rates of underdiagnosis or misdiagnosis in patients with darker skin; and

(4) many health-related studies fail to include data on Native Americans, Asian Americans, and Native Hawaiians or Pacific Islanders, or do not disaggregate data among those groups, leading to their invisibility in health data and unjust resource allocation and policies;

Whereas racism produces unjust outcomes and treatment for members of racial and ethnic minority groups, with such negative experiences serving as stressors that over time have a negative impact on physical health (leading, for example, to high blood pressure or hypertension) and mental health (leading, for example, to anxiety or depression);

Whereas there is evidence that racial and ethnic minority groups continue to face discrimination in the United States, examples of which include that—

(1) social scientists have documented racial microaggressions in contemporary United States society, including—

(A) assumptions that members of racial and ethnic minority groups are not true Americans;

(B) assumptions of lesser intelligence;

(C) statements that convey color-blindness or denial of the importance of race;

(D) assumptions of criminality or dangerousness;

(E) denial of individual racism;

(F) promotion of the myth of meritocracy;

(G) assumptions that the cultural background and communication styles of an individual are pathological;

(H) treatment as a second-class citizen; and

(I) environmental messages of being unwelcome or devalued;

(2) compared to White Americans, Black Americans are 5 times more likely to report experiencing discrimination when interacting with the police, Hispanic or Latino Americans and Native Americans are nearly 3 times as likely, and Asian Americans and Native Hawaiians or Pacific Islanders are nearly twice as likely;

(3) 42 percent of employees in the United States have experienced or witnessed racism in the workplace;

(4) Muslims, South Asians, and Sikhs were unjustly targeted for profiling, surveillance, arrest, discrimination, harassment, assault, and murder after 9/11;

(5) xenophobic rhetoric, including anti-immigrant rhetoric and the scapegoating of people of East Asian and Southeast Asian descent for the COVID–19 pandemic, resulted in a surge of hate against Asian Americans and Native Hawaiians or Pacific Islanders, including increased harassment, discrimination, bullying, vandalism, and assault;

(6) nearly ½ of Asian Americans and Native Hawaiians or Pacific Islanders throughout the United States have experienced discrimination or unfair treatment that may be illegal and the majority of victims of discrimination name race or related characteristics as the reason for the discrimination; and

(7) more than 50 percent of Hispanic or Latino adults experience at least one form of discrimination due to their racial or ethnic heritage, such as being treated as if they were not smart, criticized for speaking Spanish, told to return to their country, called offensive names, or unfairly stopped by the police;

Whereas Black people in the United States experience overt and direct forms of violence that, when not fatal, can cause severe physical or psychological harm;

Whereas examples of such forms of violence include—

(1) that Black people are confronted and threatened by armed citizens while performing everyday tasks, such as jogging in neighborhoods, driving, or playing in a park;

(2) that Black people are 3 times more likely to be killed by police than White people, and police violence is the sixth leading cause of death for young Black men;

(3) the killings of Tamir Rice, Ahmaud Arbery, Breonna Taylor, George Floyd, Elijah McClain, Jayland Walker, Jeenan Anderson, Timothy McCree Johnson, Jordan Neely, and countless other Black Americans by law enforcement;

(4) that it took the United States 66 years after the senseless and brutal murder of 14-year-old Emmett Till to make lynching a Federal crime;

(5) that, since 2015, mass shootings around the country, such as in Buffalo, New York, and Charleston, South Carolina, serve as reminders of the unresolved history of racism in the United States and highlight the threats Black people must take into consideration when going about their daily lives, both when outside their communities and within those communities; and

(6) that the real threat of brutality and violence adversely impacts mental health among Black communities;

Whereas American Indians and Alaska Natives experience historical trauma, systemic oppression, and cultural genocide that, even when not fatal, can cause severe physical or psychological harm;

Whereas examples of such forms of violence include—

(1) forced relocation, termination, and assimilation policies such as boarding schools that contributed to health disparities and legacies of trauma inflicted on indigenous people;

(2) the United States Army attempting cultural genocide by instigating numerous massacres, including the mass execution of 38 Dakota men in Minnesota and the murder of 300 Lakota people at the Battle of Wounded Knee, to eradicate American Indians and Alaska Natives;

(3) murder being the third leading cause of death for Native women and ⅘ of Indigenous women experiencing violence in their lifetime;

(4) since 2016, there have been 5,712 cases of missing and murdered indigenous women and people across the United States, including 506 cases in 71 urban cities and 153 cases missing from law enforcement databases, with those missing cases likely undercounting the actual number of cases due to the underreporting of cases within American Indian and Alaska Native communities;

(5) the overall death rate from suicide among American Indians and Alaska Natives is 20 percent higher compared to non-Hispanic White populations; and

(6) cycles of violence have overburdened indigenous communities to respond to levels of violence such as gender-based violence, human trafficking, suicide, and homicide with minimal resources;

Whereas Hispanics or Latinos, Asian Americans, and Native Hawaiians or Pacific Islanders experience racially motivated kidnapping, murders, and mass violence, such as shootings in Oak Creek, Wisconsin, El Paso and Allen, Texas, Atlanta, Georgia, and Indianapolis, Indiana, that, even when not fatal, can cause severe physical or psychological harm;

Whereas, throughout the history of the United States, members of racial and ethnic minority groups have been at the forefront of civil rights movements for essential freedoms, human rights, and equal protection for marginalized groups and continue to fight for racial and economic justice today;

Whereas racial inequities in health continue to persist because of historical and contemporary racism;

Whereas public health experts agree that racism meets the criteria of a public health crisis because—

(1) the condition affects many people, is seen as a threat to the public, and is continuing to increase;

(2) the condition is distributed unfairly;

(3) preventive measures could reduce the effects of the condition; and

(4) those preventive measures are not yet in place;

Whereas the Centers for Disease Control and Prevention—

(1) declared racism a serious threat to public health; and

(2) acknowledged the need for additional research and investments to address that serious threat;

Whereas a Federal public health crisis declaration proclaims racism as a pervasive health issue and alerts the people of the United States to the need to enact immediate and effective cross-governmental efforts to address the root causes of structural racism and the downstream impacts of that racism; and

Whereas such a declaration requires the response of governments to engage significant resources to empower the communities that are impacted: Now, therefore, be it

Resolved, That the Senate—

(1) supports the resolutions drafted, introduced, and adopted by cities and localities across the United States declaring racism a public health crisis;

(2) declares racism a public health crisis in the United States;

(3) commits to—

(A) establishing a nationwide strategy to address health disparities and inequities across all sectors in society;

(B) dismantling systemic practices and policies that perpetuate racism;

(C) advancing reforms to address years of neglectful and apathetic policies that have led to poor health outcomes for members of racial and ethnic minority groups; and

(D) promoting efforts to address the social determinants of health for all racial and ethnic minority groups in the United States, and especially for Black and Native American communities; and

(4) places a charge on the people of the United States to move forward with urgency to ensure that the United States stands firmly in honoring its moral purpose of advancing the self-evident truths that all people are created equal, that they are endowed with certain unalienable rights, and that among these are life, liberty, and the pursuit of happiness.

SENATE RESOLUTION 320—CALLING FOR THE IMMEDIATE RELEASE OF EYVIN HERNANDEZ, A UNITED STATES CITIZEN AND LOS ANGELES COUNTY PUBLIC DEFENDER, WHO WAS WRONGFULLY DETAINED BY THE VENEZUELAN REGIME IN MARCH 2022

Mr. PADILLA (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 320

Whereas, since 2006, Eyvin Hernandez has been a public defender for Los Angeles County, dedicating his career to representing the most vulnerable people in the county;

Whereas Eyvin Hernandez is a man of impeccable character and a beloved member of his community, admired by many who know him for his deep devotion to justice, respect for humanity, willingness to help others, patience, kindness, and intellect;

Whereas Eyvin Hernandez has volunteered his time to advocate for children in the juvenile justice system, to mentor aspiring young lawyers through the Latina Lawyer Bar Association and the University of California, Los Angeles (UCLA) Law Fellows Program, and to participate in the Los Angeles County Public Defender's Union, Local

148, where he previously served on the board of directors;

Whereas Eyvin Hernandez is an alumnus of the UCLA School of Law and of El Camino College, UCLA, where he majored in physics and mathematics;

Whereas Eyvin Hernandez's family immigrated to the United States when he was a toddler, fleeing the civil war in El Salvador and seeking a better life;

Whereas, on March 31, 2022, Eyvin Herndandez was captured by armed, masked men in the vicinity of the Colombia-Venezuela border, and, once his United States citizenship was discovered, was transferred to Venezuela and detained;

Whereas the Venezuelan regime charged Eyvin Hernandez with criminal association and conspiracy, which could lead to 16 years of imprisonment;

Whereas there has been no serious effort to provide legitimate evidence to corroborate those allegations nor to hold trial proceedings to adjudicate his case, highlighting the fabricated grounds for Eyvin Hernandez's detention;

Whereas Eyvin Hernandez was not included in the October 2022 prisoner exchange that allowed 7 Americans imprisoned in Venezuela to return home to the United States;

Whereas, on October 21, 2022, the Department of State designated Eyvin Hernandez as wrongfully detained;

Whereas, in June 2023, the Special Presidential Envoy for Hostage Affairs attempted to secure Eyvin Hernandez's release during a visit to Caracas;

Whereas, even in prison, Eyvin Hernandez has served as an advocate for his fellow detained Americans, translating their needs to the guards in Spanish and helping them articulate their cases to officials of the Department of State;

Whereas the Los Angeles County community, including Eyvin Hernandez's former mentees, colleagues, classmates, friends, and family, have created a coalition to advocate for his release, highlight the arbitrary and unjust nature of his detention, and continue fighting to bring him home; and

Whereas Eyvin Hernandez is a valued citizen of the city of Los Angeles, the State of California, and the United States: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Venezuelan regime to immediately release Eyvin Hernandez from unjust imprisonment;

(2) urges all officials of the executive branch of the United States, including President Joseph R. Biden, Secretary of State Antony Blinken, National Security Advisor Jake Sullivan, and Special Presidential Envoy for Hostage Affairs Roger Carstens, to use all the tools at the disposal of the executive branch to secure the immediate release of Eyvin Hernandez;

(3) condemns the Venezuelan regime's continued use of detentions of citizens and lawful permanent residents of the United States for political purposes;

(4) expresses continued support for all citizens and lawful permanent residents of the United States wrongfully detained in Venezuela, along with all other citizens and lawful permanent residents of the United States wrongfully detained abroad; and

(5) expresses solidarity with and sympathy for Eyvin Hernandez, his friends and family, and those advocating for his immediate release, for the personal hardship experienced as a result of the arbitrary and baseless detention of their loved one.

SENATE RESOLUTION 321—EXPRESSING THE SENSE OF THE SENATE RELATING TO NUCLEAR POWER AND THE COMMITMENT OF THE SENATE TO EMBRACING AND PROMOTING NUCLEAR POWER AS A CLEAN BASELOAD ENERGY SOURCE NECESSARY TO ACHIEVE A RELIABLE, SECURE, AND DIVERSIFIED ELECTRIC GRID

Mr. BUDD (for himself, Mr. COONS, Mr. MANCHIN, Mr. BROWN, Mr. CRAMER, Ms. SINEMA, Mr. RICKETTS, Mr. TILLIS, Mr. KELLY, Mr. BOOKER, Mr. WICKER, Mr. RISCH, Mr. CRAPO, Mr. WARNER, Mr. GRAHAM, and Mr. WHITEHOUSE) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 321

Resolved, That—

(1) in order to maintain geopolitical energy leadership, reduce carbon emissions, and enhance the energy security of the United States, the Senate is committed to embracing and promoting nuclear power as a clean baseload energy source necessary to achieve a reliable, secure, and diversified electric grid; and

(2) it is the sense of the Senate that—

(A) among allies and partners of the United States, nuclear energy presents an advantageous export opportunity for United States advanced manufacturing and technical expertise; and

(B) to realize the benefits of next-generation nuclear deployment—

(i) a robust domestic production base of low-enriched uranium and high-assay, low-enriched uranium needs to be established;

(ii) the domestic nuclear supply chain and the associated workforce needs to be further established, and a highly trained and capable workforce of scientists, engineers, operators, regulators, and trades workers needs to be cultivated; and

(iii) robust public-private financing mechanisms should be pursued.

SENATE RESOLUTION 322—COMMEMORATING THE LIFE, LEGACY, AND ENTERTAINMENT CAREER OF TONY BENNETT

Mr. SCHUMER (for himself, Mr. CORNYN, and Mr. REED) submitted the following resolution; which was considered and agreed to:

S. RES. 322

Whereas Tony Bennett, born Anthony Dominick Benedetto, on August 3, 1926, was an iconic singer, performer, and artist who made significant contributions to the world of music and entertainment throughout an illustrious career;

Whereas the unparalleled talent, exceptional vocal range, and soulful renditions of the timeless classics of Tony Bennett touched the hearts of millions of people around the globe, leaving an indelible mark on the cultural landscape of the United States;

Whereas the dedication to craft, tireless pursuit of excellence, and unwavering commitment to preserving the Great American Songbook earned Tony Bennett numerous accolades, including 20 Grammy Awards, a Kennedy Center honor, and the distinction of being a National Endowment for the Arts Jazz Master;

Whereas philanthropic efforts by Tony Bennett, which included support for arts education and humanitarian causes, exemplified the compassionate spirit of Tony Bennett and a commitment to making the world a better place;

Whereas Tony Bennett was a native son of Astoria, Queens, a community that was always close to his heart, where he helped to found the Frank Sinatra High School of the Arts;

Whereas the devotion of Tony Bennett to this country was evident during service in the United States Army during World War II in France and Germany;

Whereas Tony Bennett was a lifelong champion of civil rights, using music to develop a platform to speak out vociferously against racism and discrimination;

Whereas Tony Bennett marched with Harry Belafonte in the historic Selma-to-Montgomery marches, standing alongside Dr. Martin Luther King Jr. to demand equality and justice for all; and

Whereas the musical legacy of Tony Bennett not only enriched the lives of fans but also served as an inspiration to countless aspiring artists, encouraging these artists to pursue dreams and strive for greatness: Now, therefore, be it

Resolved, That the Senate—

(1) uses August 3, 2023, to commemorate the birth of this legendary artist, a day which marks not only the passing of another year, but also an opportunity to celebrate an extraordinary life and the impact Tony Bennett has had on the United States and the world;

(2) proclaims August 3, 2023, as ''Tony Bennett Day'' across the country, urging all citizens to join together in honoring this extraordinary man and the tremendous contributions to the arts and society; and

(3) calls upon educational institutions, community organizations, and the people of the United States to participate in events and activities that celebrate the music, career, and philanthropy of Tony Bennett, fostering a deeper appreciation for the arts and the role the arts play in enriching the lives of the people of the United States.

SENATE RESOLUTION 323—SUPPORTING THE GOALS AND IDEALS OF FENTANYL PREVENTION AND AWARENESS DAY ON AUGUST 21, 2023

Mr. GRASSLEY (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 323

Whereas families in the United States affected by the use of illicit fentanyl use Fentanyl Prevention and Awareness Day to—

(1) preserve the memory of the individuals lost to fentanyl overdose or poisoning who were unsuspecting victims, experimenting with the drug, or suffering from substance use disorder;

(2) acknowledge the devastation caused by the use of illicit fentanyl and other dangerous drugs; and

(3) share awareness about the dangers of the use of illicit fentanyl to prevent a public health crisis, self-harm, addiction, and death;

Whereas Fentanyl Prevention and Awareness Day is celebrated each year on August 21 by State governors and attorneys general, the Centers for Disease Control and Prevention, parent-teacher associations, the High Intensity Drug Trafficking Areas program, the Office of National Drug Control Policy, the Drug Enforcement Administration (referred to in this preamble as the ''DEA''),

and hundreds of other organizations throughout the United States;

Whereas fentanyl is a highly addictive synthetic opioid that is 100 times more potent than morphine;

Whereas, according to the DEA, illicit fentanyl is—

(1) manufactured with other illicit drugs to increase potency;

(2) sold as a powder or mixed with other illicit drugs; and

(3) pressed into counterfeit pills to look like legitimate pharmaceutical drugs;

Whereas the fentanyl crisis in the United States is a serious public safety threat;

Whereas the illicit fentanyl poisoning rate in 2022 was the highest in the history of the United States, and fentanyl poisoning was the number one cause of death among citizens of the United States aged 18 to 45;

Whereas synthetic opioids, primarily fentanyl and the analogues of fentanyl, are devastating communities and families at an unprecedented rate, claiming ⅔ of the more than 107,000 lives lost to drug overdoses in 2021;

Whereas drug-related deaths throughout the United States reached a new record in 2022, with at least 109,680 deaths;

Whereas individuals increasingly use pills or other drugs without knowing those substances contain fentanyl;

Whereas, in 2021, the DEA issued the first public safety alert by the agency in more than 6 years to raise awareness of a significant nationwide surge in counterfeit pills;

Whereas the rate of fentanyl-related mass poisonings (events including 3 or more poisonings close in time at the same location) was rising as of 2022, according to the DEA;

Whereas families in the United States affected by the use of illicit fentanyl have gained momentum in educating the public about the dangers of the use of illicit fentanyl and other drugs and actively engage with Federal agencies to promote such education and awareness;

Whereas families in the United States affected by the use of illicit fentanyl seek to raise awareness of that issue and prevent fentanyl-related deaths, and those families join together in the effort to save lives on Fentanyl Prevention and Awareness Day; and

Whereas parents, young people, schools, businesses, law enforcement agencies, religious institutions and faith-based organizations, service organizations, senior citizens, medical and military personnel, sports teams, and individuals throughout the United States will demonstrate a commitment to healthy, productive, and drug-free lifestyles on Fentanyl Prevention and Awareness Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Fentanyl Prevention and Awareness Day;

(2) encourages the people of the United States to promote prevention of the use of fentanyl and to educate young people on Fentanyl Prevention and Awareness Day, symbolizing a commitment to healthy, drug-free lifestyles;

(3) encourages children, teenagers, and other individuals to choose to live drug-free lives; and

(4) encourages the people of the United States to—

(A) promote drug prevention and the creation of drug-free communities; and

(B) participate in drug prevention activities to show support for healthy, productive, and drug-free lifestyles.

SENATE RESOLUTION 324—DESIGNATING THE WEEK OF AUGUST 6 THROUGH AUGUST 12, 2023, AS ''NATIONAL FARMERS MARKET WEEK''

Mr. PADILLA (for himself and Ms. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 324

Whereas farmers markets accounted for $1,700,000,000 in income for farmers of the United States in 2020, demonstrating the crucial role of farmers markets in local economies;

Whereas, according to the Marketing Service of the Department of Agriculture, the number of farmers markets in the United States rose from 1,755 in 1994 to 8,771 in 2019, an average growth of nearly 7 percent per year;

Whereas farmers markets serve as significant educational sites and as bridges between urban and rural communities, contributing to a better public understanding of farming and ranching;

Whereas the adoption of more sustainable farming practices is closely associated with farmer-to-consumer interactions facilitated by farmers markets;

Whereas farmers markets and direct marketing farmers help improve the health and wellness of low-income people in the United States who receive Federal nutrition benefits; and

Whereas National Farmers Market Week is a time to recognize the unique and indispensable role farmers markets play in supporting food access, bolstering local economies, promoting healthy communities, and fostering sustainable farming: Now, therefore be it

Resolved, That the Senate—

(1) designates the week of August 6 through August 12, 2023, as ''National Farmers Market Week''; and

(2) recognizes the vital role that farmers markets play in bringing communities together and in supporting the livelihoods of millions of people in the United States, from farmers and food producers to consumers.

SENATE RESOLUTION 325—RECOGNIZING THE IMPORTANCE OF TRADEMARKS IN THE ECONOMY AND THE ROLE OF TRADEMARKS IN PROTECTING CONSUMER SAFETY, BY DESIGNATING THE MONTH OF AUGUST AS ''NATIONAL ANTI-COUNTERFEITING AND CONSUMER EDUCATION AND AWARENESS MONTH''

Mr. COONS (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 325

Whereas public awareness is crucial to safeguard consumers and businesses from unsafe and unreliable products that, through illicit activity, threaten intellectual property rights, the economic market, and even the health and well-being of consumers;

Whereas Federal statutes such as the Act of July 5, 1946 (commonly referred to as the ''Trademark Act of 1946'' or the ''Lanham Act'') (60 Stat. 427, chapter 540; 15 U.S.C. 1051 et seq.) (referred to in this preamble as the ''Lanham Act'') and the Trademark Counterfeiting Act of 1984 (Public Law 98–473; 98 Stat. 2178) regulate the unlawful act of producing and selling counterfeit products;

Whereas the Lanham Act provided the foundation for modern Federal trademark protection, creating legal rights and remedies for brand owners suffering from trademark infringement, helping consumers make informed choices by reducing the amount of confusingly similar products, and making the marketplace more fair, competitive, and safe for all;

Whereas, according to the World Intellectual Property Organization, there was an estimated 73,700,000 active trademark registrations around the world in 2021, a 14.3 percent increase from the previous year;

Whereas counterfeit products undermine laws, including the Lanham Act, that ensure the safety of consumers, businesses, and brand owners against illegitimate products in the marketplace, from which criminal groups and bad actors are benefitting at the expense of the public and private sector;

Whereas counterfeiters use different online platforms to attract consumers to buy illegitimate goods, usually enticing consumers through cheaper prices;

Whereas the growth of both global commerce and electronic commerce has expedited the evolving problem because it has given third-party actors an enhanced opportunity to reach consumers that they may have not previously been able to reach;

Whereas the deceptive tactics of counterfeiters and their counterfeit products pose actual and potential harm to the health and safety of United States citizens, especially the most vulnerable consumers in society, such as senior citizens and children;

Whereas, according to the 2023 Special 301 Report issued by the Office the United States Trade Representative, counterfeit items often do not comply with regulated safety standards, and as a result, vast amounts of unsafe products are constantly circulating the market and endangering the public;

Whereas goods originating in China and Hong Kong account for more than 80 percent of all global customs seizures of dangerous counterfeit goods, including foodstuffs, pharmaceuticals, cosmetics, and other goods;

Whereas many international criminals used the COVID–19 pandemic to exploit the market with numerous counterfeits, and as a result, have defrauded United States citizens;

Whereas counterfeit medical products pose a particular threat to the safety and health of consumers in the United States because the counterfeit product does not provide the same level of protection as an authentic article;

Whereas these dangers were elevated during the COVID–19 pandemic by significant trafficking in counterfeit personal protective equipment, medical devices, and COVID–19 treatments;

Whereas, according to the World Trademark review, as of March 25, 2021, there were 2,054 COVID–19 related seizures, including counterfeit masks and medicines totaling in excess of $47,200,000, with 265 arrests;

Whereas, in September 2021, the Drug Enforcement Administration (''DEA'') issued its first Public Safety Alert in 6 years to warn the public about the alarming increase in the availability and lethality of fake prescription pills in the United States, pills that often contain deadly doses of fentanyl, and as of July 2023, the DEA has seized a staggering 39,200,000 fentanyl-laced prescription pills;

Whereas counterfeit products threaten the United States economy and job creation, and according to United States Customs and Border Protection, counterfeiting and piracy cost businesses in the United States more than $200,000,000,000 per year and has led to the loss of 750,000 jobs;

Whereas, in 2022, the United States Customs and Border Protection seized more than 24,500,000 counterfeit goods, with an estimated manufacturer's suggested retail price of over $2,980,000,000 if the goods were genuine, which equates to about $8,164,383 in counterfeit goods seizures every day;

Whereas the manufacturing, trade, and consumption of counterfeit products are on the rise;

Whereas, according to the United States Patent and Trademark Office, as of 2020, at least 20 percent of counterfeit and pirated goods sold abroad displace sales in the United States, and of the $143,000,000,000 sold of such goods, the United States economy suffers a loss of around $29,000,000,000 per year;

Whereas businesses of all sizes collectively spend millions of dollars to protect and enforce their own brand and products by removing counterfeit products from both online and physical marketplaces;

Whereas businesses must devote resources to combating counterfeit products instead of using those resources to grow their business by hiring new employees and developing new products;

Whereas one of the most effective ways to protect consumers of the dangers of counterfeit products is through educational campaigns and awareness programs; and

Whereas organizations such as the Congressional Trademark Caucus, Federal enforcement agencies, the National Intellectual Property Rights Coordination Center, and State enforcement agencies are actively working to raise awareness of the value of trademarks and the impact and harms caused by counterfeit products on both the national and State economies: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of August 2023 as ''National Anti-Counterfeiting and Consumer Education and Awareness Month'';

(2) supports the goals and ideals of National Anti-Counterfeiting and Consumer Education and Awareness Month to educate the public and raise public awareness about the actual and potential dangers counterfeit products pose to consumer health and safety;

(3) affirms the continuing importance and need for comprehensive Federal, State, and private sector-supported education and awareness efforts designed to equip the consumers of the United States with the information and tools needed to safeguard against illegal counterfeit products in traditional commerce, internet commerce, and other electronic commerce platforms; and

(4) recognizes and reaffirms the commitment of the United States to combating counterfeiting by promoting awareness about the actual and potential harm of counterfeiting to consumers and brand owners and by promoting new education programs and campaigns designed to reduce the supply of, and demand for, counterfeit products.

SENATE RESOLUTION 326—RECOGNIZING AUGUST 23, 2023, AS ''NATIONAL POLL WORKER RECRUITMENT DAY''

Ms. KLOBUCHAR (for herself, Mrs. FISCHER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. BRITT, Mr. BROWN, Mrs. CAPITO, Mr. CASEY, Ms. CORTEZ MASTO, Mr. FETTERMAN, Mrs. FEINSTEIN, Mr. HAGERTY, Mr. KAINE, Mr. KELLY, Mr. KING, Mr. MARKEY, Mr. MERKLEY, Mr. PADILLA, Ms. SMITH, Mr. VAN HOLLEN, Ms. WARREN, Mr. WELCH, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 326

Resolved, That the Senate—

(1) recognizes August 23, 2023 , as ''National Poll Worker Recruitment Day'';

(2) recognizes the need for, and appreciation of, the service of poll workers; and

(3) encourages eligible people to help America vote in the 2023 elections by serving as poll workers.

SENATE RESOLUTION 327—DESIGNATING AUGUST 16, 2023, AS ''NATIONAL AIRBORNE DAY''

Mr. REED (for himself, Ms. MURKOWSKI, Mr. SULLIVAN, Mr. KING, Ms. CORTEZ MASTO, Ms. ROSEN, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. OSSOFF, Ms. HIRONO, Mr. KELLY, Mr. WARNOCK, Ms. DUCKWORTH, Mr. WHITEHOUSE, Mr. COTTON, and Mr. MCCONNELL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 327

Whereas the members of the airborne forces of the Armed Forces of the United States have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world;

Whereas, on June 25, 1940, experiments with airborne operations by the United States began after the Army Parachute Test Platoon was first authorized by the Department of War;

Whereas, in July 1940, 48 volunteers began training for the Army Parachute Test Platoon;

Whereas the first official Army parachute jump took place on August 16, 1940, to test the innovative concept of inserting United States ground combat forces behind a battle line by means of a parachute;

Whereas the success of the Army Parachute Test Platoon, before the entry of the United States into World War II, validated the airborne operational concept and led to the creation of a formidable force of airborne formations that included the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas included in those divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities during World War II;

Whereas the achievements of the airborne units during World War II prompted the evolution of those units into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, the Dominican Republic, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula in Egypt, Haiti, Bosnia, and Kosovo;

Whereas, since the terrorist attacks of September 11, 2001, the members of the United States airborne forces, including members of the XVIII Airborne Corps, the 82ndAirborne Division, the 101st Airborne Division (Air Assault), the 173rd Airborne Brigade Combat Team, the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, special operations forces of the Army, Marine Corps, Navy, and Air Force, and other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan, Iraq, and other theaters in the Global War on Terrorism;

Whereas the continued evolution of United States Army airborne units allowed for the reactivation of the 11th Airborne Division on June 6, 2022, to lead the Armed Forces of the United States in Arctic warfighting capabilities, support United States Indo-Pacific Command operations, and continue the storied legacy of the 11th Airborne Division that dates back to World War II;

Whereas the modern airborne forces also include other elite forces composed of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance Battalions, Navy SEALs, and Air Force combat control and pararescue teams;

Whereas, of the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with the special skills and achievements of those members, distinguishes the members as intrepid combat parachutists, air assault forces, special operation forces, and, in the past, glider infantry;

Whereas individuals from every State of the United States have served gallantly in the airborne forces, and each State is proud of the contributions of its paratrooper veterans during the many conflicts faced by the United States;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, since the airborne forces, past and present, celebrate August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2023, as ''National Airborne Day''; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

SENATE CONCURRENT RESOLUTION 19—URGING THE ESTABLISHMENT OF A UNITED STATES COMMISSION ON TRUTH, RACIAL HEALING, AND TRANSFORMATION

Mr. BOOKER (for himself, Mr. COONS, Mr. MARKEY, Mr. DURBIN, Mr. PADILLA, Mr. CARDIN, Ms. WARREN, Mr. MERKLEY, Mr. MENENDEZ, Mr. WHITEHOUSE, and Ms. DUCKWORTH) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 19

Whereas the first ship carrying enslaved Africans to what is now known as the United States of America arrived in 1619;

Whereas that event more than 400 years ago was significant not only because it ushered in the institution of chattel slavery of

African Americans, but also because it facilitated the systematic oppression of all people of color that has been a devastating and insufficiently understood and acknowledged aspect of our Nation's history over those past 400-plus years, and that has left a legacy of that oppression that haunts our Nation to this day;

Whereas the institution of chattel slavery in the United States subjugated African Americans for nearly 250 years, fractured our Nation, and made a mockery of its founding principle that ''all men are created equal'';

Whereas the signing of the Constitution of the United States failed to end slavery and oppression against African Americans and other people of color, thus embedding in society the belief in the myth of a hierarchy of human value based on superficial physical characteristics such as skin color and facial features, and resulting in purposeful and persistent racial inequities in education, health care, employment, Social Security and veteran benefits, land ownership, financial assistance, food security, wages, voting rights, and the justice system;

Whereas that oppression denied opportunity and mobility to African Americans and other people of color within the United States, resulting in stolen labor worth billions of dollars while ultimately forestalling landmark contributions that African Americans and other people of color would make in science, arts, commerce, and public service;

Whereas Reconstruction represented a significant but constrained moment of advances for Black rights as epitomized by the Freedman's Bureau, which negotiated labor contracts for ex-enslaved people but failed to secure for them land of their own;

Whereas the brutal overthrow of Reconstruction failed all individuals in the United States by failing to ensure the safety and security of African Americans and by emboldening States and municipalities in both the North and South to enact numerous laws and policies to stymie the socioeconomic mobility and political voice of freed Blacks, thus maintaining their subservience to Whites;

Whereas Reconstruction, the civil rights movement, and other efforts to redress the grievances of marginalized people were sabotaged, both intentionally and unintentionally, by those in power, thus rendering the accomplishments of those efforts transitory and unsustainable, and further embedding the racial hierarchy in society;

Whereas examples of government actions directed against populations of color (referred to in this resolution as ''discriminatory government actions'') include—

(1) the creation of the Federal Housing Administration, which adopted specific policies designed to incentivize residential segregation;

(2) the enactment of legislation creating the Social Security program, for which most African Americans were purposely rendered ineligible during its first 2 decades;

(3) the Servicemen's Readjustment Act of 1944 (commonly known as the ''GI Bill of Rights''; 58 Stat. 284, chapter 268), which left administration of its programs to the States, thus enabling blatant discrimination against African-American veterans;

(4) the Fair Labor Standards Act of 1938, which allowed labor unions to discriminate based on race;

(5) subprime lending aimed purposefully at families of color;

(6) disenfranchisement of Native Americans, who, until 1924, were denied citizenship on land Native Americans had occupied for millennia;

(7) Federal Indian Boarding School Policy during the 19th and 20th centuries, the purpose of which was to ''civilize'' Native children through methods intended to eradicate Native cultures, traditions, and languages;

(8) land policies toward Indian Tribes, such as the allotment policy, which caused the loss of over 90,000,000 acres of Tribal lands, even though ⅔ of that acreage was guaranteed to Indian Tribes by treaties and other Federal laws, and similar unjustified land grabs from Indian Tribes that occurred regionally throughout the late 1800s and into the termination era in the 1950s and 1960s;

(9) the involuntary removal of Mexicans and United States citizens of Mexican descent through large-scale discriminatory deportation programs in the 1930s and 1950s;

(10) the United States annexation of Puerto Rico, which made Puerto Ricans citizens of the United States without affording them voting rights;

(11) racial discrimination against Latino Americans, which has forced Latino Americans to fight continuously for equal access to employment, housing, health care, financial services, and education;

(12) the Act entitled ''An Act to execute certain treaty stipulations relating to Chinese'', approved May 6, 1882 (commonly known as the ''Chinese Exclusion Act''; 22 Stat. 58, chapter 126), which effectively halted immigration from China and barred Chinese immigrants from becoming citizens of the United States, and which was the first instance of xenophobic legislation signed into law specifically targeting a specific group of people based on ethnicity;

(13) the treatment of Japanese Americans, despite no evidence of disloyalty, as suspect and traitorous in the very country they helped to build, leading most notably to the mass incarceration of Japanese Americans beginning in 1942;

(14) the conspiracy to overthrow the Kingdom of Hawaii and annex the land of the Kingdom of Hawaii, without the consent of or compensation to the Native Hawaiian people of Hawaii; and

(15) the United States history of colonialism in the Pacific, which has resulted in economic, health, and educational disparities among other inequities, for people in United States territories, as well as independent nations with which the United States has treaty obligations;

Whereas those discriminatory government actions, among other government policies that have had racially disparate impacts, have disproportionately barred African Americans and other people of color from building wealth, thus limiting capital and exacerbating the racial wealth gap;

Whereas research has shown that the persistent racial wealth gap has had a significant negative impact on other racial disparities, such as the achievement gap, disparities in school dropout rates, income gaps, disparities in home ownership rates, health outcome disparities, and disparities in incarceration rates;

Whereas United States civic leaders and foundations have spearheaded critical efforts to advance racial healing, understanding, and transformation within the United States, recognizing that it is in our collective national interest to urgently address the unhealed, entrenched divisions that will severely undermine our democracy if they are allowed to continue to exist;

Whereas many of the most far-reaching victories for racial healing in the United States have been greatly enhanced by the involvement, support, and dedication of individuals from any and all racial groups;

Whereas, at the same time, much of the progress toward racial healing and racial equity in the United States has been limited or reversed by our failure to address the root cause of racism, which is the belief in the myth of a hierarchy of human value based on superficial physical characteristics such as skin color and facial features;

Whereas the United States institution of slavery, as well as other examples enumerated in this resolution, represents intentional and blatant violations of the most basic right of every individual in the United States to a free and decent life;

Whereas the consequences of oppression against people of color have cascaded for centuries, across generations, beyond the era of active enslavement, imperiling for descendants of slaves and other targets of oppression what should have otherwise been the right of every individual in the United States to life, liberty, and the pursuit of happiness;

Whereas more than 40 countries have reckoned with historical injustice and its aftermath through forming truth and reconciliation commissions to move toward restorative justice and to return dignity to their citizens;

Whereas for 3 decades there has been a growing movement inside and outside Congress to have the Federal Government develop material remedies for the institution of slavery, including through a Commission to Study and Develop Reparation Proposals for African Americans described in H.R. 40, 118th Congress, as introduced on January 9, 2023, and S. 40, 118th Congress, as introduced on January 24, 2023;

Whereas the formation of a United States Commission on Truth, Racial Healing, and Transformation does not supplant the formation of a Commission to Study and Develop Reparation Proposals for African Americans, but rather complements that effort; and

Whereas contemporary social science, medical science, and the rapidly expanding use of artificial intelligence and social media reveal the costs and potential threats to our democracy if we continue to allow unhealed, entrenched divisions to be ignored and exploited: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) affirms, more than 400 years after the arrival of the first slave ship to the United States, that the Nation owes a long-overdue debt of remembrance to not only those who lived through the egregious injustices enumerated in this resolution, but also to their descendants; and

(2) urges the establishment of a United States Commission on Truth, Racial Healing, and Transformation to properly acknowledge, memorialize, and be a catalyst for progress toward—

(A) jettisoning the belief in a hierarchy of human value;

(B) embracing our common humanity; and

(C) permanently eliminating persistent racial inequities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1073. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 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 1074. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 936 proposed by Mr. SCHUMER to the amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1075. Mr. SCHUMER submitted an amendment intended to be proposed by him

to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1076. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1075 submitted by Mr. SCHUMER and intended to be proposed to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1077. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1078. Mr. SCHATZ (for himself and Ms. MURKOWSKI) proposed an amendment to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, supra.

SA 1079. Ms. WARREN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1080. Ms. WARREN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1081. Mr. MULLIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1082. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1083. Mr. DAINES submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1084. Mr. DAINES (for himself and Mr. TESTER) proposed an amendment to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, supra.

SA 1085. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1086. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1087. Mr. REED (for himself and Mr. WICKER) proposed an amendment to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, supra.

SA 1088. Mr. SCHUMER (for Mr. PETERS) proposed an amendment to the bill S. 1528, to streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes.

SA 1089. Mr. SCHUMER (for Mr. BOOZMAN (for himself, Mr. MANCHIN, Mr. CARPER, Mrs. CAPITO, Mr. KING, and Mr. MARSHALL)) proposed an amendment to the bill S. 788, to amend the Permanent Electronic Duck Stamp Act of 2013 to allow States to issue fully electronic stamps under that Act, and for other purposes.

SA 1090. Mr. SCHUMER (for Mr. CRUZ (for himself, Mr. LUJÁN, Mr. CORNYN, and Mr. HEINRICH)) proposed an amendment to the bill S. 992, to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate the Texas and New Mexico portions of the future Interstate-designated segments of the Port-to-Plains Corridor as Interstate Route 27, and for other purposes.

SA 1091. Mr. SCHUMER (for Mr. PETERS) proposed an amendment to the bill S. 1858, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish a deadline for applying for disaster unemployment assistance.

TEXT OF AMENDMENTS

SA 1073. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 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 F of title X, add the following:

SEC. 1063. BRIEFING ON AIR NATIONAL GUARD ACTIVE ASSOCIATIONS.

Not later than November 1, 2023, the Secretary of the Air Force shall brief the congressional defense committees on the potential increase in air refueling capacity and cost savings, including manpower, to be achieved by making all Air National Guard KC–135 units active associations.

SA 1074. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 936 proposed by Mr. SCHUMER to the amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, to authorize appropriations for fiscal year 2024 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:

On page 1, line 3, strike ''1 day'' and insert ''2 days''.

SA 1075. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 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:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 3 days after the date of enactment of this Act.

SA 1076. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1075 submitted by Mr. SCHUMER and intended to be proposed to the bill S. 2226, to authorize appropriations for fiscal year 2024 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:

On page 1, line 3, strike ''3'' and insert ''4 days''.

SA 1077. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 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:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 5 days after the date of enactment of this Act.

SA 1078. Mr. SCHATZ (for himself and Ms. MURKOWSKI) proposed an amendment to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, to authorize appropriations for fiscal year 2024 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; as follows:

At the end, add the following:

DIVISION I—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2023

SEC. 11001. SHORT TITLE.

This division may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2023''.

SEC. 11002. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the status of a responsible Federal official under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 11003. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2024 through 2030''.

SEC. 11004. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including college housing assistance'' after ''self-sufficiency and other services,''.

SEC. 11005. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 11006. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$7,000''.

SEC. 11007. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 11008. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 11009. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 11010. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 11011. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 11012. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 11013. AMENDMENTS FOR BLOCK GRANTS FOR AFFORDABLE HOUSING ACTIVITIES.

Section 802(e) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4222(e)) is amended by—

(1) by striking ''The Director'' and inserting the following:

''(1) IN GENERAL.—The Director''; and

(2) by adding at the end the following:

''(2) SUBAWARDS.—Notwithstanding any other provision of law, including provisions of State law requiring competitive procurement, the Director may make subawards to subrecipients, except for for-profit entities, using amounts provided under this title to carry out affordable housing activities upon a determination by the Director that such subrecipients have adequate capacity to carry out activities in accordance with this Act.''.

SEC. 11014. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2024 through 2030.''.

SEC. 11015. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that is developed, acquired, or assisted under the block grant program established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed by more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.

SEC. 11016. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS AND SPECIAL ACTIVITIES BY INDIAN TRIBES.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITION.—In this subsection, the term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—An Indian tribe, a tribally designated housing entity, or a tribal organization shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a)(1).

''(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—An Indian tribe receiving a grant under paragraph (1) of section 106(a)(1) shall be authorized to directly carry out activities described in paragraph (15) of such section 106(a)(1).''.

SEC. 11017. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) AUTHORITY.—To provide access to sources of private financing to Indian families, Indian housing authorities, and Indian Tribes, who otherwise could not acquire housing financing because of the unique legal status of Indian lands and the unique nature of tribal economies, and to expand homeownership opportunities to Indian families, Indian housing authorities and Indian tribes on fee simple lands, the Secretary may guarantee not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under subsection (b) made to an Indian family, Indian housing authority, or Indian Tribe on trust land and fee simple land.''; and

(2) in subsection (b)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(iii) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government, including any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(iv) by adding at the end the following:

''(B) DIRECT GUARANTEE PROCESS.—

''(i) AUTHORIZATION.—The Secretary may authorize qualifying lenders to participate in a direct guarantee process for approving loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this subparagraph was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

''(C) REVIEW OF MORTGAGEES.—

''(i) IN GENERAL.—The Secretary may periodically review the mortgagees originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the mortgagee with other mortgagees originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;

''(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(iii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

''(I) may terminate the approval of a mortgagee to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.''; and

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (h)(1)(B), the term of the loan shall not exceed 40 years''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2024 through 2030.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2024 through 2030''.

SEC. 11018. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended—

(1) in subsection (b), by inserting '', and to expand homeownership opportunities to Native Hawaiian families who are eligible to receive a homestead under the Hawaiian Homes Commission Act, 1920 (42 Stat. 108) on fee simple lands in the State of Hawaii'' after ''markets'';

(2) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) in subparagraph (B)—

(I) by redesignating clause (iv) as clause (v); and

(II) by adding after clause (iii) the following:

''(iv) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government, including any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(ii) by adding at the end the following:

''(C) INDEMNIFICATION.—

''(i) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this section was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this section to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(ii) DIRECT GUARANTEE ENDORSEMENT.—The Secretary may, dependent on the availability of systems development and staffing resources, delegate to eligible lenders the authority to directly endorse loans under this section.

''(iii) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation was involved in the direct guarantee endorsement process by a lender under this section, the Secretary shall require the approved direct guarantee endorsement lender to indemnify the Secretary for any loss or potential loss, regardless of whether the fraud or misrepresentation caused or may cause the loan default.

''(iv) IMPLEMENTATION.—The Secretary may implement any requirements described in this subparagraph by regulation, notice, or Dear Lender Letter.''.

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (i)(1)(B), the term of the loan shall not exceed 40 years'';

(3) in subsection (d)—

(A) in paragraph (1), by adding at the end the following:

''(C) EXCEPTION.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii), subparagraphs (A) and (B) of this paragraph shall not apply.'';

(B) by amending paragraph (2) to read as follows:

''(2) STANDARD FOR APPROVAL.—

''(A) APPROVAL.—The Secretary may approve a loan for guarantee under this section and issue a certificate under this subsection only if the Secretary determines that there is a reasonable prospect of repayment of the loan.

''(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii)—

''(i) subparagraph (A) shall not apply; and

''(ii) the direct guarantee endorsement lender may issue a certificate under this paragraph as evidence of the guarantee in accordance with requirements prescribed by the Secretary.''; and

(C) in paragraph (3)(A), by inserting ''or, where applicable, the direct guarantee endorsement lender,'' after ''Secretary'' and

(4) in subsection (j)(5)(B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2024 through 2030.''.

SEC. 11019. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may, in consultation with the Bureau of Indian Affairs and relevant Tribal law enforcement agencies, make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing communities funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents;

(8) sports programs and sports activities that serve primarily youths from housing communities funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those communities; and

(9) other programs for youth in school settings that address drug prevention and positive alternatives for youth, including education and activities related to science, technology, engineering, and math.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall publish on the website of the Department a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, as specified in the program requirements published in a notice by the Secretary, which may include—

(A) the use of on-site monitoring, independent public audit requirements, certification by Tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2);

(B) entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section; and

(C) adopting enforcement authority that is substantially similar to the authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each fiscal years 2024 through 2030 to carry out this section.

SEC. 11020. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

''(E) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(bb) submit a report describing the results of the review under item (aa) to—

''(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

''(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

''(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

''(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.''.

SEC. 11021. CONTINUUM OF CARE.

(a) DEFINITIONS.—In this section—

(1) the terms ''collaborative applicant'' and ''eligible entity'' have the meanings given those terms in section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360); and

(2) the terms ''Indian tribe'' and ''tribally designated housing entity'' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(b) NONAPPLICATION OF CIVIL RIGHTS LAWS.—With respect to the funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading ''Homeless Assistance Grants'' in the Department of Housing and Urban Development Appropriations Act, 2021 (Public Law 116–260) and under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications by or awards for projects to be carried out—

(1) on or off reservation or trust lands for awards made to Indian tribes or tribally designated housing entities; or

(2) on reservation or trust lands for awards made to eligible entities.

(c) CERTIFICATION.—With respect to funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading ''Homeless Assistance Grants'' under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a)—

(1) applications for projects to be carried out on reservations or trust land shall contain a certification of consistency with an approved Indian housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112), notwithstanding section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706) and section 403 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361);

(2) Indian tribes and tribally designated housing entities that are recipients of awards for projects on reservations or trust land shall certify that they are following an approved housing plan developed under section102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112); and

(3) a collaborative applicant for a Continuum of Care whose geographic area includes only reservation and trust land is not required to meet the requirement in section 402(f)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360a(f)(2)).

SEC. 11022. LEVERAGING.

All funds provided under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal housing program, provided that such grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

SA 1079. Ms. WARREN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 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 XXVIII, add the following:

SEC. 2816. PRIORITIZATION OF CERTAIN MILITARY INSTALLATION RESILIENCE PROJECTS TO IMPROVE INFRASTRUCTURE AT CERTAIN FACILITIES DETERMINED TO BE CRITICAL TO NATIONAL SECURITY.

Section 2815 of title 10, United States Code, is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) PRIORITIZATION OF CERTAIN INFRASTRUCTURE PROJECTS.—In carrying out this section, the Secretary concerned shall prioritize projects that improve infrastructure that—

''(1) is owned by the United States Government; and

''(2) provides the sole means of ingress to and egress from a facility determined to be critical to the national security interests of the United States, as determined by the Secretary of Defense.''.

SA 1080. Ms. WARREN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 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 XXVIII, add the following:

SEC. 2816. INCREASE OF AMOUNT OF OPERATION AND MAINTENANCE FUNDS AUTHORIZED TO BE OBLIGATED ANNUALLY FOR MILITARY INSTALLATION RESILIENCE PROJECTS.

Section 2815(e)(3) of title 10, United States Code, is amended by striking ''$100,000,000'' and inserting ''$200,000,000''.

SA 1081. Mr. MULLIN submitted an amendment intended to be proposed by

him to the bill S. 2226, to authorize appropriations for fiscal year 2024 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 subtitle G of title X, insert the following:

SEC. 10_____. OPERATIONS AND MAINTENANCE COSTS OF CERTAIN BUREAU OF RECLAMATION DAMS AND DIKES.

Section 4309(a) of the America's Water Infrastructure Act of 2018 (43 U.S.C. 377b note; Public Law 115–270) is amended—

(1) by striking ''one-year''; and

(2) by inserting ''and ending on December 31, 2026'' after ''2023''.

SA 1082. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 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 I, insert the following:

SEC. ___. PROHIBITION ON CERTAIN REDUCTIONS TO INVENTORY OF E–3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or in backup aircraft inventory any E–3 aircraft if such actions would reduce the total aircraft inventory for such aircraft below 16.

(b) EXCEPTION FOR PLAN.—If the Secretary of the Air Force submits to the congressional defense committees a plan for maintaining readiness and ensuring there is no lapse in mission capabilities, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E–3 aircraft to below 16, beginning 30 days after the date on which the plan is so submitted.

(c) EXCEPTION FOR E–7 PROCUREMENT.—If the Secretary of the Air Force procures enough E–7 Wedgetail aircraft to accomplish the required mission load, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E–3 aircraft to below 16 after the date on which such E–7 Wedgetail aircraft are delivered.

SA 1083. Mr. DAINES submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 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. 1049. PROHIBITION ON USE OF FUNDS FOR ADULT CABARET PERFORMANCES.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Department of Defense and no facilities owned or operated by Department of Defense may be used to host, advertise, or otherwise support an adult cabaret performance.

(b) DEFINITIONS.—In this section:

(1) ADULT CABARET PERFORMANCE.—The term ''adult cabaret performance'' means a performance that features topless dancers, go-go dancers, exotic dances, strippers, or male or female impersonators who provide entertainment that appeals to prurient interest.

(2) HOST, ADVERTISE, OR OTHERWISE SUPPORT.—The term ''host, advertise, or otherwise support'' includes such activities as social media, background checks, transportation or escort, meal services, event venues, non-governmental or non-military related flags, banners, and fliers.

SA 1084. Mr. DAINES (for himself and Mr. TESTER) proposed an amendment to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, to authorize appropriations for fiscal year 2024 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; as follows:

At the end, add the following:

DIVISION I—FORT BELKNAP INDIAN COMMUNITY WATER RIGHTS SETTLEMENT ACT OF 2023

SEC. 11001. SHORT TITLE.

This division may be cited as the ''Fort Belknap Indian Community Water Rights Settlement Act of 2023''.

SEC. 11002. PURPOSES.

The purposes of this division are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; and

(B) the United States, acting as trustee for the Fort Belknap Indian Community and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Fort Belknap Indian Community and the State, to the extent that the Compact is consistent with this division;

(3) to authorize and direct the Secretary—

(A) to execute the Compact; and

(B) to take any other actions necessary to carry out the Compact in accordance with this division;

(4) to authorize funds necessary for the implementation of the Compact and this division; and

(5) to authorize the exchange and transfer of certain Federal and State land.

SEC. 11003. DEFINITIONS.

In this division:

(1) ALLOTTEE.—The term ''allottee'' means an individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BLACKFEET TRIBE.—The term ''Blackfeet Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

(3) CERCLA.—The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of Reclamation.

(5) COMPACT.—The term ''Compact'' means—

(A) the Fort Belknap-Montana water rights compact dated April 16, 2001, as contained in section 85–20–1001 of the Montana Code Annotated (2021); and

(B) any appendix (including appendix amendments), part, or amendment to the Compact that is executed to make the Compact consistent with this division.

(6) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 11011(f).

(7) FORT BELKNAP INDIAN COMMUNITY.—The term ''Fort Belknap Indian Community'' means the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation of Montana, a federally recognized Indian Tribal entity included on the list published by the Secretary pursuant to section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

(8) FORT BELKNAP INDIAN COMMUNITY COUNCIL.—The term ''Fort Belknap Indian Community Council'' means the governing body of the Fort Belknap Indian Community.

(9) FORT BELKNAP INDIAN IRRIGATION PROJECT.—

(A) IN GENERAL.—The term ''Fort Belknap Indian Irrigation Project'' means the Federal Indian irrigation project constructed and operated by the Bureau of Indian Affairs, consisting of the Milk River unit, including—

(i) the Three Mile unit; and

(ii) the White Bear unit.

(B) INCLUSIONS.—The term ''Fort Belknap Indian Irrigation Project'' includes any addition to the Fort Belknap Indian Irrigation Project constructed pursuant to this division, including expansion of the Fort Belknap Indian Irrigation Project, the Pumping Plant, delivery Pipe and Canal, the Fort Belknap Reservoir and Dam, and the Peoples Creek Flood Protection Project.

(10) IMPLEMENTATION FUND.—The term ''Implementation Fund'' means the Fort Belknap Indian Community Water Settlement Implementation Fund established by section 11013(a).

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

(12) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(13) MALTA IRRIGATION DISTRICT.—The term ''Malta Irrigation District'' means the public corporation—

(A) created on December 28, 1923, pursuant to the laws of the State relating to irrigation districts; and

(B) headquartered in Malta, Montana.

(14) MILK RIVER.—The term ''Milk River'' means the mainstem of the Milk River and each tributary of the Milk River between the headwaters of the Milk River and the confluence of the Milk River with the Missouri River, consisting of—

(A) Montana Water Court Basins 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and 40O; and

(B) the portion of the Milk River and each tributary of the Milk River that flows through the Canadian Provinces of Alberta and Saskatchewan.

(15) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093),

commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(16) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River, including tributaries.

(17) OPERATIONS AND MAINTENANCE.—The term ''operations and maintenance'' means the Bureau of Indian Affairs operations and maintenance activities related to costs described in section 171.500 of title 25, Code of Federal Regulations (or a successor regulation).

(18) OPERATIONS, MAINTENANCE, AND REPLACEMENT.—The term ''operations, maintenance, and replacement'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to repairing, replacing, or rehabilitating a feature of a project.

(19) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM.—The term ''Pick-Sloan Missouri River Basin Program'' means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665)).

(20) PMM.—The term ''PMM'' means the Principal Meridian, Montana.

(21) RESERVATION.—

(A) IN GENERAL.—The term ''Reservation'' means the area of the Fort Belknap Reservation in the State, as modified by this division.

(B) INCLUSIONS.—The term ''Reservation'' includes—

(i) all land and interests in land established by—

(I) the Agreement with the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 212), as modified by the Agreement with the Indians of the Fort Belknap Reservation of October 9, 1895 (ratified by the Act of June 10, 1896) (29 Stat. 350, chapter 398);

(II) the Act of March 3, 1921 (41 Stat. 1355, chapter 135); and

(III) Public Law 94–114 (25 U.S.C. 5501 et seq.);

(ii) the land known as the ''Hancock lands'' purchased by the Fort Belknap Indian Community pursuant to the Fort Belknap Indian Community Council Resolution No. 234–89 (October 2, 1989); and

(iii) all land transferred to the United States to be held in trust for the benefit of the Fort Belknap Indian Community under section 11006.

(22) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(23) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(24) STATE.—The term ''State'' means the State of Montana.

(25) TRIBAL WATER CODE.—The term ''Tribal water code'' means the Tribal water code enacted by the Fort Belknap Indian Community pursuant to section 11005(g).

(26) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Fort Belknap Indian Community, as described in Article III of the Compact and this division, including the allocation of water to the Fort Belknap Indian Community from Lake Elwell under section 11007.

(27) TRUST FUND.—The term ''Trust Fund'' means the Aaniiih Nakoda Settlement Trust Fund established for the Fort Belknap Indian Community under section 11012(a).

SEC. 11004. RATIFICATION OF COMPACT.

(a) RATIFICATION OF COMPACT.—

(1) IN GENERAL.—As modified by this division, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed to the extent that the amendment is executed to make the Compact consistent with this division.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this division, the Secretary shall execute the Compact, including all appendices to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this division precludes the Secretary from approving any modification to an appendix to the Compact that is consistent with this division, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this division, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Compact and this division, the Fort Belknap Indian Community shall prepare any necessary environmental documents, except for any environmental documents required under section 11008, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities described in paragraph (2) shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 11005. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this division.

(3) CONFLICT.—In the event of a conflict between the Compact and this division, this division shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this division, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this division;

(2) the availability of funding under this division and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), and this division to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Fort Belknap Indian Community and allottees in accordance with this division; and

(2) shall not be subject to loss through nonuse, forfeiture, or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF THE ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), relating to the use of water for irrigation purposes, shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the Tribal water code or other applicable Tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the Tribal water code or other applicable Tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF THE SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF THE FORT BELKNAP INDIAN COMMUNITY.—

(1) IN GENERAL.—The Fort Belknap Indian Community shall have the authority to allocate, distribute, and lease the Tribal water rights for use on the Reservation in accordance with the Compact, this division, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Fort Belknap Indian Community may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, this division, and applicable Federal law—

(A) subject to the approval of the Secretary; or

(B) pursuant to Tribal water leasing regulations consistent with the requirements of subsection (f).

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the Tribal water code.

(f) TRIBAL WATER LEASING REGULATIONS.—

(1) IN GENERAL.—At the discretion of the Fort Belknap Indian Community, any water lease of the Fort Belknap Indian Community of the Tribal water rights for use on or off the Reservation shall not require the approval of the Secretary if the lease—

(A) is executed under tribal regulations, approved by the Secretary under this subsection;

(B) is in accordance with the Compact; and

(C) does not exceed a term of 100 years, except that a lease may include an option to renew for 1 additional term of not to exceed 100 years.

(2) AUTHORITY OF THE SECRETARY OVER TRIBAL WATER LEASING REGULATIONS.—

(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any Tribal water leasing regulations issued in accordance with paragraph (1).

(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any Tribal water leasing regulations issued in accordance with paragraph (1) if the Tribal water leasing regulations—

(i) provide for an environmental review process that includes—

(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

(II) a process for ensuring that—

(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Fort Belknap Indian Community; and

(bb) the Fort Belknap Indian Community provides responses to relevant and substantive public comments on those impacts prior to its approval of a water lease; and

(ii) are consistent with this division and the Compact.

(3) REVIEW PROCESS.—

(A) IN GENERAL.—Not later than 120 days after the date on which Tribal water leasing regulations under paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the Tribal water leasing regulations described in subparagraph (A), the Secretary shall include written documentation with the disapproval notification that describes the basis for this disapproval.

(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(4) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (2) and (3), if the Fort Belknap Indian Community carries out a project or activity funded by a Federal agency, the Fort Belknap Indian Community—

(A) shall have the authority to rely on the environmental review process of the applicable Federal agency; and

(B) shall not be required to carry out a tribal environmental review process under this subsection.

(5) DOCUMENTATION.—If the Fort Belknap Indian Community issues a lease pursuant to Tribal water leasing regulations under paragraph (1), the Fort Belknap Indian Community shall provide the Secretary and the State a copy of the lease, including any amendments or renewals to the lease.

(6) LIMITATION OF LIABILITY.—

(A) IN GENERAL.—The United States shall not be liable in any claim relating to the negotiation, execution, or approval of any lease or exchange agreement or storage agreement, including any claims relating to the terms included in such an agreement, made pursuant to Tribal water leasing regulations under paragraph (1).

(B) OBLIGATIONS.—The United States shall have no trust obligation or other obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease or exchange agreement or storage agreement; or

(ii) the expenditure of those funds.

(g) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding Article IV.A.2. of the Compact, not later than 4 years after the date on which the Fort Belknap Indian Community approves the Compact in accordance with section 11011(f)(1), the Fort Belknap Indian Community shall enact a Tribal water code that provides for—

(A) the administration, management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this division; and

(B) the establishment by the Fort Belknap Indian Community of the conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this division.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the Tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Fort Belknap Indian Community provide water for irrigation use in accordance with this division, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (36 Stat. 856, chapter 431; 25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Fort Belknap Indian Community of any request of an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision;

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the Tribal water code, including to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under Tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B);

(E) a process by which an owner of fee land within the boundaries of the Reservation may apply for use of a portion of the Tribal water rights; and

(F) a process for the establishment of a controlled Groundwater area and for the management of that area in cooperation with establishment of a contiguous controlled Groundwater area off the Reservation established pursuant to Section B.2. of Article IV of the Compact and State law.

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this Act and ending on the date on which a Tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with the Compact and this division.

(B) APPROVAL.—The Tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the Tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the Tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the Tribal water code or an amendment to the Tribal water code by not later than 180 days after the date on which the Tribal water code or amendment to the Tribal water code is submitted to the Secretary.

(ii) EXTENSIONS.—The deadline described in clause (i) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(h) ADMINISTRATION.—

(1) NO ALIENATION.—The Fort Belknap Indian Community shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this division for the allocation, distribution, leasing, or other arrangement entered into pursuant to this division shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(i) EFFECT.—Except as otherwise expressly provided in this section, nothing in this division—

(1) authorizes any action by an allottee against any individual or entity, or against the Fort Belknap Indian Community, under Federal, State, Tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

(j) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM POWER RATES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary, in cooperation with the Secretary of Energy, shall make available the Pick-Sloan Missouri River Basin Program irrigation project pumping power rates to the Fort Belknap Indian Community, the Fort Belknap Indian Irrigation Project, and any projects funded under this division.

(2) AUTHORIZED PURPOSES.—The power rates made available under paragraph (1) shall be authorized for the purposes of wheeling, administration, and payment of irrigation project pumping power rates, including project use power for gravity power.

SEC. 11006. EXCHANGE AND TRANSFER OF LAND.

(a) EXCHANGE OF ELIGIBLE LAND AND STATE LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE LAND.—The term ''eligible land'' means—

(i) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) that are administered by the Secretary, acting through the Director of the Bureau of Land Management; and

(ii) land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a)) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(B) SECRETARY CONCERNED.—The term ''Secretary concerned'' means, as applicable—

(i) the Secretary, with respect to the eligible land administered by the Bureau of Land Management; and

(ii) the Secretary of Agriculture, with respect to eligible land managed by the Forest Service.

(2) NEGOTIATIONS AUTHORIZED.—

(A) IN GENERAL.—The Secretary concerned shall offer to enter into negotiations with the State for the purpose of exchanging eligible land described in paragraph (4) for the State land described in paragraph (3).

(B) REQUIREMENTS.—Any exchange of land made pursuant to this subsection shall be subject to the terms and conditions of this subsection.

(C) PRIORITY.—

(i) IN GENERAL.—In carrying out this paragraph, the Secretary and the Secretary of Agriculture shall, during the 5-year period beginning on the date of enactment of this Act, give priority to an exchange of eligible land located within the State for State land.

(ii) SECRETARY OF AGRICULTURE.—The responsibility of the Secretary of Agriculture under clause (i), during the 5-year period described in that clause, shall be limited to negotiating with the State an acceptable package of land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a))).

(3) STATE LAND.—The Secretary is authorized to accept the following parcels of State land located on and off the Reservation:

(A) 717.56 acres in T. 26 N., R. 22 E., sec. 16.
(B) 707.04 acres in T. 27 N., R. 22 E., sec. 16.
(C) 640 acres in T. 27 N., R. 21 E., sec. 36.
(D) 640 acres in T. 26 N., R. 23 E., sec. 16.
(E) 640 acres in T. 26 N., R. 23 E., sec. 36.
(F) 640 acres in T. 26 N., R. 26 E., sec. 16.
(G) 640 acres in T. 26 N., R. 22 E., sec. 36.
(H) 640 acres in T. 27 N., R. 23 E., sec. 16.
(I) 640 acres in T. 27 N., R. 25 E., sec. 36.
(J) 640 acres in T. 28 N., R. 22 E., sec. 36.
(K) 640 acres in T. 28 N., R. 23 E., sec. 16.
(L) 640 acres in T. 28 N., R. 24 E., sec. 36.
(M) 640 acres in T. 28 N., R. 25 E., sec. 16.
(N) 640 acres in T. 28 N., R. 25 E., sec. 36.
(O) 640 acres in T. 28 N., R. 26 E., sec. 16.
(P) 94.96 acres in T. 28 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act, comprised of—
(i) 30.68 acres in lot 5;
(ii) 26.06 acres in lot 6;
(iii) 21.42 acres in lot 7; and
(iv) 16.8 acres in lot 8.
(Q) 652.32 acres in T. 29 N., R. 22 E., sec. 16, excluding the 73.36 acres under lease by individuals who are not members of the Fort Belknap Indian Community, on the date of enactment of this Act.
(R) 640 acres in T. 29 N., R. 22 E., sec. 36.
(S) 640 acres in T. 29 N., R. 23 E., sec. 16.
(T) 640 acres in T. 29 N., R. 24 E., sec. 16.
(U) 640 acres in T. 29 N., R. 24 E., sec. 36.
(V) 640 acres in T. 29 N., R. 25 E., sec. 16.
(W) 640 acres in T. 29 N., R. 25 E., sec. 36.
(X) 640 acres in T. 29 N., R. 26 E., sec. 16.
(Y) 663.22 acres in T. 30 N., R. 22 E., sec. 16, excluding the 58.72 acres under lease by individuals who are not members of the Fort Belknap Indian Community on the date of enactment of this Act.
(Z) 640 acres in T. 30 N., R. 22 E., sec. 36.
(AA) 640 acres in T. 30 N., R. 23 E., sec. 16.
(BB) 640 acres in T. 30 N., R. 23 E., sec. 36.
(CC) 640 acres in T. 30 N., R. 24 E., sec. 16.
(DD) 640 acres in T. 30 N., R. 24 E., sec. 36.
(EE) 640 acres in T. 30 N., R. 25 E., sec. 16.
(FF) 275.88 acres in T. 30 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act.
(GG) 640 acres in T. 31 N., R. 22 E., sec. 36.
(HH) 640 acres in T. 31 N., R. 23 E., sec. 16.
(II) 640 acres in T. 31 N., R. 23 E., sec. 36.
(JJ) 34.04 acres in T. 31 N., R. 26 E., sec. 16, lot 4.
(KK) 640 acres in T. 25 N., R. 22 E., sec. 16.

(4) ELIGIBLE LAND.—

(A) IN GENERAL.—Subject to valid existing rights, the reservation of easements or rights-of-way deemed necessary to be retained by the Secretary concerned, and the requirements of this subsection, the Secretary is authorized and directed to convey to the State any eligible land within the State identified in the negotiations authorized by paragraph (2) and agreed to by the Secretary concerned.

(B) EXCEPTIONS.—The Secretary concerned shall exclude from any conveyance any parcel of eligible land that is—

(i) included within the National Landscape Conservation System established by section 2002(a) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(a)), without regard to whether that land has been identified as available for disposal in a land use plan;

(ii) designated as wilderness by Congress;

(iii) within a component of the National Wild and Scenic Rivers System; or

(iv) designated in the Forest Land and Resource Management Plan as a Research Natural Area.

(C) ADMINISTRATIVE RESPONSIBILITY.—The Secretary shall be responsible for meeting all substantive and any procedural requirements necessary to complete the exchange and the conveyance of the eligible land.

(5) LAND INTO TRUST.—On completion of the land exchange authorized by this subsection, the Secretary shall, as soon as practicable after the enforceability date, take the land received by the United States pursuant to this subsection into trust for the benefit of the Fort Belknap Indian Community.

(6) TERMS AND CONDITIONS.—

(A) EQUAL VALUE.—The values of the eligible land and State land exchanged under this subsection shall be equal, except that the Secretary concerned may—

(i) exchange land that is of approximately equal value if such an exchange complies with the requirements of section 206(h) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(h)) (and any regulations implementing that section) without regard to the monetary limitation described in paragraph (1)(A) of that section; and

(ii) make or accept an equalization payment, or waive an equalization payment, if such a payment or waiver of a payment complies with the requirements of section 206(b) of that Act (43 U.S.C. 1716(b)) (and any regulations implementing that section).

(B) IMPACTS ON LOCAL GOVERNMENTS.—In identifying eligible land to be exchanged with the State, the Secretary concerned and the State may—

(i) consider the financial impacts of exchanging specific eligible land on local governments; and

(ii) attempt to minimize the financial impact of the exchange on local governments.

(C) EXISTING AUTHORIZATIONS.—

(i) ELIGIBLE LAND CONVEYED TO THE STATE.—

(I) IN GENERAL.—Any eligible land conveyed to the State under this subsection shall be subject to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

(II) ASSUMPTION BY STATE.—The State shall assume all benefits and obligations of the Forest Service or the Bureau of Land Management, as applicable, under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I).

(ii) STATE LAND CONVEYED TO THE UNITED STATES.—

(I) IN GENERAL.—Any State land conveyed to the United States under this subsection and taken into trust for the benefit of the Fort Belknap Indian Community subject shall be to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

(II) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—

(aa) assume all benefits and obligations of the State under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I); and

(bb) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-way, after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the benefit of the Fort Belknap Indian Community.

(D) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred to the United States under this subsection shall—

(I) remain the property of the holder; and

(II) be removed not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—

(I) become the property of the Fort Belknap Indian Community; and

(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable for costs incurred by the Fort Belknap Indian Community in removing and disposing of the personal property under clause (ii)(II).

(7) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of land owned by the State under paragraph (3), the State may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the State parcels to be exchanged.

(8) ASSISTANCE.—The Secretary shall provide $10,000,000 of financial or other assistance to the State and the Fort Belknap Indian Community as may be necessary to obtain the appraisals, and to satisfy administrative requirements, necessary to accomplish the exchanges under paragraph (2).

(b) FEDERAL LAND TRANSFERS.—

(1) IN GENERAL.—Subject to valid existing rights and the requirements of this subsection, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be held by the United States in trust for the benefit of the Fort Belknap Indian Community as part of the Reservation on the enforceability date.

(2) FEDERAL LAND.—

(A) BUREAU OF LAND MANAGEMENT PARCELS.—

(i) 59.46 acres in T. 25 N., R. 22 E., sec. 4, comprised of—

(I) 19.55 acres in lot 10;
(II) 19.82 acres in lot 11; and
(III) 20.09 acres in lot 16.
(ii) 324.24 acres in the N½ of T. 25 N., R. 22 E., sec. 5.
(iii) 403.56 acres in T. 25 N., R. 22 E., sec. 9, comprised of—
(I) 20.39 acres in lot 2;
(II) 20.72 acres in lot 7;
(III) 21.06 acres in lot 8;
(IV) 40.00 acres in lot 9;
(V) 40.00 acres in lot 10;
(VI) 40.00 acres in lot 11;
(VII) 40.00 acres in lot 12;
(VIII) 21.39 acres in lot 13; and
(IX) 160 acres in SW¼.
(iv) 70.63 acres in T. 25 N., R. 22 E., sec. 13, comprised of—
(I) 18.06 acres in lot 5;
(II) 18.25 acres in lot 6;
(III) 18.44 acres in lot 7; and
(IV) 15.88 acres in lot 8.
(v) 71.12 acres in T. 25 N., R. 22 E., sec. 14, comprised of—
(I) 17.65 acres in lot 5;
(II) 17.73 acres in lot 6;
(III) 17.83 acres in lot 7; and
(IV) 17.91 acres in lot 8.
(vi) 103.29 acres in T. 25 N., R. 22 E., sec. 15, comprised of—
(I) 21.56 acres in lot 6;
(II) 29.50 acres in lot 7;
(III) 17.28 acres in lot 8;
(IV) 17.41 acres in lot 9; and
(V) 17.54 acres in lot 10.
(vii) 160 acres in T. 26 N., R. 21 E., sec. 1, comprised of—
(I) 80 acres in the S½ of the NW¼ ; and
(II) 80 acres in the W½ of the SW¼.
(viii) 567.50 acres in T. 26 N., R. 21 E., sec. 2, comprised of—
(I) 82.54 acres in the E½ of the NW¼;
(II) 164.96 acres in the NE¼; and
(III) 320 acres in the S½.
(ix) 240 acres in T. 26 N., R. 21 E., sec. 3, comprised of—
(I) 40 acres in the SE¼ of the NW¼;
(II) 160 acres in the SW¼; and
(III) 40 acres in the SW¼ of the SE¼.
(x) 120 acres in T. 26 N., R. 21 E., sec. 4, comprised of—
(I) 80 acres in the E½ of the SE¼; and
(II) 40 acres in the NW¼ of the SE¼.
(xi) 200 acres in T. 26 N., R. 21 E., sec. 5, comprised of—
(I) 160 acres in the SW¼; and
(II) 40 acres in the SW¼ of the NW¼.
(xii) 40 acres in the SE¼ of the SE¼ of T. 26 N., R. 21 E., sec. 6.
(xiii) 240 acres in T. 26 N., R. 21 E., sec. 8, comprised of—
(I) 40 acres in the NE¼ of the SW¼;
(II) 160 acres in the NW¼; and
(III) 40 acres in the NW¼ of the SE¼.
(xiv) 320 acres in the E½ of T. 26 N., R. 21 E., sec. 9.
(xv) 640 acres in T. 26 N., R. 21 E., sec. 10.
(xvi) 600 acres in T. 26 N., R. 21 E., sec. 11, comprised of—
(I) 320 acres in the N½;
(II) 80 acres in the N½ of the SE¼;
(III) 160 acres in the SW¼; and
(IV) 40 acres in the SW¼ of the SE¼.
(xvii) 525.81 acres in T. 26 N., R. 22 E., sec. 21, comprised of—
(I) 6.62 acres in lot 1;
(II) 5.70 acres in lot 2;
(III) 56.61 acres in lot 5;
(IV) 56.88 acres in lot 6;
(V) 320 acres in the W½; and
(VI) 80 acres in the W½ of the SE¼.
(xviii) 719.58 acres in T. 26 N., R. 22 E., sec. 28.
(xix) 560 acres in T. 26 N., R. 22 E., sec. 29, comprised of—
(I) 320 acres in the N½;
(II) 160 acres in the N½ of the S½; and
(III) 80 acres in the S½ of the SE¼.
(xx) 400 acres in T. 26 N., R. 22 E., sec. 32, comprised of—
(I) 320 acres in the S½; and
(II) 80 acres in the S½ of the NW¼.
(xxi) 455.51 acres in T. 26 N., R. 22 E., sec. 33, comprised of—
(I) 58.25 acres in lot 3;
(II) 58.5 acres in lot 4;
(III) 58.76 acres in lot 5;
(IV) 40 acres in the NW¼ of the NE¼;
(V) 160 acres in the SW¼; and
(VI) 80 acres in the W½ of the SE¼.
(xxii) 88.71 acres in T. 27 N., R. 21 E., sec. 1, comprised of—
(I) 24.36 acres in lot 1;
(II) 24.35 acres in lot 2; and
(III) 40 acres in the SW¼ of the SW¼.
(xxiii) 80 acres in T. 27 N., R. 21 E., sec. 3, comprised of—
(I) 40 acres in lot 11; and
(II) 40 acres in lot 12.
(xxiv) 80 acres in T. 27 N., R. 21 E., sec. 11, comprised of—
(I) 40 acres in the NW¼ of the SW¼; and
(II) 40 acres in the SW¼ of the NW¼.
(xxv) 200 acres in T. 27 N., R. 21 E., sec. 12, comprised of—
(I) 80 acres in the E½ of the SW¼;
(II) 40 acres in the NW¼ of the NW¼; and
(III) 80 acres in the S½ of the NW¼.
(xxvi) 40 acres in the SE¼ of the NE¼ of T. 27 N., R. 21 E., sec. 23.
(xxvii) 320 acres in T. 27 N., R. 21 E., sec. 24, comprised of—
(I) 80 acres in the E½ of the NW¼;
(II) 160 acres in the NE¼;
(III) 40 acres in the NE¼ of the SE¼; and
(IV) 40 acres in the SW¼ of the SW¼.
(xxviii) 120 acres in T. 27 N., R. 21 E., sec. 25, comprised of—
(I) 80 acres in the S½ of the NE¼; and
(II) 40 acres in the SE¼ of the NW¼.
(xxix) 40 acres in the NE¼ of the SE¼ of T. 27 N., R. 21 E., sec. 26.
(xxx) 160 acres in the NW¼ of T. 27 N., R. 21 E., sec. 27.
(xxxi) 40 acres in the SW¼ of the SW¼ of T. 27 N., R. 21 E., sec. 29.
(xxxii) 40 acres in the SW¼ of the NE¼ of T. 27 N., R. 21 E., sec 30.
(xxxiii) 120 acres in T. 27 N., R. 21 E., sec. 33, comprised of—
(I) 40 acres in the SE¼ of the NE¼; and
(II) 80 acres in the N½ of the SE¼.
(xxxiv) 440 acres in T. 27 N., R. 21 E., sec. 34, comprised of—
(I) 160 acres in the N½ of the S½;
(II) 160 acres in the NE¼;
(III) 80 acres in the S½ of the NW¼; and
(IV) 40 acres in the SE¼ of the SE¼.
(xxxv) 133.44 acres in T. 27 N., R. 22 E., sec. 4, comprised of—
(I) 28.09 acres in lot 5;
(II) 25.35 acres in lot 6;
(III) 40 acres in lot 10; and
(IV) 40 acres in lot 15.
(xxxvi) 160 acres in T. 27 N., R. 22 E., sec. 7, comprised of—
(I) 40 acres in the NE¼ of the NE¼;
(II) 40 acres in the NW¼ of the SW¼; and
(III) 80 acres in the W½ of the NW¼.
(xxxvii) 120 acres in T. 27 N., R. 22 E., sec. 8, comprised of—
(I) 80 acres in the E½ of the NW¼; and
(II) 40 acres in the NE¼ of the SW¼.
(xxxviii) 40 acres in the SW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 9.
(xxxix) 40 acres in the NE¼ of the SW¼ of T. 27 N., R. 22 E., sec. 17.
(xl) 40 acres in the NW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 19.
(xli) 40 acres in the SE¼ of the NW¼ of T. 27 N., R22 E., sec. 20.
(xlii) 80 acres in the W½ of the SE¼ of T. 27 N., R. 22 E., sec. 31.
(xliii) 52.36 acres in the SE¼ of the SE¼ of T. 27 N., R. 22 E., sec. 33.
(xliv) 40 acres in the NE¼ of the SW¼ of T. 28 N., R. 22 E., sec. 29.
(xlv) 40 acres in the NE¼ of the NE¼ of T. 26 N., R. 21 E., sec. 7.
(xlvi) 40 acres in the SW¼ of the NW¼ of T. 26 N., R. 21 E., sec. 12.
(xlvii) 42.38 acres in the NW¼ of the NE¼ of T. 26 N., R. 22 E., sec. 6.
(xlviii) 320 acres in the E½ of T. 26 N., R. 22 E., sec. 17.
(xlix) 80 acres in the E½ of the NE¼ of T. 26 N., R. 22 E., sec. 20.
(l) 240 acres in T. 26 N., R. 22 E., sec. 30, comprised of—
(I) 80 acres in the E½ of the NE¼;
(II) 80 acres in the N½ of the SE¼;
(III) 40 acres in the SE¼ of the NW¼; and
(IV) 40 acres in the SW¼ of the NE¼.

(B) BUREAU OF INDIAN AFFAIRS.—The parcels of approximately 3,519.3 acres of trust land that have been converted to fee land, judicially foreclosed on, acquired by the Department of Agriculture, and transferred to the Bureau of Indian Affairs, described in clauses (i) through (iii).

(i) PARCEL 1.—The land described in this clause is 640 acres in T. 29 N., R. 26 E., comprised of—
(I) 160 acres in the SW¼ of sec. 27;
(II) 160 acres in the NE¼ of sec. 33; and
(III) 320 acres in the W½ of sec. 34.
(ii) PARCEL 2.—The land described in this clause is 320 acres in the N½ of T. 30 N., R. 23 E., sec. 28.
(iii) PARCEL 3.—The land described in this clause is 2,559.3 acres, comprised of—
(I) T. 28 N., R. 24 E., including—
(aa) of sec. 16—
(AA) 5 acres in the E½, W½, E½, W½, W½, NE¼;
(BB) 10 acres in the E½ , E½, W½, W½, NE¼;
(CC) 40 acres in the E½, W½, NE¼;
(DD) 40 acres in the W½, E½, NE¼;
(EE) 20 acres in the W½, E½, E½, NE¼;
(FF) 5 acres in the W½, W½, E½, E½, E½, NE¼; and
(GG) 160 acres in the SE¼;
(bb) 640 acres in sec. 21;
(cc) 320 acres in the S½ of sec. 22; and
(dd) 320 acres in the W½ of sec. 27;
(II) T. 29 N., R. 25 E., PMM, including—
(aa) 320 acres in the S½ of sec. 1; and
(bb) 320 acres in the N½ of sec. 12;
(III) 39.9 acres in T. 29 N., R. 26 E., PMM, sec. 6, lot 2;
(IV) T. 30 N., R. 26 E., PMM, including—
(aa) 39.4 acres in sec. 3, lot 2;
(bb) 40 acres in the SW¼ of the SW¼ of sec. 4;
(cc) 80 acres in the E½ of the SE¼ of sec. 5;
(dd) 80 acres in the S½ of the SE¼ of sec. 7; and
(ee) 40 acres in the N½, N½, NE¼ of sec. 18; and
(V) 40 acres in T. 31 N., R. 26 E., PMM, the NW¼ of the SE¼ of sec. 31.

(3) TERMS AND CONDITIONS.—
(A) EXISTING AUTHORIZATIONS.—
(i) IN GENERAL.—Federal land transferred under this subsection shall be conveyed and taken into trust subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, and rights-of-way requests an earlier termination in accordance with existing law.
(ii) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—
(I) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, and rights-of-way described in clause (i); and
(II) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts,

leases, permits, and rights-of-ways after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the Fort Belknap Indian Community.

(B) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred under this subsection shall—

(I) remain the property of the holder; and

(II) be removed from the land not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—

(I) become the property of the Fort Belknap Indian Community; and

(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable to the Fort Belknap Indian Community for costs incurred by the Fort Belknap Indian Community in removing and disposing of the property under clause (ii)(II).

(C) EXISTING ROADS.—If any road within the Federal land transferred under this subsection is necessary for customary access to private land, the Bureau of Indian Affairs shall offer the owner of the private land to apply for a right-of-way along the existing road, at the expense of the landowner.

(D) LIMITATION ON THE TRANSFER OF WATER RIGHTS.—Water rights that transfer with the land described in paragraph (2) shall not become part of the Tribal water rights, unless those rights are recognized and ratified in the Compact.

(4) WITHDRAWAL OF FEDERAL LAND.—

(A) IN GENERAL.—Subject to valid existing rights, effective on the date of enactment of this Act, all Federal land within the parcels described in paragraph (2) is withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(B) EXPIRATION.—The withdrawals pursuant to subparagraph (A) shall terminate on the date that the Secretary takes the land into trust for the benefit of the Fort Belknap Indian Community pursuant to paragraph (1).

(C) NO NEW RESERVATION OF FEDERAL WATER RIGHTS.—Nothing in this paragraph establishes a new reservation in favor of the United States or the Fort Belknap Indian Community with respect to any water or water right on the land withdrawn by this paragraph.

(5) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in paragraph (2), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels.

(6) SURVEY.—

(A) IN GENERAL.—Unless the United States or the Fort Belknap Indian Community request an additional survey for the transferred land or a technical correction is made under paragraph (5), the description of land under this subsection shall be controlling.

(B) ADDITIONAL SURVEY.—If the United States or the Fort Belknap Indian Community requests an additional survey, that survey shall control the total acreage to be transferred into trust under this subsection.

(C) ASSISTANCE.—The Secretary shall provide such financial or other assistance as may be necessary—

(i) to conduct additional surveys under this subsection; and

(ii) to satisfy administrative requirements necessary to accomplish the land transfers under this subsection.

(7) DATE OF TRANSFER.—The Secretary shall complete all land transfers under this subsection and shall take the land into trust for the benefit of the Fort Belknap Indian Community as expeditiously as practicable after the enforceability date, but not later than 10 years after the enforceability date.

(c) TRIBALLY OWNED FEE LAND.—Not later than 10 years after the enforceability date, the Secretary shall take into trust for the benefit of the Fort Belknap Indian Community all fee land owned by the Fort Belknap Indian Community on or adjacent to the Reservation to become part of the Reservation, provided that—

(1) the land is free from any liens, encumbrances, or other infirmities; and

(2) no evidence exists of any hazardous substances on, or other environmental liability with respect to, the land.

(d) DODSON LAND.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the enforceability date, but not later than 10 years after the enforceability date, the Dodson Land described in paragraph (3) shall be taken into trust by the United States for the benefit of the Fort Belknap Indian Community as part of the Reservation.

(2) RESTRICTIONS.—The land taken into trust under paragraph (1) shall be subject to a perpetual easement, reserved by the United States for use by the Bureau of Reclamation, its contractors, and its assigns for—

(A) the right of ingress and egress for Milk River Project purposes;

(B) the right to—

(i) seep, flood, and overflow the transferred land for Milk River Project purposes;

(ii) conduct routine and non-routine operation, maintenance, and replacement activities on the Milk River Project facilities, including modification to the headworks at the upstream end of the Dodson South Canal in support of Dodson South Canal enlargement, to include all associated access, construction, and material storage necessary to complete those activities; and

(iii) prohibit the construction of permanent structures on the transferred land, except—

(I) as provided in the cooperative agreement under paragraph (4); and

(II) to meet the requirements of the Milk River Project.

(3) DESCRIPTION OF DODSON LAND.—

(A) IN GENERAL.—The Dodson Land referred to in paragraphs (1) and (2) is the approximately 2,500 acres of land owned by the United States that is, as of the date of enactment of this Act, under the jurisdiction of the Bureau of Reclamation and located at the northeastern corner of the Reservation (which extends to the point in the middle of the main channel of the Milk River), where the Milk River Project facilities, including the Dodson Diversion Dam, headworks to the Dodson South Canal, and Dodson South Canal, are located, and more particularly described as follows:

(i) Supplemental Plat of T. 30 N., R. 26 E., PMM, secs. 1 and 2.

(ii) Supplemental Plat of T. 31 N., R. 25 E., PMM, sec. 13.

(iii) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 18, 19, 20, and 29.

(iv) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 26, 27, 35, and 36.

(B) CLARIFICATION.—The supplemental plats described in clauses (i) through (iv) of subparagraph (A) are official plats, as documented by retracement boundary surveys of the General Land Office, approved on March 11, 1938, and on record at the Bureau of Land Management.

(C) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in subparagraph (A), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels to be transferred.

(4) COOPERATIVE AGREEMENT.—Not later than 3 years after the enforceability date, the Bureau of Reclamation, the Malta Irrigation District, the Bureau of Indian Affairs, and the Fort Belknap Indian Community shall negotiate and enter into a cooperative agreement that identifies the uses to which the Fort Belknap Indian Community may put the land described in paragraph (3), provided that the cooperative agreement may be amended by mutual agreement of the Fort Belknap Indian Community, Bureau of Reclamation, the Malta Irrigation District, and the Bureau of Indian Affairs, including to modify the perpetual easement to narrow the boundaries of the easement or to terminate the perpetual easement and cooperative agreement.

(e) LAND STATUS.—All land held in trust by the United States for the benefit of the Fort Belknap Indian Community under this section shall be—

(1) beneficially owned by the Fort Belknap Indian Community; and

(2) part of the Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for the benefit of an Indian Tribe.

SEC. 11007. STORAGE ALLOCATION FROM LAKE ELWELL.

(a) STORAGE ALLOCATION OF WATER TO FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall allocate to the Fort Belknap Indian Community 20,000 acre-feet per year of water stored in Lake Elwell for use by the Fort Belknap Indian Community for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation for the benefit of the Fort Belknap Indian Community, as measured and diverted at the outlet works of the Tiber Dam or through direct pumping from Lake Elwell.

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Fort Belknap Indian Community under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Fort Belknap Indian Community under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Fort Belknap Indian Community shall administer the water allocated under subsection (a) in accordance with the Compact and this division.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving the allocation under this section, the Fort Belknap Indian Community shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this division.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Fort Belknap Indian Community, and not the United States, shall be entitled to all consideration due to the Fort Belknap Indian Community under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Fort Belknap Indian Community shall have the same storage rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Fort Belknap Indian Community shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, regardless of whether that water is delivered for use by the Fort Belknap Indian Community or under a lease, contract, exchange, or by agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(G) the Fort Belknap Indian Community shall not be required to make payments to the United States for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H); and

(H) for each acre-foot of stored water leased or transferred by the Fort Belknap Indian Community for industrial purposes—

(i) the Fort Belknap Indian Community shall pay annually to the United States an amount necessary to cover the proportional share of the annual operations, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Fort Belknap Indian Community for industrial purposes; and

(ii) the annual payments of the Fort Belknap Indian Community shall be reviewed and adjusted, as appropriate, to reflect the actual operations, maintenance, and replacement costs for Tiber Dam.

(d) AGREEMENT BY FORT BELKNAP INDIAN COMMUNITY.—The Fort Belknap Indian Community may use, lease, contract, exchange, or enter into other agreements for the use of the water allocated to the Fort Belknap Indian Community under subsection (a) if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any water allocated to the Fort Belknap Indian Community under that subsection.

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 11008. MILK RIVER PROJECT MITIGATION.

(a) IN GENERAL.—In complete satisfaction of the Milk River Project mitigation requirements provided for in Article VI.B. of the Compact, the Secretary, acting through the Commissioner—

(1) in cooperation with the State and the Blackfeet Tribe, shall carry out appropriate activities concerning the restoration of the St. Mary Canal and associated facilities, including activities relating to the—

(A) planning and design to restore the St. Mary Canal and appurtenances to convey 850 cubic-feet per second; and

(B) rehabilitating, constructing, and repairing of the St. Mary Canal and appurtenances; and

(2) in cooperation with the State and the Fort Belknap Indian Community, shall carry out appropriate activities concerning the enlargement of Dodson South Canal and associated facilities, including activities relating to the—

(A) planning and design to enlarge Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; and

(B) rehabilitating, constructing, and enlarging the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second.

(b) FUNDING.—The total amount of obligations incurred by the Secretary, prior to any adjustments provided for in section 11014(b), shall not exceed $300,000,000 to carry out activities described in subsection (c)(1).

(c) SATISFACTION OF MITIGATION REQUIREMENT.—Notwithstanding any provision of the Compact, the mitigation required by Article VI.B. of the Compact shall be deemed satisfied if—

(1) the Secretary has—

(A) restored the St. Mary Canal and associated facilities to convey 850 cubic-feet per second; and

(B) enlarged the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; or

(2) the Secretary—

(A) has expended all of the available funding provided pursuant to section 11014(a)(1)(D) to rehabilitate the St. Mary Canal and enlarge the Dodson South Canal; and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

(d) NONREIMBURSABILITY OF COSTS.—The costs to the Secretary of carrying out this section shall be nonreimbursable.

SEC. 11009. FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall rehabilitate, modernize, and expand the Fort Belknap Indian Irrigation Project, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, which shall include—

(1) planning, studies, and designing of the existing and expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project;

(2) the rehabilitation, modernization, and construction of the existing Milk River unit; and

(3) construction of the expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project.

(b) LEAD AGENCY.—The Bureau of Indian Affairs, in coordination with the Bureau of Reclamation, shall serve as the lead agency with respect to any activities carried out under this section.

(c) CONSULTATION WITH THE FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall consult with the Fort Belknap Indian Community on appropriate changes to the final design and costs of any activity under this section.

(d) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section, prior to any adjustment provided for in section 11014(b), shall not exceed $415,832,153.

(e) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(f) ADMINISTRATION.—The Secretary and the Fort Belknap Indian Community shall negotiate the cost of any oversight activity carried out by the Bureau of Indian Affairs or the Bureau of Reclamation under any agreement entered into under subsection (j), subject to the condition that the total cost for the oversight shall not exceed 3 percent of the total project costs for each project.

(g) PROJECT MANAGEMENT COMMITTEE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall facilitate the formation of a project management committee composed of representatives of the Bureau of Indian Affairs, the Bureau of Reclamation, and the Fort Belknap Indian Community—

(1) to review and make recommendations relating to cost factors, budgets, and implementing the activities for rehabilitating, modernizing, and expanding the Fort Belknap Indian Irrigation Project; and

(2) to improve management of inherently governmental activities through enhanced communication.

(h) PROJECT EFFICIENCIES.—If the total cost of planning, studies, design, rehabilitation, modernization, and construction activities relating to the projects described in subsection (a) results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under section 11012(b)(2).

(i) TREATMENT.—Any activities carried out pursuant to this section that result in improvements, additions, or modifications to the Fort Belknap Indian Irrigation Project shall—

(1) become a part of the Fort Belknap Indian Irrigation Project; and

(2) be recorded in the inventory of the Secretary relating to the Fort Belknap Indian Irrigation Project.

(j) APPLICABILITY OF ISDEAA.—At the request of the Fort Belknap Indian Community, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into agreements with the Fort Belknap Indian Community to carry out all or a portion of this section.

(k) EFFECT.—Nothing in this section—

(1) alters any applicable law under which the Bureau of Indian Affairs collects assessments or carries out the operations and maintenance of the Fort Belknap Indian Irrigation Project; or

(2) impacts the availability of amounts under section 11014.

(l) SATISFACTION OF FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM REQUIREMENT.—The obligations of the Secretary under subsection (a) shall be deemed satisfied if the Secretary—

(1) has rehabilitated, modernized, and expanded the Fort Belknap Indian Irrigation Project in accordance with subsection (a); or

(2)(A) has expended all of the available funding provided pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 11014(a); and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

SEC. 11010. SATISFACTION OF CLAIMS.

(a) IN GENERAL.—The benefits provided under this division shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Fort Belknap Indian Community against the United States that is waived and released by the Fort Belknap Indian Community under section 11011(a).

(b) ALLOTTEES.—The benefits realized by the allottees under this division shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released by the United States (acting as trustee for the allottees) under section 11011(a)(2); and

(2) any claims of the allottees against the United States similar to the claims described in section 11011(a)(2) that the allottee asserted or could have asserted.

SEC. 11011. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AND UNITED STATES AS TRUSTEE FOR THE FORT BELKNAP INDIAN COMMUNITY.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), and the United States, acting as trustee for the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Fort Belknap Indian Community, or the United States acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(2) WAIVER AND RELEASE OF CLAIMS BY THE UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the United States, acting as trustee for the allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(3) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) first arising before the enforceability date relating to—

(i) water rights within the State that the United States, acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a general stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this division;

(ii) foregone benefits from nontribal use of water, on and off the Reservation (including water from all sources and for all uses);

(iii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State;

(iv) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(v) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of the Fort Belknap Indian Irrigation Project and other Federal land and facilities (including damages, losses, or injuries to Tribal fisheries, fish habitat, wildlife, and wildlife habitat);

(vi) a failure to provide for operation and maintenance, or deferred maintenance, for the Fort Belknap Indian Irrigation Project or any other irrigation system or irrigation project;

(vii) the litigation of claims relating to any water rights of the Fort Belknap Indian Community in the State;

(viii) the negotiation, execution, or adoption of the Compact (including appendices) and this division;

(ix) the taking or acquisition of land or resources of the Fort Belknap Indian Community for the construction or operation of the Fort Belknap Indian Irrigation Project or the Milk River Project; and

(x) the allocation of water of the Milk River and the St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448); and

(B) relating to damage, loss, or injury to water, water rights, land, or natural resources due to mining activities in the Little Rockies Mountains prior to the date of trust acquisition, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights.

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) OBJECTIONS IN MONTANA WATER COURT.—Nothing in this division or the Compact prohibits the Fort Belknap Indian Community, a member of the Fort Belknap Indian Community, an allottee, or the United States in any capacity from objecting to any claim to a water right filed in any general stream adjudication in the Montana Water Court.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community, and the United States, acting as trustee for the Fort Belknap Indian Community and the allottees shall retain—

(1) all claims relating to—

(A) the enforcement of water rights recognized under the Compact, any final court decree relating to those water rights, or this division or to water rights accruing on or after the enforceability date;

(B) the quality of water under—

(i) CERCLA, including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(C) damage, loss, or injury to land or natural resources that are—

(i) not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights); and

(ii) not described in subsection (a)(3); and

(D) an action to prevent any person or party (as defined in sections 29 and 30 of Article II of the Compact) from interfering with the enjoyment of the Tribal water rights;

(2) all claims relating to off-Reservation hunting rights, fishing rights, gathering rights, or other rights;

(3) all claims relating to the right to use and protect water rights acquired after the date of enactment of this Act;

(4) all claims relating to the allocation of waters of the Milk River and the Milk River Project between the Fort Belknap Indian Community and the Blackfeet Tribe, pursuant to section 3705(e)(3) of the Blackfeet Water Rights Settlement Act (Public Law 114–322; 130 Stat. 1818);

(5) all claims relating to the enforcement of this division, including the required transfer of land under section 11006; and

(6) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this division or the Compact.

(e) EFFECT OF COMPACT AND DIVISION.—Nothing in the Compact or this division—

(1) affects the authority of the Fort Belknap Indian Community to enforce the laws of the Fort Belknap Indian Community, including with respect to environmental protections;

(2) affects the ability of the United States, acting as sovereign, to carry out any activity authorized by law, including—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) CERCLA; and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) affects the ability of the United States to act as trustee for any other Indian Tribe or an allottee of any other Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law relating to health, safety, or the environment; or

(C) to conduct judicial review of any Federal agency action;

(5) waives any claim of a member of the Fort Belknap Indian Community in an individual capacity that does not derive from a right of the Fort Belknap Indian Community;

(6) revives any claim adjudicated in the decision in Gros Ventre Tribe v. United States, 469 F.3d 801 (9th Cir. 2006); or

(7) revives any claim released by an allottee or member of the Fort Belknap Indian Community in the settlement in Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) the eligible members of the Fort Belknap Indian Community have voted to

approve this division and the Compact by a majority of votes cast on the day of the vote;

(2)(A) the Montana Water Court has approved the Compact in a manner from which no further appeal may be taken; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate district court of the United States has approved the Compact as a consent decree from which no further appeal may be taken;

(3) all of the amounts authorized to be appropriated under section 11014 have been appropriated and deposited in the designated accounts;

(4) the Secretary and the Fort Belknap Indian Community have executed the allocation agreement described in section 11007(c)(1);

(5) the State has provided the required funding into the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund pursuant to section 11014(a)(3); and

(6) the waivers and releases under subsection (a) have been executed by the Fort Belknap Indian Community and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the enforceability date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitations or time-based equitable defense that expired before the date of enactment of this Act.

(h) EXPIRATION.—

(1) IN GENERAL.—This division shall expire in any case in which—

(A) the amounts authorized to be appropriated by this division have not been made available to the Secretary by not later than—

(i) January 21, 2034; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary; or

(B) the Secretary fails to publish a statement of findings under subsection (f) by not later than—

(i) January 21, 2035; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this division expires under paragraph (1)—

(A) the waivers and releases under subsection (a) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Compact under section 11004 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this division shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this division, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this division shall be returned to the Federal Government, unless otherwise agreed to by the Fort Belknap Indian Community and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this division that were expended or withdrawn, or any funds made available to carry out this division from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Fort Belknap Indian Community; or

(bb) any user of the Tribal water rights; or

(II) any other matter described in subsection (a)(3); or

(ii) in any future settlement of water rights of the Fort Belknap Indian Community or an allottee.

SEC. 11012. AANIIIH NAKODA SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund for the Fort Belknap Indian Community, to be known as the ''Aaniiih Nakoda Settlement Trust Fund'', to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account.

(2) The Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account.

(3) The Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1), the amounts made available pursuant to paragraphs (1)(A) and (2)(A)(i) of section 11014(a);

(2) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the amounts made available pursuant to section 11014(a)(2)(A)(ii); and

(3) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the amounts made available pursuant to paragraphs (1)(B) and (2)(A)(iii) of section 11014(a).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of the funds into the accounts in the Trust Fund pursuant to subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in accordance with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the amounts deposited under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund shall be available for use in accordance with subsections (e) and (g).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, earned on those amounts shall be made available—

(A) to the Fort Belknap Indian Community by the Secretary beginning on the enforceability date; and

(B) subject to the uses and restrictions in this section.

(2) EXCEPTIONS.—Notwithstanding paragraph (1)—

(A) amounts deposited in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for uses described in subparagraph (A) and (B) of subsection (g)(1);

(B) amounts deposited in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2) shall be made available to the Fort Belknap Indian Community on the date on which the amounts are deposited and the Fort Belknap Indian Community has satisfied the requirements of section 11011(f)(1), for the uses described in subsection (g)(2)(A); and

(C) amounts deposited in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for the uses described in subsection (g)(3)(A).

(f) WITHDRAWALS.—

(1) AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Fort Belknap Indian Community may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Fort Belknap Indian Community in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Fort Belknap Indian Community spend all amounts withdrawn from the Trust Fund, and any investment earnings accrued through the investments under the Tribal management plan, in accordance with this division.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary—

(i) to enforce the Tribal management plan; and

(ii) to ensure that amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community under this paragraph are used in accordance with this division.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Fort Belknap Indian Community may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under this paragraph, the Fort Belknap Indian Community shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Fort Belknap Indian Community elects to withdraw pursuant to this paragraph, subject to the condition that the funds shall be used for the purposes described in this division.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Fort Belknap Indian Community in accordance with subsections (e) and (g).

(D) APPROVAL.—On receipt of an expenditure plan under this paragraph, the Secretary shall approve the expenditure plan if the Secretary determines that the expenditure plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this division.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan under this paragraph to ensure that amounts disbursed under this paragraph are used in accordance with this division.

(g) USES.—Amounts from the Trust Fund shall be used by the Fort Belknap Indian Community for the following purposes:

(1) FORT BELKNAP INDIAN COMMUNITY TRIBAL IRRIGATION AND OTHER WATER RESOURCES DEVELOPMENT ACCOUNT.—Amounts in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be used to pay the cost of activities relating to—

(A) planning, studies, and design of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019;

(B) environmental compliance;

(C) construction of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir;

(D) wetlands restoration and development;

(E) stock watering infrastructure; and

(F) on farm development support and reacquisition of fee lands within the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(2) FORT BELKNAP INDIAN COMMUNITY WATER RESOURCES AND WATER RIGHTS ADMINISTRATION, OPERATION, AND MAINTENANCE ACCOUNT.—Amounts in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities described in subparagraphs (A) through (C) as follows:

(A) $9,000,000 shall be used for the establishment, operation, and capital expenditures in connection with the administration of the Tribal water resources and water rights development, including the development or enactment of a Tribal water code.

(B) Only investment earnings, including interest, on $29,299,059 shall be used and be available to pay the costs of activities for administration, operations, and regulation of the Tribal water resources and water rights department, in accordance with the Compact and this division.

(C) Only investment earnings, including interest, on $28,331,693 shall be used and be available to pay the costs of activities relating to a portion of the annual assessment costs for the Fort Belknap Indian Community and Tribal members, including allottees, under the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(3) FORT BELKNAP INDIAN COMMUNITY CLEAN AND SAFE DOMESTIC WATER AND SEWER SYSTEMS, AND LAKE ELWELL PROJECT ACCOUNT.—Amounts in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities relating to—

(A) planning, studies, design, and environmental compliance of domestic water supply, and sewer collection and treatment systems, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, including the Lake Elwell Project water delivery to the southern part of the Reservation;

(B) construction of domestic water supply, sewer collection, and treatment systems;

(C) construction, in accordance with applicable law, of infrastructure for delivery of Lake Elwell water diverted from the Missouri River to the southern part of the Reservation; and

(D) planning, studies, design, environmental compliance, and construction of a Tribal wellness center for a work force health and wellbeing project.

(h) LIABILITY.—The Secretary shall not be liable for any expenditure or investment of amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community pursuant to subsection (f).

(i) PROJECT EFFICIENCIES.—If the total cost of the activities described in subsection (g) results in cost savings and is less than the amounts authorized to be obligated under any of paragraphs (1) through (3) of that subsection required to carry out those activities, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Trust Fund to be used in accordance with that subsection.

(j) ANNUAL REPORT.—The Fort Belknap Indian Community shall submit to the Secretary an annual expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan described in this section.

(k) NO PER CAPITA PAYMENTS.—No principal or interest amount in any account established by this section shall be distributed to any member of the Fort Belknap Indian Community on a per capita basis.

(l) EFFECT.—Nothing in this division entitles the Fort Belknap Indian Community to judicial review of a determination of the Secretary regarding whether to approve a Tribal management plan under subsection (f)(1) or an expenditure plan under subsection (f)(2), except as provided under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

SEC. 11013. FORT BELKNAP INDIAN COMMUNITY WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account to be known as the ''Fort Belknap Indian Community Water Settlement Implementation Fund'', to be managed and distributed by the Secretary, for use by the Secretary for carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The Fort Belknap Indian Irrigation Project System Account.

(2) The Milk River Project Mitigation Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1), the amount made available pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 11014(a); and

(2) in the Milk River Project Mitigation Account established under subsection (b)(2), the amount made available pursuant to section 11014(a)(1)(D).

(d) USES.—

(1) FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM ACCOUNT.—The Fort Belknap Indian Irrigation Project Rehabilitation Account established under subsection (b)(1) shall be used to carry out section 11009, except as provided in subsection (h) of that section.

(2) MILK RIVER PROJECT MITIGATION ACCOUNT.—The Milk River Project Mitigation Account established under subsection (b)(2) may only be used to carry out section 11008.

(e) MANAGEMENT.—

(1) IN GENERAL.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

(2) EXCEPTION.—Notwithstanding paragraph (1), amounts deposited in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1) shall be available to the Secretary on the date on which the amounts are deposited for uses described in paragraphs (1) and (2) of section 11009(a).

(f) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (d).

SEC. 11014. FUNDING.

(a) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(A) for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1), $89,643,100, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(B) for deposit in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 11012(b)(3), $331,885,220, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(C) for deposit in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 11013(b)(1), such sums as are necessary, but not more than $187,124,469, for the Secretary to carry out section 11009, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury; and

(D) for deposit in the Milk River Project Mitigation Account of the Implementation Fund established under section 11013(b)(2), such sums as are necessary, but not more than $300,000,000, for the Secretary to carry out obligations of the Secretary under section 11008, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) MANDATORY APPROPRIATIONS.—

(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall deposit—

(i) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1),

$29,881,034, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(ii) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account of the Trust Fund established under section 11012(b)(2), $66,630,752;

(iii) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 11012(b)(3), $110,628,407; and

(iv) in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 11013(b)(1), $228,707,684.

(B) AVAILABILITY.—Amounts deposited in the accounts under subparagraph (A) shall be available without further appropriation.

(3) STATE COST SHARE.—The State shall contribute $5,000,000, plus any earned interest, payable to the Secretary for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1) on approval of a final decree by the Montana Water Court for the purpose of activities relating to the Upper Peoples Creek Dam and Reservoir under subparagraphs (A) through (C) of section 11012(g)(1).

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amounts authorized to be appropriated under paragraphs (1) and (2) of subsection (a) and this subsection shall be—

(A) increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after the date of enactment of this Act as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend; and

(B) adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(2) REPETITION.—The adjustment process under paragraph (1) shall be repeated for each subsequent amount appropriated until the amount authorized to be appropriated under subsection (a), as adjusted, has been appropriated.

(3) PERIOD OF INDEXING.—

(A) TRUST FUND.—With respect to the Trust Fund, the period of indexing adjustment under paragraph (1) for any increment of funding shall end on the date on which the funds are deposited into the Trust Fund.

(B) IMPLEMENTATION FUND.—With respect to the Implementation Fund, the period of adjustment under paragraph (1) for any increment of funding shall be annually.

SEC. 11015. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this division waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Fort Belknap Indian Community.

(c) ELIMINATION OF DEBTS OR LIENS AGAINST ALLOTMENTS OF THE FORT BELKNAP INDIAN COMMUNITY MEMBERS WITHIN THE FORT BELKNAP INDIAN IRRIGATION PROJECT.—On the date of enactment of this Act, the Secretary shall cancel and eliminate all debts or liens against the allotments of land held by the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community due to construction assessments and annual operation and maintenance charges relating to the Fort Belknap Indian Irrigation Project.

(d) EFFECT ON CURRENT LAW.—Nothing in this division affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner under this division shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(f) ADDITIONAL FUNDING.—Nothing in this division prohibits the Fort Belknap Indian Community from seeking—

(1) additional funds for Tribal programs or purposes; or

(2) funding from the United States or the State based on the status of the Fort Belknap Indian Community as an Indian Tribe.

(g) RIGHTS UNDER STATE LAW.—Except as provided in section 1 of Article III of the Compact (relating to the closing of certain water basins in the State to new appropriations in accordance with the laws of the State), nothing in this division or the Compact precludes the acquisition or exercise of a right arising under State law (as defined in section 6 of Article II of the Compact) to the use of water by the Fort Belknap Indian Community, or a member or allottee of the Fort Belknap Indian Community, outside the Reservation by—

(1) purchase of the right; or

(2) submitting to the State an application in accordance with State law.

(h) WATER STORAGE AND IMPORTATION.—Nothing in this division or the Compact prevents the Fort Belknap Indian Community from participating in any project to import water to, or to add storage in, the Milk River Basin.

SEC. 11016. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this division, including any obligation or activity under the Compact, if—

(1) adequate appropriations are not provided by Congress expressly to carry out the purposes of this division; or

(2) there are not enough funds available in the Reclamation Water Settlements Fund established by section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)) to carry out the purposes of this division.

SA 1085. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 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 I—FORT BELKNAP INDIAN COMMUNITY WATER RIGHTS SETTLEMENT ACT OF 2023

SEC. 11001. SHORT TITLE.

This division may be cited as the ''Fort Belknap Indian Community Water Rights Settlement Act of 2023''.

SEC. 11002. PURPOSES.

The purposes of this division are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; and

(B) the United States, acting as trustee for the Fort Belknap Indian Community and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Fort Belknap Indian Community and the State, to the extent that the Compact is consistent with this division;

(3) to authorize and direct the Secretary—

(A) to execute the Compact; and

(B) to take any other actions necessary to carry out the Compact in accordance with this division;

(4) to authorize funds necessary for the implementation of the Compact and this division; and

(5) to authorize the exchange and transfer of certain Federal and State land.

SEC. 11003. DEFINITIONS.

In this division:

(1) ALLOTTEE.—The term ''allottee'' means an individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BLACKFEET TRIBE.—The term ''Blackfeet Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

(3) CERCLA.—The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of Reclamation.

(5) COMPACT.—The term ''Compact'' means—

(A) the Fort Belknap-Montana water rights compact dated April 16, 2001, as contained in section 85–20–1001 of the Montana Code Annotated (2021); and

(B) any appendix (including appendix amendments), part, or amendment to the Compact that is executed to make the Compact consistent with this division.

(6) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 11011(f).

(7) FORT BELKNAP INDIAN COMMUNITY.—The term ''Fort Belknap Indian Community'' means the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation of Montana, a federally recognized Indian Tribal entity included on the list published by the Secretary pursuant to section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

(8) FORT BELKNAP INDIAN COMMUNITY COUNCIL.—The term ''Fort Belknap Indian Community Council'' means the governing body of the Fort Belknap Indian Community.

(9) FORT BELKNAP INDIAN IRRIGATION PROJECT.—

(A) IN GENERAL.—The term ''Fort Belknap Indian Irrigation Project'' means the Federal Indian irrigation project constructed and operated by the Bureau of Indian Affairs, consisting of the Milk River unit, including—

(i) the Three Mile unit; and

(ii) the White Bear unit.

(B) INCLUSIONS.—The term ''Fort Belknap Indian Irrigation Project'' includes any addition to the Fort Belknap Indian Irrigation Project constructed pursuant to this division, including expansion of the Fort Belknap Indian Irrigation Project, the Pumping Plant, delivery Pipe and Canal, the Fort Belknap Reservoir and Dam, and the Peoples Creek Flood Protection Project.

(10) IMPLEMENTATION FUND.—The term ''Implementation Fund'' means the Fort Belknap Indian Community Water Settlement Implementation Fund established by section 11013(a).

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

(12) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(13) MALTA IRRIGATION DISTRICT.—The term ''Malta Irrigation District'' means the public corporation—

(A) created on December 28, 1923, pursuant to the laws of the State relating to irrigation districts; and

(B) headquartered in Malta, Montana.

(14) MILK RIVER.—The term ''Milk River'' means the mainstem of the Milk River and each tributary of the Milk River between the headwaters of the Milk River and the confluence of the Milk River with the Missouri River, consisting of—

(A) Montana Water Court Basins 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and 40O; and

(B) the portion of the Milk River and each tributary of the Milk River that flows through the Canadian Provinces of Alberta and Saskatchewan.

(15) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(16) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River, including tributaries.

(17) OPERATIONS AND MAINTENANCE.—The term ''operations and maintenance'' means the Bureau of Indian Affairs operations and maintenance activities related to costs described in section 171.500 of title 25, Code of Federal Regulations (or a successor regulation).

(18) OPERATIONS, MAINTENANCE, AND REPLACEMENT.—The term ''operations, maintenance, and replacement'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to repairing, replacing, or rehabilitating a feature of a project.

(19) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM.—The term ''Pick-Sloan Missouri River Basin Program'' means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665)).

(20) PMM.—The term ''PMM'' means the Principal Meridian, Montana.

(21) RESERVATION.—

(A) IN GENERAL.—The term ''Reservation'' means the area of the Fort Belknap Reservation in the State, as modified by this division.

(B) INCLUSIONS.—The term ''Reservation'' includes—

(i) all land and interests in land established by—

(I) the Agreement with the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 212), as modified by the Agreement with the Indians of the Fort Belknap Reservation of October 9, 1895 (ratified by the Act of June 10, 1896) (29 Stat. 350, chapter 398);

(II) the Act of March 3, 1921 (41 Stat. 1355, chapter 135); and

(III) Public Law 94–114 (25 U.S.C. 5501 et seq.);

(ii) the land known as the ''Hancock lands'' purchased by the Fort Belknap Indian Community pursuant to the Fort Belknap Indian Community Council Resolution No. 234–89 (October 2, 1989); and

(iii) all land transferred to the United States to be held in trust for the benefit of the Fort Belknap Indian Community under section 11006.

(22) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(23) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(24) STATE.—The term ''State'' means the State of Montana.

(25) TRIBAL WATER CODE.—The term ''Tribal water code'' means the Tribal water code enacted by the Fort Belknap Indian Community pursuant to section 11005(g).

(26) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Fort Belknap Indian Community, as described in Article III of the Compact and this division, including the allocation of water to the Fort Belknap Indian Community from Lake Elwell under section 11007.

(27) TRUST FUND.—The term ''Trust Fund'' means the Aaniiih Nakoda Settlement Trust Fund established for the Fort Belknap Indian Community under section 11012(a).

SEC. 11004. RATIFICATION OF COMPACT.

(a) RATIFICATION OF COMPACT.—

(1) IN GENERAL.—As modified by this division, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed to the extent that the amendment is executed to make the Compact consistent with this division.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this division, the Secretary shall execute the Compact, including all appendices to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this division precludes the Secretary from approving any modification to an appendix to the Compact that is consistent with this division, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this division, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Compact and this division, the Fort Belknap Indian Community shall prepare any necessary environmental documents, except for any environmental documents required under section 11008, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities described in paragraph (2) shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 11005. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this division.

(3) CONFLICT.—In the event of a conflict between the Compact and this division, this division shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this division, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this division;

(2) the availability of funding under this division and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), and this division to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Fort Belknap Indian Community and allottees in accordance with this division; and

(2) shall not be subject to loss through nonuse, forfeiture, or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF THE ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), relating to the use of water for irrigation purposes, shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the Tribal water code or other applicable Tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the Tribal water code or other applicable Tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF THE SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF THE FORT BELKNAP INDIAN COMMUNITY.—

(1) IN GENERAL.—The Fort Belknap Indian Community shall have the authority to allocate, distribute, and lease the Tribal water rights for use on the Reservation in accordance with the Compact, this division, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Fort Belknap Indian Community may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, this division, and applicable Federal law—

(A) subject to the approval of the Secretary; or

(B) pursuant to Tribal water leasing regulations consistent with the requirements of subsection (f).

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the Tribal water code.

(f) TRIBAL WATER LEASING REGULATIONS.—

(1) IN GENERAL.—At the discretion of the Fort Belknap Indian Community, any water lease of the Fort Belknap Indian Community of the Tribal water rights for use on or off the Reservation shall not require the approval of the Secretary if the lease—

(A) is executed under tribal regulations, approved by the Secretary under this subsection;

(B) is in accordance with the Compact; and

(C) does not exceed a term of 100 years, except that a lease may include an option to renew for 1 additional term of not to exceed 100 years.

(2) AUTHORITY OF THE SECRETARY OVER TRIBAL WATER LEASING REGULATIONS.—

(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any Tribal water leasing regulations issued in accordance with paragraph (1).

(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any Tribal water leasing regulations issued in accordance with paragraph (1) if the Tribal water leasing regulations—

(i) provide for an environmental review process that includes—

(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

(II) a process for ensuring that—

(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Fort Belknap Indian Community; and

(bb) the Fort Belknap Indian Community provides responses to relevant and substantive public comments on those impacts prior to its approval of a water lease; and

(ii) are consistent with this division and the Compact.

(3) REVIEW PROCESS.—

(A) IN GENERAL.—Not later than 120 days after the date on which Tribal water leasing regulations under paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the Tribal water leasing regulations described in subparagraph (A), the Secretary shall include written documentation with the disapproval notification that describes the basis for this disapproval.

(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(4) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (2) and (3), if the Fort Belknap Indian Community carries out a project or activity funded by a Federal agency, the Fort Belknap Indian Community—

(A) shall have the authority to rely on the environmental review process of the applicable Federal agency; and

(B) shall not be required to carry out a tribal environmental review process under this subsection.

(5) DOCUMENTATION.—If the Fort Belknap Indian Community issues a lease pursuant to Tribal water leasing regulations under paragraph (1), the Fort Belknap Indian Community shall provide the Secretary and the State a copy of the lease, including any amendments or renewals to the lease.

(6) LIMITATION OF LIABILITY.—

(A) IN GENERAL.—The United States shall not be liable in any claim relating to the negotiation, execution, or approval of any lease or exchange agreement or storage agreement, including any claims relating to the terms included in such an agreement, made pursuant to Tribal water leasing regulations under paragraph (1).

(B) OBLIGATIONS.—The United States shall have no trust obligation or other obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease or exchange agreement or storage agreement; or

(ii) the expenditure of those funds.

(g) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding Article IV.A.2. of the Compact, not later than 4 years after the date on which the Fort Belknap Indian Community approves the Compact in accordance with section 11011(f)(1), the Fort Belknap Indian Community shall enact a Tribal water code that provides for—

(A) the administration, management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this division; and

(B) the establishment by the Fort Belknap Indian Community of the conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this division.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the Tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Fort Belknap Indian Community provide water for irrigation use in accordance with this division, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (36 Stat. 856, chapter 431; 25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Fort Belknap Indian Community of any request of an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision;

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the Tribal water code, including to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under Tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B);

(E) a process by which an owner of fee land within the boundaries of the Reservation may apply for use of a portion of the Tribal water rights; and

(F) a process for the establishment of a controlled Groundwater area and for the management of that area in cooperation with establishment of a contiguous controlled Groundwater area off the Reservation established pursuant to Section B.2. of Article IV of the Compact and State law.

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this Act and ending on the date on which a Tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with the Compact and this division.

(B) APPROVAL.—The Tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the Tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the Tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the Tribal water code or an amendment to the Tribal water code by not later than 180 days after the date on which the Tribal water code or amendment to the Tribal water code is submitted to the Secretary.

(ii) EXTENSIONS.—The deadline described in clause (i) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(h) ADMINISTRATION.—

(1) NO ALIENATION.—The Fort Belknap Indian Community shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this division for the allocation, distribution, leasing, or other arrangement entered into pursuant to this division shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water

rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(i) EFFECT.—Except as otherwise expressly provided in this section, nothing in this division—

(1) authorizes any action by an allottee against any individual or entity, or against the Fort Belknap Indian Community, under Federal, State, Tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

(j) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM POWER RATES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary, in cooperation with the Secretary of Energy, shall make available the Pick-Sloan Missouri River Basin Program irrigation project pumping power rates to the Fort Belknap Indian Community, the Fort Belknap Indian Irrigation Project, and any projects funded under this division.

(2) AUTHORIZED PURPOSES.—The power rates made available under paragraph (1) shall be authorized for the purposes of wheeling, administration, and payment of irrigation project pumping power rates, including project use power for gravity power.

SEC. 11006. EXCHANGE AND TRANSFER OF LAND.

(a) EXCHANGE OF ELIGIBLE LAND AND STATE LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE LAND.—The term ''eligible land'' means—

(i) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) that are administered by the Secretary, acting through the Director of the Bureau of Land Management; and

(ii) land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a)) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(B) SECRETARY CONCERNED.—The term ''Secretary concerned'' means, as applicable—

(i) the Secretary, with respect to the eligible land administered by the Bureau of Land Management; and

(ii) the Secretary of Agriculture, with respect to eligible land managed by the Forest Service.

(2) NEGOTIATIONS AUTHORIZED.—

(A) IN GENERAL.—The Secretary concerned shall offer to enter into negotiations with the State for the purpose of exchanging eligible land described in paragraph (4) for the State land described in paragraph (3).

(B) REQUIREMENTS.—Any exchange of land made pursuant to this subsection shall be subject to the terms and conditions of this subsection.

(C) PRIORITY.—

(i) IN GENERAL.—In carrying out this paragraph, the Secretary and the Secretary of Agriculture shall, during the 5-year period beginning on the date of enactment of this Act, give priority to an exchange of eligible land located within the State for State land.

(ii) SECRETARY OF AGRICULTURE.—The responsibility of the Secretary of Agriculture under clause (i), during the 5-year period described in that clause, shall be limited to negotiating with the State an acceptable package of land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a))).

(3) STATE LAND.—The Secretary is authorized to accept the following parcels of State land located on and off the Reservation:

(A) 717.56 acres in T. 26 N., R. 22 E., sec. 16.
(B) 707.04 acres in T. 27 N., R. 22 E., sec. 16.
(C) 640 acres in T. 27 N., R. 21 E., sec. 36.
(D) 640 acres in T. 26 N., R. 23 E., sec. 16.
(E) 640 acres in T. 26 N., R. 23 E., sec. 36.
(F) 640 acres in T. 26 N., R. 26 E., sec. 16.
(G) 640 acres in T. 26 N., R. 22 E., sec. 36.
(H) 640 acres in T. 27 N., R. 23 E., sec. 16.
(I) 640 acres in T. 27 N., R. 25 E., sec. 36.
(J) 640 acres in T. 28 N., R. 22 E., sec. 36.
(K) 640 acres in T. 28 N., R. 23 E., sec. 16.
(L) 640 acres in T. 28 N., R. 24 E., sec. 36.
(M) 640 acres in T. 28 N., R. 25 E., sec. 16.
(N) 640 acres in T. 28 N., R. 25 E., sec. 36.
(O) 640 acres in T. 28 N., R. 26 E., sec. 16.
(P) 94.96 acres in T. 28 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act, comprised of—
(i) 30.68 acres in lot 5;
(ii) 26.06 acres in lot 6;
(iii) 21.42 acres in lot 7; and
(iv) 16.8 acres in lot 8.
(Q) 652.32 acres in T. 29 N., R. 22 E., sec. 16, excluding the 73.36 acres under lease by individuals who are not members of the Fort Belknap Indian Community, on the date of enactment of this Act.
(R) 640 acres in T. 29 N., R. 22 E., sec. 36.
(S) 640 acres in T. 29 N., R. 23 E., sec. 16.
(T) 640 acres in T. 29 N., R. 24 E., sec. 16.
(U) 640 acres in T. 29 N., R. 24 E., sec. 36.
(V) 640 acres in T. 29 N., R. 25 E., sec. 16.
(W) 640 acres in T. 29 N., R. 25 E., sec. 36.
(X) 640 acres in T. 29 N., R. 26 E., sec. 16.
(Y) 663.22 acres in T. 30 N., R. 22 E., sec. 16, excluding the 58.72 acres under lease by individuals who are not members of the Fort Belknap Indian Community on the date of enactment of this Act.
(Z) 640 acres in T. 30 N., R. 22 E., sec. 36.
(AA) 640 acres in T. 30 N., R. 23 E., sec. 16.
(BB) 640 acres in T. 30 N., R. 23 E., sec. 36.
(CC) 640 acres in T. 30 N., R. 24 E., sec. 16.
(DD) 640 acres in T. 30 N., R. 24 E., sec. 36.
(EE) 640 acres in T. 30 N., R. 25 E., sec. 16.
(FF) 275.88 acres in T. 30 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act.
(GG) 640 acres in T. 31 N., R. 22 E., sec. 36.
(HH) 640 acres in T. 31 N., R. 23 E., sec. 16.
(II) 640 acres in T. 31 N., R. 23 E., sec. 36.
(JJ) 34.04 acres in T. 31 N., R. 26 E., sec. 16, lot 4.
(KK) 640 acres in T. 25 N., R. 22 E., sec. 16.

(4) ELIGIBLE LAND.—

(A) IN GENERAL.—Subject to valid existing rights, the reservation of easements or rights-of-way deemed necessary to be retained by the Secretary concerned, and the requirements of this subsection, the Secretary is authorized and directed to convey to the State any eligible land within the State identified in the negotiations authorized by paragraph (2) and agreed to by the Secretary concerned.

(B) EXCEPTIONS.—The Secretary concerned shall exclude from any conveyance any parcel of eligible land that is—

(i) included within the National Landscape Conservation System established by section 2002(a) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(a)), without regard to whether that land has been identified as available for disposal in a land use plan;

(ii) designated as wilderness by Congress;

(iii) within a component of the National Wild and Scenic Rivers System; or

(iv) designated in the Forest Land and Resource Management Plan as a Research Natural Area.

(C) ADMINISTRATIVE RESPONSIBILITY.—The Secretary shall be responsible for meeting all substantive and any procedural requirements necessary to complete the exchange and the conveyance of the eligible land.

(5) LAND INTO TRUST.—On completion of the land exchange authorized by this subsection, the Secretary shall, as soon as practicable after the enforceability date, take the land received by the United States pursuant to this subsection into trust for the benefit of the Fort Belknap Indian Community.

(6) TERMS AND CONDITIONS.—

(A) EQUAL VALUE.—The values of the eligible land and State land exchanged under this subsection shall be equal, except that the Secretary concerned may—

(i) exchange land that is of approximately equal value if such an exchange complies with the requirements of section 206(h) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(h)) (and any regulations implementing that section) without regard to the monetary limitation described in paragraph (1)(A) of that section; and

(ii) make or accept an equalization payment, or waive an equalization payment, if such a payment or waiver of a payment complies with the requirements of section 206(b) of that Act (43 U.S.C. 1716(b)) (and any regulations implementing that section).

(B) IMPACTS ON LOCAL GOVERNMENTS.—In identifying eligible land to be exchanged with the State, the Secretary concerned and the State may—

(i) consider the financial impacts of exchanging specific eligible land on local governments; and

(ii) attempt to minimize the financial impact of the exchange on local governments.

(C) EXISTING AUTHORIZATIONS.—

(i) ELIGIBLE LAND CONVEYED TO THE STATE.—

(I) IN GENERAL.—Any eligible land conveyed to the State under this subsection shall be subject to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

(II) ASSUMPTION BY STATE.—The State shall assume all benefits and obligations of the Forest Service or the Bureau of Land Management, as applicable, under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I).

(ii) STATE LAND CONVEYED TO THE UNITED STATES.—

(I) IN GENERAL.—Any State land conveyed to the United States under this subsection and taken into trust for the benefit of the Fort Belknap Indian Community subject shall be to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

(II) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—

(aa) assume all benefits and obligations of the State under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I); and

(bb) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-way, after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the benefit of the Fort Belknap Indian Community.

(D) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred to the United States under this subsection shall—

(I) remain the property of the holder; and

(II) be removed not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—

(I) become the property of the Fort Belknap Indian Community; and

(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable for costs incurred by the Fort Belknap Indian Community in removing and disposing of the personal property under clause (ii)(II).

(7) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of land owned by the State under paragraph (3), the State may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the State parcels to be exchanged.

(8) ASSISTANCE.—The Secretary shall provide $10,000,000 of financial or other assistance to the State and the Fort Belknap Indian Community as may be necessary to obtain the appraisals, and to satisfy administrative requirements, necessary to accomplish the exchanges under paragraph (2).

(b) FEDERAL LAND TRANSFERS.—

(1) IN GENERAL.—Subject to valid existing rights and the requirements of this subsection, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be held by the United States in trust for the benefit of the Fort Belknap Indian Community as part of the Reservation on the enforceability date.

(2) FEDERAL LAND.—

(A) BUREAU OF LAND MANAGEMENT PARCELS.—

(i) 59.46 acres in T. 25 N., R. 22 E., sec. 4, comprised of—

(I) 19.55 acres in lot 10;

(II) 19.82 acres in lot 11; and

(III) 20.09 acres in lot 16.

(ii) 324.24 acres in the N½ of T. 25 N., R. 22 E., sec. 5.

(iii) 403.56 acres in T. 25 N., R. 22 E., sec. 9, comprised of—

(I) 20.39 acres in lot 2;

(II) 20.72 acres in lot 7;

(III) 21.06 acres in lot 8;

(IV) 40.00 acres in lot 9;

(V) 40.00 acres in lot 10;

(VI) 40.00 acres in lot 11;

(VII) 40.00 acres in lot 12;

(VIII) 21.39 acres in lot 13; and

(IX) 160 acres in SW¼.

(iv) 70.63 acres in T. 25 N., R. 22 E., sec. 13, comprised of—

(I) 18.06 acres in lot 5;

(II) 18.25 acres in lot 6;

(III) 18.44 acres in lot 7; and

(IV) 15.88 acres in lot 8.

(v) 71.12 acres in T. 25 N., R. 22 E., sec. 14, comprised of—

(I) 17.65 acres in lot 5;

(II) 17.73 acres in lot 6;

(III) 17.83 acres in lot 7; and

(IV) 17.91 acres in lot 8.

(vi) 103.29 acres in T. 25 N., R. 22 E., sec. 15, comprised of—

(I) 21.56 acres in lot 6;

(II) 29.50 acres in lot 7;

(III) 17.28 acres in lot 8;

(IV) 17.41 acres in lot 9; and

(V) 17.54 acres in lot 10.

(vii) 160 acres in T. 26 N., R. 21 E., sec. 1, comprised of—

(I) 80 acres in the S½ of the NW¼ ; and

(II) 80 acres in the W½ of the SW¼.

(viii) 567.50 acres in T. 26 N., R. 21 E., sec. 2, comprised of—

(I) 82.54 acres in the E½ of the NW¼;

(II) 164.96 acres in the NE¼; and

(III) 320 acres in the S½.

(ix) 240 acres in T. 26 N., R. 21 E., sec. 3, comprised of—

(I) 40 acres in the SE¼ of the NW¼;

(II) 160 acres in the SW¼; and

(III) 40 acres in the SW¼ of the SE¼.

(x) 120 acres in T. 26 N., R. 21 E., sec. 4, comprised of—

(I) 80 acres in the E½ of the SE¼; and

(II) 40 acres in the NW¼ of the SE¼.

(xi) 200 acres in T. 26 N., R. 21 E., sec. 5, comprised of—

(I) 160 acres in the SW¼; and

(II) 40 acres in the SW¼ of the NW¼.

(xii) 40 acres in the SE¼ of the SE¼ of T. 26 N., R. 21 E., sec. 6.

(xiii) 240 acres in T. 26 N., R. 21 E., sec. 8, comprised of—

(I) 40 acres in the NE¼ of the SW¼;

(II) 160 acres in the NW¼; and

(III) 40 acres in the NW¼ of the SE¼.

(xiv) 320 acres in the E½ of T. 26 N., R. 21 E., sec. 9.

(xv) 640 acres in T. 26 N., R. 21 E., sec. 10.

(xvi) 600 acres in T. 26 N., R. 21 E., sec. 11, comprised of—

(I) 320 acres in the N½;

(II) 80 acres in the N½ of the SE¼;

(III) 160 acres in the SW¼; and

(IV) 40 acres in the SW¼ of the SE¼.

(xvii) 525.81 acres in T. 26 N., R. 22 E., sec. 21, comprised of—

(I) 6.62 acres in lot 1;

(II) 5.70 acres in lot 2;

(III) 56.61 acres in lot 5;

(IV) 56.88 acres in lot 6;

(V) 320 acres in the W½; and

(VI) 80 acres in the W½ of the SE¼.

(xviii) 719.58 acres in T. 26 N., R. 22 E., sec. 28.

(xix) 560 acres in T. 26 N., R. 22 E., sec. 29, comprised of—

(I) 320 acres in the N½;

(II) 160 acres in the N½ of the S½; and

(III) 80 acres in the S½ of the SE¼.

(xx) 400 acres in T. 26 N., R. 22 E., sec. 32, comprised of—

(I) 320 acres in the S½; and

(II) 80 acres in the S½ of the NW¼.

(xxi) 455.51 acres in T. 26 N., R. 22 E., sec. 33, comprised of—

(I) 58.25 acres in lot 3;

(II) 58.5 acres in lot 4;

(III) 58.76 acres in lot 5;

(IV) 40 acres in the NW¼ of the NE¼;

(V) 160 acres in the SW¼; and

(VI) 80 acres in the W½ of the SE¼.

(xxii) 88.71 acres in T. 27 N., R. 21 E., sec. 1, comprised of—

(I) 24.36 acres in lot 1;

(II) 24.35 acres in lot 2; and

(III) 40 acres in the SW¼ of the SW¼.

(xxiii) 80 acres in T. 27 N., R. 21 E., sec. 3, comprised of—

(I) 40 acres in lot 11; and

(II) 40 acres in lot 12.

(xxiv) 80 acres in T. 27 N., R. 21 E., sec. 11, comprised of—

(I) 40 acres in the NW¼ of the SW¼; and

(II) 40 acres in the SW¼ of the NW¼.

(xxv) 200 acres in T. 27 N., R. 21 E., sec. 12, comprised of—

(I) 80 acres in the E½ of the SW¼;

(II) 40 acres in the NW¼ of the NW¼; and

(III) 80 acres in the S½ of the NW¼.

(xxvi) 40 acres in the SE¼ of the NE¼ of T. 27 N., R. 21 E., sec. 23.

(xxvii) 320 acres in T. 27 N., R. 21 E., sec. 24, comprised of—

(I) 80 acres in the E½ of the NW¼;

(II) 160 acres in the NE¼;

(III) 40 acres in the NE¼ of the SE¼; and

(IV) 40 acres in the SW¼ of the SW¼.

(xxviii) 120 acres in T. 27 N., R. 21 E., sec. 25, comprised of—

(I) 80 acres in the S½ of the NE¼; and

(II) 40 acres in the SE¼ of the NW¼.

(xxix) 40 acres in the NE¼ of the SE¼ of T. 27 N., R. 21 E., sec. 26.

(xxx) 160 acres in the NW¼ of T. 27 N., R. 21 E., sec. 27.

(xxxi) 40 acres in the SW¼ of the SW¼ of T. 27 N., R. 21 E., sec. 29.

(xxxii) 40 acres in the SW¼ of the NE¼ of T. 27 N., R. 21 E., sec 30.

(xxxiii) 120 acres in T. 27 N., R. 21 E., sec. 33, comprised of—

(I) 40 acres in the SE¼ of the NE¼; and

(II) 80 acres in the N½ of the SE¼.

(xxxiv) 440 acres in T. 27 N., R. 21 E., sec. 34, comprised of—

(I) 160 acres in the N½ of the S½;

(II) 160 acres in the NE¼;

(III) 80 acres in the S½ of the NW¼; and

(IV) 40 acres in the SE¼ of the SE¼.

(xxxv) 133.44 acres in T. 27 N., R. 22 E., sec. 4, comprised of—

(I) 28.09 acres in lot 5;

(II) 25.35 acres in lot 6;

(III) 40 acres in lot 10; and

(IV) 40 acres in lot 15.

(xxxvi) 160 acres in T. 27 N., R. 22 E., sec. 7, comprised of—

(I) 40 acres in the NE¼ of the NE¼;

(II) 40 acres in the NW¼ of the SW¼; and

(III) 80 acres in the W½ of the NW¼.

(xxxvii) 120 acres in T. 27 N., R. 22 E., sec. 8, comprised of—

(I) 80 acres in the E½ of the NW¼; and

(II) 40 acres in the NE¼ of the SW¼.

(xxxviii) 40 acres in the SW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 9.

(xxxix) 40 acres in the NE¼ of the SW¼ of T. 27 N., R. 22 E., sec. 17.

(xl) 40 acres in the NW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 19.

(xli) 40 acres in the SE¼ of the NW¼ of T. 27 N., R22 E., sec. 20.

(xlii) 80 acres in the W½ of the SE¼ of T. 27 N., R. 22 E., sec. 31.

(xliii) 52.36 acres in the SE¼ of the SE¼ of T. 27 N., R. 22 E., sec. 33.

(xliv) 40 acres in the NE¼ of the SW¼ of T. 28 N., R. 22 E., sec. 29.

(xlv) 40 acres in the NE¼ of the NE¼ of T. 26 N., R. 21 E., sec. 7.

(xlvi) 40 acres in the SW¼ of the NW¼ of T. 26 N., R. 21 E., sec. 12.

(xlvii) 42.38 acres in the NW¼ of the NE¼ of T. 26 N., R. 22 E., sec. 6.

(xlviii) 320 acres in the E½ of T. 26 N., R. 22 E., sec. 17.

(xlix) 80 acres in the E½ of the NE¼ of T. 26 N., R. 22 E., sec. 20.

(l) 240 acres in T. 26 N., R. 22 E., sec. 30, comprised of—

(I) 80 acres in the E½ of the NE¼;

(II) 80 acres in the N½ of the SE¼;

(III) 40 acres in the SE¼ of the NW¼; and

(IV) 40 acres in the SW¼ of the NE¼.

(B) BUREAU OF INDIAN AFFAIRS.—The parcels of approximately 3,519.3 acres of trust land that have been converted to fee land, judicially foreclosed on, acquired by the Department of Agriculture, and transferred to the Bureau of Indian Affairs, described in clauses (i) through (iii).

(i) PARCEL 1.—The land described in this clause is 640 acres in T. 29 N., R. 26 E., comprised of—

(I) 160 acres in the SW¼ of sec. 27;

(II) 160 acres in the NE¼ of sec. 33; and

(III) 320 acres in the W½ of sec. 34.

(ii) PARCEL 2.—The land described in this clause is 320 acres in the N½ of T. 30 N., R. 23 E., sec. 28.

(iii) PARCEL 3.—The land described in this clause is 2,559.3 acres, comprised of—

(I) T. 28 N., R. 24 E., including—

(aa) of sec. 16—

(AA) 5 acres in the E½, W½, E½, W½, W½, NE¼;
(BB) 10 acres in the E½ , E½, W½, W½, NE¼;
(CC) 40 acres in the E½, W½, NE¼;
(DD) 40 acres in the W½, E½, NE¼;
(EE) 20 acres in the W½, E½, E½, NE¼;
(FF) 5 acres in the W½, W½, E½, E½, E½, NE¼; and
(GG) 160 acres in the SE¼;
(bb) 640 acres in sec. 21;
(cc) 320 acres in the S½ of sec. 22; and
(dd) 320 acres in the W½ of sec. 27;
(II) T. 29 N., R. 25 E., PMM, including—
(aa) 320 acres in the S½ of sec. 1; and
(bb) 320 acres in the N½ of sec. 12;
(III) 39.9 acres in T. 29 N., R. 26 E., PMM, sec. 6, lot 2;
(IV) T. 30 N., R. 26 E., PMM, including—
(aa) 39.4 acres in sec. 3, lot 2;
(bb) 40 acres in the SW¼ of the SW¼ of sec. 4;
(cc) 80 acres in the E½ of the SE¼ of sec. 5;
(dd) 80 acres in the S½ of the SE¼ of sec. 7; and
(ee) 40 acres in the N½, N½, NE¼ of sec. 18; and
(V) 40 acres in T. 31 N., R. 26 E., PMM, the NW¼ of the SE¼ of sec. 31.

(3) TERMS AND CONDITIONS.—
(A) EXISTING AUTHORIZATIONS.—
(i) IN GENERAL.—Federal land transferred under this subsection shall be conveyed and taken into trust subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, and rights-of-way requests an earlier termination in accordance with existing law.
(ii) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—
(I) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, and rights-of-way described in clause (i); and
(II) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-ways after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the Fort Belknap Indian Community.
(B) PERSONAL PROPERTY.—
(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred under this subsection shall—
(I) remain the property of the holder; and
(II) be removed from the land not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.
(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—
(I) become the property of the Fort Belknap Indian Community; and
(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.
(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable to the Fort Belknap Indian Community for costs incurred by the Fort Belknap Indian Community in removing and disposing of the property under clause (ii)(II).
(C) EXISTING ROADS.—If any road within the Federal land transferred under this subsection is necessary for customary access to private land, the Bureau of Indian Affairs shall offer the owner of the private land to apply for a right-of-way along the existing road, at the expense of the landowner.
(D) LIMITATION ON THE TRANSFER OF WATER RIGHTS.—Water rights that transfer with the land described in paragraph (2) shall not become part of the Tribal water rights, unless those rights are recognized and ratified in the Compact.

(4) WITHDRAWAL OF FEDERAL LAND.—
(A) IN GENERAL.—Subject to valid existing rights, effective on the date of enactment of this Act, all Federal land within the parcels described in paragraph (2) is withdrawn from all forms of—
(i) entry, appropriation, or disposal under the public land laws;
(ii) location, entry, and patent under the mining laws; and
(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.
(B) EXPIRATION.—The withdrawals pursuant to subparagraph (A) shall terminate on the date that the Secretary takes the land into trust for the benefit of the Fort Belknap Indian Community pursuant to paragraph (1).
(C) NO NEW RESERVATION OF FEDERAL WATER RIGHTS.—Nothing in this paragraph establishes a new reservation in favor of the United States or the Fort Belknap Indian Community with respect to any water or water right on the land withdrawn by this paragraph.

(5) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in paragraph (2), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels.

(6) SURVEY.—
(A) IN GENERAL.—Unless the United States or the Fort Belknap Indian Community request an additional survey for the transferred land or a technical correction is made under paragraph (5), the description of land under this subsection shall be controlling.
(B) ADDITIONAL SURVEY.—If the United States or the Fort Belknap Indian Community requests an additional survey, that survey shall control the total acreage to be transferred into trust under this subsection.
(C) ASSISTANCE.—The Secretary shall provide such financial or other assistance as may be necessary—
(i) to conduct additional surveys under this subsection; and
(ii) to satisfy administrative requirements necessary to accomplish the land transfers under this subsection.

(7) DATE OF TRANSFER.—The Secretary shall complete all land transfers under this subsection and shall take the land into trust for the benefit of the Fort Belknap Indian Community as expeditiously as practicable after the enforceability date, but not later than 10 years after the enforceability date.

(c) TRIBALLY OWNED FEE LAND.—Not later than 10 years after the enforceability date, the Secretary shall take into trust for the benefit of the Fort Belknap Indian Community all fee land owned by the Fort Belknap Indian Community on or adjacent to the Reservation to become part of the Reservation, provided that—
(1) the land is free from any liens, encumbrances, or other infirmities; and
(2) no evidence exists of any hazardous substances on, or other environmental liability with respect to, the land.

(d) DODSON LAND.—
(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the enforceability date, but not later than 10 years after the enforceability date, the Dodson Land described in paragraph (3) shall be taken into trust by the United States for the benefit of the Fort Belknap Indian Community as part of the Reservation.
(2) RESTRICTIONS.—The land taken into trust under paragraph (1) shall be subject to a perpetual easement, reserved by the United States for use by the Bureau of Reclamation, its contractors, and its assigns for—
(A) the right of ingress and egress for Milk River Project purposes;
(B) the right to—
(i) seep, flood, and overflow the transferred land for Milk River Project purposes;
(ii) conduct routine and non-routine operation, maintenance, and replacement activities on the Milk River Project facilities, including modification to the headworks at the upstream end of the Dodson South Canal in support of Dodson South Canal enlargement, to include all associated access, construction, and material storage necessary to complete those activities; and
(iii) prohibit the construction of permanent structures on the transferred land, except—
(I) as provided in the cooperative agreement under paragraph (4); and
(II) to meet the requirements of the Milk River Project.

(3) DESCRIPTION OF DODSON LAND.—
(A) IN GENERAL.—The Dodson Land referred to in paragraphs (1) and (2) is the approximately 2,500 acres of land owned by the United States that is, as of the date of enactment of this Act, under the jurisdiction of the Bureau of Reclamation and located at the northeastern corner of the Reservation (which extends to the point in the middle of the main channel of the Milk River), where the Milk River Project facilities, including the Dodson Diversion Dam, headworks to the Dodson South Canal, and Dodson South Canal, are located, and more particularly described as follows:
(i) Supplemental Plat of T. 30 N., R. 26 E., PMM, secs. 1 and 2.
(ii) Supplemental Plat of T. 31 N., R. 25 E., PMM, sec. 13.
(iii) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 18, 19, 20, and 29.
(iv) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 26, 27, 35, and 36.
(B) CLARIFICATION.—The supplemental plats described in clauses (i) through (iv) of subparagraph (A) are official plats, as documented by retracement boundary surveys of the General Land Office, approved on March 11, 1938, and on record at the Bureau of Land Management.
(C) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in subparagraph (A), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels to be transferred.

(4) COOPERATIVE AGREEMENT.—Not later than 3 years after the enforceability date, the Bureau of Reclamation, the Malta Irrigation District, the Bureau of Indian Affairs, and the Fort Belknap Indian Community shall negotiate and enter into a cooperative agreement that identifies the uses to which the Fort Belknap Indian Community may put the land described in paragraph (3), provided that the cooperative agreement may be amended by mutual agreement of the Fort Belknap Indian Community, Bureau of Reclamation, the Malta Irrigation District, and the Bureau of Indian Affairs, including to modify the perpetual easement to narrow the boundaries of the easement or to terminate the perpetual easement and cooperative agreement.

(e) LAND STATUS.—All land held in trust by the United States for the benefit of the Fort

Belknap Indian Community under this section shall be—

(1) beneficially owned by the Fort Belknap Indian Community; and

(2) part of the Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for the benefit of an Indian Tribe.

SEC. 11007. STORAGE ALLOCATION FROM LAKE ELWELL.

(a) STORAGE ALLOCATION OF WATER TO FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall allocate to the Fort Belknap Indian Community 20,000 acre-feet per year of water stored in Lake Elwell for use by the Fort Belknap Indian Community for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation for the benefit of the Fort Belknap Indian Community, as measured and diverted at the outlet works of the Tiber Dam or through direct pumping from Lake Elwell.

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Fort Belknap Indian Community under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Fort Belknap Indian Community under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Fort Belknap Indian Community shall administer the water allocated under subsection (a) in accordance with the Compact and this division.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving the allocation under this section, the Fort Belknap Indian Community shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this division.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Fort Belknap Indian Community, and not the United States, shall be entitled to all consideration due to the Fort Belknap Indian Community under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Fort Belknap Indian Community shall have the same storage rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Fort Belknap Indian Community shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, regardless of whether that water is delivered for use by the Fort Belknap Indian Community or under a lease, contract, exchange, or by agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(G) the Fort Belknap Indian Community shall not be required to make payments to the United States for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H); and

(H) for each acre-foot of stored water leased or transferred by the Fort Belknap Indian Community for industrial purposes—

(i) the Fort Belknap Indian Community shall pay annually to the United States an amount necessary to cover the proportional share of the annual operations, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Fort Belknap Indian Community for industrial purposes; and

(ii) the annual payments of the Fort Belknap Indian Community shall be reviewed and adjusted, as appropriate, to reflect the actual operations, maintenance, and replacement costs for Tiber Dam.

(d) AGREEMENT BY FORT BELKNAP INDIAN COMMUNITY.—The Fort Belknap Indian Community may use, lease, contract, exchange, or enter into other agreements for the use of the water allocated to the Fort Belknap Indian Community under subsection (a) if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any water allocated to the Fort Belknap Indian Community under that subsection.

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 11008. MILK RIVER PROJECT MITIGATION.

(a) IN GENERAL.—In complete satisfaction of the Milk River Project mitigation requirements provided for in Article VI.B. of the Compact, the Secretary, acting through the Commissioner—

(1) in cooperation with the State and the Blackfeet Tribe, shall carry out appropriate activities concerning the restoration of the St. Mary Canal and associated facilities, including activities relating to the—

(A) planning and design to restore the St. Mary Canal and appurtenances to convey 850 cubic-feet per second; and

(B) rehabilitating, constructing, and repairing of the St. Mary Canal and appurtenances; and

(2) in cooperation with the State and the Fort Belknap Indian Community, shall carry out appropriate activities concerning the enlargement of Dodson South Canal and associated facilities, including activities relating to the—

(A) planning and design to enlarge Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; and

(B) rehabilitating, constructing, and enlarging the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second.

(b) FUNDING.—The total amount of obligations incurred by the Secretary, prior to any adjustments provided for in section 11014(b), shall not exceed $300,000,000 to carry out activities described in subsection (c)(1).

(c) SATISFACTION OF MITIGATION REQUIREMENT.—Notwithstanding any provision of the Compact, the mitigation required by Article VI.B. of the Compact shall be deemed satisfied if—

(1) the Secretary has—

(A) restored the St. Mary Canal and associated facilities to convey 850 cubic-feet per second; and

(B) enlarged the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; or

(2) the Secretary—

(A) has expended all of the available funding provided pursuant to section 11014(a)(1)(D) to rehabilitate the St. Mary Canal and enlarge the Dodson South Canal; and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

(d) NONREIMBURSABILITY OF COSTS.—The costs to the Secretary of carrying out this section shall be nonreimbursable.

SEC. 11009. FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall rehabilitate, modernize, and expand the Fort Belknap Indian Irrigation Project, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, which shall include—

(1) planning, studies, and designing of the existing and expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project;

(2) the rehabilitation, modernization, and construction of the existing Milk River unit; and

(3) construction of the expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project.

(b) LEAD AGENCY.—The Bureau of Indian Affairs, in coordination with the Bureau of Reclamation, shall serve as the lead agency with respect to any activities carried out under this section.

(c) CONSULTATION WITH THE FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall consult with the Fort Belknap Indian Community on appropriate changes to the final design and costs of any activity under this section.

(d) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section, prior to any adjustment provided for in section 11014(b), shall not exceed $415,832,153.

(e) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(f) ADMINISTRATION.—The Secretary and the Fort Belknap Indian Community shall negotiate the cost of any oversight activity carried out by the Bureau of Indian Affairs or the Bureau of Reclamation under any agreement entered into under subsection (j), subject to the condition that the total cost for the oversight shall not exceed 3 percent of the total project costs for each project.

(g) PROJECT MANAGEMENT COMMITTEE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall facilitate the formation of a project management committee composed of representatives of the Bureau of Indian Affairs, the Bureau of Reclamation, and the Fort Belknap Indian Community—

(1) to review and make recommendations relating to cost factors, budgets, and implementing the activities for rehabilitating, modernizing, and expanding the Fort Belknap Indian Irrigation Project; and

(2) to improve management of inherently governmental activities through enhanced communication.

(h) PROJECT EFFICIENCIES.—If the total cost of planning, studies, design, rehabilitation, modernization, and construction activities relating to the projects described in subsection (a) results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under section 11012(b)(2).

(i) TREATMENT.—Any activities carried out pursuant to this section that result in improvements, additions, or modifications to the Fort Belknap Indian Irrigation Project shall—

(1) become a part of the Fort Belknap Indian Irrigation Project; and

(2) be recorded in the inventory of the Secretary relating to the Fort Belknap Indian Irrigation Project.

(j) APPLICABILITY OF ISDEAA.—At the request of the Fort Belknap Indian Community, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into agreements with the Fort Belknap Indian Community to carry out all or a portion of this section.

(k) EFFECT.—Nothing in this section—

(1) alters any applicable law under which the Bureau of Indian Affairs collects assessments or carries out the operations and maintenance of the Fort Belknap Indian Irrigation Project; or

(2) impacts the availability of amounts under section 11014.

(l) SATISFACTION OF FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM REQUIREMENT.—The obligations of the Secretary under subsection (a) shall be deemed satisfied if the Secretary—

(1) has rehabilitated, modernized, and expanded the Fort Belknap Indian Irrigation Project in accordance with subsection (a); or

(2)(A) has expended all of the available funding provided pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 11014(a); and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

SEC. 11010. SATISFACTION OF CLAIMS.

(a) IN GENERAL.—The benefits provided under this division shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Fort Belknap Indian Community against the United States that is waived and released by the Fort Belknap Indian Community under section 11011(a).

(b) ALLOTTEES.—The benefits realized by the allottees under this division shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released by the United States (acting as trustee for the allottees) under section 11011(a)(2); and

(2) any claims of the allottees against the United States similar to the claims described in section 11011(a)(2) that the allottee asserted or could have asserted.

SEC. 11011. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AND UNITED STATES AS TRUSTEE FOR THE FORT BELKNAP INDIAN COMMUNITY.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), and the United States, acting as trustee for the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Fort Belknap Indian Community, or the United States acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(2) WAIVER AND RELEASE OF CLAIMS BY THE UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the United States, acting as trustee for the allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(3) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) first arising before the enforceability date relating to—

(i) water rights within the State that the United States, acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a general stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this division;

(ii) foregone benefits from nontribal use of water, on and off the Reservation (including water from all sources and for all uses);

(iii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State;

(iv) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(v) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of the Fort Belknap Indian Irrigation Project and other Federal land and facilities (including damages, losses, or injuries to Tribal fisheries, fish habitat, wildlife, and wildlife habitat);

(vi) a failure to provide for operation and maintenance, or deferred maintenance, for the Fort Belknap Indian Irrigation Project or any other irrigation system or irrigation project;

(vii) the litigation of claims relating to any water rights of the Fort Belknap Indian Community in the State;

(viii) the negotiation, execution, or adoption of the Compact (including appendices) and this division;

(ix) the taking or acquisition of land or resources of the Fort Belknap Indian Community for the construction or operation of the Fort Belknap Indian Irrigation Project or the Milk River Project; and

(x) the allocation of water of the Milk River and the St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448); and

(B) relating to damage, loss, or injury to water, water rights, land, or natural resources due to mining activities in the Little Rockies Mountains prior to the date of trust acquisition, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights.

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) OBJECTIONS IN MONTANA WATER COURT.—Nothing in this division or the Compact prohibits the Fort Belknap Indian Community, a member of the Fort Belknap Indian Community, an allottee, or the United States in any capacity from objecting to any claim to a water right filed in any general stream adjudication in the Montana Water Court.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community, and the United States, acting as trustee for the Fort Belknap Indian Community and the allottees shall retain—

(1) all claims relating to—

(A) the enforcement of water rights recognized under the Compact, any final court decree relating to those water rights, or this division or to water rights accruing on or after the enforceability date;

(B) the quality of water under—

(i) CERCLA, including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(C) damage, loss, or injury to land or natural resources that are—

(i) not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights); and

(ii) not described in subsection (a)(3); and

(D) an action to prevent any person or party (as defined in sections 29 and 30 of Article II of the Compact) from interfering with the enjoyment of the Tribal water rights;

(2) all claims relating to off-Reservation hunting rights, fishing rights, gathering rights, or other rights;

(3) all claims relating to the right to use and protect water rights acquired after the date of enactment of this Act;

(4) all claims relating to the allocation of waters of the Milk River and the Milk River Project between the Fort Belknap Indian Community and the Blackfeet Tribe, pursuant to section 3705(e)(3) of the Blackfeet Water Rights Settlement Act (Public Law 114–322; 130 Stat. 1818);

(5) all claims relating to the enforcement of this division, including the required transfer of land under section 11006; and

(6) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this division or the Compact.

(e) EFFECT OF COMPACT AND DIVISION.—Nothing in the Compact or this division—

(1) affects the authority of the Fort Belknap Indian Community to enforce the laws of the Fort Belknap Indian Community, including with respect to environmental protections;

(2) affects the ability of the United States, acting as sovereign, to carry out any activity authorized by law, including—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) CERCLA; and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) affects the ability of the United States to act as trustee for any other Indian Tribe or an allottee of any other Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law relating to health, safety, or the environment; or

(C) to conduct judicial review of any Federal agency action;

(5) waives any claim of a member of the Fort Belknap Indian Community in an individual capacity that does not derive from a right of the Fort Belknap Indian Community;

(6) revives any claim adjudicated in the decision in Gros Ventre Tribe v. United States, 469 F.3d 801 (9th Cir. 2006); or

(7) revives any claim released by an allottee or member of the Fort Belknap Indian Community in the settlement in Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) the eligible members of the Fort Belknap Indian Community have voted to approve this division and the Compact by a majority of votes cast on the day of the vote;

(2)(A) the Montana Water Court has approved the Compact in a manner from which no further appeal may be taken; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate district court of the United States has approved the Compact as a consent decree from which no further appeal may be taken;

(3) all of the amounts authorized to be appropriated under section 11014 have been appropriated and deposited in the designated accounts;

(4) the Secretary and the Fort Belknap Indian Community have executed the allocation agreement described in section 11007(c)(1);

(5) the State has provided the required funding into the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund pursuant to section 11014(a)(3); and

(6) the waivers and releases under subsection (a) have been executed by the Fort Belknap Indian Community and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the enforceability date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitations or time-based equitable defense that expired before the date of enactment of this Act.

(h) EXPIRATION.—

(1) IN GENERAL.—This division shall expire in any case in which—

(A) the amounts authorized to be appropriated by this division have not been made available to the Secretary by not later than—

(i) January 21, 2034; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary; or

(B) the Secretary fails to publish a statement of findings under subsection (f) by not later than—

(i) January 21, 2035; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this division expires under paragraph (1)—

(A) the waivers and releases under subsection (a) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Compact under section 11004 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this division shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this division, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this division shall be returned to the Federal Government, unless otherwise agreed to by the Fort Belknap Indian Community and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this division that were expended or withdrawn, or any funds made available to carry out this division from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Fort Belknap Indian Community; or

(bb) any user of the Tribal water rights; or

(II) any other matter described in subsection (a)(3); or

(ii) in any future settlement of water rights of the Fort Belknap Indian Community or an allottee.

SEC. 11012. AANIIIH NAKODA SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund for the Fort Belknap Indian Community, to be known as the ''Aaniiih Nakoda Settlement Trust Fund'', to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account.

(2) The Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account.

(3) The Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1), the amounts made available pursuant to paragraphs (1)(A) and (2)(A)(i) of section 11014(a);

(2) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the amounts made available pursuant to section 11014(a)(2)(A)(ii); and

(3) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the amounts made available pursuant to paragraphs (1)(B) and (2)(A)(iii) of section 11014(a).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of the funds into the accounts in the Trust Fund pursuant to subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in accordance with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the amounts deposited under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund shall be available for use in accordance with subsections (e) and (g).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, earned on those amounts shall be made available—

(A) to the Fort Belknap Indian Community by the Secretary beginning on the enforceability date; and

(B) subject to the uses and restrictions in this section.

(2) EXCEPTIONS.—Notwithstanding paragraph (1)—

(A) amounts deposited in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for uses described in subparagraph (A) and (B) of subsection (g)(1);

(B) amounts deposited in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2) shall be made available to the Fort Belknap Indian Community on the date on which the amounts are deposited and the Fort Belknap Indian Community has satisfied the requirements of section 11011(f)(1), for the uses described in subsection (g)(2)(A); and

(C) amounts deposited in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3) shall be available to the Fort

Belknap Indian Community on the date on which the amounts are deposited for the uses described in subsection (g)(3)(A).

(f) WITHDRAWALS.—

(1) AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Fort Belknap Indian Community may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Fort Belknap Indian Community in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Fort Belknap Indian Community spend all amounts withdrawn from the Trust Fund, and any investment earnings accrued through the investments under the Tribal management plan, in accordance with this division.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary—

(i) to enforce the Tribal management plan; and

(ii) to ensure that amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community under this paragraph are used in accordance with this division.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Fort Belknap Indian Community may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under this paragraph, the Fort Belknap Indian Community shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Fort Belknap Indian Community elects to withdraw pursuant to this paragraph, subject to the condition that the funds shall be used for the purposes described in this division.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Fort Belknap Indian Community in accordance with subsections (e) and (g).

(D) APPROVAL.—On receipt of an expenditure plan under this paragraph, the Secretary shall approve the expenditure plan if the Secretary determines that the expenditure plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this division.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan under this paragraph to ensure that amounts disbursed under this paragraph are used in accordance with this division.

(g) USES.—Amounts from the Trust Fund shall be used by the Fort Belknap Indian Community for the following purposes:

(1) FORT BELKNAP INDIAN COMMUNITY TRIBAL IRRIGATION AND OTHER WATER RESOURCES DEVELOPMENT ACCOUNT.—Amounts in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be used to pay the cost of activities relating to—

(A) planning, studies, and design of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019;

(B) environmental compliance;

(C) construction of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir;

(D) wetlands restoration and development;

(E) stock watering infrastructure; and

(F) on farm development support and reacquisition of fee lands within the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(2) FORT BELKNAP INDIAN COMMUNITY WATER RESOURCES AND WATER RIGHTS ADMINISTRATION, OPERATION, AND MAINTENANCE ACCOUNT.—Amounts in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities described in subparagraphs (A) through (C) as follows:

(A) $9,000,000 shall be used for the establishment, operation, and capital expenditures in connection with the administration of the Tribal water resources and water rights development, including the development or enactment of a Tribal water code.

(B) Only investment earnings, including interest, on $29,299,059 shall be used and be available to pay the costs of activities for administration, operations, and regulation of the Tribal water resources and water rights department, in accordance with the Compact and this division.

(C) Only investment earnings, including interest, on $28,331,693 shall be used and be available to pay the costs of activities relating to a portion of the annual assessment costs for the Fort Belknap Indian Community and Tribal members, including allottees, under the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(3) FORT BELKNAP INDIAN COMMUNITY CLEAN AND SAFE DOMESTIC WATER AND SEWER SYSTEMS, AND LAKE ELWELL PROJECT ACCOUNT.—Amounts in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities relating to—

(A) planning, studies, design, and environmental compliance of domestic water supply, and sewer collection and treatment systems, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, including the Lake Elwell Project water delivery to the southern part of the Reservation;

(B) construction of domestic water supply, sewer collection, and treatment systems;

(C) construction, in accordance with applicable law, of infrastructure for delivery of Lake Elwell water diverted from the Missouri River to the southern part of the Reservation; and

(D) planning, studies, design, environmental compliance, and construction of a Tribal wellness center for a work force health and wellbeing project.

(h) LIABILITY.—The Secretary shall not be liable for any expenditure or investment of amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community pursuant to subsection (f).

(i) PROJECT EFFICIENCIES.—If the total cost of the activities described in subsection (g) results in cost savings and is less than the amounts authorized to be obligated under any of paragraphs (1) through (3) of that subsection required to carry out those activities, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Trust Fund to be used in accordance with that subsection.

(j) ANNUAL REPORT.—The Fort Belknap Indian Community shall submit to the Secretary an annual expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan described in this section.

(k) NO PER CAPITA PAYMENTS.—No principal or interest amount in any account established by this section shall be distributed to any member of the Fort Belknap Indian Community on a per capita basis.

(l) EFFECT.—Nothing in this division entitles the Fort Belknap Indian Community to judicial review of a determination of the Secretary regarding whether to approve a Tribal management plan under subsection (f)(1) or an expenditure plan under subsection (f)(2), except as provided under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

SEC. 11013. FORT BELKNAP INDIAN COMMUNITY WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account to be known as the ''Fort Belknap Indian Community Water Settlement Implementation Fund'', to be managed and distributed by the Secretary, for use by the Secretary for carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The Fort Belknap Indian Irrigation Project System Account.

(2) The Milk River Project Mitigation Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1), the amount made available pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 11014(a); and

(2) in the Milk River Project Mitigation Account established under subsection (b)(2), the amount made available pursuant to section 11014(a)(1)(D).

(d) USES.—

(1) FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM ACCOUNT.—The Fort Belknap Indian Irrigation Project Rehabilitation Account established under subsection (b)(1) shall be used to carry out section 11009, except as provided in subsection (h) of that section.

(2) MILK RIVER PROJECT MITIGATION ACCOUNT.—The Milk River Project Mitigation Account established under subsection (b)(2) may only be used to carry out section 11008.

(e) MANAGEMENT.—

(1) IN GENERAL.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

(2) EXCEPTION.—Notwithstanding paragraph (1), amounts deposited in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1) shall be available to the Secretary on the date on which the amounts are deposited for uses described in paragraphs (1) and (2) of section 11009(a).

(f) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (d).

SEC. 11014. FUNDING.

(a) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(A) for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1), $89,643,100, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(B) for deposit in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 11012(b)(3), $331,885,220, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(C) for deposit in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 11013(b)(1), such sums as are necessary, but not more than $187,124,469, for the Secretary to carry out section 11009, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury; and

(D) for deposit in the Milk River Project Mitigation Account of the Implementation Fund established under section 11013(b)(2), such sums as are necessary, but not more than $300,000,000, for the Secretary to carry out obligations of the Secretary under section 11008, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) MANDATORY APPROPRIATIONS.—

(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall deposit—

(i) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1), $29,881,034, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(ii) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account of the Trust Fund established under section 11012(b)(2), $66,630,752;

(iii) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 11012(b)(3), $110,628,407; and

(iv) in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 11013(b)(1), $228,707,684.

(B) AVAILABILITY.—Amounts deposited in the accounts under subparagraph (A) shall be available without further appropriation.

(3) STATE COST SHARE.—The State shall contribute $5,000,000, plus any earned interest, payable to the Secretary for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1) on approval of a final decree by the Montana Water Court for the purpose of activities relating to the Upper Peoples Creek Dam and Reservoir under subparagraphs (A) through (C) of section 11012(g)(1).

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amounts authorized to be appropriated under paragraphs (1) and (2) of subsection (a) and this subsection shall be—

(A) increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after the date of enactment of this Act as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend; and

(B) adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(2) REPETITION.—The adjustment process under paragraph (1) shall be repeated for each subsequent amount appropriated until the amount authorized to be appropriated under subsection (a), as adjusted, has been appropriated.

(3) PERIOD OF INDEXING.—

(A) TRUST FUND.—With respect to the Trust Fund, the period of indexing adjustment under paragraph (1) for any increment of funding shall end on the date on which the funds are deposited into the Trust Fund.

(B) IMPLEMENTATION FUND.—With respect to the Implementation Fund, the period of adjustment under paragraph (1) for any increment of funding shall be annually.

SEC. 11015. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this division waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Fort Belknap Indian Community.

(c) ELIMINATION OF DEBTS OR LIENS AGAINST ALLOTMENTS OF THE FORT BELKNAP INDIAN COMMUNITY MEMBERS WITHIN THE FORT BELKNAP INDIAN IRRIGATION PROJECT.—On the date of enactment of this Act, the Secretary shall cancel and eliminate all debts or liens against the allotments of land held by the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community due to construction assessments and annual operation and maintenance charges relating to the Fort Belknap Indian Irrigation Project.

(d) EFFECT ON CURRENT LAW.—Nothing in this division affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner under this division shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(f) ADDITIONAL FUNDING.—Nothing in this division prohibits the Fort Belknap Indian Community from seeking—

(1) additional funds for Tribal programs or purposes; or

(2) funding from the United States or the State based on the status of the Fort Belknap Indian Community as an Indian Tribe.

(g) RIGHTS UNDER STATE LAW.—Except as provided in section 1 of Article III of the Compact (relating to the closing of certain water basins in the State to new appropriations in accordance with the laws of the State), nothing in this division or the Compact precludes the acquisition or exercise of a right arising under State law (as defined in section 6 of Article II of the Compact) to the use of water by the Fort Belknap Indian Community, or a member or allottee of the Fort Belknap Indian Community, outside the Reservation by—

(1) purchase of the right; or

(2) submitting to the State an application in accordance with State law.

(h) WATER STORAGE AND IMPORTATION.—Nothing in this division or the Compact prevents the Fort Belknap Indian Community from participating in any project to import water to, or to add storage in, the Milk River Basin.

SEC. 11016. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this division, including any obligation or activity under the Compact, if—

(1) adequate appropriations are not provided by Congress expressly to carry out the purposes of this division; or

(2) there are not enough funds available in the Reclamation Water Settlements Fund established by section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)) to carry out the purposes of this division.

SA 1086. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 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 subtitle G of title X, insert the following:

SEC. _____. ESTABLISHMENT OF OFFICE OF THE SPECIAL REPRESENTATIVE FOR CITY AND STATE DIPLOMACY.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(n) OFFICE OF SPECIAL REPRESENTATIVE FOR CITY AND STATE DIPLOMACY.—

''(1) IN GENERAL.—There is established within the Department of State an Office of the Special Representative for City and State Diplomacy (in this subsection referred to as the 'Office').

''(2) HEAD.—The head of the Office shall be the Special Representative for City and State Diplomacy, who shall—

''(A) have the rank and status of ambassador; and

''(B) be responsible for developing strategies to advise and enhance subnational diplomacy throughout the United States.

''(3) DUTIES.—

''(A) PRINCIPAL DUTY.—The principal duty of the Special Representative shall be providing the overall strategic guidance of Department of State support for subnational engagements by State and municipal governments with foreign governments. The Special Representative shall be the principal adviser to the Secretary of State on subnational engagements, the principal official on such matters within the senior management of the Department of State, and lead coordinator on such matters for other relevant Federal agencies.

''(B) ADDITIONAL DUTIES.—The additional duties of the Special Representative shall include the following:

''(i) Providing strategic guidance for overall Department of State policy and programs

in support of subnational engagements by State and municipal governments with foreign governments, including with respect to the following:

''(I) Identifying policy, program, and funding discrepancies among relevant Federal agencies regarding subnational diplomacy engagement.

''(II) Advising on efforts to better align the Department of State and other Federal agencies in support of such engagements.

''(ii) Identifying areas of alignment between United States foreign policy and State and municipal goals.

''(iii) Facilitating tools for State and municipal officials to communicate with the United States public regarding the breadth of international engagement by subnational actors and the impact of diplomacy across the United States.

''(iv) Building and facilitating linkages and networks among State and municipal governments, and between State and municipal governments and their foreign counterparts.

''(v) Under the direction of the Secretary, negotiating agreements and memoranda of understanding with foreign governments related to subnational engagements and priorities.

''(vi) Supporting United States economic and other interests through subnational engagements, in consultation and coordination with the Department of Commerce, the Department of the Treasury, the Office of the United States Trade Representative, and other Federal agencies.

''(vii) Spearheading the engagement of the Department of State with local elected officials, including mayors, governors, city councilors, and other municipal leaders, both in the United States and around the globe.

''(4) COORDINATION.—With respect to matters involving trade promotion and inward investment facilitation, the Office shall coordinate with and support the International Trade Administration of the Department of Commerce as the lead Federal agency for trade promotion and facilitation of business investment in the United States.

''(5) DETAILEES.—

''(A) IN GENERAL.—The Secretary of State, with respect to employees of the Department of State, is authorized to detail a member of the civil service or Foreign Service to State and municipal governments on a reimbursable or nonreimbursable basis. Such details shall be for a period not to exceed two years, and shall be without interruption or loss of status or privilege.

''(B) RESPONSIBILITIES.—Detailees under subparagraph (A) should carry out the following responsibilities:

''(i) Supporting the mission and objectives of the host subnational government office.

''(ii) Advising State and municipal government officials regarding questions of global affairs, foreign policy, cooperative agreements, and public diplomacy.

''(iii) Coordinating activities relating to State and municipal government subnational engagements with the Department of State, including the Office, Department leadership, and regional and functional bureaus of the Department, as appropriate.

''(iv) Engaging Federal agencies regarding security, public health, trade promotion, and other programs executed at the State or municipal government level.

''(v) Any other duties requested by State and municipal governments and approved by the Office.

''(C) ADDITIONAL PERSONNEL SUPPORT FOR SUBNATIONAL ENGAGEMENT.—For the purposes of this subsection, the Secretary of State—

''(i) is authorized to employ individuals by contract;

''(ii) is encouraged to make use of the rehired annuitants authority under section 3323 of title 5, United States Code, particularly for annuitants who are already residing across the United States who may have the skills and experience to support subnational governments; and

''(iii) is encouraged to make use of authorities under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.) to temporarily assign State and local government officials to the Department of State or overseas missions to increase their international experience and add their perspectives on United States priorities to the Department.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as precluding—

''(A) the Office from being elevated to a bureau within the Department of State; or

''(B) the Special Representative from being elevated to an Assistant Secretary, if such an Assistant Secretary position does not increase the number of Assistant Secretary positions at the Department above the number authorized under subsection (c)(1).

''(7) DEFINITIONS.—In this subsection:

''(A) MUNICIPAL.—The term 'municipal' means, with respect to the government of a municipality in the United States, a municipality with a population of not fewer than 100,000 people.

''(B) STATE.—The term 'State' means the 50 States, the District of Columbia, and any territory or possession of the United States.

''(C) SUBNATIONAL ENGAGEMENT.—The term 'subnational engagement' means formal meetings or events between elected officials of State or municipal governments and their foreign counterparts.''.

SA 1087. Mr. REED (for himself and Mr. WICKER) proposed an amendment to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, to authorize appropriations for fiscal year 2024 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; as follows:

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

SEC. ___. BRIEFING ON AIR NATIONAL GUARD ACTIVE ASSOCIATIONS.

Not later than November 1, 2023, the Secretary of the Air Force shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the potential increase in air refueling capacity and cost savings, including manpower, to be achieved by making all Air National Guard KC–135 units active associations.

At the appropriate place in subtitle G of title X, insert the following:

SEC. ___. INFORMING CONSUMERS ABOUT SMART DEVICES ACT.

(a) REQUIRED DISCLOSURE OF A CAMERA OR RECORDING CAPABILITY IN CERTAIN INTERNET-CONNECTED DEVICES.—Each manufacturer of a covered device shall disclose, clearly and conspicuously and prior to purchase, whether the covered device manufactured by the manufacturer contains a camera or microphone as a component of the covered device.

(b) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) ACTIONS BY THE COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission (in this section referred to as the ''Commission'') shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PENALTIES AND PRIVILEGES.—Any person who violates this section or a regulation promulgated under this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(3) COMMISSION GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Commission, through outreach to relevant private entities, shall issue guidance to assist manufacturers in complying with the requirements of this section, including guidance about best practices for making the disclosure required by subsection (a) as clear and conspicuous and age appropriate as practicable and about best practices for the use of a pictorial (as defined in section 2(a) of the Consumer Review Fairness Act of 2016 (15 U.S.C. 45b(a))) visual representation of the information to be disclosed.

(4) TAILORED GUIDANCE.—A manufacturer of a covered device may petition the Commission for tailored guidance as to how to meet the requirements of subsection (a) consistent with existing rules of practice or any successor rules.

(5) LIMITATION ON COMMISSION GUIDANCE.—No guidance issued by the Commission with respect to this section shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance. In any enforcement action brought pursuant to this section, the Commission shall allege a specific violation of a provision of this section. The Commission may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidelines, unless the practices allegedly violate subsection (a).

(c) DEFINITION OF COVERED DEVICE.—In this section, the term ''covered device''—

(1) means a consumer product, as defined by section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)) that is capable of connecting to the internet, a component of which is a camera or microphone; and

(2) does not include—

(A) a telephone (including a mobile phone), a laptop, tablet, or any device that a consumer would reasonably expect to have a microphone or camera;

(B) any device that is specifically marketed as a camera, telecommunications device, or microphone; or

(C) any device or apparatus described in sections 255, 716, and 718, and subsections (aa) and (bb) of section 303 of the Communications Act of 1934 (47 U.S.C. 255; 617; 619; and 303(aa) and (bb)), and any regulations promulgated thereunder.

(d) EFFECTIVE DATE.—This section shall apply to all covered devices manufactured after the date that is 180 days after the date on which guidance is issued by the Commission under subsection (b)(3), and shall not apply to covered devices manufactured or sold before such date, or otherwise introduced into interstate commerce before such date.

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

SEC. ___. EXTENSION OF TROOPS FOR TEACHERS PROGRAM TO THE JOB CORPS.

Section 1154 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''; or'' and inserting s semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197).''; and

(B) in paragraph (3)—

(i) in subparagraph (B), by striking ''; or'' and inserting s semicolon;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(D) a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197).'';

(2) in subsection (d)(4)(A)(ii), by inserting ''or Job Corps centers'' after ''secondary schools''; and

(3) in subsection (e)(2)(E), by inserting ''or Job Corps center'' after ''secondary school''.

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

Subtitle ____—INTERNATIONAL CHILDREN WITH DISABILITIES PROTECTION

SEC. __1. SHORT TITLE.

This subtitle may be cited as the ''International Children with Disabilities Protection Act of 2023''.

SEC. __2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) stigma and discrimination against children with disabilities, particularly intellectual and other developmental disabilities, and lack of support for community inclusion have left people with disabilities and their families economically and socially marginalized;

(2) organizations of persons with disabilities and family members of persons with disabilities are often too small to apply for or obtain funds from domestic or international sources or ineligible to receive funds from such sources;

(3) as a result of the factors described in paragraphs (1) and (2), key stakeholders have often been left out of public policymaking on matters that affect children with disabilities; and

(4) financial support, technical assistance, and active engagement of persons with disabilities and their families is needed to ensure the development of effective policies that protect families, ensure the full inclusion in society of children with disabilities, and promote the ability of persons with disabilities to live in the community with choices equal to others.

SEC. __3. DEFINITIONS.

In this subtitle:

(1) DEPARTMENT.—The term ''Department'' means the Department of State.

(2) ELIGIBLE IMPLEMENTING PARTNER.—The term ''eligible implementing partner'' means a nongovernmental organization or other civil society organization that—

(A) has the capacity to administer grants directly or through subgrants that can be effectively used by local organizations of persons with disabilities; and

(B) has international expertise in the rights of persons with disabilities, including children with disabilities and their families.

(3) ORGANIZATION OF PERSONS WITH DISABILITIES.—The term ''organization of persons with disabilities'' means a nongovernmental civil society organization run by and for persons with disabilities and families of children with disabilities.

SEC. __4. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) assist partner countries in developing policies and programs that recognize, support, and protect the civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities, including children, such that the latter may grow and thrive in supportive family environments and make the transition to independent living as adults;

(2) promote the development of advocacy and leadership skills among persons with disabilities and their families in a manner that enables effective civic engagement, including at the local, national, and regional levels, and promote policy reforms and programs that support full economic and civic inclusion of persons with disabilities and their families;

(3) promote the development of laws and policies that—

(A) strengthen families and protect against the unnecessary institutionalization of children with disabilities; and

(B) create opportunities for children and youth with disabilities to access the resources and support needed to achieve their full potential to live independently in the community with choices equal to others;

(4) promote the participation of persons with disabilities and their families in advocacy efforts and legal frameworks to recognize, support, and protect the civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities; and

(5) promote the sustainable action needed to bring about changes in law, policy, and programs to ensure full family inclusion of children with disabilities and the transition of children with disabilities to independent living as adults.

SEC. __5. INTERNATIONAL CHILDREN WITH DISABILITIES PROTECTION PROGRAM AND CAPACITY BUILDING.

(a) INTERNATIONAL CHILDREN WITH DISABILITIES PROTECTION PROGRAM.—

(1) IN GENERAL.—There is authorized to be established within the Department of State a program to be known as the ''International Children with Disabilities Protection Program'' (in this section referred to as the ''Program'') to carry out the policy described in [section __4].

(2) CRITERIA.—In carrying out the Program under this section, the Secretary of State, in consultation with leading civil society groups with expertise in the protection of civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities, may establish criteria for priority activities under the Program in selected countries.

(3) DISABILITY INCLUSION GRANTS.—The Secretary of State may award grants to eligible implementing partners to administer grant amounts directly or through subgrants.

(4) SUBGRANTS.—An eligible implementing partner that receives a grant under paragraph (3) should provide subgrants and, in doing so, shall prioritize local organizations of persons with disabilities working within a focus country or region to advance the policy described in [section __4].

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Of funds made available in fiscal years 2024 through 2029 to carry out the purposes of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq), there are authorized to be appropriated to carry out this subtitle amounts as follows:

(A) $2,000,000 for fiscal year 2024.

(B) $5,000,000 for each of fiscal years 2025 through 2029.

(2) CAPACITY-BUILDING AND TECHNICAL ASSISTANCE PROGRAMS.—Of the amounts authorized to be appropriated by paragraph (1), not less than $1,000,000 for each of fiscal years 2024 through 2029 should be available for capacity-building and technical assistance programs to—

(A) develop the leadership skills of persons with disabilities, legislators, policymakers, and service providers in the planning and implementation of programs to advance the policy described in [section __4];

(B) increase awareness of successful models of the promotion of civil and political rights and fundamental freedoms, family support, and economic and civic inclusion among organizations of persons with disabilities and allied civil society advocates, attorneys, and professionals to advance the policy described in [section __4]; and

(C) create online programs to train policymakers, advocates, and other individuals on successful models to advance reforms, services, and protection measures that enable children with disabilities to live within supportive family environments and become full participants in society, which—

(i) are available globally;

(ii) offer low-cost or no-cost training accessible to persons with disabilities, family members of such persons, and other individuals with potential to offer future leadership in the advancement of the goals of family inclusion, transition to independent living as adults, and protection measures for children with disabilities; and

(iii) should be targeted to government policymakers, advocates, and other potential allies and supporters among civil society groups.

SEC. __6. ANNUAL REPORT ON IMPLEMENTATION.

(a) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not less frequently than annually through fiscal year 2029, the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report on—

(A) the programs and activities carried out to advance the policy described in [section __4]; and

(B) any broader work of the Department in advancing that policy.

(2) ELEMENTS.—Each report required by paragraph (1) shall include, with respect to each program carried out under [section __5]—

(A) the rationale for the country and program selection;

(B) the goals and objectives of the program, and the kinds of participants in the activities and programs supported;

(C) a description of the types of technical assistance and capacity building provided; and

(D) an identification of any gaps in funding or support needed to ensure full participation of organizations of persons with disabilities or inclusion of children with disabilities in the program.

(3) CONSULTATION.—In preparing each report required by paragraph (1), the Secretary of State shall consult with organizations of persons with disabilities.

SEC. __7. PROMOTING INTERNATIONAL PROTECTION AND ADVOCACY FOR CHILDREN WITH DISABILITIES.

(a) SENSE OF CONGRESS ON PROGRAMMING AND PROGRAMS.—It is the sense of Congress that—

(1) all programming of the Department and the United States Agency for International Development related to health systems strengthening, primary and secondary education, and the protection of civil and political rights of persons with disabilities should seek to be consistent with the policy described in [section __4]; and

(2) programs of the Department and the United States Agency for International Development related to children, global health, and education—

(A) should—

(i) engage organizations of persons with disabilities in policymaking and program implementation; and

(ii) support full inclusion of children with disabilities in families; and

(B) should aim to avoid support for residential institutions for children with disabilities except in situations of conflict or emergency in a manner that protects family connections as described in subsection (b).

(b) SENSE OF CONGRESS ON CONFLICT AND EMERGENCIES.—It is the sense of Congress that—

(1) programs of the Department and the United States Agency for International Development serving children in situations of conflict or emergency, among displaced or refugee populations, or in natural disasters should seek to ensure that children with and without disabilities can maintain family ties; and

(2) in situations of emergency, if children are separated from parents or have no family, every effort should be made to ensure that children are placed with extended family, in kinship care, or in an adoptive or foster family.

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

SEC. ___. PROHIBITION ON CERTAIN REDUCTIONS TO INVENTORY OF E–3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or in backup aircraft inventory any E–3 aircraft if such actions would reduce the total aircraft inventory for such aircraft below 16.

(b) EXCEPTION FOR PLAN.—If the Secretary of the Air Force submits to the congressional defense committees a plan for maintaining readiness and ensuring there is no lapse in mission capabilities, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E–3 aircraft to below 16, beginning 30 days after the date on which the plan is so submitted.

(c) EXCEPTION FOR E–7 PROCUREMENT.—If the Secretary of the Air Force procures enough E–7 Wedgetail aircraft to accomplish the required mission load, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E–3 aircraft to below 16 after the date on which such E–7 Wedgetail aircraft are delivered.

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

SEC. 10___. IMPROVING PROCESSING BY DEPARTMENT OF VETERANS AFFAIRS OF DISABILITY CLAIMS FOR POST-TRAUMATIC STRESS DISORDER THROUGH IMPROVED TRAINING.

(a) SHORT TITLE.—This section may be cited as the ''Department of Veterans Affairs Post-Traumatic Stress Disorder Processing Claims Improvement Act of 2023''.

(b) FORMAL PROCESS FOR CONDUCT OF ANNUAL ANALYSIS OF TRAINING NEEDS BASED ON TRENDS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, acting through the Under Secretary for Benefits, shall establish a formal process to analyze, on an annual basis, training needs of employees of the Department who review claims for disability compensation for service-connected post-traumatic stress disorder, based on identified processing error trends.

(c) FORMAL PROCESS FOR CONDUCT OF ANNUAL STUDIES TO SUPPORT ANNUAL ANALYSIS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, acting through the Under Secretary, shall establish a formal process to conduct, on an annual basis, studies to help guide the process established under subsection (b).

(2) ELEMENTS.—Each study conducted under paragraph (1) shall cover the following:

(A) Military post-traumatic stress disorder stressors.

(B) Decision-making claims for claims processors.

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

SEC. 6___. EXTENSION OF TRAVEL ALLOWANCE FOR MEMBERS OF THE ARMED FORCES ASSIGNED TO ALASKA.

Section 603(b)(5)(B) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2621) is amended by striking ''December 31, 2023'' and inserting ''June 30, 2024''.

At the appropriate place in subtitle G of title X, insert the following:

SEC. _____. U.S. HOSTAGE AND WRONGFUL DETAINEE DAY ACT OF 2023.

(a) SHORT TITLE.—This section may be cited as the ''U.S. Hostage and Wrongful Detainee Day Act of 2023''.

(b) DESIGNATION.—

(1) HOSTAGE AND WRONGFUL DETAINEE DAY.—

(A) IN GENERAL.—Chapter 1 of title 36, United States Code, is amended—

(i) by redesignating the second section 146 (relating to Choose Respect Day) as section 147; and

(ii) by adding at the end the following:

''§ 148. U.S. Hostage and Wrongful Detainee Day

''(a) DESIGNATION.—March 9 is U.S. Hostage and Wrongful Detainee Day.

''(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe U.S. Hostage and Wrongful Detainee Day with appropriate ceremonies and activities.''.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 36, United States Code, is amended by striking the item relating to the second section 146 and inserting the following new items:

''147. Choose Respect Day.
''148. U.S. Hostage and Wrongful Detainee Day.''.

(2) HOSTAGE AND WRONGFUL DETAINEE FLAG.—

(A) IN GENERAL.—Chapter 9 of title 36, United States Code, is amended by adding at the end the following new section:

''§ 904. Hostage and Wrongful Detainee flag

''(a) DESIGNATION.—The Hostage and Wrongful Detainee flag championed by the Bring Our Families Home Campaign is designated as the symbol of the commitment of the United States to recognizing, and prioritizing the freedom of, citizens and lawful permanent residents of the United States held as hostages or wrongfully detained abroad.

''(b) REQUIRED DISPLAY.—

''(1) IN GENERAL.—The Hostage and Wrongful Detainee flag shall be displayed at the locations specified in paragraph (3) on the days specified in paragraph (2).

''(2) DAYS SPECIFIED.—The days specified in this paragraph are the following:

''(A) U.S. Hostage and Wrongful Detainee Day, March 9.

''(B) Flag Day, June 14.

''(C) Independence Day, July 4.

''(D) Any day on which a citizen or lawful permanent resident of the United States—

''(i) returns to the United States from being held hostage or wrongfully detained abroad; or

''(ii) dies while being held hostage or wrongfully detained abroad.

''(3) LOCATIONS SPECIFIED.—The locations specified in this paragraph are the following:

''(A) The Capitol.

''(B) The White House.

''(C) The buildings containing the official office of—

''(i) the Secretary of State; and

''(ii) the Secretary of Defense.

''(c) DISPLAY TO BE IN A MANNER VISIBLE TO THE PUBLIC.—Display of the Hostage and Wrongful Detainee flag pursuant to this section shall be in a manner designed to ensure visibility to the public.

''(d) LIMITATION.—This section may not be construed or applied so as to require any employee to report to work solely for the purpose of providing for the display of the Hostage and Wrongful Detainee flag.''.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 9 of title 36, United States Code, is amended by adding at the end the following:

''904. Hostage and Wrongful Detainee flag.''.

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

SEC. 1299L. SHARING OF INFORMATION WITH RESPECT TO SUSPECTED VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

Section 628A of the Tariff Act of 1930 (19 U.S.C. 1628a) is amended—

(1) in subsection (a)(1), by inserting '', packing materials, shipping containers,'' after ''its packaging'' each place it appears; and

(2) in subsection (b)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) any other party with an interest in the merchandise, as determined appropriate by the Commissioner.''.

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

SEC. 543. ANNUAL REPORT ON INITIATIVE TO ENHANCE THE CAPABILITY OF MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS TO PREVENT AND COMBAT CHILD SEXUAL EXPLOITATION.

In order to effectively carry out the initiative under section 550D of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1561 note prec.), the Secretary of Defense shall carry out the following actions:

(1) Not later than 90 days after the date of the enactment of this Act, and annually thereafter, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report on the progress of the initiative carried out under such section, outlining specific actions taken and planned to detect, combat, and stop the use of the Department of Defense network to further online child sexual exploitation (CSE).

(2) Develop partnerships and execute collaborative agreements with functional experts, including highly qualified national child protection organizations or law enforcement training centers with demonstrated expertise in the delivery of law enforcement training, to identify, investigate and prosecute individuals engaged in online CSE.

(3) Establish mandatory training for Department of Defense criminal investigative organizations and personnel at military installations to maintain capacity and address turnover and relocation issues.

At the end of subtitle D of title VIII of division A, add the following:

SEC. 849. ELIMINATING SELF-CERTIFICATION FOR SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESSES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) SMALL BUSINESS CONCERN; SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—The terms ''small business concern'' and ''small business concerns owned and controlled by service-disabled veterans'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ELIMINATING SELF-CERTIFICATION IN PRIME CONTRACTING AND SUBCONTRACTING FOR SDVOSBs.—

(1) IN GENERAL.—Each prime contract award and subcontract award that is counted for the purpose of meeting the goals for participation by small business concerns owned and controlled by service-disabled veterans in procurement contracts for Federal agencies, as established in section 15(g)(2) of the Small Business Act (15 U.S.C. 644(g)(2)), shall be entered into with small business concerns certified by the Administrator as small business concerns owned and controlled by service-disabled veterans under section 36 of such Act (15 U.S.C. 657f).

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on October 1 of the fiscal year beginning after the Administrator promulgates the regulations required under subsection (d).

(c) PHASED APPROACH TO ELIMINATING SELF-CERTIFICATION FOR SDVOSBs.—Notwithstanding any other provision of law, any small business concern that self-certified as a small business concern owned and controlled by service-disabled veterans may—

(1) if the small business concern files a certification application with the Administrator before the end of the 1-year period beginning on the date of enactment of this Act, maintain such self-certification until the Administrator makes a determination with respect to such certification; and

(2) if the small business concern does not file a certification application before the end of the 1-year period beginning on the date of enactment of this Act, lose, at the end of such 1-year period, any self-certification of the small business concern as a small business concern owned and controlled by service-disabled veterans.

(d) RULEMAKING.—Not later than 180 days after the date of enactment of this Act, the Administrator shall promulgate regulations to carry out this section.

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

SEC. ___. ADDITION OF ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION TO THE FEDERAL ACQUISITION REGULATORY COUNCIL.

Section 1302(b)(1) of title 41, United States Code, is amended—

(1) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) the Administrator of the Small Business Administration.''.

At the end of subtitle D of title VIII of division A, add the following:

SEC. 849. PAYMENT OF SUBCONTRACTORS.

Section 8(d)(13) of the Small Business Act (15 U.S.C. 637(d)(13)) is amended—

(1) in subparagraph (B)(i), by striking ''90 days'' and inserting ''30 days'';

(2) in subparagraph (C)—

(A) by striking ''contractor shall'' and inserting ''contractor—

''(i) shall'';

(B) in clause (i), as so designated, by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(i) may enter or modify past performance information of the prime contractor in connection with the unjustified failure to make a full or timely payment to a subcontractor subject to this paragraph before or after close-out of the covered contract.''.

(3) in subparagraph (D), by striking ''subparagraph (E)'' and inserting ''subparagraph (F)'';

(4) by redesignating subparagraph (E) as subparagraph (F); and

(5) by inserting after subparagraph (D) the following":

''(E) COOPERATION.—

''(i) IN GENERAL.—Once a contracting officer determines, with respect to the past performance of a prime contractor, that there was an unjustified failure by the prime contractor on a covered contract to make a full or timely payment to a subcontractor covered by subparagraph (B) or (C), the prime contractor is required to cooperate with the contracting officer, who shall consult with the Director of Small Business Programs or the Director of Small and Disadvantaged Business Utilization acting pursuant to section 15(k)(6) and other representatives of the Government, regarding correcting and mitigating the unjustified failure to make a full or timely payment to a subcontractor.

''(ii) DURATION.—The duty of cooperation under this subparagraph for a prime contractor described in clause (i) continues until the subcontractor is made whole or the determination of the contracting officer determination is no longer effective, and regardless of performance or close-out status of the covered contract.''.

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

SEC. 1269. EXTENSION OF EXPORT PROHIBITION ON MUNITIONS ITEMS TO THE HONG KONG POLICE FORCE.

Section 3 of the Act entitled ''An Act to prohibit the commercial export of covered munitions items to the Hong Kong Police Force'', approved November 27, 2019 (Public Law 116–77; 133 Stat. 1173), is amended by striking ''shall expire on December 31, 2024'' and inserting ''shall expire on the date on which the President certifies to the appropriate congressional committees that—

''(1) the Secretary of State has, on or after the date of the enactment of this paragraph, certified under section 205 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.) that Hong Kong warrants treatment under United States law in the same manner as United States laws were applied to Hong Kong before July 1, 1997;

''(2) the Hong Kong Police have not engaged in gross violations of human rights during the 1-year period ending on the date of such certification; and

''(3) there has been an independent examination of human rights concerns related to the crowd control tactics of the Hong Kong Police and the Government of the Hong Kong Special Administrative Region has adequately addressed those concerns.''.

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

SEC. 12___. FOREIGN PORT SECURITY ASSESSMENTS.

(a) SHORT TITLE.—This section may be cited as the ''International Port Security Enforcement Act''.

(b) IN GENERAL.—Section 70108 of title 46, United States Code, is amended—

(1) in subsection (f)—

(A) in paragraph (1), by striking ''provided that'' and all that follows and inserting the following: ''if—

''(A) the Secretary certifies that the foreign government or international organization—

''(i) has conducted the assessment in accordance with subsection (b); and

''(ii) has provided the Secretary with sufficient information pertaining to its assessment (including information regarding the outcome of the assessment); and

''(B) the foreign government that conducted the assessment is not a state sponsor of terrorism (as defined in section 3316(h).''; and

(B) by amending paragraph (3) to read as follows:

''(3) LIMITATIONS.—Nothing in this section may be construed—

''(A) to require the Secretary to treat an assessment conducted by a foreign government or an international organization as an assessment that satisfies the requirement under subsection (a);

''(B) to limit the discretion or ability of the Secretary to conduct an assessment under this section;

''(C) to limit the authority of the Secretary to repatriate aliens to their respective countries of origin; or

''(D) to prevent the Secretary from requesting security and safety measures that the Secretary considers necessary to safeguard Coast Guard personnel during the repatriation of aliens to their respective countries of origin.''; and

(2) by adding at the end the following:

''(g) STATE SPONSORS OF TERRORISM AND INTERNATIONAL TERRORIST ORGANIZATIONS.—The Secretary—

''(1) may not enter into an agreement under subsection (f)(2) with—

''(A) a foreign government that is a state sponsor of terrorism; or

''(B) a foreign terrorist organization; and

''(2) shall—

''(A) deem any port that is under the jurisdiction of a foreign government that is a state sponsor of terrorism as not having effective antiterrorism measures for purposes of this section and section 70109; and

''(B) immediately apply the sanctions described in section 70110(a) to such port.''.

At the end of subtitle C of title VIII, insert the following:

SEC. 836. SENSE OF CONGRESS RELATING TO RUBBER SUPPLY.

It is the sense of Congress that—

(1) the Department of Defense should take all appropriate action to lessen the dependence of the Armed Forces on adversarial nations for the procurement of strategic and critical materials, and that one such material in short supply according to the most recent report from Defense Logistics Agency Strategic Material is natural rubber, undermining our national security and jeopardizing the military's ability to rely on a stable source of natural rubber for tire manufacturing and production of other goods; and

(2) the Secretary of Defense should take all appropriate action, pursuant with the authority provided by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a et seq.) to engage in activities that may include stockpiling, but shall also include research and development aspects for increasing the domestic supply of natural rubber.

At the appropriate place, insert the following:

SEC. ___. REPEAL OF BONAFIDE OFFICE RULE FOR 8(A) CONTRACTS WITH THE DEPARTMENT OF DEFENSE.

Section 8(a)(11) of the Small Business Act (15 U.S.C. 637(a)(11)) is amended—

(1) by inserting ''(A)'' before ''To the maximum''; and

(2) by adding at the end the following:

''(B) Subparagraph (A) shall not apply with respect to a contract entered into under this subsection with the Department of Defense.''.

At the end of subtitle A of title XII, add the following:

SEC. 1213. REPORT ON COORDINATION WITH PRIVATE ENTITIES AND STATE GOVERNMENTS WITH RESPECT TO THE STATE PARTNERSHIP PROGRAM.

(a) IN GENERAL.— The Secretary of Defense shall submit to Congress a report on the feasibility of coordinating with private entities and State governments to provide resources and personnel to support technical exchanges under the Department of Defense State Partnership Program established under section 341 of title 10, United States Code.

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

(1) An analysis of the limitations of the State Partnership Program.

(2) The types of personnel and expertise that could be helpful to partner country participants in the State Partnership Program.

(3) Any authority needed to leverage such expertise from private entities and State governments, as applicable.

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON PROVISION OF AIRPORT IMPROVEMENT GRANT FUNDS TO CERTAIN ENTITIES THAT HAVE VIOLATED INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES ENTITIES.

(a) IN GENERAL.—During the period beginning on the date that is 30 days after the date of the enactment of this section, amounts provided as project grants under subchapter I of chapter 471 of title 49, United States Code, may not be used to enter into a contract described in subsection (b) with any entity on the list required by subsection (c).

(b) CONTRACT DESCRIBED.—A contract described in this subsection is a contract or other agreement for the procurement of infrastructure or equipment for a passenger boarding bridge at an airport.

(c) LIST REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, and thereafter as required by paragraph (2), the United States Trade Representative, and the Administrator of the Federal Aviation Administration shall make available to the Administrator of the Federal Aviation Administration a publicly-available a list of entities manufacturing airport passenger boarding infrastructure or equipment that—

(A) are owned, directed by, or subsidized in whole, or in part by the People's Republic of China;

(B) have been determined by a Federal court to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States;

(C) own or control, are owned or controlled by, are under common ownership or control with, or are successors to, an entity described in subparagraph (A);

(D) own or control, are under common ownership or control with, or are successors to, an entity described in subparagraph (A); or

(E) have entered into an agreement with or accepted funding from, whether in the form of minority investment interest or debt, have entered into a partnership with, or have entered into another contractual or other written arrangement with, an entity described in subparagraph (A).

(2) UPDATES TO LIST.—The United States Trade Representative shall update the list required by paragraph (1), based on information provided by the Administrator of the Federal Aviation Administration, in consultation with the Attorney General—

(A) not less frequently than every 90 days during the 180-day period following the initial publication of the list under paragraph (1); and

(B) not less frequently than annually thereafter.

(d) DEFINITIONS.—In this section, the definitions in section 47102 of title 49, United States Code, shall apply.

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

SEC. 7_____. SENSE OF CONGRESS ON ACCESS TO MENTAL HEALTH SERVICES THROUGH TRICARE.

It is the sense of Congress that the Secretary of Defense should take all necessary steps to ensure members of the National Guard and the members of their families who are enrolled in TRICARE have timely access to mental and behavioral health care services through the TRICARE program.

At the appropriate place in subtitle C of title II, insert the following:

SEC. _____. ESTABLISHMENT OF TECHNOLOGY TRANSITION PROGRAM FOR STRATEGIC NUCLEAR DETERRENCE.

(a) IN GENERAL.—The Commander of Air Force Global Strike Command may, through the use of a partnership intermediary, establish a program—

(1) to carry out technology transition, digital engineering projects, and other innovation activities supporting the Air Force nuclear enterprise; and

(2) to discover capabilities that have the potential to generate life-cycle cost savings and provide data-driven approaches to resource allocation.

(b) TERMINATION.—The program established under subsection (a) shall terminate on September 30, 2029.

(c) PARTNERSHIP INTERMEDIARY DEFINED.—The term ''partnership intermediary'' has the meaning given the term in section 23(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3715(c)).

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

SEC. 16____. CONTROL AND MANAGEMENT OF DEPARTMENT OF DEFENSE DATA AND ESTABLISHMENT OF CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.

(a) CONTROL AND MANAGEMENT OF DEPARTMENT OF DEFENSE DATA.—The Chief Digital and Artificial Intelligence Officer of the Department of Defense shall maintain the authority, but not the requirement, to access and control, on behalf of the Secretary of Defense, of all data collected, acquired, accessed, or utilized by Department of Defense components consistent with section 1513 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 4001 note).

(b) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.—Paragraph (3) of section 238(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) is amended to read as follows:

''(3) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.—

''(A) ESTABLISHMENT.—(i) The Secretary shall establish a council to provide policy oversight to ensure the responsible, coordinated, and ethical employment of data and artificial intelligence capabilities across Department of Defense missions and operations.

''(ii) The council established pursuant to clause (i) shall be known as the 'Chief Digital and Artificial Intelligence Officer Governing Council' (in this paragraph the 'Council').

''(B) MEMBERSHIP.—The Council shall be composed of the following:

''(i) Joint Staff J–6.

''(ii) The Under Secretary of Defense for Acquisition and Sustainment.

''(iii) The Under Secretary of Defense for Research and Evaluation.

''(iv) The Under Secretary of Defense for Intelligence and Security.

''(v) The Under Secretary of Defense for Policy.

''(vi) The Director of Cost Analysis and Program Evaluation.

''(vii) The Chief Information Officer of the Department.

''(viii) The Director of Administration and Management.

''(ix) The service acquisition executives of each of the military departments.

''(C) HEAD OF COUNCIL.—The Council shall be headed by the Chief Digital and Artificial Intelligence Officer of the Department.

''(D) MEETINGS.—The Council shall meet not less frequently than twice each fiscal year.

''(E) DUTIES OF COUNCIL.—The duties of the Council are as follows:

''(i) To streamline the organizational structure of the Department as it relates to artificial intelligence development, implementation, and oversight.

''(ii) To improve coordination on artificial intelligence governance with the defense industry sector.

''(iii) To establish and oversee artificial intelligence guidance on ethical requirements and protections for usage of artificial intelligence supported by Department funding and reduces or mitigates instances of unintended bias in artificial intelligence algorithms.

''(iv) To identify, monitor, and periodically update appropriate recommendations for operational usage of artificial intelligence.

''(v) To review, as the head of the Council considers necessary, artificial intelligence program funding to ensure that any Department investment in an artificial intelligence tool, system, or algorithm adheres to all Department established policy related to artificial intelligence.

''(vi) To provide periodic status updates on the efforts of the Department to develop and implement artificial intelligence into existing Department programs and processes.

''(vii) To provide guidance on access and distribution restrictions relating to data, models, tool sets, or testing or validation infrastructure.

''(viii) to implement and oversee a data and artificial intelligence educational program for the purpose of familiarizing the Department at all levels on the applications of artificial intelligence in their operations.

''(ix) To implement and oversee a data decree scorecard.

''(x) Such other duties as the Council determines appropriate.

''(F) PERIODIC REPORTS.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 and not less frequently than once every 18 months thereafter, the Council shall submit to the Secretary and the congressional defense committees a report on the activities of the Council during the period covered by the report.''.

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

SEC. 8_____. MODIFICATIONS TO RIGHTS IN TECHNICAL DATA.

Section 3771(b) of title 10, United States Code, is amended—

(1) in paragraph (3)(C), by inserting ''for which the United States shall have government purpose rights, unless the Government

and the contractor negotiate different license rights'' after ''component)''; and

(2) in paragraph (4)(A)—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) is a release, disclosure, or use of detailed manufacturing or process data—

''(I) that is necessary for operation, maintenance, installation, or training and shall be used only for operation, maintenance, installation, or training purposes supporting wartime operations or contingency operations; and

''(II) for which the head of an agency determines that the original supplier of such data will be unable to satisfy military readiness or operational requirements for such operations; or''.

At the appropriate place, insert the following:

SEC. _____. INCREASE IN GOVERNMENTWIDE GOAL FOR PARTICIPATION IN FEDERAL CONTRACTS BY SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

Section 15(g)(1)(A)(ii) of the Small Business Act (15 U.S.C. 644(g)(1)(A)(ii)) is amended by striking ''3 percent'' and inserting ''5 percent''.

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

SEC. ___. SENSE OF SENATE ON PROCUREMENT OF OUTSTANDING F/A–18 SUPER HORNET PLATFORMS.

(a) FINDINGS.—Congress finds that Congress appropriated funds for twelve F/A–18 Super Hornet platforms in fiscal year 2022 and eight F/A–18 Super Hornet platforms in fiscal year 2023, but the Navy has yet to enter into any contracts for the procurement of such platforms.

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

(1) the Secretary of the Navy and the contractor team should expeditiously enter into contractual agreements to procure the twenty F/A–18 Super Hornet platforms for which funds have been appropriated; and

(2) the Senate urges the Secretary of the Navy and the contractor team to comply with congressional intent and applicable law with appropriate expediency to bolster the Navy's fleet of strike fighter aircraft and avoid further disruption to the defense industrial base.

At the appropriate place, insert the following:

SEC. _____. CONDUCT OF WINTER SEASON RECONNAISSANCE OF ATMOSPHERIC RIVERS IN THE WESTERN UNITED STATES.

(a) CONDUCT OF RECONNAISSANCE.—

(1) IN GENERAL.—Subject to the availability of appropriations, the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command and the Administrator of the National Oceanic and Atmospheric Administration may use aircraft, personnel, and equipment necessary to meet the mission requirements of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command and the National Oceanic and Atmospheric Administration if those aircraft, personnel, and equipment are not otherwise needed for hurricane monitoring and response.

(2) ACTIVITIES.—In carrying out paragraph (1), the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command, in consultation with the Administrator of the National Oceanic and Atmospheric Administration and appropriate line offices of the National Oceanic and Atmospheric Administration, may—

(A) improve the accuracy and timeliness of observations to support the forecast and warning services of the National Weather Service for the coasts of the United States;

(B) collect data in data-sparse regions where conventional, upper-air observations are lacking;

(C) support water management decisions and flood forecasting through the execution of targeted airborne dropsonde, buoys, autonomous platform observations, satellite observations, remote sensing observations, and other observation platforms as appropriate, including enhanced assimilation of the data from those observations over the eastern, central, and western north Pacific Ocean, the Gulf of Mexico, and the western Atlantic Ocean to improve forecasts of large storms for civil authorities and military decision makers;

(D) participate in the research and operations partnership that guides flight planning and uses research methods to improve and expand the capabilities and effectiveness of weather reconnaissance over time; and

(E) undertake such other additional activities as the Administrator of the National Oceanic and Atmospheric Administration, in collaboration with the 53rd Weather Reconnaissance Squadron, considers appropriate to further prediction of dangerous weather events.

(b) REPORTS.—

(1) AIR FORCE.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the appropriate committees of Congress a comprehensive report on the resources necessary for the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command to continue to support, through December 31, 2035—

(i) the National Hurricane Operations Plan;

(ii) the National Winter Season Operations Plan; and

(iii) any other operational requirements relating to weather reconnaissance.

(B) APPROPRIATE COMMITTEES OF CONGRESS.—In this paragraph, the term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services of the Senate;

(ii) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

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

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

(v) the Committee on Armed Services of the House of Representatives; and

(vi) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) COMMERCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a comprehensive report on the resources necessary for the National Oceanic and Atmospheric Administration to continue to support, through December 31, 2035—

(A) the National Hurricane Operations Plan;

(B) the National Winter Season Operations Plan; and

(C) any other operational requirements relating to weather reconnaissance.

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

SEC. _____. MONITORING IRANIAN ENRICHMENT.

(a) SIGNIFICANT ENRICHMENT ACTIVITY DEFINED.—In this section, the term ''significant enrichment activity'' means—

(1) any enrichment of any amount of uranium–235 to a purity percentage that is 5 percent higher than the purity percentage indicated in the prior submission to Congress under subsection (b)(1); or

(2) any enrichment of uranium–235 in a quantity exceeding 10 kilograms.

(b) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 48 hours after the Director of National Intelligence assesses that the Islamic Republic of Iran has produced or possesses any amount of uranium–235 enriched to greater than 60 percent purity or has engaged in significant enrichment activity, the Director of National Intelligence shall submit to Congress such assessment, consistent with the protection of intelligence sources and methods.

(2) DUPLICATION.—For any submission required by this subsection, the Director of National Intelligence may rely upon existing products that reflect the current analytic judgment of the intelligence community, including reports or products produced in response to congressional mandate or requests from executive branch officials.

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

SEC. 2___. REVIEW OF ARTIFICIAL INTELLIGENCE INVESTMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) review the current investment into applications of artificial intelligence to the platforms, processes, and operations of the Department of Defense; and

(2) categorize the types of artificial intelligence investments by categories including but not limited to the following:

(A) Automation.

(B) Machine learning.

(C) Autonomy.

(D) Robotics.

(E) Deep learning and neural network.

(F) Natural language processing.

(b) REPORT TO CONGRESS.—Not later than 120 days after the completion of the review and categorization required by subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary with respect to the review and any action taken or proposed to be taken by the Secretary to address such findings; and

(2) an evaluation of how the findings of the Secretary align with stated strategies of the Department of Defense with regard to artificial intelligence and performance objectives established in the Department of Defense Data, Analytics, and Artificial Intelligence Adoption Strategy.

At the appropriate place, insert the following:

TITLE _____—CONNECTING OCEANIA'S NATIONS WITH VANGUARD EXERCISES AND NATIONAL EMPOWERMENT

SEC. ___01. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''Connecting Oceania's Nations with Vanguard Exercises and National Empowerment'' or the ''CONVENE Act of 2023''.

(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

SEC. ___02. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committees on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) CONGRESSIONAL DEFENSE COMMITTEES.—The term ''congressional defense committees'' has the meaning given such term in section 101(a) of title 10, United States Code.

(3) NATIONAL SECURITY COUNCIL.—The term ''national security council'' means, with respect to a specified country, an intergovernmental body under the jurisdiction of the freely elected government of the specified country that acts as the primary coordinating entity for security cooperation, disaster response, and the activities described section 6103(f).

(4) SPECIFIED COUNTRY.—The term ''specified country'' means—

(A) the Federated States of Micronesia;

(B) the Republic of the Marshall Islands; and

(C) the Republic of Palau.

SEC. ___03. NATIONAL SECURITY COUNCILS OF SPECIFIED COUNTRIES.

(a) IN GENERAL.—The Secretary of State, in consultation with other relevant Federal departments and agencies, as appropriate, may consult and engage with each specified country to advise and provide assistance to a national security council (including by developing a national security council, if appropriate), or to identify a similar coordinating body for national security matters, comprised of citizens of the specified country—

(1) that enables the specified country—

(A) to better coordinate with the United States Government, including the Armed Forces, as appropriate;

(B) to increase cohesion on activities, including emergency humanitarian response, law enforcement, and maritime security activities; and

(C) to provide trained professionals to serve as members of the committees of the specified country established under the applicable Compact of Free Association; and

(2) for the purpose of enhancing resilience capabilities and protecting the people, infrastructure, and territory of the specified country from malign actions.

(b) COMPOSITION.—The Secretary of State, respecting the unique needs of each specified country, may seek to ensure that the national security council, or other identified coordinating body, of the specified country is composed of sufficient staff and members to enable the activities described in subsection (f).

(c) ACCESS TO SENSITIVE INFORMATION.—The Secretary of State, with the concurrence of the Director of National Intelligence, may establish, as appropriate, for use by the members and staff of the national security council, or other identified coordinating body, of each specified country standards and a process for vetting and sharing sensitive information.

(d) STANDARDS FOR EQUIPMENT AND SERVICES.—The Secretary of State may work with the national security council, or other identified coordinating body, of each specified country to ensure that—

(1) the equipment and services used by the national security council or other identified coordinating body are compliant with security standards so as to minimize the risk of cyberattacks or espionage;

(2) the national security council or other identified coordinating body takes all reasonable efforts not to procure or use systems, equipment, or software that originates from any entity identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3965; 10 U.S.C. 113 note); and

(3) to the extent practicable, the equipment and services used by the national security council or other identified coordinating body are interoperable with the equipment and services used by the national security councils, or other identified coordinating bodies, of the other specified countries.

(e) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for two years, the Secretary of State shall submit to the appropriate committees of Congress a report that includes—

(A) an assessment as to whether a national security council or a similar formal coordinating body is helping or would help achieve the objectives described in subsection (a) at acceptable financial and opportunity cost;

(B) a description of all actions taken by the United States Government to assist in the identification or maintenance of a national security council, or other identified coordinating body, in each specified country;

(C) with respect to each specified country, an assessment as to whether—

(i) the specified country has appropriately staffed its national security council or other identified coordinating body; and

(ii) the extent to which the national security council, or other identified coordinating body, of the specified country is capable of carrying out the activities described in subsection (f);

(D) an assessment of—

(i) any challenge to cooperation and coordination with the national security council, or other identified coordinating body, of any specified country;

(ii) current efforts by the Secretary of State to coordinate with the specified countries on the activities described in subsection (f); and

(iii) existing governmental entities within each specified country that are capable of supporting such activities;

(E) a description of any challenge with respect to—

(i) the implementation of the national security council, or other identified coordinating body, of any specified country; and

(ii) the implementation of subsections (a) through (d);

(F) an assessment of any attempt or campaign by a malign actor to influence the political, security, or economic policy of a specified country, a member of a national security council or other identified coordinating body, or an immediate family member of such a member; and

(G) any other matter the Secretary of State considers relevant.

(2) FORM.—Each report required by paragraph (1) may be submitted in unclassified form and may include a classified annex.

(f) ACTIVITIES DESCRIBED.—The activities described in this subsection are the following:

(1) HOMELAND SECURITY ACTIVITIES.—

(A) Coordination of—

(i) the prosecution and investigation of transnational criminal enterprises;

(ii) responses to national emergencies, such as natural disasters;

(iii) counterintelligence and counter-coercion responses to foreign threats; and

(iv) efforts to combat illegal, unreported, or unregulated fishing.

(B) Coordination with United States Government officials on humanitarian response, military exercises, law enforcement, and other issues of security concern.

(C) Identification and development of an existing governmental entity to support homeland defense and civil support activities.

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

SEC. 1225. MODIFICATION OF ESTABLISHMENT OF COORDINATOR FOR DETAINED ISIS MEMBERS AND RELEVANT POPULATIONS IN SYRIA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(2) ISIS MEMBER.—The term ''ISIS member'' means a person who was part of, or substantially supported, the Islamic State in Iraq and Syria.

(3) SENIOR COORDINATOR.—The term ''Senior Coordinator'' means the coordinator for detained ISIS members and relevant displaced populations in Syria designated under subsection (a) of section 1224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1642), as amended by subsection (d).

(b) SENSE OF CONGRESS.—

It is the sense of Congress that—

(A) ISIS detainees held by the Syrian Democratic Forces and ISIS-affiliated individuals located within displaced persons camps in Syria pose a significant and growing humanitarian challenge and security threat to the region;

(B) the vast majority of individuals held in displaced persons camps in Syria are women and children, approximately 50 percent of whom are under the age of 12 at the al-Hol camp, and they face significant threats of violence and radicalization, as well as lacking access to adequate sanitation and health care facilities;

(C) there is an urgent need to seek a sustainable solution to such camps through repatriation and reintegration of the inhabitants;

(D) the United States should work closely with international allies and partners to facilitate the repatriation and reintegration efforts required to provide a long-term solution for such camps and prevent the resurgence of ISIS; and

(E) if left unaddressed, such camps will continue to be drivers of instability that jeopardize the long-term prospects for peace and stability in the region.

(c) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) ISIS-affiliated individuals located within displacement camps in Syria, and other inhabitants of displacement camps in Syria, be repatriated and, where appropriate, prosecuted, or where possible, reintegrated into their country of origin, consistent with all relevant domestic laws and applicable international laws prohibiting refoulement; and

(2) the camps will be closed as soon as is practicable.

(d) MODIFICATION OF ESTABLISHMENT OF COORDINATOR FOR DETAINED ISIS MEMBERS AND RELEVANT DISPLACED POPULATIONS IN SYRIA.—Section 1224 of the National Defense

Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1642) is amended—

(1) by striking subsection (a);

(2) by amending subsection (b) to read as follows:

''(a) DESIGNATION.—

''(1) IN GENERAL.—The President, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, and the Attorney General, shall designate an existing official to serve within the executive branch as senior-level coordinator to coordinate, in conjunction with other relevant agencies, matters related to ISIS members who are in the custody of the Syrian Democratic Forces and other relevant displaced populations in Syria, including—

''(A) by engaging foreign partners to support the repatriation and disposition of such individuals, including by encouraging foreign partners to repatriate, transfer, investigate, and prosecute such ISIS members, and share information;

''(B) coordination of all multilateral and international engagements led by the Department of State and other agencies that are related to the current and future handling, detention, and prosecution of such ISIS members;

''(C) the funding and coordination of the provision of technical and other assistance to foreign countries to aid in the successful investigation and prosecution of such ISIS members, as appropriate, in accordance with relevant domestic laws, international humanitarian law, and other internationally recognized human rights and rule of law standards;

''(D) coordination of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, displaced persons at camps or facilities in Syria that hold family members of such ISIS members;

''(E) coordination with relevant agencies on matters described in this section; and

''(F) any other matter the President considers relevant.

''(2) RULE OF CONSTRUCTION.—If, on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, an individual has already been designated, consistent with the requirements and responsibilities described in paragraph (1), the requirements under that paragraph shall be considered to be satisfied with respect to such individual until the date on which such individual no longer serves as the Senior Coordinator.'';

(3) in subsection (c), by striking ''subsection (b)'' and inserting ''subsection (a)'';

(4) in subsection (d), by striking ''subsection (b)'' and inserting ''subsection (a)'';

(5) in subsection (e), by striking ''January 31, 2021'' and inserting ''January 31, 2025'';

(6) in subsection (f)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following new paragraph (2):

''(2) SENIOR COORDINATOR.—The term 'Senior Coordinator' means the individual designated under subsection (a).''; and

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

''(4) RELEVANT AGENCIES.—The term 'relevant agencies' means—

''(A) the Department of State;

''(B) the Department of Defense;

''(C) the Department of the Treasury;

''(D) the Department of Justice;

''(E) the United States Agency for International Development;

''(F) the Office of the Director of National Intelligence; and

''(G) any other agency the President considers relevant.''; and

(7) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively.

(e) STRATEGY ON ISIS-RELATED DETAINEE AND DISPLACEMENT CAMPS IN SYRIA.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, the Director of National Intelligence, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, and the Attorney General, shall submit to the appropriate committees of Congress an interagency strategy with respect to ISIS-affiliated individuals and ISIS-related detainee and other displaced persons camps in Syria.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include—

(A) methods to address—

(i) disengagement from and prevention of recruitment into violence, violent extremism, and other illicit activity in such camps;

(ii) efforts to encourage and facilitate repatriation and, as appropriate, investigation and prosecution of foreign nationals from such camps, consistent with all relevant domestic and applicable international laws;

(iii) the return and reintegration of displaced Syrian and Iraqi women and children into their communities of origin;

(iv) international engagement to develop processes for repatriation and reintegration of foreign nationals from such camps;

(v) contingency plans for the relocation of detained and displaced persons who are not able to be repatriated from such camps;

(vi) efforts to improve the humanitarian conditions in such camps, including through the delivery of medicine, psychosocial support, clothing, education, and improved housing; and

(vii) assessed humanitarian and security needs of all camps and detainment facilities based on prioritization of such camps and facilities most at risk of humanitarian crises, external attacks, or internal violence;

(B) an assessment of—

(i) rehabilitation centers in northeast Syria, including humanitarian conditions and processes for admittance and efforts to improve both humanitarian conditions and admittance processes for such centers and camps, as well as on the prevention of youth radicalization; and

(ii) processes for being sent to, and resources directed towards, rehabilitation centers and programs in countries that receive returned ISIS affiliated individuals, with a focus on the prevention of radicalization of minor children;

(C) a plan to improve, in such camps—

(i) security conditions, including by training of personnel and through construction; and

(ii) humanitarian conditions;

(D) a framework for measuring progress of humanitarian, security, and repatriation efforts with the goal of closing such camps; and

(E) any other matter the Secretary of State considers appropriate.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex that is transmitted separately.

(f) ANNUAL INTERAGENCY REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter through January 31, 2025, the Senior Coordinator, in coordination with the relevant agencies, shall submit to the appropriate committees of Congress a detailed report that includes the following:

(A) A detailed description of the facilities and camps where detained ISIS members, and families with perceived ISIS affiliation, are being held and housed, including—

(i) a description of the security and management of such facilities and camps;

(ii) an assessment of resources required for the security of such facilities and camps;

(iii) an assessment of the adherence by the operators of such facilities and camps to international humanitarian law standards; and

(iv) an assessment of children held within such facilities and camps that may be used as part of smuggling operations to evade security at the facilities and camps.

(B) A description of all efforts undertaken by, and the resources needed for, the United States Government to address deficits in the humanitarian environment and security of such facilities and camps.

(C) A description of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, displaced persons at camps or facilities in Iraq, Syria, and any other area affected by ISIS activity, including a description of—

(i) support for efforts by the Syrian Democratic Forces to facilitate the return and reintegration of displaced people from Iraq and Syria;

(ii) repatriation efforts with respect to displaced women and children and male children aging into adults while held in these facilities and camps;

(iii) any current or future potential threat to United States national security interests posed by detained ISIS members or displaced families, including an analysis of the al-Hol camp and annexes; and

(iv) United States Government plans and strategies to respond to any threat identified under clause (iii).

(D) The number of individuals repatriated from the custody of the Syrian Democratic Forces.

(E) An analysis of factors on the ground in Syria and Iraq that may result in the unintended release of detained or displaced ISIS members, and an assessment of any measures available to mitigate such releases.

(F) A detailed description of efforts to encourage the final disposition and security of detained or displaced ISIS members with other countries and international organizations.

(G) A description of foreign repatriation and rehabilitation programs deemed successful systems to model, and an analysis of the long-term results of such programs.

(H) A description of the manner in which the United States Government communicates regarding repatriation and disposition efforts with the families of United States citizens believed to have been victims of a criminal act by a detained or displaced ISIS member, in accordance with section 503(c) of the Victims' Rights and Restitution Act of 1990 (34 U.S.C. 20141(c)) and section 3771 of title 18, United States Code.

(I) An analysis of all efforts between the United States and partner countries within the Global Coalition to Defeat ISIS or other countries to share related information that may aid in resolving the final disposition of ISIS members, and any obstacles that may hinder such efforts.

(J) Any other matter the Coordinator considers appropriate.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex that is transmitted separately.

(g) RULE OF CONSTRUCTION.—Nothing in this section, or an amendment made by this section, may be construed—

(1) to limit the authority of any Federal agency to independently carry out the authorized functions of such agency; or

(2) to impair or otherwise affect the activities performed by that agency as granted by law.

At the appropriate place, insert the following:

Subtitle _____—CRYPTO ASSETS

SEC. _____01. CRYPTO ASSET ANTI-MONEY LAUNDERING EXAMINATION STANDARDS.

Not later than 2 years after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Conference of State Bank Supervisors and Federal functional regulators, as defined in section 1010.100 of title 31, Code of Federal Regulations, shall establish a risk-focused examination and review process for financial institutions, as defined in that section, to assess the following relating to crypto assets, as determined by the Secretary:

(1) The adequacy of reporting obligations and anti-money laundering programs under subsections (g) and (h) of section 5318 of title 31, United States Code, respectively as applied to those institutions.

(2) Compliance of those institutions with anti-money laundering and countering the financing of terrorism requirements under subchapter II of chapter 53 of title 31, United States Code.

SEC. _____02. COMBATING ANONYMOUS CRYPTO ASSET TRANSACTIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report and provide a briefing, as determined by the Secretary, to the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that assess the following issues:

(1) Categories of anonymity-enhancing technologies or services used in connection with crypto assets, such as mixers and tumblers, in use as of the date on which the report is submitted.

(2) As data are available, estimates of the magnitude of transactions related to the categories in paragraph (1) that are believed to be connected, directly or indirectly, to illicit finance, including crypto asset transaction volumes associated with sanctioned entities and entities subject to special measures pursuant to section 5318A of title 31, United States Code, and a description of any limitations applicable to the data used in such estimates.

(3) Categories of privacy-enhancing technologies or services used in connection with crypto assets in use as of the date on which the report is submitted.

(4) Legislative and regulatory approaches employed by other jurisdictions relating to the technologies and services described in paragraphs (1) and (3).

(5) Recommendations for legislation or regulation relating to the technologies and services described in paragraphs (1) and (3).

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

SEC. 16___. REQUIREMENT TO SUPPORT FOR CYBER EDUCATION AND WORKFORCE DEVELOPMENT AT INSTITUTIONS OF HIGHER LEARNING.

(a) AUTHORITY.—The Secretary of Defense shall support the development of foundational expertise in critical cyber operational skills at institutions of higher learning, selected by the Secretary under subsection (b), for current and future members of the Armed Forces and civilian employees of the Department of Defense.

(b) SELECTION.—The Secretary shall select institutions of higher learning to receive support under subsection (a) from among institutions of higher learning that meet the following eligibility criteria:

(1) The institution offers a program from beginning through advanced skill levels to provide future military and civilian leaders of the Armed Forces with operational cyber expertise.

(2) The institution includes instruction and practical experiences that lead to recognized certifications and degrees in the cyber field.

(3) The institution has and maintains an educational partnership with an active component of the Armed Forces or a Department component designed to facilitate the development of critical cyber skills for students who may pursue a military career.

(4) The institution is located in close proximity to a military installation with a cyber mission defined by the Department or the Armed Forces.

(c) SUPPORT.—Under subsection (a), the Secretary shall provide, at a minimum, to each institution of higher learning selected by the Secretary under subsection (b) the following support for civilian and military leaders of the Department transitioning into cyber fields at the Department:

(1) Expansion of cyber educational programs focused on enhancing such transition.

(2) Hands-on cyber opportunities, including laboratories and security operations centers.

(3) Direct financial assistance to civilian and military students at the Department to increase access to courses and hands-on opportunities under paragraphs (1) and (2).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2024.

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

SEC. 1083. NATIONAL COLD WAR CENTER DESIGNATION.

(a) PURPOSES.—The purposes of this section are—

(1) to designate the museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, including its future and expanded exhibits, collections, and educational programs, as a ''National Cold War Center'';

(2) to recognize the preservation, maintenance, and interpretation of the artifacts, documents, images, and history collected by the Center;

(3) to enhance the knowledge of the American people of the experience of the United States during the Cold War years; and

(4) to ensure that all future generations understand the sacrifices made to preserve freedom and democracy, and the benefits of peace for all future generations in the 21st century and beyond.

(b) DESIGNATION.—

(1) IN GENERAL.—The museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, is designated as a ''National Cold War Center''.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall preclude the designation of other national centers or museums in the United States interpreting the Cold War.

(c) EFFECT OF DESIGNATION.—The National Cold War Center designated by this section is not a unit of the National Park System, and the designation of the center as a National Cold War Center shall not be construed to require or permit Federal funds to be expended for any purpose related to the designation made by this section.

At the appropriate place, insert the following:

SEC. _____. SEMICONDUCTOR PROGRAM.

Title XCIX of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended—

(1) in section 9902 (15 U.S.C. 4652)—

(A) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(B) by inserting after subsection (g) the following:

''(h) AUTHORITY RELATING TO ENVIRONMENTAL REVIEW.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the provision by the Secretary of Federal financial assistance for a project described in this section that satisfies the requirements under subsection (a)(2)(C)(i) of this section shall not be considered to be a major Federal action under NEPA or an undertaking for the purposes of division A of subtitle III of title 54, United States Code, if—

''(A) the activity described in the application for that project has commenced not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2024;

''(B) the Federal financial assistance provided is in the form of a loan or loan guarantee; or

''(C) the Federal financial assistance provided, excluding any loan or loan guarantee, comprises not more than 10 percent of the total estimated cost of the project.

''(2) SAVINGS CLAUSE.—Nothing in this subsection may be construed as altering whether an activity described in subparagraph (A), (B), or (C) of paragraph (1) is considered to be a major Federal action under NEPA, or an undertaking under division A of subtitle III of title 54, United States Code, for a reason other than that the activity is eligible for Federal financial assistance provided under this section.''; and

(2) in section 9909 (15 U.S.C. 4659), by adding at the end the following:

''(c) LEAD FEDERAL AGENCY AND COOPERATING AGENCIES.—

''(1) DEFINITION.—In this subsection, the term 'lead agency' has the meaning given the term in section 111 of NEPA.

''(2) OPTION TO SERVE AS LEAD AGENCY.—With respect to a covered activity that is a major Federal action under NEPA, and with respect to which the Department of Commerce is authorized or required by law to issue an authorization or take action for or relating to that covered activity, the Department of Commerce shall have the first right to serve as the lead agency with respect to that covered activity under NEPA.

''(d) CATEGORICAL EXCLUSIONS.—

''(1) ESTABLISHMENT OF CATEGORICAL EXCLUSIONS.—Each of the following categorical exclusions is established for the National Institute of Standards and Technology with respect to a covered activity and, beginning on the date of enactment of this subsection, is available for use by the Secretary with respect to a covered activity:

''(A) Categorical exclusion 17.04.d (relating to the acquisition of machinery and equipment) in the document entitled 'EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates As Required' (Directive No. 17.02-2; effective date October 14, 1992).

''(B) Categorical exclusion A9 in Appendix A to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

''(C) Categorical exclusions B1.24, B1.31, B2.5, and B5.1 in Appendix B to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

''(D) The categorical exclusions described in paragraphs (4) and (13) of section 50.19(b) of title 24, Code of Federal Regulations, or any successor regulation.

''(E) Categorical exclusion (c)(1) in Appendix B to part 651 of title 32, Code of Federal Regulations, or any successor regulation.

''(F) Categorical exclusions A2.3.8 and A2.3.14 in Appendix B to part 989 of title 32, Code of Federal Regulations, or any successor regulation.

''(2) ADDITIONAL CATEGORICAL EXCLUSIONS.—Notwithstanding any other provision of law, each of the following shall be treated as a category of action categorically excluded from the requirements relating to environmental assessments and environmental impact statements under section 1501.4 of title 40, Code of Federal Regulations, or any successor regulation:

''(A) The provision by the Secretary of any Federal financial assistance for a project described in section 9902, if the facility that is the subject of the project is on or adjacent to a site—

''(i) that is owned or leased by the covered entity to which Federal financial assistance is provided for that project; and

''(ii) on which, as of the date on which the Secretary provides that Federal financial assistance, substantially similar construction, expansion, or modernization is being or has been carried out, such that the facility would not more than double existing developed acreage or on-site supporting infrastructure.

''(B) The provision by the Secretary of Defense of any Federal financial assistance relating to—

''(i) the creation, expansion, or modernization of one or more facilities described in the second sentence of section 9903(a)(1); or

''(ii) carrying out section 9903(b), as in effect on the date of enactment of this subsection.

''(C) Any activity undertaken by the Secretary relating to carrying out section 9906, as in effect on the date of enactment of this subsection.

''(e) INCORPORATION OF PRIOR PLANNING DECISIONS.—

''(1) DEFINITION.—In this subsection, the term 'prior studies and decisions' means baseline data, planning documents, studies, analyses, decisions, and documentation that a Federal agency has completed for a project (or that have been completed under the laws and procedures of a State or Indian Tribe), including for determining the reasonable range of alternatives for that project.

''(2) RELIANCE ON PRIOR STUDIES AND DECISIONS.—In completing an environmental review under NEPA for a covered activity, the Secretary may consider and, as appropriate, rely on or adopt prior studies and decisions, if the Secretary determines that—

''(A) those prior studies and decisions meet the standards for an adequate statement, assessment, or determination under applicable procedures of the Department of Commerce implementing the requirements of NEPA;

''(B) in the case of prior studies and decisions completed under the laws and procedures of a State or Indian Tribe, those laws and procedures are of equal or greater rigor than those of each applicable Federal law, including NEPA, implementing procedures of the Department of Commerce; or

''(C) if applicable, the prior studies and decisions are informed by other analysis or documentation that would have been prepared if the prior studies and decisions were prepared by the Secretary under NEPA.

''(f) DEFINITIONS.—In this section:

''(1) COVERED ACTIVITY.—The term 'covered activity' means any activity relating to the construction, expansion, or modernization of a facility, the investment in which is eligible for Federal financial assistance under section 9902 or 9906.

''(2) NEPA.—The term 'NEPA' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''.

Viz:

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

Subtitle ____—*WESTERN HEMISPHERE PARTNERSHIP ACT OF 2023*

SEC. ___. SHORT TITLE.

This subtitle may be cited as the ''Western Hemisphere Partnership Act of 2023''.

SEC. ___. UNITED STATES POLICY IN THE WESTERN HEMISPHERE.

It is the policy of the United States to promote economic competitiveness, democratic governance, and security in the Western Hemisphere by—

(1) encouraging stronger economic relations, respect for property rights, the rule of law, and enforceable investment rules and labor and environmental standards;

(2) advancing the principles and practices expressed in the Charter of the Organization of American States, the American Declaration on the Rights and Duties of Man, and the Inter-American Democratic Charter; and

(3) enhancing the capacity and technical capabilities of democratic partner nation government institutions, including civilian law enforcement, the judiciary, attorneys general, and security forces.

SEC. ___. PROMOTING SECURITY AND THE RULE OF LAW IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should strengthen security cooperation with democratic partner nations in the Western Hemisphere to promote a secure hemisphere and to address the negative impacts of transnational criminal organizations and malign external state actors.

(b) COLLABORATIVE EFFORTS.—The Secretary of State, in coordination with the heads of other relevant Federal agencies, should support the improvement of security conditions and the rule of law in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) enhance the institutional capacity and technical capabilities of defense and security institutions in democratic partner nations to conduct national or regional security missions, including through regular bilateral and multilateral engagements, foreign military sales and financing, international military education and training programs, expanding the National Guard State Partnership Programs, and other means;

(2) provide technical assistance and material support (including, as appropriate, radars, vessels, and communications equipment) to relevant security forces to disrupt, degrade, and dismantle organizations involved in the illicit trafficking of narcotics and precursor chemicals, transnational criminal activities, illicit mining, and illegal, unreported, and unregulated fishing, and other illicit activities;

(3) enhance the institutional capacity, legitimacy, and technical capabilities of relevant civilian law enforcement, attorneys general, and judicial institutions to—

(A) strengthen the rule of law and transparent governance;

(B) combat corruption and kleptocracy in the region; and

(C) improve regional cooperation to disrupt, degrade, and dismantle transnational organized criminal networks and terrorist organizations, including through training, anticorruption initiatives, anti-money laundering programs, and strengthening cyber capabilities and resources;

(4) enhance port management and maritime security partnerships and airport management and aviation security partnerships to disrupt, degrade, and dismantle transnational criminal networks and facilitate the legitimate flow of people, goods, and services;

(5) strengthen cooperation to improve border security across the Western Hemisphere, dismantle human smuggling and trafficking networks, and increase cooperation to demonstrably strengthen migration management systems;

(6) counter the malign influence of state and non-state actors and disinformation campaigns;

(7) disrupt illicit domestic and transnational financial networks;

(8) foster mechanisms for cooperation on emergency preparedness and rapid recovery from natural disasters, including by—

(A) supporting regional preparedness, recovery, and emergency management centers to facilitate rapid response to survey and help maintain planning on regional disaster anticipated needs and possible resources;

(B) training disaster recovery officials on latest techniques and lessons learned from United States experiences;

(C) making available, preparing, and transferring on-hand nonlethal supplies, and providing training on the use of such supplies, for humanitarian or health purposes to respond to unforeseen emergencies; and

(D) conducting medical support operations and medical humanitarian missions, such as hospital ship deployments and base-operating services, to the extent required by the operation;

(9) foster regional mechanisms for early warning and response to pandemics in the Western Hemisphere, including through—

(A) improved cooperation with and research by the United States Centers for Disease Control and Prevention through regional pandemic response centers;

(B) personnel exchanges for technology transfer and skills development; and

(C) surveying and mapping of health networks to build local health capacity;

(10) promote the meaningful participation of women across all political processes, including conflict prevention and conflict resolution and post-conflict relief and recovery efforts; and

(11) hold accountable actors that violate political and civil rights.

(c) LIMITATIONS ON USE OF TECHNOLOGIES.—Operational technologies transferred pursuant to subsection (b) to partner governments for intelligence, defense, or law enforcement purposes shall be used solely for the purposes for which the technology was intended. The United States shall take all necessary steps to ensure that the use of such operational technologies is consistent with United States law, including protections of freedom of expression, freedom of movement, and freedom of association.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other relevant Federal agencies, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a 5-year strategy to promote security and the rule of law in the Western Hemisphere in accordance to this section.

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

(A) A detailed assessment of the resources required to carry out such collaborative efforts.

(B) Annual benchmarks to track progress and obstacles in undertaking such collaborative efforts.

(C) A public diplomacy component to engage the people of the Western Hemisphere

with the purpose of demonstrating that the security of their countries is enhanced to a greater extent through alignment with the United States and democratic values rather than with authoritarian countries such as the People's Republic of China, the Russian Federation, and the Islamic Republic of Iran.

(3) BRIEFING.—Not later than 1 year after submission of the strategy required under paragraph (1), and annually thereafter, the Secretary of State shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a briefing on the implementation of the strategy.

SEC. ___. PROMOTING DIGITALIZATION AND CYBERSECURITY IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support digitalization and expand cybersecurity cooperation in the Western Hemisphere to promote regional economic prosperity and security.

(b) PROMOTION OF DIGITALIZATION AND CYBERSECURITY.—The Secretary of State, in coordination with the heads of other relevant Federal agencies, should promote digitalization and cybersecurity in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) promote digital connectivity and facilitate e-commerce by expanding access to information and communications technology (ICT) supply chains that adhere to high-quality security and reliability standards, including—

(A) to open market access on a national treatment, nondiscriminatory basis; and

(B) to strengthen the cybersecurity and cyber resilience of partner countries;

(2) advance the provision of digital government services (e-government) that, to the greatest extent possible, promote transparency, lower business costs, and expand citizens' access to public services and public information; and

(3) develop robust cybersecurity partnerships to—

(A) promote the inclusion of components and architectures in information and communications technology (ICT) supply chains from participants in initiatives that adhere to high-quality security and reliability standards;

(B) share best practices to mitigate cyber threats to critical infrastructure from ICT architectures by technology providers that supply equipment and services covered under section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601);

(C) effectively respond to cybersecurity threats, including state-sponsored threats; and

(D) to strengthen resilience against cyberattacks and cybercrime.

SEC. ___. PROMOTING ECONOMIC AND COMMERCIAL PARTNERSHIPS IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should enhance economic and commercial ties with democratic partners to promote prosperity in the Western Hemisphere by modernizing and strengthening trade capacity-building and trade facilitation initiatives, encouraging market-based economic reforms that enable inclusive economic growth, strengthening labor and environmental standards, addressing economic disparities of women, and encouraging transparency and adherence to the rule of law in investment dealings.

(b) IN GENERAL.—The Secretary of State, in coordination with the United States Trade Representative, the Chief Executive Officer of the Development Finance Corporation, and the heads of other relevant Federal agencies, should support the improvement of economic conditions in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) facilitate a more open, transparent, and competitive environment for United States businesses and promote robust and comprehensive trade capacity-building and trade facilitation by—

(A) reducing trade and nontariff barriers between the countries in the region, establishing a mechanism for pursuing Mutual Recognition Agreements and Formalized Regulatory Cooperation Agreements in priority sectors of the economy;

(B) establishing a forum for discussing and evaluating technical and other assistance needs to help establish streamlined ''single window'' processes to facilitate movement of goods and common customs arrangements and procedures to lower costs of goods in transit and speed to destination;

(C) building relationships and exchanges between relevant regulatory bodies in the United States and democratic partners in the Western Hemisphere to promote best practices and transparency in rulemaking, implementation, and enforcement, and provide training and assistance to help improve supply chain management in the Western Hemisphere;

(D) establishing regional fora for identifying, raising, and addressing supply chain management issues, including infrastructure needs and strengthening of investment rules and regulatory frameworks;

(E) establishing a dedicated program of trade missions and reverse trade missions to increase commercial contacts and ties between the United States and Western Hemisphere partner countries; and

(F) strengthening labor and environmental standards in the region;

(2) establish frameworks or mechanisms to review and address the long-term financial sustainability and national security implications of foreign investments in strategic sectors or services;

(3) establish competitive and transparent infrastructure project selection and procurement processes that promote transparency, open competition, financial sustainability, and robust adherence to global standards and norms; and

(4) advance robust and comprehensive energy production and integration, including through a more open, transparent, and competitive environment for United States companies competing in the Western Hemisphere, including by—

(A) facilitating further development of integrated regional energy markets;

(B) improving management of grids, including technical capability to ensure the functionality, safe and responsible management, and quality of service of electricity providers, carriers, and management and distribution systems;

(C) facilitating private sector-led development of reliable and affordable power generation capacity;

(D) establishing a process for surveying grid capacity and management focused on identifying electricity service efficiencies and establishing cooperative mechanisms for providing technical assistance for—

(i) grid management, power pricing, and tariff issues;

(ii) establishing and maintaining appropriate regulatory best practices; and

(iii) proposals to establish regional power grids for the purpose of promoting the sale of excess supply to consumers across borders;

(E) assessing the viability and effectiveness of decentralizing power production and transmission and building micro-grid power networks to improve, when feasible, access to electricity, particularly in rural and underserved communities where centralized power grid connections may not be feasible in the short to medium term; and

(F) exploring opportunities to partner with the private sector and multilateral institutions, such as the World Bank and the Inter-American Development Bank, to promote universal access to reliable and affordable electricity in the Western Hemisphere.

SEC. ___. PROMOTING TRANSPARENCY AND DEMOCRATIC GOVERNANCE IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support efforts to strengthen the capacity and legitimacy of democratic institutions and inclusive processes in the Western Hemisphere to promote a more transparent, democratic, and prosperous region.

(b) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development and heads of other relevant Federal agencies, should support transparent, accountable, and democratic governance in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) strengthen the capacity of national electoral institutions to ensure free, fair, and transparent electoral processes, including through pre-election assessment missions, technical assistance, and independent local and international election monitoring and observation missions;

(2) enhance the capabilities of democratically elected national legislatures, parliamentary bodies, and autonomous regulatory institutions to conduct oversight;

(3) strengthen the capacity of subnational government institutions to govern in a transparent, accountable, and democratic manner, including through training and technical assistance;

(4) combat corruption at local and national levels, including through trainings, cooperation agreements, initiatives aimed at dismantling corrupt networks, and political support for bilateral or multilateral anticorruption mechanisms that strengthen attorneys general and prosecutors' offices;

(5) strengthen the capacity of civil society to conduct oversight of government institutions, build the capacity of independent professional journalism, facilitate substantive dialogue with government and the private sector to generate issue-based policies, and mobilize local resources to carry out such activities;

(6) promote the meaningful and significant participation of women in democratic processes, including in national and subnational government and civil society; and

(7) support the creation of procedures for the Organization of American States (OAS) to create an annual forum for democratically elected national legislatures from OAS member States to discuss issues of hemispheric importance, as expressed in section 4 of the Organization of American States Legislative Engagement Act of 2020 (Public Law 116–343).

SEC. ___. INVESTMENT, TRADE, AND DEVELOPMENT IN AFRICA AND LATIN AMERICA AND THE CARIBBEAN.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa and Latin America and the Caribbean.

(2) FOCUS OF STRATEGY.—The strategy required by paragraph (1) shall focus on increasing exports of United States goods and services to Africa and Latin America and the Caribbean by 200 percent in real dollar value by the date that is 10 years after the date of the enactment of this Act.

(3) CONSULTATIONS.—In developing the strategy required by paragraph (1), the President shall consult with—

(A) Congress;

(B) each agency that is a member of the Trade Promotion Coordinating Committee;

(C) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(D) each agency that participates in the Trade Policy Staff Committee established;

(E) the President's Export Council;

(F) each of the development agencies;

(G) any other Federal agencies with responsibility for export promotion or financing and development; and

(H) the private sector, including businesses, nongovernmental organizations, and African and Latin American and Caribbean diaspora groups.

(4) SUBMISSION TO APPROPRIATE CONGRESSIONAL COMMITTEES.—

(A) STRATEGY.—Not later than 200 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(B) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by paragraph (1).

(b) SPECIAL AFRICA AND LATIN AMERICA AND THE CARIBBEAN EXPORT STRATEGY COORDINATORS.—The Secretary of Commerce shall designate an individual within the Department of Commerce to serve as Special Africa Export Strategy Coordinator and an individual within the Department of Commerce to serve as Special Latin America and the Caribbean Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by subsection (a);

(2) to coordinate developing and implementing the strategy with—

(A) the Trade Promotion Coordinating Committee;

(B) the Director General for the U.S. and Foreign Commercial Service and the Assistant Secretary for Global Markets;

(C) the Assistant United States Trade Representative for African Affairs or the Assistant United States Trade Representative for the Western Hemisphere, as appropriate;

(D) the Assistant Secretary of State for African Affairs or the Assistant Secretary of State for Western Hemisphere Affairs, as appropriate;

(E) the Foreign Agricultural Service of the Department of Agriculture;

(F) the Export-Import Bank of the United States;

(G) the United States International Development Finance Corporation; and

(H) the development agencies; and

(3) considering and reflecting the impact of promotion of United States exports on the economy and employment opportunities of importing country, with a view to improving secure supply chains, avoiding economic disruptions, and stabilizing economic growth in a trade and export strategy.

(c) TRADE MISSIONS TO AFRICA AND LATIN AMERICA AND THE CARIBBEAN.—It is the sense of Congress that, not later than one year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct joint trade missions to Africa and to Latin America and the Caribbean.

(d) TRAINING.—The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the United States International Development Finance Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than one year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country receives that training.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Energy and Commerce of the House of Representatives.

(2) DEVELOPMENT AGENCIES.—The term ''development agencies'' means the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and relevant multilateral development banks.

(3) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(4) TRADE POLICY STAFF COMMITTEE.—The term ''Trade Policy Staff Committee'' means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations.

(5) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established under section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727).

(6) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SEC. ___. SENSE OF CONGRESS ON PRIORITIZING NOMINATION AND CONFIRMATION OF QUALIFIED AMBASSADORS.

It is the sense of Congress that it is critically important that both the President and the Senate play their respective roles to nominate and confirm qualified ambassadors as quickly as possible.

SEC. ___. WESTERN HEMISPHERE DEFINED.

In this subtitle, the term ''Western Hemisphere'' does not include Cuba, Nicaragua, or Venezuela.

SEC. ___. REPORT ON EFFORTS TO CAPTURE AND DETAIN UNITED STATES CITIZENS AS HOSTAGES.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on efforts by the Maduro regime of Venezuela to detain United States citizens and lawful permanent residents.

(b) ELEMENTS.—The report required by subsection (a) shall include, regarding the arrest, capture, detainment, and imprisonment of United States citizens and lawful permanent residents—

(1) the names, positions, and institutional affiliation of Venezuelan individuals, or those acting on their behalf, who have engaged in such activities;

(2) a description of any role played by transnational criminal organizations, and an identification of such organizations; and

(3) where relevant, an assessment of whether and how United States citizens and lawful permanent residents have been lured to Venezuela.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but shall include a classified annex, which shall include a list of the total number of United States citizens and lawful permanent residents detained or imprisoned in Venezuela as of the date on which the report is submitted.

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

SEC. 16___. IMPROVEMENTS RELATING TO CYBER PROTECTION SUPPORT FOR DEPARTMENT OF DEFENSE PERSONNEL IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

Section 1645 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2224 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''and personal accounts'' after ''personal technology devices''; and

(ii) by inserting ''and shall provide such support to any such personnel who request the support'' after ''in paragraph (2)''; and

(B) in paragraph (2)(B), by inserting ''or personal accounts'' after ''personal technology devices'';

(2) in subsection (c)—

(A) in paragraph (1), by inserting ''or personal accounts'' after ''personal technology devices''; and

(B) in paragraph (2), by striking ''and networks'' and inserting '', personal networks, and personal accounts''; and

(3) by striking subsections (d) and (e) and inserting the following new subsection (d):

''(d) DEFINITIONS.—In this section:

''(1) The term 'personal accounts' means accounts for online and telecommunications services, including telephone, residential internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by Department of Defense personnel outside of the scope of their employment with the Department.

''(2) The term 'personal technology devices ' means technology devices used by Department of Defense personnel outside of the scope of their employment with the Department and includes networks to which such devices connect.''.

SEC. 16___. COMPTROLLER GENERAL REPORT ON EFFORTS TO PROTECT PERSONAL INFORMATION OF DEPARTMENT OF DEFENSE PERSONNEL FROM EXPLOITATION BY FOREIGN ADVERSARIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall brief the appropriate congressional committees on Department of Defense efforts to protect personal information of its personnel from exploitation by foreign adversaries.

(b) ELEMENTS.—The briefing required under subsection (a) shall include any observations on the following elements:

(1) An assessment of efforts by the Department of Defense to protect the personal information, including location data generated by smart phones, of members of the Armed Forces, civilian employees of the Department of Defense, veterans, and their families from exploitation by foreign adversaries.

(2) Recommendations to improve Department of Defense policies and programs to meaningfully address this threat.

(c) REPORT.—The Comptroller General shall publish on its website an unclassified report, which may contain a classified annex submitted to the congressional defense and intelligence committees, on the elements described in subsection (b) at a time mutually agreed upon.

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

(1) the congressional defense committees;

(2) the Select Committee on Intelligence of the Senate; and

(3) the Permanent Select Committee on Intelligence of the House of Representatives.

Viz:

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

SEC. 1063. ENSURING RELIABLE SUPPLY OF CRITICAL MINERALS.

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

(1) the People's Republic of China's dominant share of the global minerals market is a threat to the economic stability, well being, and competitiveness of key industries in the United States;

(2) the United States should reduce reliance on the People's Republic of China for critical minerals through—

(A) strategic investments in development projects, production technologies, and refining facilities in the United States; and

(B) in partnership with strategic allies of the United States that are reliable trading partners, including members of the Quadrilateral Security Dialogue; and

(3) the United States Trade Representative should initiate multilateral talks among the countries of the Quadrilateral Security Dialogue to promote shared investment and development of critical minerals.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the United States Trade Representative, in consultation with the officials specified in paragraph (3), shall submit to the appropriate congressional committees a report on the work of the Trade Representative to address the national security threat posed by the People's Republic of China's control of nearly ⅔ of the global supply of critical minerals.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a description of the extent of the engagement of the United States with the other countries of the Quadrilateral Security Dialogue to promote shared investment and development of critical minerals during the period beginning on the date of the enactment of this Act and ending on the date of the report; and

(B) a description of the plans of the President to leverage the partnership of the countries of the Quadrilateral Security Dialogue to produce a more reliable and secure global supply chain of critical minerals.

(3) OFFICIALS SPECIFIED.—The officials specified in this paragraph are the following:

(A) The Secretary of Commerce.

(B) The Chief Executive Officer of the United States International Development Finance Corporation.

(C) The Secretary of Energy.

(D) The Director of the United States Geological Survey.

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

(A) the Committee on Finance and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives.

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

SEC. 1083. PROHIBITION OF DEMAND FOR BRIBE.

Section 201 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(4) the term 'foreign official' means—

''(A)(i) any official or employee of a foreign government or any department, agency, or instrumentality thereof; or

''(ii) any senior foreign political figure, as defined in section 1010.605 of title 31, Code of Federal Regulations, or any successor regulation;

''(B) any official or employee of a public international organization;

''(C) any person acting in an official capacity for or on behalf of—

''(i) a government, department, agency, or instrumentality described in subparagraph (A)(i); or

''(ii) a public international organization; or

''(D) any person acting in an unofficial capacity for or on behalf of—

''(i) a government, department, agency, or instrumentality described in subparagraph (A)(i); or

''(ii) a public international organization; and

''(5) the term 'public international organization' means—

''(A) an organization that is designated by Executive order pursuant to section 1 of the International Organizations Immunities Act (22 U.S.C. 288); or

''(B) any other international organization that is designated by the President by Executive order for the purposes of this section, effective as of the date of publication of such order in the Federal Register.''; and

(2) by adding at the end the following:

''(f) PROHIBITION OF DEMAND FOR A BRIBE.—

''(1) OFFENSE.—It shall be unlawful for any foreign official or person selected to be a foreign official to corruptly demand, seek, receive, accept, or agree to receive or accept, directly or indirectly, anything of value personally or for any other person or nongovernmental entity, by making use of the mails or any means or instrumentality of interstate commerce, from any person (as defined in section 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–3), except that that definition shall be applied without regard to whether the person is an offender) while in the territory of the United States, from an issuer (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))), or from a domestic concern (as defined in section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2)), in return for—

''(A) being influenced in the performance of any official act;

''(B) being induced to do or omit to do any act in violation of the official duty of such foreign official or person; or

''(C) conferring any improper advantage,

in connection with obtaining or retaining business for or with, or directing business to, any person.

''(2) PENALTIES.—Any person who violates paragraph (1) shall be fined not more than $250,000 or 3 times the monetary equivalent of the thing of value, imprisoned for not more than 15 years, or both.

''(3) JURISDICTION.—An offense under paragraph (1) shall be subject to extraterritorial Federal jurisdiction.

''(4) REPORT.—Not later than 1 year after the date of enactment of the Foreign Extortion Prevention Act, and annually thereafter, the Attorney General, in consultation with the Secretary of State as relevant, shall submit to the Committee on the Judiciary and the Committee on Foreign Relations of the Senate and the Committee on the Judiciary and the Committee on Foreign Affairs of the House of Representatives, and post on the publicly available website of the Department of Justice, a report—

''(A) focusing, in part, on demands by foreign officials for bribes from entities domiciled or incorporated in the United States, and the efforts of foreign governments to prosecute such cases;

''(B) addressing United States diplomatic efforts to protect entities domiciled or incorporated in the United States from foreign bribery, and the effectiveness of those efforts in protecting such entities;

''(C) summarizing major actions taken under this section in the previous year, including enforcement actions taken and penalties imposed;

''(D) evaluating the effectiveness of the Department of Justice in enforcing this section; and

''(E) detailing what resources or legislative action the Department of Justice needs to ensure adequate enforcement of this section.

''(5) RULE OF CONSTRUCTION.—This subsection shall not be construed as encompassing conduct that would violate section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd–1) or section 104 or 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2; 15 U.S.C. 78dd–3) whether pursuant to a theory of direct liability, conspiracy, complicity, or otherwise.''.

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

SEC. 3____. MODIFICATIONS TO MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

(a) PROJECTS PROPOSED WITHIN TWO NAUTICAL MILES OF ANY ACTIVE INTERCONTINENTAL BALLISTIC MISSILE LAUNCH FACILITY OR CONTROL CENTER.—Section 183a of title 10, United States Code, is amended—

(1) in subsection (d)(2)—

(A) in subparagraph (B), by inserting ''or any active intercontinental ballistic missile launch facility or control center'' after ''military training routes''; and

(B) in subparagraph (E), by striking ''or a Deputy Under Secretary of Defense'' and inserting ''a Deputy Under Secretary of Defense, or, in the case of a geographic area of concern related to an active intercontinental ballistic missile launch facility or control center, the Assistant Secretary of Defense for Energy, Installations, and Environment''; and

(2) in subsection (e)(1)—

(A) in the first sentence—

(i) by striking ''The Secretary'' and inserting ''(A) The Secretary''; and

(ii) by inserting ''or antenna structure project'' after ''energy project'';

(B) in the second sentence, by striking ''The Secretary of Defense's finding of unacceptable risk to national security'' and inserting the following:

''(C) Any finding of unacceptable risk to national security by the Secretary of Defense under this paragraph''; and

(C) by inserting after subparagraph (A), as designated by subparagraph (A)(i) of this paragraph, the following new subparagraph:

''(B)(i) In the case of any energy project or antenna structure project with proposed structures more than 200 feet above ground level located within two nautical miles of an active intercontinental ballistic missile launch facility or control center, the Secretary of Defense shall issue a finding of unacceptable risk to national security for such project if the mitigation actions identified pursuant to this section do not include removal of all such proposed structures from such project after receiving notice of presumed risk from the Clearinghouse under subsection (c)(2).

''(ii) Clause (i) does not apply to structures approved before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 or to structures that are repowered with updated technology in the same location as previously approved structures.''.

(b) INCLUSION OF ANTENNA STRUCTURE PROJECTS.—

(1) IN GENERAL.—Such section is further amended—

(A) by inserting ''or antenna structure projects'' after ''energy projects'' each place it appears; and

(B) by inserting ''or antenna structure project'' after ''energy project'' each place it appears (except for subsections (e)(1) and (h)(2)).

(2) ANTENNA STRUCTURE PROJECT DEFINED.—Section 183a(h) of such title is amended—

(A) by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively; and

(B) by inserting after paragraph (1) the following new paragraph:

''(2) The term 'antenna structure project'—

''(A) means a project to construct a structure located within two nautical miles of any intercontinental ballistic missile launch facility or control center that is constructed or used to transmit radio energy or that is constructed or used for the primary purpose of supporting antennas to transmit or receive radio energy (or both), and any antennas and other appurtenances mounted on the structure, from the time construction of the supporting structure begins until such time as the supporting structure is dismantled; and

''(B) does not include any project in support of or required by an intercontinental ballistic missile launch facility or control center.''.

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

SEC. 10___. STUDIES AND REPORTS ON TREATMENT OF SERVICE OF CERTAIN MEMBERS OF THE ARMED FORCES WHO SERVED IN FEMALE CULTURAL SUPPORT TEAMS.

(a) FINDINGS.—Congress finds the following:

(1) In 2010, the Commander of United States Special Operations Command established the Cultural Support Team Program to overcome significant intelligence gaps during the Global War on Terror.

(2) From 2010 through 2021, approximately 310 female members, from every Armed Force, passed and were selected as members of female cultural support teams, and deployed with special operations forces.

(3) Members of female cultural support teams served honorably, demonstrated commendable courage, overcame such intelligence gaps, engaged in direct action, and suffered casualties during the Global War on Terror.

(4) The Federal Government has a duty to recognize members and veterans of female cultural support teams who volunteered to join the Armed Forces, to undergo arduous training for covered service, and to execute dangerous and classified missions in the course of such covered service.

(5) Members who performed covered service have sought treatment from the Department of Veterans Affairs for traumatic brain injuries, post-traumatic stress, and disabling physical trauma incurred in the course of such covered service, but have been denied such care.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) individuals who performed covered service performed exceptional service to the United States; and

(2) the Secretary of Defense should ensure that the performance of covered service is included in the military service record of each individual who performed covered service so that those with service-connected injuries can receive proper care and benefits for their service.

(c) SECRETARY OF DEFENSE STUDY AND REPORT.—

(1) IN GENERAL.—Not later than March 31, 2024, the Secretary of Defense shall—

(A) carry out a study on the treatment of covered service for purposes of retired pay under laws administered by the Secretary; and

(B) submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the study carried out under paragraph (1).

(2) LIST.—The report submitted under paragraph (1)(B) shall include a list of each individual who performed covered service whose military service record should be modified on account of covered service.

(d) SECRETARY OF VETERANS AFFAIRS STUDY AND REPORT.—

(1) IN GENERAL.—Not later than March 31, 2024, the Secretary of Veterans Affairs shall—

(A) carry out a study on the treatment of covered service for purposes of compensation under laws administered by the Secretary; and

(B) submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the study carried out under paragraph (1).

(2) CONTENTS.—The report submitted under paragraph (1)(B) shall include the following:

(A) A list of each veteran who performed covered service whose claim for disability compensation under a law administered by the Secretary was denied due to the inability of the Department of Veterans Affairs to determine the injury was service-connected.

(B) An estimate of the cost that would be incurred by the Department to provide veterans described in subparagraph (A) with the health care and benefits they are entitled to under the laws administered by the Secretary on account of their covered service.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

(2) COVERED SERVICE.—The term ''covered service'' means service—

(A) as a member of the Armed Forces;

(B) in a female cultural support team;

(C) with the personnel development skill identifier of R2J or 5DK, or any other validation methods, such as valid sworn statements, officer and enlisted performance evaluations, training certificates, or records of an award from completion of tour with a cultural support team; and

(D) during the period beginning on January 1, 2010, and ending on August 31, 2021.

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

SEC. 1083. GLOBAL COOPERATIVE FRAMEWORK TO END HUMAN RIGHTS ABUSES IN SOURCING CRITICAL MINERALS.

(a) IN GENERAL.—The Secretary of State shall seek to convene a meeting of foreign leaders to establish a multilateral framework to end human rights abuses, including the exploitation of forced labor and child labor, related to the mining and sourcing of critical minerals.

(b) IMPLEMENTATION REPORT.—The Secretary shall lead the development of an annual global report on the implementation of the framework under subsection (a), including progress and recommendations to fully end human rights abuses, including the exploitation of forced labor and child labor, related to the extraction of critical minerals around the world.

(c) CONSULTATIONS.—The Secretary shall consult closely on a timely basis with the following with respect to developing and implementing the framework under subsection (a):

(1) The Forced Labor Enforcement Task Force established under section 741 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4681).

(2) Congress.

(d) RELATIONSHIP TO UNITED STATES LAW.—Nothing in the framework under subsection (a) shall be construed—

(1) to amend or modify any law of the United States; or

(2) to limit any authority conferred under any law of the United States.

(e) EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE AND CERTAIN PROVISIONS OF THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—Nothing in this section shall—

(1) affect the authority of the President to take any action to join and subsequently comply with the terms and obligations of the Extractive Industries Transparency Initiative (EITI); or

(2) affect section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 78m note), or subsection (q) of section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m), as added by section 1504 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 2220), or any rule prescribed under either such section.

(f) CRITICAL MINERAL DEFINED.—In this section, the term ''critical mineral'' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

At the appropriate place, insert the following:

SEC. ___. AMENDMENTS TO CONTRACTING AUTHORITY FOR CERTAIN SMALL BUSINESS CONCERNS.

(a) SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS.—Section 8(a)(1)(D)(i)(II) of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)(II)) is amended—

(1) by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

(b) CERTAIN SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Section 8(m) of the Small Business Act (15 U.S.C.637(m)) is amended—

(1) in paragraph (7)(B)—

(A) in clause (i), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by

the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(B) in clause (ii), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$4,000,000''; and

(2) in paragraph (8)(B)—

(A) in clause (i), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(B) in clause (ii), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$4,000,000''.

(c) QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.—Section 31(c)(2)(A)(ii) of the Small Business Act (15 U.S.C. 657a(c)(2)(A)(ii)) is amended—

(1) in subclause (I), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) in subclause (II), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

(d) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36(c)(2) of the Small Business Act (15 U.S.C. 657f(c)(2)) is amended—

(1) in subparagraph (A), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) in subparagraph (B), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

(e) CERTAIN VETERAN-OWNED CONCERNS.—Section 8127(c) of title 38, United States Code, is amended by striking ''$5,000,000'' and inserting ''the dollar thresholds under section 36(c)(2) of the Small Business Act (15 U.S.C. 657f(c)(2))''.

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

SEC. 1299L. LEGAL PREPAREDNESS FOR SERVICEMEMBERS ABROAD.

(a) REVIEW REQUIRED.—Not later than December 31, 2024, the Secretary of State, in coordination with the Secretary of Defense, shall—

(1) review the 10 largest foreign countries by United States Armed Forces presence and evaluate local legal systems, protections afforded by bilateral agreements between the United States and countries being evaluated, and how the rights and privileges afforded under such agreements may differ from United States law; and

(2) brief the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate on the findings of the review.

(b) TRAINING REQUIRED.—The Secretary of Defense shall review and improve as necessary training and educational materials for members of the Armed Forces, their spouses, and dependents, as appropriate, who are stationed in a country reviewed pursuant to subsection (a)(1) regarding relevant foreign laws, how such foreign laws may differ from the laws of the United States, and the rights of accused in common scenarios under such foreign laws.

(c) TRANSLATION STANDARDS AND READINESS.—The Secretary of Defense, in coordination with the Secretary of State, shall review foreign language standards for servicemembers and employees of the Department of Defense and Department of State who are responsible for providing foreign language translation services in situations involving foreign law enforcement where a servicemember may be being detained, to ensure such persons maintain an appropriate proficiency in the legal terminology and meaning of essential terms in a relevant language.

At the end of title X of division A, add the following:

Subtitle H—Combating Cartels on Social Media Act of 2023

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Combating Cartels on Social Media Act of 2023''.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED OPERATOR.—The term ''covered operator'' means the operator, developer, or publisher of a covered service.

(3) COVERED SERVICE.—The term ''covered service'' means—

(A) a social media platform;

(B) a mobile or desktop service with direct or group messaging capabilities, but not including text messaging services without other substantial social functionalities or electronic mail services, that the Secretary of Homeland Security determines is being or has been used by transnational criminal organizations in connection with matters described in section 1093; and

(C) a digital platform, or an electronic application utilizing the digital platform, involving real-time interactive communication between multiple individuals, including multi-player gaming services and immersive technology platforms or applications, that the Secretary of Homeland Security determines is being or has been used by transnational criminal organizations in connection with matters described in section 1093.

(4) CRIMINAL ENTERPRISE.—The term ''criminal enterprise'' has the meaning given the term ''continuing criminal enterprise'' in section 408 of the Controlled Substances Act (21 U.S.C. 848).

(5) ILLICIT ACTIVITIES.—The term ''illicit activities'' means the following criminal activities that transcend national borders:

(A) A violation of section 401 of the Controlled Substances Act (21 U.S.C. 841).

(B) Narcotics trafficking, as defined in section 808 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1907).

(C) Trafficking of weapons, as defined in section 922 of title 18, United States Code.

(D) Migrant smuggling, defined as a violation of section 274(a)(1)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)(A)(ii)).

(E) Human trafficking, defined as—

(i) a violation of section 1590, 1591, or 1592 of title 18, United States Code; or

(ii) engaging in severe forms of trafficking in persons, as defined in section 103 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102).

(F) Cyber crime, defined as a violation of section 1030 of title 18, United States Code.

(G) A violation of any provision that is subject to intellectual property enforcement, as defined in section 302 of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (15 U.S.C. 8112).

(H) Bulk cash smuggling of currency, defined as a violation of section 5332 of title 31, United States Code.

(I) Laundering the proceeds of the criminal activities described in subparagraphs (A) through (H).

(6) TRANSNATIONAL CRIMINAL ORGANIZATION.—The term ''transnational criminal organization'' means groups, networks, and associated individuals who operate transnationally for the purposes of obtaining power, influence, or monetary or commercial gain, wholly or in part by certain illegal means, while advancing their activities through a pattern of crime, corruption, or violence, and while protecting their illegal activities through a transnational organizational structure and the exploitation of public corruption or transnational logistics, financial, or communication mechanisms.

SEC. 1093. ASSESSMENT OF ILLICIT USAGE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security and the Secretary of State shall submit to the appropriate congressional committees a joint assessment describing—

(1) the use of covered services by transnational criminal organizations, or criminal enterprises acting on behalf of transnational criminal organizations, to engage in recruitment efforts, including the recruitment of individuals, including individuals under the age of 18, located in the United States to engage in or provide support with respect to illicit activities occurring in the United States, Mexico, or otherwise in proximity to an international boundary of the United States;

(2) the use of covered services by transnational criminal organizations to engage in illicit activities or conduct in support of illicit activities, including—

(A) smuggling or trafficking involving narcotics, other controlled substances, precursors thereof, or other items prohibited under the laws of the United States, Mexico, or another relevant jurisdiction, including firearms;

(B) human smuggling or trafficking, including the exploitation of children; and

(C) transportation of bulk currency or monetary instruments in furtherance of smuggling activity; and

(3) the existing efforts of the Secretary of Homeland Security, the Secretary of State, and relevant government and law enforcement entities to counter, monitor, or otherwise respond to the usage of covered services described in paragraphs (1) and (2).

SEC. 1094. STRATEGY TO COMBAT CARTEL RECRUITMENT ON SOCIAL MEDIA AND ONLINE PLATFORMS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security and the Secretary of State shall submit to the appropriate congressional committees a joint strategy, to be known as the National Strategy to Combat Illicit Recruitment Activity by Transnational Criminal Organizations on Social Media and Online Platforms, to combat the use of covered services by transnational criminal organizations, or criminal enterprises acting on behalf of transnational criminal organizations, to recruit individuals located in the United States to engage in or provide support with

respect to illicit activities occurring in the United States, Mexico, or otherwise in proximity to an international boundary of the United States.

(b) ELEMENTS.—

(1) IN GENERAL.—The strategy required under subsection (a) shall, at a minimum, include the following:

(A) A proposal to improve cooperation and thereafter maintain cooperation between the Secretary of Homeland Security, the Secretary of State, and relevant law enforcement entities with respect to the matters described in subsection (a).

(B) Recommendations to implement a process for the voluntary reporting of information regarding the recruitment efforts of transnational criminal organizations in the United States involving covered services.

(C) A proposal to improve intragovernmental coordination with respect to the matters described in subsection (a), including between the Department of Homeland Security, the Department of State, and State, Tribal, and local governments.

(D) A proposal to improve coordination within the Department of Homeland Security and the Department of State and between the components of those Departments with respect to the matters described in subsection (a).

(E) Activities to facilitate increased intelligence analysis for law enforcement purposes of efforts of transnational criminal organizations to utilize covered services for recruitment to engage in or provide support with respect to illicit activities.

(F) Activities to foster international partnerships and enhance collaboration with foreign governments and, as applicable, multilateral institutions with respect to the matters described in subsection (a).

(G) Activities to specifically increase engagement and outreach with youth in border communities, including regarding the recruitment tactics of transnational criminal organizations and the consequences of participation in illicit activities.

(H) A detailed description of the measures used to ensure—

(i) law enforcement and intelligence activities focus on the recruitment activities of transitional criminal organizations not individuals the transnational criminal organizations attempt to or successfully recruit; and

(ii) the privacy rights, civil rights, and civil liberties protections in carrying out the activities described in clause (i), with a particular focus on the protections in place to protect minors and constitutionally protected activities.

(2) LIMITATION.—The strategy required under subsection (a) shall not include legislative recommendations or elements predicated on the passage of legislation that is not enacted as of the date on which the strategy is submitted under subsection (a).

(c) CONSULTATION.—In drafting and implementing the strategy required under subsection (a), the Secretary of Homeland Security and the Secretary of State shall, at a minimum, consult and engage with—

(1) the heads of relevant components of the Department of Homeland Security, including—

(A) the Under Secretary for Intelligence and Analysis;

(B) the Under Secretary for Strategy, Policy, and Plans;

(C) the Under Secretary for Science and Technology;

(D) the Commissioner of U.S. Customs and Border Protection;

(E) the Director of U.S. Immigration and Customs Enforcement;

(F) the Officer for Civil Rights and Civil Liberties;

(G) the Privacy Officer; and

(H) the Assistant Secretary of the Office for State and Local Law Enforcement;

(2) the heads of relevant components of the Department of State, including—

(A) the Assistant Secretary for International Narcotics and Law Enforcement Affairs;

(B) the Assistant Secretary for Western Hemisphere Affairs; and

(C) the Coordinator of the Global Engagement Center;

(3) the Attorney General;

(4) the Secretary of Health and Human Services; and

(5) the Secretary of Education; and

(6) as selected by the Secretary of Homeland Security, or his or her designee in the Office of Public Engagement, representatives of border communities, including representatives of—

(A) State, Tribal, and local governments, including school districts and local law enforcement; and

(B) nongovernmental experts in the fields of—

(i) civil rights and civil liberties;

(ii) online privacy;

(iii) humanitarian assistance for migrants; and

(iv) youth outreach and rehabilitation.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 90 days after the date on which the strategy required under subsection (a) is submitted to the appropriate congressional committees, the Secretary of Homeland Security and the Secretary of State shall commence implementation of the strategy.

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date on which the strategy required under subsection (a) is implemented under paragraph (1), and semiannually thereafter for 5 years, the Secretary of Homeland Security and the Secretary of State shall submit to the appropriate congressional committees a joint report describing the efforts of the Secretary of Homeland Security and the Secretary of State to implement the strategy required under subsection (a) and the progress of those efforts, which shall include a description of—

(i) the recommendations, and corresponding implementation of those recommendations, with respect to the matters described in subsection (b)(1)(B);

(ii) the interagency posture with respect to the matters covered by the strategy required under subsection (a), which shall include a description of collaboration between the Secretary of Homeland Security, the Secretary of State, other Federal entities, State, local, and Tribal entities, and foreign governments; and

(iii) the threat landscape, including new developments related to the United States recruitment efforts of transnational criminal organizations and the use by those organizations of new or emergent covered services and recruitment methods.

(B) FORM.—Each report required under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex.

(3) CIVIL RIGHTS, CIVIL LIBERTIES, AND PRIVACY ASSESSMENT.—Not later than 2 years after the date on which the strategy required under subsection (a) is implemented under paragraph (1), the Office for Civil Rights and Civil Liberties and the Privacy Office of the Department of Homeland Security shall submit to the appropriate congressional committees a joint report that includes—

(A) a detailed assessment of the measures used to ensure the protection of civil rights, civil liberties, and privacy rights in carrying out this section; and

(B) recommendations to improve the implementation of the strategy required under subsection (a).

(4) RULEMAKING.—Prior to implementation of the strategy required under subsection (a) at the Department of Homeland Security, the Secretary of Homeland Security shall issue rules to carry out this section in accordance with section 553 of title 5, United States Code.

SEC. 1095. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to expand the statutory law enforcement or regulatory authority of the Department of Homeland Security or the Department of State.

SEC. 1096. NO ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated for the purpose of carrying out this subtitle.

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

SEC. 1083. READMISSION REQUIREMENTS FOR SERVICEMEMBERS.

Section 484C(a) of the Higher Education Act of 1965 (20 U.S.C. 1091c(a)) is amended to read as follows:

''(a) DEFINITION OF SERVICE IN THE UNIFORMED SERVICES.—In this section, the term 'service in the uniformed services' means service (whether voluntary or involuntary) on active duty in the Armed Forces, including such service by a member of the National Guard or Reserve.''

At the end, add the following:

DIVISION I—COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

TITLE LXIX—FEDERAL DATA AND INFORMATION SECURITY

Subtitle A—Federal Data Center Enhancement Act of 2023

SEC. 11001. SHORT TITLE.

This subtitle may be cited as the ''Federal Data Center Enhancement Act of 2023''.

SEC. 11002. FEDERAL DATA CENTER CONSOLIDATION INITIATIVE AMENDMENTS.

(a) FINDINGS.—Congress finds the following:

(1) The statutory authorization for the Federal Data Center Optimization Initiative under section 834 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–291) expired at the end of fiscal year 2022.

(2) The expiration of the authorization described in paragraph (1) presents Congress with an opportunity to review the objectives of the Federal Data Center Optimization Initiative to ensure that the initiative is meeting the current needs of the Federal Government.

(3) The initial focus of the Federal Data Center Optimization Initiative, which was to consolidate data centers and create new efficiencies, has resulted in, since 2010—

(A) the consolidation of more than 6,000 Federal data centers; and

(B) cost savings and avoidance of $5,800,000,000.

(4) The need of the Federal Government for access to data and data processing systems has evolved since the date of enactment in 2014 of subtitle D of title VIII of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015.

(5) Federal agencies and employees involved in mission critical functions increasingly need reliable access to secure, reliable, and protected facilities to house mission critical data and data operations to meet the immediate needs of the people of the United States.

(6) As of the date of enactment of this subtitle, there is a growing need for Federal

agencies to use data centers and cloud applications that meet high standards for cybersecurity, resiliency, and availability.

(b) MINIMUM REQUIREMENTS FOR NEW DATA CENTERS.—Section 834 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–291) is amended—

(1) in subsection (a), by striking paragraphs (3) and (4) and inserting the following:

''(3) NEW DATA CENTER.—The term 'new data center' means—

''(A)(i) a data center or a portion thereof that is owned, operated, or maintained by a covered agency; or

''(ii) to the extent practicable, a data center or portion thereof—

''(I) that is owned, operated, or maintained by a contractor on behalf of a covered agency on the date on which the contract between the covered agency and the contractor expires; and

''(II) with respect to which the covered agency extends the contract, or enters into a new contract, with the contractor; and

''(B) on or after the date that is 180 days after the date of enactment of the Federal Data Center Enhancement Act of 2023, a data center or portion thereof that is—

''(i) established; or

''(ii) substantially upgraded or expanded.'';

(2) by striking subsection (b) and inserting the following:

''(b) MINIMUM REQUIREMENTS FOR NEW DATA CENTERS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Federal Data Center Enhancement Act of 2023, the Administrator shall establish minimum requirements for new data centers in consultation with the Administrator of General Services and the Federal Chief Information Officers Council.

''(2) CONTENTS.—

''(A) IN GENERAL.—The minimum requirements established under paragraph (1) shall include requirements relating to—

''(i) the availability of new data centers;

''(ii) the use of new data centers;

''(iii) uptime percentage;

''(iv) protections against power failures, including on-site energy generation and access to multiple transmission paths;

''(v) protections against physical intrusions and natural disasters;

''(vi) information security protections required by subchapter II of chapter 35 of title 44, United States Code, and other applicable law and policy; and

''(vii) any other requirements the Administrator determines appropriate.

''(B) CONSULTATION.—In establishing the requirements described in subparagraph (A)(vi), the Administrator shall consult with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director.

''(3) INCORPORATION OF MINIMUM REQUIREMENTS INTO CURRENT DATA CENTERS.—As soon as practicable, and in any case not later than 90 days after the Administrator establishes the minimum requirements pursuant to paragraph (1), the Administrator shall issue guidance to ensure, as appropriate, that covered agencies incorporate the minimum requirements established under that paragraph into the operations of any data center of a covered agency existing as of the date of enactment of the Federal Data Center Enhancement Act of 2023.

''(4) REVIEW OF REQUIREMENTS.—The Administrator, in consultation with the Administrator of General Services and the Federal Chief Information Officers Council, shall review, update, and modify the minimum requirements established under paragraph (1), as necessary.

''(5) REPORT ON NEW DATA CENTERS.—During the development and planning lifecycle of a new data center, if the head of a covered agency determines that the covered agency is likely to make a management or financial decision relating to any data center, the head of the covered agency shall—

''(A) notify—

''(i) the Administrator;

''(ii) Committee on Homeland Security and Governmental Affairs of the Senate; and

''(iii) Committee on Oversight and Accountability of the House of Representatives; and

''(B) describe in the notification with sufficient detail how the covered agency intends to comply with the minimum requirements established under paragraph (1).

''(6) USE OF TECHNOLOGY.—In determining whether to establish or continue to operate an existing data center, the head of a covered agency shall—

''(A) regularly assess the application portfolio of the covered agency and ensure that each at-risk legacy application is updated, replaced, or modernized, as appropriate, to take advantage of modern technologies; and

''(B) prioritize and, to the greatest extent possible, leverage commercial cloud environments rather than acquiring, overseeing, or managing custom data center infrastructure.

''(7) PUBLIC WEBSITE.—

''(A) IN GENERAL.—The Administrator shall maintain a public-facing website that includes information, data, and explanatory statements relating to the compliance of covered agencies with the requirements of this section.

''(B) PROCESSES AND PROCEDURES.—In maintaining the website described in subparagraph (A), the Administrator shall—

''(i) ensure covered agencies regularly, and not less frequently than biannually, update the information, data, and explanatory statements posed on the website, pursuant to guidance issued by the Administrator, relating to any new data centers and, as appropriate, each existing data center of the covered agency; and

''(ii) ensure that all information, data, and explanatory statements on the website are maintained as open Government data assets.''; and

(3) in subsection (c), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The head of a covered agency shall oversee and manage the data center portfolio and the information technology strategy of the covered agency in accordance with Federal cybersecurity guidelines and directives, including—

''(A) information security standards and guidelines promulgated by the Director of the National Institute of Standards and Technology;

''(B) applicable requirements and guidance issued by the Director of the Office of Management and Budget pursuant to section 3614 of title 44, United States Code; and

''(C) directives issued by the Secretary of Homeland Security under section 3553 of title 44, United States Code.''.

(c) EXTENSION OF SUNSET.—Section 834(e) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–291) is amended by striking ''2022'' and inserting ''2026''.

(d) GAO REVIEW.—Not later than 1 year after the date of the enactment of this subtitle, and annually thereafter, the Comptroller General of the United States shall review, verify, and audit the compliance of covered agencies with the minimum requirements established pursuant to section 834(b)(1) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–291) for new data centers and subsection (b)(3) of that section for existing data centers, as appropriate.

TITLE LXX—STEMMING THE FLOW OF ILLICIT NARCOTICS

Subtitle A—Enhancing DHS Drug Seizures Act

SEC. 11101. SHORT TITLE.

This subtitle may be cited as the ''Enhancing DHS Drug Seizures Act''.

SEC. 11102. COORDINATION AND INFORMATION SHARING.

(a) PUBLIC-PRIVATE PARTNERSHIPS.—

(1) STRATEGY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall develop a strategy to strengthen existing and establish new public-private partnerships with shipping, chemical, and pharmaceutical industries to assist with early detection and interdiction of illicit drugs and precursor chemicals.

(2) CONTENTS.—The strategy required under paragraph (1) shall contain goals and objectives for employees of the Department of Homeland Security to ensure the tactics, techniques, and procedures gained from the public-private partnerships described in paragraph (1) are included in policies, best practices, and training for the Department.

(3) IMPLEMENTATION PLAN.—Not later than 180 days after developing the strategy required under paragraph (1), the Secretary of Homeland Security shall develop an implementation plan for the strategy, which shall outline departmental lead and support roles, responsibilities, programs, and timelines for accomplishing the goals and objectives of the strategy.

(4) BRIEFING.—The Secretary of Homeland Security shall provide annual briefings to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding the progress made in addressing the implementation plan developed pursuant to paragraph (3).

(b) ASSESSMENT OF DRUG TASK FORCES.—

(1) IN GENERAL.—The Secretary of Homeland Security shall conduct an assessment of the counterdrug task forces in which the Department of Homeland Security, including components of the Department, participates in or leads, which shall include—

(A) areas of potential overlap;

(B) opportunities for sharing information and best practices;

(C) how the Department's processes for ensuring accountability and transparency in its vetting and oversight of partner agency task force members align with best practices; and

(D) corrective action plans for any capability limitations and deficient or negative findings identified in the report for any such task forces led by the Department.

(2) COORDINATION.—In conducting the assessment required under paragraph (1), with respect to counterdrug task forces that include foreign partners, the Secretary of Homeland Security shall coordinate with the Secretary of State.

(3) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that contains a summary of the results of the assessment conducted pursuant to paragraph (1).

(B) FOREIGN PARTNERS.—If the report submitted under subparagraph (A) includes information about counterdrug forces that include foreign partners, the Secretary of Homeland Security shall submit the report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(4) CORRECTIVE ACTION PLAN.—The Secretary of Homeland Security shall—

(A) implement the corrective action plans described in paragraph (1)(D) immediately after the submission of the report pursuant to paragraph (2); and

(B) provide annual briefings to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding the progress made in implementing the corrective action plans.

(c) COMBINATION OF BRIEFINGS.—The Secretary of Homeland Security may combine the briefings required under subsections (a)(4) and (b)(3)(B) and provide such combined briefings through fiscal year 2026.

SEC. 11103. DANGER PAY FOR DEPARTMENT OF HOMELAND SECURITY PERSONNEL DEPLOYED ABROAD.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by inserting after section 881 the following:

''SEC. 881A. DANGER PAY ALLOWANCE.

''(a) AUTHORIZATION.—An employee of the Department, while stationed in a foreign area, may be granted a danger pay allowance, not to exceed 35 percent of the basic pay of such employee, for any period during which such foreign area experiences a civil insurrection, a civil war, ongoing terrorist acts, or wartime conditions that threaten physical harm or imminent danger to the health or well-being of such employee.

''(b) NOTICE.—Before granting or terminating a danger pay allowance to any employee pursuant to subsection (a), the Secretary, after consultation with the Secretary of State, shall notify the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives of—

''(1) the intent to make such payments and the circumstances justifying such payments; or

''(2) the intent to terminate such payments and the circumstances justifying such termination.''.

SEC. 11104. IMPROVING TRAINING TO FOREIGN-VETTED LAW ENFORCEMENT OR NATIONAL SECURITY UNITS.

The Secretary of Homeland Security, or the designee of the Secretary, may, with the concurrence of the Secretary of State, provide training to foreign-vetted law enforcement or national security units and may waive reimbursement for salary expenses of such Department of Homeland Security personnel, in accordance with an agreement with the Department of Defense pursuant to section 1535 of title 31, United States Code.

SEC. 11105. ENHANCING THE OPERATIONS OF U.S. CUSTOMS AND BORDER PROTECTION IN FOREIGN COUNTRIES.

Section 411(f) of the Homeland Security Act of 2002 (6 U.S.C. 211(f)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) PERMISSIBLE ACTIVITIES.—

''(A) IN GENERAL.—Employees of U.S. Customs and Border Protection and other customs officers designated in accordance with the authorities granted to officers and agents of Air and Marine Operations may, with the concurrence of the Secretary of State, provide the support described in subparagraph (B) to authorities of the government of a foreign country if an arrangement has been entered into between the Government of the United States and the government of such country that permits such support by such employees and officers.

''(B) SUPPORT DESCRIBED.—The support described in this subparagraph is support for—

''(i) the monitoring, locating, tracking, and deterrence of—

''(I) illegal drugs to the United States;

''(II) the illicit smuggling of persons and goods into the United States;

''(III) terrorist threats to the United States; and

''(IV) other threats to the security or economy of the United States;

''(ii) emergency humanitarian efforts; and

''(iii) law enforcement capacity-building efforts.

''(C) PAYMENT OF CLAIMS.—

''(i) IN GENERAL.—Subject to clauses (ii) and (iv), the Secretary, with the concurrence of the Secretary of State, may expend funds that have been appropriated or otherwise made available for the operating expenses of the Department to pay claims for money damages against the United States, in accordance with the first paragraph of section 2672 of title 28, United States Code, which arise in a foreign country in connection with U.S. Customs and Border Protection operations in such country.

''(ii) SUBMISSION DEADLINE.—A claim may be allowed under clause (i) only if it is presented not later than 2 years after it accrues.

''(iii) REPORT.—Not later than 90 days after the date on which the expenditure authority under clause (i) expires pursuant to clause (iv), the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs and the Committee on Foreign Relations of the Senate and the Committee on Homeland Security and Committee on Foreign Affairs of the House of Representatives that describes, for each of the payments made pursuant to clause (i)—

''(I) the foreign entity that received such payment;

''(II) the amount paid to such foreign entity;

''(III) the country in which such foreign entity resides or has its principal place of business; and

''(IV) a detailed account of the circumstances justify such payment.

''(iv) SUNSET.—The expenditure authority under clause (i) shall expire on the date that is 5 years after the date of the enactment of the Enhancing DHS Drug Seizures Act.''.

SEC. 11106. DRUG SEIZURE DATA IMPROVEMENT.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a study to identify any opportunities for improving drug seizure data collection.

(b) ELEMENTS.—The study required under subsection (a) shall—

(1) include a survey of the entities that use drug seizure data; and

(2) address—

(A) any additional data fields or drug type categories that should be added to U.S. Customs and Border Protection's SEACATS, U.S. Border Patrol's e3 portal, and any other systems deemed appropriate by the Commissioner of U.S. Customs and Border Protection, in accordance with the first recommendation in the Government Accountability Office's report GAO-22-104725, entitled ''Border Security: CBP Could Improve How It Categorizes Drug Seizure Data and Evaluates Training'';

(B) how all the Department of Homeland Security components that collect drug seizure data can standardize their data collection efforts and deconflict drug seizure reporting;

(C) how the Department of Homeland Security can better identify, collect, and analyze additional data on precursor chemicals, synthetic drugs, novel psychoactive substances, and analogues that have been seized by U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

(D) how the Department of Homeland Security can improve its model of anticipated drug flow into the United States.

(c) IMPLEMENTATION OF FINDINGS.—Following the completion of the study required under subsection (a)—

(1) the Secretary of Homeland Security, in accordance with the Office of National Drug Control Policy's 2022 National Drug Control Strategy, shall modify Department of Homeland Security drug seizure policies and training programs, as appropriate, consistent with the findings of such study; and

(2) the Commissioner of U.S. Customs and Border Protection, in consultation with the Director of U.S. Immigration and Customs Enforcement, shall make any necessary updates to relevant systems to include the results of confirmatory drug testing results.

SEC. 11107. DRUG PERFORMANCE MEASURES.

Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall develop and implement a plan to ensure that components of the Department of Homeland Security develop and maintain outcome-based performance measures that adequately assess the success of drug interdiction efforts and how to utilize the existing drug-related metrics and performance measures to achieve the missions, goals, and targets of the Department.

SEC. 11108. PENALTIES FOR HINDERING IMMIGRATION, BORDER, AND CUSTOMS CONTROLS.

(a) PERSONNEL AND STRUCTURES.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by inserting after section 274D the following:

''SECTION 274E. DESTROYING OR EVADING BORDER CONTROLS.

''(a) IN GENERAL.—It shall be unlawful to knowingly and without lawful authorization—

''(1)(A) destroy or significantly damage any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control an international border of, or a port of entry to, the United States; or

''(B) otherwise construct, excavate, or make any structure intended to defeat, circumvent or evade such a fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal Government to control an international border of, or a port of entry to, the United States; and

''(2) in carrying out an act described in paragraph (1), have the intent to knowingly and willfully—

''(A) secure a financial gain;

''(B) further the objectives of a criminal organization; and

''(C) violate—

''(i) section 274(a)(1)(A)(i);

''(ii) the customs and trade laws of the United States (as defined in section 2(4) of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125));

''(iii) any other Federal law relating to transporting controlled substances, agriculture, or monetary instruments into the United States; or

''(iv) any Federal law relating to border controls measures of the United States.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18,

United States Code, imprisoned for not more than 5 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 274D the following:

''Sec. 274E. Destroying or evading border controls.''.

Subtitle B—Non-Intrusive Inspection Expansion Act

SEC. 11111. SHORT TITLE.

This subtitle may be cited as the ''Non-Intrusive Inspection Expansion Act''.

SEC. 11112. USE OF NON-INTRUSIVE INSPECTION SYSTEMS AT LAND PORTS OF ENTRY.

(a) FISCAL YEAR 2026.—Using non-intrusive inspection systems acquired through previous appropriations Acts, beginning not later than September 30, 2026, U.S. Customs and Border Protection shall use non-intrusive inspection systems at land ports of entry to scan, cumulatively, at ports of entry where systems are in place by the deadline, not fewer than—

(1) 40 percent of passenger vehicles entering the United States; and

(2) 90 percent of commercial vehicles entering the United States.

(b) SUBSEQUENT FISCAL YEARS.—Beginning in fiscal year 2027, U.S. Customs and Border Protection shall use non-intrusive inspection systems at land ports of entry to reach the next projected benchmark for incremental scanning of passenger and commercial vehicles entering the United States at such ports of entry.

(c) BRIEFING.—Not later than May 30, 2026, the Commissioner of U.S. Customs and Border Protection shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding the progress made during the first half of fiscal year 2026 in achieving the scanning benchmarks described in subsection (a).

(d) REPORT.—If the scanning benchmarks described in subsection (a) are not met by the end of fiscal year 2026, not later than 120 days after the end of that fiscal year, the Commissioner of U.S. Customs and Border Protection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that—

(1) analyzes the causes for not meeting such requirements;

(2) identifies any resource gaps and challenges; and

(3) details the steps that will be taken to ensure compliance with such requirements in the subsequent fiscal year.

SEC. 11113. NON-INTRUSIVE INSPECTION SYSTEMS FOR OUTBOUND INSPECTIONS.

(a) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall submit a strategy to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives for increasing sustained outbound inspection operations at land ports of entry that includes—

(1) the number of existing and planned outbound inspection lanes at each port of entry;

(2) infrastructure limitations that limit the ability of U.S. Customs and Border Protection to deploy non-intrusive inspection systems for outbound inspections;

(3) the number of additional non-intrusive inspection systems that are necessary to increase scanning capacity for outbound inspections; and

(4) plans for funding and acquiring the systems described in paragraph (3).

(b) IMPLEMENTATION.—Beginning not later than September 30, 2026, U.S. Customs and Border Protection shall use non-intrusive inspection systems at land ports of entry to scan not fewer than 10 percent of all vehicles exiting the United States through land ports of entry.

SEC. 11114. GAO REVIEW AND REPORT.

(a) REVIEW.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the use by U.S. Customs and Border Protection of non-intrusive inspection systems for border security.

(2) ELEMENTS.—The review required under paragraph (1) shall—

(A) identify—

(i) the number and types of non-intrusive inspection systems deployed by U.S. Customs and Border Protection; and

(ii) the locations to which such systems have been deployed; and

(B) examine the manner in which U.S. Customs and Border Protection—

(i) assesses the effectiveness of such systems; and

(ii) uses such systems in conjunction with other border security resources and assets, such as border barriers and technology, to detect and interdict drug smuggling and trafficking at the southwest border of the United States.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives containing the findings of the review conducted pursuant to subsection (a).

Subtitle C—Securing America's Ports of Entry Act of 2023

SEC. 11121. SHORT TITLE.

This subtitle may be cited as the ''Securing America's Ports of Entry Act of 2023''.

SEC. 11122. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.

(a) OFFICERS.—Subject to appropriations, the Commissioner of U.S. Customs and Border Protection shall hire, train, and assign not fewer than 600 new U.S. Customs and Border Protection officers above the current attrition level during every fiscal year until the total number of U.S. Customs and Border Protection officers equals and sustains the requirements identified each year in the Workload Staffing Model.

(b) SUPPORT STAFF.—The Commissioner is authorized to hire, train, and assign support staff, including technicians and Enterprise Services mission support, to perform non-law enforcement administrative functions to support the new U.S. Customs and Border Protection officers hired pursuant to subsection (a).

(c) TRAFFIC FORECASTS.—In calculating the number of U.S. Customs and Border Protection officers needed at each port of entry through the Workload Staffing Model, the Commissioner shall—

(1) rely on data collected regarding the inspections and other activities conducted at each such port of entry;

(2) consider volume from seasonal surges, other projected changes in commercial and passenger volumes, the most current commercial forecasts, and other relevant information;

(3) consider historical volume and forecasts prior to the COVID–19 pandemic and the impact on international travel; and

(4) incorporate personnel requirements for increasing the rate of outbound inspection operations at land ports of entry.

(d) GAO REPORT.—If the Commissioner does not hire the 600 additional U.S. Customs and Border Protection officers authorized under subsection (a) during fiscal year 2024, or during any subsequent fiscal year in which the hiring requirements set forth in the Workload Staffing Model have not been achieved, the Comptroller General of the United States shall—

(1) conduct a review of U.S. Customs and Border Protection hiring practices to determine the reasons that such requirements were not achieved and other issues related to hiring by U.S. Customs and Border Protection; and

(2) submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Finance of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Ways and Means of the House of Representatives that describes the results of the review conducted pursuant to paragraph (1).

SEC. 11123. PORTS OF ENTRY INFRASTRUCTURE ENHANCEMENT REPORT.

Not later than 90 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Finance of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Ways and Means of the House of Representatives that identifies—

(1) infrastructure improvements at ports of entry that would enhance the ability of U.S. Customs and Border Protection officers to interdict opioids and other drugs that are being illegally transported into the United States, including a description of circumstances at specific ports of entry that prevent the deployment of technology used at other ports of entry;

(2) detection equipment that would improve the ability of such officers to identify opioids, including precursors and derivatives, that are being illegally transported into the United States; and

(3) safety equipment that would protect such officers from accidental exposure to such drugs or other dangers associated with the inspection of potential drug traffickers.

SEC. 11124. REPORTING REQUIREMENTS.

(a) TEMPORARY DUTY ASSIGNMENTS.—

(1) QUARTERLY REPORT.—The Commissioner of U.S. Customs and Border Protection shall submit a quarterly report to the appropriate congressional committees that includes, for the reporting period—

(A) the number of temporary duty assignments;

(B) the number of U.S. Customs and Border Protection officers required for each temporary duty assignment;

(C) the ports of entry from which such officers were reassigned;

(D) the ports of entry to which such officers were reassigned;

(E) the ports of entry at which reimbursable service agreements have been entered into that may be affected by temporary duty assignments;

(F) the duration of each temporary duty assignment;

(G) the cost of each temporary duty assignment; and

(H) the extent to which the temporary duty assignments within the reporting period were in support of the other U.S. Customs and Border Protection activities or operations along the southern border of the United States, including the specific costs associated with such temporary duty assignments.

(2) NOTICE.—Not later than 10 days before redeploying employees from 1 port of entry to another, absent emergency circumstances—

(A) the Commissioner shall notify the director of the port of entry from which employees will be reassigned of the intended redeployments; and

(B) the port director shall notify impacted facilities (including airports, seaports, and land ports) of the intended redeployments.

(3) STAFF BRIEFING.—The Commissioner shall brief all affected U.S. Customs and Border Protection employees regarding plans to mitigate vulnerabilities created by any planned staffing reductions at ports of entry.

(b) REPORTS ON U.S. CUSTOMS AND BORDER PROTECTION AGREEMENTS.—Section 907(a) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4451(a)) is amended—

(1) in paragraph (3), by striking ''and an assessment'' and all that follows and inserting a period;

(2) by redesignating paragraphs (4) through (12) as paragraphs (5) through (13), respectively;

(3) by inserting after paragraph (3) the following:

''(4) A description of the factors that were considered before entering into the agreement, including an assessment of how the agreement provides economic benefits and security benefits (if applicable) at the port of entry to which the agreement relates.''; and

(4) in paragraph (5), as redesignated by paragraph (2), by inserting after ''the report'' the following: '', including the locations of such services and the total hours of reimbursable services under the agreement, if any''.

(c) ANNUAL WORKLOAD STAFFING MODEL REPORT.—As part of the Annual Report on Staffing required under section 411(g)(5)(A) of the Homeland Security Act of 2002 (6 U.S.C. 211(g)(5)(A)), the Commissioner shall include—

(1) information concerning the progress made toward meeting the U.S. Customs and Border Protection officer and support staff hiring targets set forth in section 2, while accounting for attrition;

(2) an update to the information provided in the Resource Optimization at the Ports of Entry report, which was submitted to Congress on September 12, 2017, pursuant to the Department of Homeland Security Appropriations Act, 2017 (division F of Public Law 115–31); and

(3) a summary of the information included in the reports required under subsection (a) and section 907(a) of the Trade Facilitation and Trade Enforcement Act of 2015, as amended by subsection (b).

(d) CBP ONE MOBILE APPLICATION.—During the 2-year period beginning on the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall publish a monthly report on the use of the CBP One mobile application, including, with respect to each reporting period—

(1) the number of application registration attempts made through CBP One pursuant to the Circumvention of Lawful Pathways final rule (88 Fed. Reg. 31314 (May 16, 2023)) that resulted in a system error, disaggregated by error type;

(2) the total number of noncitizens who successfully registered appointments through CBP One pursuant to such rule;

(3) the total number of appointments made through CBP One pursuant to such rule that went unused;

(4) the total number of individuals who have been granted parole with a Notice to Appear subsequent to appointments scheduled for such individuals through CBP One pursuant to such rule; and

(5) the total number of noncitizens who have been issued a Notice to Appear and have been transferred to U.S. Immigration and Customs Enforcement custody subsequent to appointments scheduled for such noncitizens through CBP One pursuant to such rule.

(e) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Finance of the Senate;

(4) the Committee on Homeland Security of the House of Representatives

(5) the Committee on Appropriations of the House of Representatives; and

(6) the Committee on Ways and Means of the House of Representatives.

SEC. 11125. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this subtitle—

(1) $136,292,948 for fiscal year 2024; and

(2) $156,918,590 for each of the fiscal years 2025 through 2029.

Subtitle D—Border Patrol Enhancement Act

SEC. 11131. SHORT TITLE.

This subtitle may be cited as the ''Border Patrol Enhancement Act''.

SEC. 11132. AUTHORIZED STAFFING LEVEL FOR THE UNITED STATES BORDER PATROL.

(a) DEFINED TERM.—In this subtitle, the term ''validated personnel requirements determination model'' means a determination of the number of United States Border Patrol agents needed to meet the critical mission requirements of the United States Border Patrol to maintain an orderly process for migrants entering the United States, that has been validated by a qualified research entity pursuant to subsection (c).

(b) UNITED STATES BORDER PATROL PERSONNEL REQUIREMENTS DETERMINATION MODEL.—

(1) COMPLETION; NOTICE.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall complete a personnel requirements determination model for United States Border Patrol that builds on the 5-year United States Border Patrol staffing and deployment plan referred to on page 33 of House of Representatives Report 112–91 (May 26, 2011) and submit a notice of completion to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Director of the Office of Personnel Management; and

(D) the Comptroller General of the United States.

(2) CERTIFICATION.—Not later than 30 days after the completion of the personnel requirements determination model described in paragraph (1), the Commissioner shall submit a copy of such model, an explanation of its development, and a strategy for obtaining independent verification of such model, to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Office of Personnel Management; and

(D) the Comptroller General of the United States.

(c) INDEPENDENT STUDY OF PERSONNEL REQUIREMENTS DETERMINATION MODEL.—

(1) REQUIREMENT FOR STUDY.—Not later than 90 days after the completion of the personnel requirements determination model pursuant to subsection (b)(1), the Secretary of Homeland Security shall select an entity that is technically, managerially, and financially independent from the Department of Homeland Security to conduct an independent verification and validation of the model.

(2) REPORTS.—

(A) TO SECRETARY.—Not later than 1 year after the completion of the personnel requirements determination model under subsection (b)(1), the entity performing the independent verification and validation of the model shall submit a report to the Secretary of Homeland Security that includes—

(i) the results of the study conducted pursuant to paragraph (1); and

(ii) any recommendations regarding the model that such entity considers to be appropriate.

(B) TO CONGRESS.—Not later than 30 days after receiving the report described in subparagraph (A), the Secretary of Homeland Security shall submit such report, along with any additional views or recommendations regarding the personnel requirements determination model, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(d) AUTHORITY TO HIRE ADDITIONAL PERSONNEL.—Beginning on the date that is 180 days after receiving a report from a qualified research entity pursuant to subsection (c)(2) that validates the personnel requirements determination model and after implementing any recommendations to improve or update such model, the Secretary of Homeland Security may hire, train, and assign 600 or more United States Border Patrol agents above the attrition level during every fiscal year until the number of active agents meets the level recommended by the validated personnel requirements determination model.

SEC. 11133. ESTABLISHMENT OF HIGHER RATES OF REGULARLY SCHEDULED OVERTIME PAY FOR UNITED STATES BORDER PATROL AGENTS CLASSIFIED AT GS–12.

Section 5550 of title 5, United States Code, is amended by adding at the end the following:

''(h) SPECIAL OVERTIME PAY FOR GS–12 BORDER PATROL AGENTS.—

''(1) IN GENERAL.—Notwithstanding paragraphs (1)(F), (2)(C), and (3)(C) of subsection (b), a border patrol agent encumbering a position at grade GS–12 shall receive a special overtime payment under this subsection for hours of regularly scheduled work described in paragraph (2)(A)(ii) or (3)(A)(ii) of subsection (b), as applicable, that are credited to the agent through actual performance of work, crediting under rules for canine agents under subsection (b)(1)(F), or substitution of overtime hours in the same work period under subsection (f)(2)(A), except that no such payment may be made for periods of absence resulting in an hours obligation under paragraph (3) or (4) of subsection (f).

''(2) COMPUTATION.—The special overtime payment authorized under paragraph (1) shall be computed by multiplying the credited hours by 50 percent of the border patrol agent's hourly rate of basic pay, rounded to the nearest cent.

''(3) LIMITATIONS.—The special overtime payment authorized under paragraph (1)—

''(A) is not considered basic pay for retirement under section 8331(3) or 8401(4) or for any other purpose;

''(B) is not payable during periods of paid leave or other paid time off; and

''(C) is not considered in computing an agent's lump-sum annual leave payment under sections 5551 and 5552.''.

SEC. 11134. GAO ASSESSMENT OF RECRUITING EFFORTS, HIRING REQUIREMENTS, AND RETENTION OF LAW ENFORCEMENT PERSONNEL.

The Comptroller General of the United States shall—

(1) conduct an assessment of U.S. Customs and Border Protection's—

(A) efforts to recruit law enforcement personnel;

(B) hiring process and job requirements relating to such recruitment; and

(C) retention of law enforcement personnel, including the impact of employee compensation on such retention efforts; and

(2) not later than 2 years after the date of the enactment of this Act, submit a report containing the results of such assessment to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

SEC. 11135. CONTINUING TRAINING.

(a) IN GENERAL.—The Commissioner shall require all United States Border Patrol agents and other employees or contracted employees designated by the Commissioner, to participate in annual continuing training to maintain and update their understanding of—

(1) Department of Homeland Security policies, procedures, and guidelines;

(2) the fundamentals of law, ethics, and professional conduct;

(3) applicable Federal law and regulations;

(4) precedential legal rulings, including Federal Circuit Court and United States Supreme Court opinions relating to the duty of care and treatment of persons in the custody of the United States Border Patrol that the Commissioner determines are relevant to active duty agents;

(5) applicable migration trends that the Commissioner determines are relevant;

(6) best practices for coordinating with community stakeholders; and

(7) any other information that the Commissioner determines to be relevant to active duty agents.

(b) TRAINING SUBJECTS.—Continuing training under this subsection shall include training regarding—

(1) non-lethal use of force policies available to United States Border Patrol agents and de-escalation strategies and methods;

(2) identifying, screening, and responding to vulnerable populations, such as children, persons with diminished mental capacity, victims of human trafficking, pregnant mothers, victims of gender-based violence, victims of torture or abuse, and the acutely ill;

(3) trends in transnational criminal organization activities that impact border security and migration;

(4) policies, strategies, and programs—

(A) to protect due process, the civil, human, and privacy rights of individuals, and the private property rights of land owners;

(B) to reduce the number of migrant and agent deaths; and

(C) to improve the safety of agents on patrol;

(5) personal resilience;

(6) anti-corruption and officer ethics training;

(7) current migration trends, including updated cultural and societal issues of nations that are a significant source of migrants who are—

(A) arriving at a United States port of entry to seek humanitarian protection; or

(B) encountered at a United States international boundary while attempting to enter without inspection;

(8) the impact of border security operations on natural resources and the environment, including strategies to limit the impact of border security operations on natural resources and the environment;

(9) relevant cultural, societal, racial, and religious training, including cross-cultural communication skills;

(10) training authorized under the Prison Rape Elimination Act of 2003 (42 U.S.C. 15601 et seq.);

(11) risk management and safety training that includes agency protocols for ensuring public safety, personal safety, and the safety of persons in the custody of the Department of Homeland Security;

(12) non-lethal, self-defense training; and

(13) any other training that meets the requirements to maintain and update the subjects identified in subsection (a).

(c) COURSE REQUIREMENTS.—Courses offered under this section—

(1) shall be administered by the United States Border Patrol, in consultation with the Federal Law Enforcement Training Center; and

(2) shall be approved in advance by the Commissioner of U.S. Customs and Border Protection to ensure that such courses satisfy the requirements for training under this section.

(d) ASSESSMENT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that assesses the training and education provided pursuant to this section, including continuing education.

(e) FREQUENCY REQUIREMENTS.—Training offered as part of continuing education under this section shall include—

(1) annual courses focusing on the curriculum described in paragraphs (1) through (6) of subsection (b); and

(2) biannual courses focusing on curriculum described in paragraphs (7) through (12) of subsection (b).

SEC. 11136. REPORTING REQUIREMENTS.

(a) RECRUITMENT AND RETENTION REPORT.—The Comptroller General of the United States shall—

(1) conduct a study of the recruitment and retention of female agents in the United States Border Patrol that examines—

(A) the recruitment, application processes, training, promotion, and other aspects of employment for women in the United States Border Patrol;

(B) the training, complaints system, and redress for sexual harassment and assault; and

(C) additional issues related to recruitment and retention of female Border Patrol agents; and

(2) not later than 1 year after the date of the enactment of this Act, submit a report containing the results of such study and recommendations for addressing any identified deficiencies or opportunities for improvement to—

(A) the Commissioner of U.S. Customs and Border Protection;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(b) IMPLEMENTATION REPORT.—Not later than 90 days after receiving the recruitment and retention report required under subsection (a), the Commissioner shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that describes the status of the Commissioner's efforts to implement any recommendations included in recruitment and retention report.

Subtitle E—END FENTANYL Act

SEC. 11141. SHORT TITLES.

This subtitle may be cited as the ''Eradicating Narcotic Drugs and Formulating Effective New Tools to Address National Yearly Losses of Life Act'' or the ''END FENTANYL Act''.

SEC. 11142. ENSURING TIMELY UPDATES TO U.S. CUSTOMS AND BORDER PROTECTION FIELD MANUALS.

(a) IN GENERAL.—Not less frequently than triennially, the Commissioner of U.S. Customs and Border Protection shall review and update, as necessary, the current policies and manuals of the Office of Field Operations related to inspections at ports of entry to ensure the uniform implementation of inspection practices that will effectively respond to technological and methodological changes designed to disguise illegal activity, such as the smuggling of drugs and humans, along the border.

(b) REPORTING REQUIREMENT.—Shortly after each update required under subsection (a), the Commissioner of U.S. Customs and Border Protection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that summarizes the policy and manual changes implemented by such update.

TITLE LXXI—IMPROVING LOBBYING DISCLOSURE REQUIREMENTS

Subtitle A—Lobbying Disclosure Improvement Act

SEC. 11201. SHORT TITLE.

This subtitle may be cited as the ''Lobbying Disclosure Improvement Act''.

SEC. 11202. REGISTRANT DISCLOSURE REGARDING FOREIGN AGENT REGISTRATION EXEMPTION.

Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)) is amended—

(1) in paragraph (6), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(8) a statement as to whether the registrant is exempt under section 3(h) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613(h)).''.

Subtitle B—Disclosing Foreign Influence in Lobbying Act

SEC. 11211. SHORT TITLE.

This subtitle may be cited as the ''Disclosing Foreign Influence in Lobbying Act''.

SEC. 11212. CLARIFICATION OF CONTENTS OF REGISTRATION.

Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)), as amended by section 11202 of this title, is amended—

(1) in paragraph (8), as added by section 11202 of this title, by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(9) notwithstanding paragraph (4), the name and address of each government of a foreign country (including any agency or subdivision of a government of a foreign country, such as a regional or municipal unit of government) and foreign political party, other than the client, that participates in the direction, planning, supervision, or control of any lobbying activities of the registrant.''.

TITLE LXXII—PROTECTING OUR DOMESTIC WORKFORCE AND SUPPLY CHAIN

Subtitle A—Government-wide Study Relating to High-security Leased Space

SEC. 11301. GOVERNMENT-WIDE STUDY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) BENEFICIAL OWNER.—

(A) IN GENERAL.—The term ''beneficial owner'', with respect to a covered entity, means each natural person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

(i) exercises substantial control over the covered entity; or

(ii) owns or controls not less than 25 percent of the ownership interests of, or receives substantial economic benefits from the assets of, the covered entity.

(B) EXCLUSIONS.—The term ''beneficial owner'', with respect to a covered entity, does not include—

(i) a minor;

(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

(iii) a person acting solely as an employee of the covered entity and whose control over or economic benefits from the covered entity derives solely from the employment status of the person;

(iv) a person whose only interest in the covered entity is through a right of inheritance, unless the person also meets the requirements of subparagraph (A); or

(v) a creditor of the covered entity, unless the creditor also meets the requirements of subparagraph (A).

(C) ANTI-ABUSE RULE.—The exclusions under subparagraph (B) shall not apply if, in the determination of the Administrator, an exclusion is used for the purpose of evading, circumventing, or abusing the requirements of this Act.

(3) CONTROL.—The term ''control'', with respect to a covered entity, means—

(A) having the authority or ability to determine how the covered entity is utilized; or

(B) having some decisionmaking power for the use of the covered entity.

(4) COVERED ENTITY.—The term ''covered entity'' means—

(A) a person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group; or

(B) any governmental entity or instrumentality of a government.

(5) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given the term in section 105 of title 5, United States Code.

(6) FEDERAL AGENCY.—The term ''Federal agency'' means—

(A) an Executive agency; and

(B) any establishment in the legislative or judicial branch of the Federal Government.

(7) FEDERAL LESSEE.—

(A) IN GENERAL.—The term ''Federal lessee'' means—

(i) the Administrator;

(ii) the Architect of the Capitol; and

(iii) the head of any other Federal agency that has independent statutory leasing authority.

(B) EXCLUSIONS.—The term ''Federal lessee'' does not include—

(i) the head of an element of the intelligence community; or

(ii) the Secretary of Defense.

(8) FEDERAL TENANT.—

(A) IN GENERAL.—The term ''Federal tenant'' means a Federal agency that is occupying or will occupy a high-security leased space for which a lease agreement has been secured on behalf of the Federal agency.

(B) EXCLUSION.—The term ''Federal tenant'' does not include an element of the intelligence community.

(9) FOREIGN ENTITY.—The term ''foreign entity'' means—

(A) a corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group that is headquartered in or organized under the laws of—

(i) a country that is not the United States; or

(ii) a State, unit of local government, or Indian Tribe that is not located within or a territory of the United States; or

(B) a government or governmental instrumentality that is not—

(i) the United States Government; or

(ii) a State, unit of local government, or Indian Tribe that is located within or a territory of the United States.

(10) FOREIGN PERSON.—The term ''foreign person'' means an individual who is not a United States person.

(11) HIGH-SECURITY LEASED ADJACENT SPACE.—The term ''high-security leased adjacent space'' means a building or office space that shares a boundary with or surrounds a high-security leased space.

(12) HIGH-SECURITY LEASED SPACE.—The term ''high-security leased space'' means a space leased by a Federal lessee that—

(A) will be occupied by Federal employees for nonmilitary activities; and

(B) has a facility security level of III, IV, or V, as determined by the Federal tenant in consultation with the Interagency Security Committee, the Secretary of Homeland Security, and the Administrator.

(13) HIGHEST-LEVEL OWNER.—The term ''highest-level owner'' means an entity that owns or controls—

(A) an immediate owner of the offeror of a lease for a high-security leased adjacent space; or

(B) 1 or more entities that control an immediate owner of the offeror of a lease described in subparagraph (A).

(14) IMMEDIATE OWNER.—The term ''immediate owner'' means an entity, other than the offeror of a lease for a high-security leased adjacent space, that has direct control of that offeror, including—

(A) ownership or interlocking management;

(B) identity of interests among family members;

(C) shared facilities and equipment; and

(D) the common use of employees.

(15) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(16) SUBSTANTIAL ECONOMIC BENEFITS.—The term ''substantial economic benefits'', with respect to a natural person described in paragraph (2)(A)(ii), means having an entitlement to the funds or assets of a covered entity that, as a practical matter, enables the person, directly or indirectly, to control, manage, or direct the covered entity.

(17) UNITED STATES PERSON.—The term ''United States person'' means an individual who—

(A) is a citizen of the United States; or

(B) is an alien lawfully admitted for permanent residence in the United States.

(b) GOVERNMENT-WIDE STUDY.—

(1) COORDINATION STUDY.—The Administrator, in coordination with the Director of the Federal Protective Service, the Secretary of Homeland Security, the Director of the Office of Management and Budget, and any other relevant entities, as determined by the Administrator, shall carry out a Government-wide study examining options to assist agencies (as defined in section 551 of title 5, United States Code) to produce a security assessment process for high-security leased adjacent space before entering into a lease or novation agreement with a covered entity for the purposes of accommodating a Federal tenant located in a high-security leased space.

(2) CONTENTS.—The study required under paragraph (1)—

(A) shall evaluate how to produce a security assessment process that includes a process for assessing the threat level of each occupancy of a high-security leased adjacent space, including through—

(i) site-visits;

(ii) interviews; and

(iii) any other relevant activities determined necessary by the Director of the Federal Protective Service; and

(B) may include a process for collecting and using information on each immediate owner, highest-level owner, or beneficial owner of a covered entity that seeks to enter into a lease with a Federal lessee for a high-security leased adjacent space, including—

(i) name;

(ii) current residential or business street address; and

(iii) an identifying number or document that verifies identity as a United States person, a foreign person, or a foreign entity.

(3) WORKING GROUP.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator, in coordination with the Director of Federal Protective Service, the Secretary of Homeland Security, the Director of the Office of Management and Budget, and any other relevant entities, as determined by the Administrator, shall establish a working group to assist in the carrying out of the study required under paragraph (1).

(B) NO COMPENSATION.—A member of the working group established under subparagraph (A) shall receive no compensation as a result of serving on the working group.

(C) SUNSET.—The working group established under subparagraph (A) shall terminate on the date on which the report required under paragraph (6) is submitted.

(4) PROTECTION OF INFORMATION.—The Administrator shall ensure that any information collected pursuant to the study required under paragraph (1) shall not be made available to the public.

(5) LIMITATION.—Nothing in this subsection requires an entity located in the United States to provide information requested pursuant to the study required under paragraph (1).

(6) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator, in coordination with the Director of Federal Protective Service, the Secretary of Homeland Security, the Director of the Office of Management and Budget, and any other relevant entities, as determined by the Administrator, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(A) the results of the study required under paragraph (1); and

(B) how all applicable privacy laws and rights relating to the First and Fourth Amendments to the Constitution of the United States would be upheld and followed in—

(i) the security assessment process described in subparagraph (A) of paragraph (2); and

(ii) the information collection process described in subparagraph (B) of that paragraph.

(7) LIMITATION.—Nothing in this subsection authorizes a Federal entity to mandate information gathering unless specifically authorized by law.

(8) PROHIBITION.—No information collected pursuant the security assessment process described in paragraph (2)(A) may be used for law enforcement purposes.

(9) NO ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

Subtitle B—Intergovernmental Critical Minerals Task Force

SEC. 11311. SHORT TITLE.

This subtitle may be cited as the ''Intergovernmental Critical Minerals Task Force Act''.

SEC. 11312. FINDINGS.

Congress finds that—

(1) current supply chains of critical minerals pose a great risk to the national security of the United States;

(2) critical minerals are necessary for transportation, technology, renewable energy, military equipment and machinery, and other relevant sectors crucial for the homeland and national security of the United States;

(3) in 2022, the United States was 100 percent import reliant for 12 out of 50 critical minerals and more than 50 percent import reliant for an additional 31 critical mineral commodities classified as ''critical'' by the United States Geological Survey, and the People's Republic of China was the top producing nation for 30 of those 50 critical minerals;

(4) as of July, 2023, companies based in the People's Republic of China that extract critical minerals around the world have received hundreds of charges of human rights violations;

(5) on March 26, 2014, the World Trade Organization ruled that the export restraints by the People's Republic of China on rare earth metals violated obligations under the protocol of accession to the World Trade Organization, which harmed manufacturers and workers in the United States; and

(6) the President has yet to submit to Congress the plans and recommendations that were due on the December 27, 2022, deadline under section 5(a) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604(a)), which are intended to support a coherent national mineral and materials policy, including through intergovernmental and interagency coordination.

SEC. 11313. INTERGOVERNMENTAL CRITICAL MINERALS TASK FORCE.

(a) IN GENERAL.—Section 5 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604) is amended by adding at the end the following:

''(g) INTERGOVERNMENTAL CRITICAL MINERALS TASK FORCE.—

''(1) PURPOSES.—The purposes of the task force established under paragraph (3)(B) are—

''(A) to assess the reliance of the United States on the People's Republic of China, and other covered countries, for critical minerals, and the resulting national security risks associated with that reliance, at each level of the Federal Government, Indian Tribes, and State, local, and territorial governments;

''(B) to make recommendations to the President for the implementation of this Act with regard to critical minerals, including—

''(i) the congressional declarations of policies in section 3; and

''(ii) revisions to the program plan of the President and the initiatives required under this section;

''(C) to make recommendations to secure United States and global supply chains for critical minerals;

''(D) to make recommendations to reduce the reliance of the United States, and partners and allies of the United States, on critical mineral supply chains involving covered countries; and

''(E) to facilitate cooperation, coordination, and mutual accountability among each level of the Federal Government, Indian Tribes, and State, local, and territorial governments, on a holistic response to the dependence on covered countries for critical minerals across the United States.

''(2) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Committees on Homeland Security and Governmental Affairs, Energy and Natural Resources, Armed Services, Environment and Public Works, Commerce, Science, and Transportation, Finance, and Foreign Relations of the Senate; and

''(ii) the Committees on Oversight and Accountability, Natural Resources, Armed Services, Ways and Means, and Foreign Affairs of the House of Representatives.

''(B) CHAIR.—The term 'Chair' means a member of the Executive Office of the President, designated by the President pursuant to paragraph (3)(A).

''(C) COVERED COUNTRY.—The term 'covered country' means—

''(i) a covered nation (as defined in section 4872(d) of title 10, United States Code); and

''(ii) any other country determined by the task force to be a geostrategic competitor or adversary of the United States with respect to critical minerals.

''(D) CRITICAL MINERAL.—The term 'critical mineral' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

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

''(F) TASK FORCE.—The term 'task force' means the task force established under paragraph (3)(B).

''(3) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this subsection, the President shall—

''(A) designate a Chair for the task force; and

''(B) acting through the Executive Office of the President, establish a task force.

''(4) COMPOSITION; MEETINGS.—

''(A) APPOINTMENT.—The Chair, in consultation with key intergovernmental, private, and public sector stakeholders, shall appoint to the task force representatives with expertise in critical mineral supply chains from Federal agencies, Indian Tribes, and State, local, and territorial governments, including not less than 1 representative from each of—

''(i) the Bureau of Indian Affairs;

''(ii) the Bureau of Land Management;

''(iii) the Critical Minerals Subcommittee of the National Science and Technology Council;

''(iv) the Department of Agriculture;

''(v) the Department of Commerce;

''(vi) the Department of Defense;

''(vii) the Department of Energy;

''(viii) the Department of Homeland Security;

''(ix) the Department of the Interior;

''(x) the Department of Labor;

''(xi) the Department of State;

''(xii) the Department of Transportation;

''(xiii) the Environmental Protection Agency;

''(xiv) the Export-Import Bank of the United States

''(xv) the Forest Service;

''(xvi) the General Services Administration;

''(xvii) the National Science Foundation;

''(xviii) the Office of the United States Trade Representative;

''(xix) the United States International Development Finance Corporation;

''(xx) the United States Geological Survey; and

''(xxi) any other relevant Federal entity, as determined by the Chair.

''(B) CONSULTATION.—The task force shall consult individuals with expertise in critical mineral supply chains, individuals from States whose communities, businesses, and industries are involved in aspects of critical mineral supply chains, including mining and processing operations, and individuals from a diverse and balanced cross-section of—

''(i) intergovernmental consultees, including—

''(I) State governments;

''(II) local governments;

''(III) territorial governments; and

''(IV) Indian Tribes; and

''(ii) other stakeholders, including—

''(I) academic research institutions;

''(II) corporations;

''(III) nonprofit organizations;

''(IV) private sector stakeholders;

''(V) trade associations;

''(VI) mining industry stakeholders; and

''(VII) labor representatives.

''(C) MEETINGS.—

''(i) INITIAL MEETING.—Not later than 90 days after the date on which all representatives of the task force have been appointed, the task force shall hold the first meeting of the task force.

''(ii) FREQUENCY.—The task force shall meet not less than once every 90 days.

''(5) DUTIES.—

''(A) IN GENERAL.—The duties of the task force shall include—

''(i) facilitating cooperation, coordination, and mutual accountability for the Federal Government, Indian Tribes, and State, local, and territorial governments to enhance data sharing and transparency to build more robust and secure domestic supply chains for critical minerals in support of the purposes described in paragraph (1);

''(ii) providing recommendations with respect to—

''(I) increasing capacities for mining, processing, refinement, reuse, and recycling of critical minerals in the United States to facilitate the environmentally responsible production of domestic resources to meet national critical mineral needs, in consultation with Tribal and local communities;

''(II) identifying how statutes, regulations, and policies related to the critical mineral supply chain, such as stockpiling and development finance, could be modified to accelerate environmentally responsible domestic and international production of critical minerals, in consultation with Indian Tribes and local communities;

''(III) strengthening the domestic workforce to support growing critical mineral supply chains with good-paying, safe jobs in the United States;

''(IV) identifying alternative domestic and global sources to critical minerals that the United States currently relies on the People's Republic of China or other covered countries for mining, processing, refining, and recycling, including the availability, cost, and quality of those domestic alternatives;

''(V) identifying critical minerals and critical mineral supply chains that the United States can onshore, at a competitive availability, cost, and quality, for those minerals and supply chains that the United States relies on the People's Republic of China or other covered countries to provide;

''(VI) opportunities for the Federal Government, Indian Tribes, and State, local, and territorial governments to mitigate risks to the national security of the United States with respect to supply chains for critical minerals that the United States currently relies on the People's Republic of China or other covered countries for mining, processing, refining, and recycling; and

''(VII) evaluating and integrating the recommendations of the Critical Minerals Subcommittee of the National Science and Technology Council into the recommendations of the task force.

''(iii) prioritizing the recommendations in clause (ii), taking into consideration economic costs and focusing on the critical mineral supply chains with vulnerabilities posing the most significant risks to the national security of the United States;

''(iv) recommending specific strategies, to be carried out in coordination with the Secretary of State and the Secretary of Commerce, to strengthen international partnerships in furtherance of critical minerals supply chain security with international allies and partners, including a strategy to collaborate with governments of the allies and partners described in subparagraph (B) to develop advanced mining, refining, separation and processing technologies; and

''(v) other duties, as determined by the Chair.

''(B) ALLIES AND PARTNERS.—The allies and partners referred to subparagraph (A) include—

''(i) countries participating in the Quadrilateral Security Dialogue;

''(ii) countries that are—

''(I) signatories to the Abraham Accords; or

''(II) participants in the Negev Forum;

''(iii) countries that are members of the North Atlantic Treaty Organization; and

''(iv) other countries or multilateral partnerships the task force determines to be appropriate.

''(C) REPORT.—The Chair shall—

''(i) not later than 60 days after the date of enactment of this subsection, and every 60 days thereafter until the requirements under subsection (a) are satisfied, brief the appropriate committees of Congress on the status of the compliance of the President with completing the requirements under that subsection.

''(ii) not later than 2 years after the date of enactment of this Act, submit to the appropriate committees of Congress a report, which shall be submitted in unclassified form, but may include a classified annex, that describes any findings, guidelines, and recommendations created in performing the duties under subparagraph (A);

''(iii) not later than 120 days after the date on which the Chair submits the report under clause (ii), publish that report in the Federal Register and on the website of the Office of Management and Budget, except that the Chair shall redact information from the report that the Chair determines could pose a risk to the national security of the United States by being publicly available; and

''(iv) brief the appropriate committees of Congress twice per year.

''(6) SUNSET.—The task force shall terminate on the date that is 90 days after the date on which the task force completes the requirements under paragraph (5)(C).''.

(b) GAO STUDY.—

(1) DEFINITION OF CRITICAL MINERALS.—In this subsection, the term ''critical mineral'' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(2) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study examining the Federal and State regulatory landscape related to improving domestic supply chains for critical minerals in the United States.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report that describes the results of the study under paragraph (2).

Subtitle C—Customs Trade Partnership Against Terrorism Pilot Program Act of 2023

SEC. 11321. SHORT TITLE.

This subtitle may be cited as the ''Customs Trade Partnership Against Terrorism Pilot Program Act of 2023'' or the ''CTPAT Pilot Program Act of 2023''.

SEC. 11322. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives.

(2) CTPAT.—The term ''CTPAT'' means the Customs Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act (6 U.S.C. 961 et seq.).

SEC. 11323. PILOT PROGRAM ON PARTICIPATION OF THIRD-PARTY LOGISTICS PROVIDERS IN CTPAT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall carry out a pilot program to assess whether allowing entities described in subsection (b) to participate in CTPAT would enhance port security, combat terrorism, prevent supply chain security breaches, or otherwise meet the goals of CTPAT.

(2) FEDERAL REGISTER NOTICE.—Not later than one year after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a notice specifying the requirements for the pilot program required by paragraph (1).

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) a non-asset-based third-party logistics provider that—

(A) arranges international transportation of freight and is licensed by the Department of Transportation; and

(B) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2); or

(2) an asset-based third-party logistics provider that—

(A) facilitates cross border activity and is licensed or bonded by the Federal Maritime Commission, the Transportation Security Administration, U.S. Customs and Border Protection, or the Department of Transportation;

(B) manages and executes logistics services using its own warehousing assets and resources on behalf of its customers; and

(C) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2).

(c) REQUIREMENTS.—In carrying out the pilot program required by subsection (a)(1), the Secretary shall—

(1) ensure that—

(A) not more than 10 entities described in paragraph (1) of subsection (b) participate in the pilot program; and

(B) not more than 10 entities described in paragraph (2) of that subsection participate in the program;

(2) provide for the participation of those entities on a voluntary basis;

(3) continue the program for a period of not less than one year after the date on which the Secretary publishes the Federal Register notice required by subsection (a)(2); and

(4) terminate the pilot program not more than 5 years after that date.

(d) REPORT REQUIRED.—Not later than 180 days after the termination of the pilot program under subsection (c)(4), the Secretary shall submit to the appropriate congressional committees a report on the findings of, and any recommendations arising from, the pilot program concerning the participation in CTPAT of entities described in subsection (b), including an assessment of participation by those entities.

SEC. 11324. REPORT ON EFFECTIVENESS OF CTPAT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing the effectiveness of CTPAT.

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

(1) An analysis of—

(A) security incidents in the cargo supply chain during the 5-year period preceding submission of the report that involved criminal activity, including drug trafficking, human smuggling, commercial fraud, or terrorist activity; and

(B) whether those incidents involved participants in CTPAT or entities not participating in CTPAT.

(2) An analysis of causes for the suspension or removal of entities from participating in CTPAT as a result of security incidents during that 5-year period.

(3) An analysis of the number of active CTPAT participants involved in one or more security incidents while maintaining their status as participants.

(4) Recommendations to the Commissioner of U.S. Customs and Border Protection for improvements to CTPAT to improve prevention of security incidents in the cargo supply chain involving participants in CTPAT.

SEC. 11325. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated for the purpose of carrying out this subtitle.

Subtitle D—Military Spouse Employment Act

SEC. 11331. SHORT TITLE.

This subtitle may be cited as the ''Military Spouse Employment Act''.

SEC. 11332. APPOINTMENT OF MILITARY SPOUSES.

Section 3330d of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (3) as paragraph (4);

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

''(3) The term 'remote work' refers to a particular type of telework under which an employee is not expected to report to an officially established agency location on a regular and recurring basis.''; and

(C) by adding at the end the following:

''(5) The term 'telework' has the meaning given the term in section 6501.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(3) a spouse of a member of the Armed Forces on active duty, or a spouse of a disabled or deceased member of the Armed Forces, to a position in which the spouse will engage in remote work.''; and

(3) in subsection (c)(1), by striking ''subsection (a)(3)'' and inserting ''subsection (a)(4)''.

SEC. 11333. GAO STUDY AND REPORT.

(a) DEFINITIONS.—In this section—

(1) the terms ''agency'' means an agency described in paragraph (1) or (2) of section 901(b) of title 31, United States Code;

(2) the term ''employee'' means an employee of an agency;

(3) the term ''remote work'' means a particular type of telework under which an employee is not expected to report to an officially established agency location on a regular and recurring basis; and

(4) the term ''telework'' means a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.

(b) REQUIREMENT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and publish a report regarding the use of remote work by agencies, which shall include a discussion of what is known regarding—

(1) the number of employees who are engaging in remote work;

(2) the role of remote work in agency recruitment and retention efforts;

(3) the geographic location of employees who engage in remote work;

(4) the effect that remote work has had on how often employees are reporting to officially established agency locations to perform the duties and responsibilities of the positions of those employees and other authorized activities; and

(5) how the use of remote work has affected Federal office space utilization and spending.

Subtitle E—Designation of Airports

SEC. 11341. DESIGNATION OF ADDITIONAL PORT OF ENTRY FOR THE IMPORTATION AND EXPORTATION OF WILDLIFE AND WILDLIFE PRODUCTS BY THE UNITED STATES FISH AND WILDLIFE SERVICE.

(a) IN GENERAL.—Subject to appropriations and in accordance with subsection (b), the Director of the United States Fish and Wildlife Service shall designate 1 additional port as a ''port of entry designated for the importation and exportation of wildlife and wildlife products'' under section 14.12 of title 50, Code of Federal Regulations.

(b) CRITERIA FOR SELECTING ADDITIONAL DESIGNATED PORT.—The Director shall select the additional port to be designated pursuant to subsection (a) from among the United States airports that handled more than 8,000,000,000 pounds of cargo during 2021, as reported by the Federal Aviation Administration Air Carrier Activity Information System, and based upon the analysis submitted to Congress by the Director pursuant to the Wildlife Trafficking reporting directive under title I of Senate Report 114–281.

At the appropriate place, insert the following:

DIVISION __—*INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2024*

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2024''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the conduct of the intelligence and intelligence-related activities of the Federal Government.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the Federal Government are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2024 the sum of $658,950,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2024 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

SEC. 104. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2024.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 301. PLAN TO RECRUIT, TRAIN, AND RETAIN PERSONNEL WITH EXPERIENCE IN FINANCIAL INTELLIGENCE AND EMERGING TECHNOLOGIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of human capital of the Central Intelligence Agency, the National Security Agency, and the Federal Bureau of Investigation, shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a plan for the intelligence community to recruit, train, and retain personnel who have skills and experience in financial intelligence and emerging technologies in order to improve analytic tradecraft.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following elements:

(1) An assessment, including measurable benchmarks of progress, of current initiatives of the intelligence community to recruit, train, and retain personnel who have skills and experience in financial intelligence and emerging technologies.

(2) An assessment of whether personnel in the intelligence community who have such skills are currently well integrated into the analytical cadre of the relevant elements of the intelligence community that produce analyses with respect to financial intelligence and emerging technologies.

(3) An identification of challenges to hiring or compensation in the intelligence community that limit progress toward rapidly increasing the number of personnel with such skills, and an identification of hiring or other reforms to resolve such challenges.

(4) A determination of whether the National Intelligence University has the resources and expertise necessary to train existing personnel in financial intelligence and emerging technologies.

(5) A strategy, including measurable benchmarks of progress, to, by January 1, 2025, increase by 10 percent the analytical cadre of personnel with expertise and previous employment in financial intelligence and emerging technologies.

SEC. 302. POLICY AND PERFORMANCE FRAMEWORK FOR MOBILITY OF INTELLIGENCE COMMUNITY WORKFORCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Secretary of Defense and the Director of the Office of Personnel Management as the Director of National Intelligence considers appropriate, develop and implement a policy and performance framework to ensure the timely and effective mobility of employees and contractors of the Federal Government who are transferring employment between elements of the intelligence community.

(b) ELEMENTS.—The policy and performance framework required by subsection (a) shall include processes with respect to the following:

(1) Human resources.

(2) Medical reviews.

(3) Determinations of suitability or eligibility for access to classified information in accordance with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for Government employment, fitness for contractor employees, and eligibility for access to classified national security information).

SEC. 303. IN-STATE TUITION RATES FOR ACTIVE DUTY MEMBERS OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 135(d) of the Higher Education Act of 1965 (20 U.S.C. 1015d(d)), as amended by section 6206(a)(4) of the Foreign Service Families Act of 2021 (Public Law 117–81), is further amended—

(1) in paragraph (1), by striking ''or'' after the semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

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

''(3) a member of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) (other than a member of the Armed Forces of the United States) who is on active duty for a period of more than 30 days.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect at each public institution of higher education in a State that receives assistance under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) for the first period of enrollment at such institution that begins after July 1, 2026.

SEC. 304. STANDARDS, CRITERIA, AND GUIDANCE FOR COUNTERINTELLIGENCE VULNERABILITY ASSESSMENTS AND SURVEYS.

Section 904(d)(7)(A) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(d)(7)(A)) is amended to read as follows:

''(A) COUNTERINTELLIGENCE VULNERABILITY ASSESSMENTS AND SURVEYS.—To develop standards, criteria, and guidance for counterintelligence risk assessments and surveys of the vulnerability of the United States to intelligence threats, including with respect to critical infrastructure and critical technologies, in order to identify the areas, programs, and activities that require protection from such threats.''.

SEC. 305. IMPROVING ADMINISTRATION OF CERTAIN POST-EMPLOYMENT RESTRICTIONS FOR INTELLIGENCE COMMUNITY.

Section 304 of the National Security Act of 1947 (50 U.S.C. 3073a) is amended—

(1) in subsection (c)(1)—

(A) by striking ''A former'' and inserting the following:

''(A) IN GENERAL.—A former''; and

(B) by adding at the end the following:

''(B) PRIOR DISCLOSURE TO DIRECTOR OF NATIONAL INTELLIGENCE.—

''(i) IN GENERAL.—In the case of a former employee who occupies a covered post-service position in violation of subsection (a), whether the former employee voluntarily notified the Director of National Intelligence of the intent of the former employee to occupy such covered post-service position before occupying such post-service position may be used in determining whether the violation was knowing and willful for purposes of subparagraph (A).

''(ii) PROCEDURES AND GUIDANCE.—The Director of National Intelligence may establish procedures and guidance relating to the submittal of notice for purposes of clause (i).''; and

(2) in subsection (d)—

(A) in paragraph (1), by inserting ''the restrictions under subsection (a) and'' before ''the report requirements'';

(B) in paragraph (2), by striking ''ceases to occupy'' and inserting ''occupies''; and

(C) in paragraph (3)(B), by striking ''before the person ceases to occupy a covered intelligence position'' and inserting ''when the person occupies a covered intelligence position''.

SEC. 306. MISSION OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

(a) IN GENERAL.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(1) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

(2) by inserting after subsection (c) the following:

''(d) MISSION.—The mission of the National Counterintelligence and Security Center shall include organizing and leading strategic planning for counterintelligence activities of the United States Government by integrating instruments of national power as needed to counter foreign intelligence activities.''.

(b) CONFORMING AMENDMENTS.—

(1) COUNTERINTELLIGENCE ENHANCEMENT ACT OF 2002.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(A) in subsection (e), as redesignated by subsection (a)(1), by striking ''Subject to subsection (e)'' both places it appears and inserting ''Subject to subsection (f)''; and

(B) in subsection (f), as so redesignated—

(i) in paragraph (1), by striking ''subsection (d)(1)'' and inserting ''subsection (e)(1)''; and

(ii) in paragraph (2), by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''.

(2) COUNTERINTELLIGENCE AND SECURITY ENHANCEMENTS ACT OF 1994.—Section 811(d)(1)(B)(ii) of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381(d)(1)(B)(ii)) is amended by striking ''section 904(d)(2) of that Act (50 U.S.C. 3383(d)(2))'' and inserting ''section 904(e)(2) of that Act (50 U.S.C. 3383(e)(2))''.

SEC. 307. PROHIBITION RELATING TO TRANSPORT OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) DEFINITION OF INDIVIDUAL DETAINED AT GUANTANAMO.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).

(b) PROHIBITION ON CHARTERING PRIVATE OR COMMERCIAL AIRCRAFT TO TRANSPORT INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.—No head of an element of the intelligence community may charter any private or commercial aircraft to transport an individual who is or was an individual detained at Guantanamo.

SEC. 308. DEPARTMENT OF ENERGY SCIENCE AND TECHNOLOGY RISK ASSESSMENTS.

(a) DEFINITIONS.—In this section:

(1) COUNTRY OF RISK.—

(A) IN GENERAL.—The term ''country of risk'' means a foreign country determined by the Secretary, in accordance with subparagraph (B), to present a risk of theft of United States intellectual property or a threat to the national security of the United States if nationals of the country, or entities owned or controlled by the country or nationals of the country, participate in any research, development, demonstration, or deployment activity authorized under this Act or an amendment made by this Act.

(B) DETERMINATION.—In making a determination under subparagraph (A), the Secretary, in coordination with the Director of the Office of Intelligence and Counterintelligence, shall take into consideration—

(i) the most recent World Wide Threat Assessment of the United States Intelligence Community, prepared by the Director of National Intelligence; and

(ii) the most recent National Counterintelligence Strategy of the United States.

(2) COVERED SUPPORT.—The term ''covered support'' means any grant, contract, subcontract, award, loan, program, support, or other activity authorized under this Act or an amendment made by this Act.

(3) ENTITY OF CONCERN.—The term ''entity of concern'' means any entity, including a national, that is—

(A) identified under section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note; Public Law 105–261);

(B) identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note; Public Law 116–283);

(C) on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations;

(D) included in the list required by section 9(b)(3) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 134 Stat. 656); or

(E) identified by the Secretary, in coordination with the Director of the Office of Intelligence and Counterintelligence and the applicable office that would provide, or is providing, covered support, as posing an unmanageable threat—

(i) to the national security of the United States; or

(ii) of theft or loss of United States intellectual property.

(4) NATIONAL.—The term ''national'' has the meaning given the term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) SCIENCE AND TECHNOLOGY RISK ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall develop and maintain tools and processes to manage and mitigate research security risks, such as a science and technology risk matrix, informed by threats identified by the Director of the Office of Intelligence and Counterintelligence, to facilitate determinations of the risk of loss of United States intellectual property or threat to the national security of the United States posed by activities carried out under any covered support.

(2) CONTENT AND IMPLEMENTATION.—In developing and using the tools and processes developed under paragraph (1), the Secretary shall—

(A) deploy risk-based approaches to evaluating, awarding, and managing certain research, development, demonstration, and deployment activities, including designations that will indicate the relative risk of activities;

(B) assess, to the extent practicable, ongoing high-risk activities;

(C) designate an officer or employee of the Department of Energy to be responsible for tracking and notifying recipients of any covered support of unmanageable threats to United States national security or of theft or loss of United States intellectual property posed by an entity of concern;

(D) consider requiring recipients of covered support to implement additional research security mitigations for higher-risk activities if appropriate; and

(E) support the development of research security training for recipients of covered support on the risks posed by entities of concern.

(3) ANNUAL UPDATES.—The tools and processes developed under paragraph (1) shall be evaluated annually and updated as needed, with threat-informed input from the Office of Intelligence and Counterintelligence, to reflect changes in the risk designation under paragraph (2)(A) of research, development, demonstration, and deployment activities conducted by the Department of Energy.

(c) ENTITY OF CONCERN.—

(1) PROHIBITION.—Except as provided in paragraph (2), no entity of concern, or individual that owns or controls, is owned or controlled by, or is under common ownership or control with an entity of concern, may receive, or perform work under, any covered support.

(2) WAIVER OF PROHIBITION.—

(A) IN GENERAL.—The Secretary may waive the prohibition under paragraph (1) if determined by the Secretary to be in the national interest.

(B) NOTIFICATION TO CONGRESS.—Not less than 2 weeks prior to issuing a waiver under subparagraph (A), the Secretary shall notify Congress of the intent to issue the waiver, including a justification for the waiver.

(3) PENALTY.—

(A) TERMINATION OF SUPPORT.—On finding that any entity of concern or individual described in paragraph (1) has received covered support and has not received a waiver under paragraph (2), the Secretary shall terminate all covered support to that entity of concern or individual, as applicable.

(B) PENALTIES.—An entity of concern or individual identified under subparagraph (A) shall be—

(i) prohibited from receiving or participating in covered support for a period of not less than 1 year but not more than 10 years, as determined by the Secretary; or

(ii) instead of the penalty described in clause (i), subject to any other penalties authorized under applicable law or regulations that the Secretary determines to be in the national interest.

(C) NOTIFICATION TO CONGRESS.—Prior to imposing a penalty under subparagraph (B), the Secretary shall notify Congress of the intent to impose the penalty, including a description of and justification for the penalty.

(4) COORDINATION.—The Secretary shall—

(A) share information about the unmanageable threats described in subsection (a)(3)(E) with other Federal agencies; and

(B) develop consistent approaches to identifying entities of concern.

(d) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent

with the obligations of the United States under international agreements.

(e) REPORT REQUIRED.—Not later than 240 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes—

(A) the tools and processes developed under subsection (b)(1) and any updates to those tools and processes; and

(B) if applicable, the science and technology risk matrix developed under that subsection and how that matrix has been applied;

(2) includes a mitigation plan for managing risks posed by countries of risk with respect to future or ongoing research and development activities of the Department of Energy; and

(3) defines critical research areas, designated by risk, as determined by the Secretary.

SEC. 309. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE COMMUNITY RISK ASSESSMENTS.

(a) RISK ASSESSMENT DOCUMENTS AND MATERIALS.—Except as provided in subsection (b), whenever an element of the intelligence community conducts a risk assessment arising from the mishandling or improper disclosure of classified information, the Director of National Intelligence shall, not later than 30 days after the date of the commencement of such risk assessment—

(1) submit to the congressional intelligence committees copies of such documents and materials as are—

(A) within the jurisdiction of such committees; and

(B) subject to the risk assessment; and

(2) provide such committees a briefing on such documents, materials, and risk assessment.

(b) EXCEPTION.—If the Director determines, with respect to a risk assessment described in subsection (a), that the documents and other materials otherwise subject to paragraph (1) of such subsection (a) are of such a volume that submittal pursuant to such paragraph would be impracticable, the Director shall—

(1) in lieu of submitting copies of such documents and materials, submit a log of such documents and materials; and

(2) pursuant to a request by the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a document or material included in such log, submit to such committee such copy.

SEC. 310. INSPECTOR GENERAL REVIEW OF DISSEMINATION BY FEDERAL BUREAU OF INVESTIGATION RICHMOND, VIRGINIA, FIELD OFFICE OF CERTAIN DOCUMENT.

(a) REVIEW REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall conduct a review of the actions and events, including any underlying policy direction, that served as a basis for the January 23, 2023, dissemination by the field office of the Federal Bureau of Investigation located in Richmond, Virginia, of a document titled ''Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities.''.

(b) SUBMITTAL TO CONGRESS.—The Inspector General of the Department of Justice shall submit the findings of the Inspector General with respect to the review required by subsection (a) to the following:

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary, Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate.

(3) The Committee on the Judiciary, the Committee on Oversight and Accountability, and the Committee on Appropriations of the House of Representatives.

SEC. 311. OFFICE OF INTELLIGENCE AND ANALYSIS.

Section 201 of the Homeland Security Act of 2002 (6 U.S.C. 121) is amended by adding at the end the following:

''(h) PROHIBITION.—

''(1) DEFINITION.—In this subsection, the term 'United States person' means a United States citizen, an alien known by the Office of Intelligence and Analysis to be a permanent resident alien, an unincorporated association substantially composed of United States citizens or permanent resident aliens, or a corporation incorporated in the United States, except for a corporation directed and controlled by 1 or more foreign governments.

''(2) COLLECTION OF INFORMATION FROM UNITED STATES PERSONS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Office of Intelligence and Analysis may not engage in the collection of information or intelligence targeting any United States person except as provided in subparagraph (B).

''(B) EXCEPTION.—Subparagraph (A) shall not apply to any employee, officer, or contractor of the Office of Intelligence and Analysis who is responsible for collecting information from individuals working for a State, local, or Tribal territory government or a private employer.''.

Subtitle B—Central Intelligence Agency

SEC. 321. CHANGE TO PENALTIES AND INCREASED AVAILABILITY OF MENTAL HEALTH TREATMENT FOR UNLAWFUL CONDUCT ON CENTRAL INTELLIGENCE AGENCY INSTALLATIONS.

Section 15(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(b)) is amended, in the second sentence, by striking ''those specified in section 1315(c)(2) of title 40, United States Code'' and inserting ''the maximum penalty authorized for a Class B misdemeanor under section 3559 of title 18, United States Code''.

SEC. 322. MODIFICATIONS TO PROCUREMENT AUTHORITIES OF THE CENTRAL INTELLIGENCE AGENCY.

Section 3 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3503) is amended—

(1) in subsection (a), by striking ''sections'' and all that follows through ''session)'' and inserting ''sections 3201, 3203, 3204, 3206, 3207, 3302 through 3306, 3321 through 3323, 3801 through 3808, 3069, 3134, 3841, and 4752 of title 10, United States Code'' and

(2) in subsection (d), by striking ''in paragraphs'' and all that follows through ''1947'' and inserting ''in sections 3201 through 3204 of title 10, United States Code, shall not be delegable. Each determination or decision required by sections 3201 through 3204, 3321 through 3323, and 3841 of title 10, United States Code''.

SEC. 323. ESTABLISHMENT OF CENTRAL INTELLIGENCE AGENCY STANDARD WORKPLACE SEXUAL MISCONDUCT COMPLAINT INVESTIGATION PROCEDURE.

(a) WORKPLACE SEXUAL MISCONDUCT DEFINED.—The term ''workplace sexual misconduct''—

(1) means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when—

(A) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(B) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(C) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; and

(2) includes sexual harassment and sexual assault.

(b) STANDARD COMPLAINT INVESTIGATION PROCEDURE.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall—

(1) establish a standard workplace sexual misconduct complaint investigation procedure;

(2) implement the standard workplace sexual misconduct complaint investigation procedure through clear workforce communication and education on the procedure; and

(3) submit the standard workplace sexual misconduct complaint investigation procedure to the congressional intelligence committees.

(c) MINIMUM REQUIREMENTS.—The procedure established pursuant to subsection (b)(1) shall, at a minimum—

(1) identify the individuals and offices of the Central Intelligence Agency to which an employee of the Agency may bring a complaint of workplace sexual misconduct;

(2) detail the steps each individual or office identified pursuant to paragraph (1) shall take upon receipt of a complaint of workplace sexual misconduct and the timeframes within which those steps shall be taken, including—

(A) documentation of the complaint;

(B) referral or notification to another individual or office;

(C) measures to document or preserve witness statements or other evidence; and

(D) preliminary investigation of the complaint;

(3) set forth standard criteria for determining whether a complaint of workplace sexual misconduct will be referred to law enforcement and the timeframe within which such a referral shall occur; and

(4) for any complaint not referred to law enforcement, set forth standard criteria for determining—

(A) whether a complaint has been substantiated; and

(B) for any substantiated complaint, the appropriate disciplinary action.

(d) ANNUAL REPORTS.—On or before April 30 of each year, the Director shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives an annual report that includes, for the preceding calendar year, the following:

(1) The number of workplace sexual misconduct complaints brought to each individual or office of the Central Intelligence Agency identified pursuant to subsection (c)(1), disaggregated by—

(A) complaints referred to law enforcement; and

(B) complaints substantiated.

(2) For each complaint described in paragraph (1) that is substantiated, a description of the disciplinary action taken by the Director.

TITLE IV—MATTERS CONCERNING FOREIGN COUNTRIES

Subtitle A—People's Republic of China

SEC. 401. INTELLIGENCE COMMUNITY COORDINATOR FOR ACCOUNTABILITY OF ATROCITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) ATROCITY.—The term ''atrocity'' means a crime against humanity, genocide, or a war crime.

(2) FOREIGN PERSON.—The term ''foreign person'' means—

(A) any person or entity that is not a United States person; or

(B) any entity not organized under the laws of the United States or of any jurisdiction within the United States.

(3) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 105A(c) of the National Security Act of 1947 (50 U.S.C. 3039).

(b) INTELLIGENCE COMMUNITY COORDINATOR FOR ACCOUNTABILITY OF ATROCITIES OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) DESIGNATION.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate a senior official of the Office of the Director of National Intelligence to serve as the intelligence community coordinator for accountability of atrocities of the People's Republic of China (in this section referred to as the ''Coordinator'').

(2) DUTIES.—The Coordinator shall lead the efforts of and coordinate and collaborate with the intelligence community with respect to the following:

(A) Identifying and addressing any gaps in intelligence collection relating to atrocities of the People's Republic of China, including by recommending the modification of the priorities of the intelligence community with respect to intelligence collection and by utilizing informal processes and collaborative mechanisms with key elements of the intelligence community to increase collection on atrocities of the People's Republic of China.

(B) Prioritizing and expanding the intelligence analysis with respect to ongoing atrocities of the People's Republic of China and disseminating within the United States Government intelligence relating to the identification and activities of foreign persons suspected of being involved with or providing support to atrocities of the People's Republic of China, including genocide and forced labor practices in Xinjiang, in order to support the efforts of other Federal agencies, including the Department of State, the Department of Justice, the Department of the Treasury, the Office of Foreign Assets Control, the Department of Commerce, the Bureau of Industry and Security, U.S. Customs and Border Protection, and the National Security Council, to hold the People's Republic of China accountable for such atrocities.

(C) Increasing efforts to declassify and share with the people of the United States and the international community information regarding atrocities of the People's Republic of China in order to expose such atrocities and counter the disinformation and misinformation campaign by the People's Republic of China to deny such atrocities.

(D) Documenting and storing intelligence and other unclassified information that may be relevant to preserve as evidence of atrocities of the People's Republic of China for future accountability, and ensuring that other relevant Federal agencies receive appropriate support from the intelligence community with respect to the collection, analysis, preservation, and, as appropriate, dissemination, of intelligence related to atrocities of the People's Republic of China, which may include the information from the annual report required by section 6504 of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(E) Sharing information with the Forced Labor Enforcement Task Force, established under section 741 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4681), the Department of Commerce, and the Department of the Treasury for the purposes of entity listings and sanctions.

(3) PLAN REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Director shall submit to the appropriate committees of Congress—

(A) the name of the official designated as the Coordinator pursuant to paragraph (1); and

(B) the strategy of the intelligence community for the collection and dissemination of intelligence relating to ongoing atrocities of the People's Republic of China, including a detailed description of how the Coordinator shall support, and assist in facilitating the implementation of, such strategy.

(4) ANNUAL REPORT TO CONGRESS.—

(A) REPORTS REQUIRED.—Not later than May 1, 2024, and annually thereafter until May 1, 2034, the Director shall submit to Congress a report detailing, for the year covered by the report—

(i) the analytical findings, changes in collection, and other activities of the intelligence community with respect to ongoing atrocities of the People's Republic of China;

(ii) the recipients of information shared pursuant to this section for the purpose of—

(I) providing support to Federal agencies to hold the People's Republic of China accountable for such atrocities; and

(II) sharing information with the people of the United States to counter the disinformation and misinformation campaign by the People's Republic of China to deny such atrocities; and

(iii) with respect to clause (ii), the date of any such sharing.

(B) FORM.—Each report submitted under subparagraph (A) may be submitted in classified form, consistent with the protection of intelligence sources and methods.

(c) SUNSET.—This section shall cease to have effect on the date that is 10 years after the date of the enactment of this Act.

SEC. 402. INTERAGENCY WORKING GROUP AND REPORT ON THE MALIGN EFFORTS OF THE PEOPLE'S REPUBLIC OF CHINA IN AFRICA.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall establish an interagency working group within the intelligence community to analyze the tactics and capabilities of the People's Republic of China in Africa.

(2) ESTABLISHMENT FLEXIBILITY.—The working group established under paragraph (1) may be—

(A) independently established; or

(B) to avoid redundancy, incorporated into existing working groups or cross-intelligence efforts within the intelligence community.

(b) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and twice annually thereafter, the working group established under subsection (a) shall submit to the appropriate committees of Congress a report on the specific tactics and capabilities of the People's Republic of China in Africa.

(3) ELEMENTS.—Each report required by paragraph (2) shall include the following elements:

(A) An assessment of efforts by the Government of the People's Republic of China to exploit mining and reprocessing operations in Africa.

(B) An assessment of efforts by the Government of the People's Republic of China to provide or fund technologies in Africa, including—

(i) telecommunications and energy technologies, such as advanced reactors, transportation, and other commercial products; and

(ii) by requiring that the People's Republic of China be the sole provider of such technologies.

(C) An assessment of efforts by the Government of the People's Republic of China to expand intelligence capabilities in Africa.

(D) A description of actions taken by the intelligence community to counter such efforts.

(E) An assessment of additional resources needed by the intelligence community to better counter such efforts.

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

(c) SUNSET.—The requirements of this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 403. AMENDMENT TO REQUIREMENT FOR ANNUAL ASSESSMENT BY INTELLIGENCE COMMUNITY WORKING GROUP FOR MONITORING THE ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

Section 6503(c)(3)(D) of the Intelligence Authorization Act for Fiscal Year 2023 (division F of Public Law 117–263) is amended by striking ''the top 200'' and inserting ''all the known''.

SEC. 404. ASSESSMENTS OF RECIPROCITY IN THE RELATIONSHIP BETWEEN THE UNITED STATES AND THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Assistant Secretary of State for Intelligence and Research, in consultation with the Director of National Intelligence and such other heads of elements of the intelligence community as the Assistant Secretary considers relevant, shall submit to Congress the following:

(1) A comprehensive assessment that identifies critical areas in the security, diplomatic, economic, financial, technological, scientific, commercial, academic, and cultural spheres in which the United States does not enjoy a reciprocal relationship with the People's Republic of China.

(2) A comprehensive assessment that describes how the lack of reciprocity between the People's Republic of China and the United States in the areas identified in the assessment required by paragraph (1) provides advantages to the People's Republic of China.

(b) FORM OF ASSESSMENTS.—

(1) CRITICAL AREAS.—The assessment required by subsection (a)(1) shall be submitted in unclassified form.

(2) ADVANTAGES.—The assessment required by subsection (a)(2) shall be submitted in classified form.

SEC. 405. ANNUAL BRIEFING ON INTELLIGENCE COMMUNITY EFFORTS TO IDENTIFY AND MITIGATE CHINESE COMMUNIST PARTY AND RUSSIAN FOREIGN MALIGN INFLUENCE OPERATIONS AGAINST THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) CHINESE ENTITIES ENGAGED IN FOREIGN MALIGN INFLUENCE OPERATIONS.—The term ''hinese entities engaged in foreign malign influence operations'' means all of the elements of the Government of the People's Republic of China and the Chinese Communist Party involved in foreign malign influence, such as—

(A) the Ministry of State Security;

(B) other security services of the People's Republic of China;

(C) the intelligence services of the People's Republic of China;

(D) the United Front Work Department and other united front organs;

(E) state-controlled media systems, such as the China Global Television Network (CGTN); and

(F) any entity involved in foreign malign influence operations that demonstrably and intentionally disseminate false information and propaganda of the Government of the People's Republic of China or the Chinese Communist Party.

(2) RUSSIAN MALIGN INFLUENCE ACTORS.—The term ''Russian malign influence actors'' refers to entities or individuals engaged in foreign malign influence operations against the United States who are affiliated with—

(A) the intelligence and security services of the Russian Federation

(B) the Presidential Administration;

(C) any other entity of the Government of the Russian Federation; or

(D) Russian mercenary or proxy groups such as the Wagner Group.

(3) FOREIGN MALIGN INFLUENCE OPERATION.—The term ''foreign malign influence operation'' means a coordinated and often concealed activity that is covered by the definition of the term ''foreign malign influence'' in section 119C of the National Security Act of 1947 (50 U.S.C. 3059) and uses disinformation, press manipulation, economic coercion, targeted investments, corruption, or academic censorship, which are often intended—

(A) to coerce and corrupt United States interests, values, institutions, or individuals; and

(B) to foster attitudes, behavior, decisions, or outcomes in the United States that support the interests of the Government of the People's Republic of China or the Chinese Communist Party.

(b) BRIEFING REQUIRED.—Not later than 120 days after the date of the enactment of this Act and annually thereafter until the date that is 5 years after the date of the enactment of this Act, the Director of the Foreign Malign Influence Center shall, in collaboration with the heads of the elements of the intelligence community, provide Congress a classified briefing on the ways in which the relevant elements of the intelligence community are working internally and coordinating across the intelligence community to identify and mitigate the actions of Chinese and Russian entities engaged in foreign malign influence operations against the United States, including against United States persons.

(c) ELEMENTS.—The classified briefing required by subsection (b) shall cover the following:

(1) The Government of the Russian Federation, the Government of the People's Republic of China, and the Chinese Communist Party tactics, tools, and entities that spread disinformation, misinformation, and malign information and conduct influence operations, information campaigns, or other propaganda efforts.

(2) A description of ongoing foreign malign influence operations and campaigns of the Russian Federation against the United States and an assessment of their objectives and effectiveness in meeting those objectives.

(3) A description of ongoing foreign malign influence operations and campaigns of the People's Republic of China against the United States and an assessment of their objectives and effectiveness in meeting those objectives.

(4) A description of any cooperation, information-sharing, amplification, or other coordination between the Russian Federation and the People's Republic of China in developing or carrying out foreign malign influence operations against the United States.

(5) A description of front organizations, proxies, cut-outs, aligned third-party countries, or organizations used by the Russian Federation or the People's Republic of China to carry out foreign malign influence operations against the United States.

(6) An assessment of the loopholes or vulnerabilities in United States law that Russia and the People's Republic of China exploit to carry out foreign malign influence operations.

(7) The actions of the Foreign Malign Influence Center, in coordination with the Global Engagement Center, relating to early-warning, information sharing, and proactive risk mitigation systems, based on the list of entities identified in subsection (a)(1), to detect, expose, deter, and counter foreign malign influence operations of the Government of the People's Republic of China or the Chinese Communist Party against the United States.

(8) The actions of the Foreign Malign Influence Center to conduct outreach, to identify and counter tactics, tools, and entities described in paragraph (1) by sharing information with allies and partners of the United States, in coordination with the Global Engagement Center, as well as State and local governments, the business community, and civil society in order to expose the political influence operations and information operations of the Government of the Russian Federation and the Government of the People's Republic of China or the Chinese Communist Party carried out against individuals and entities in the United States.

SEC. 406. ASSESSMENT OF THREAT POSED TO UNITED STATES PORTS BY CRANES MANUFACTURED BY COUNTRIES OF CONCERN.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Armed Services, the Committee on Oversight and Accountability, the Committee on Financial Services, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) COUNTRY OF CONCERN.—The term ''country of concern'' has the meaning given that term in section 1(m)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)(1)).

(b) ASSESSMENT.—The Director of National Intelligence, in coordination with such other heads of the elements of the intelligence community as the Director considers appropriate and the Secretary of Defense, shall conduct an assessment of the threat posed to United States ports by cranes manufactured by countries of concern and commercial entities of those countries, including the Shanghai Zhenhua Heavy Industries Co. (ZPMC).

(c) REPORT AND BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit a report and provide a briefing to the appropriate committees of Congress on the findings of the assessment required by subsection (b).

(2) ELEMENTS.—The report and briefing required by paragraph (1) shall outline the potential for the cranes described in subsection (b) to collect intelligence, disrupt operations at United States ports, and impact the national security of the United States.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle B—Other Foreign Countries

SEC. 411. REPORT ON EFFORTS TO CAPTURE AND DETAIN UNITED STATES CITIZENS AS HOSTAGES.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on the Judiciary, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on efforts by the Maduro regime in Venezuela to detain United States citizens and lawful permanent residents.

(c) ELEMENTS.—The report required by subsection (b) shall include, regarding the arrest, capture, detainment, or imprisonment of United States citizens and lawful permanent residents, the following:

(1) The names, positions, and institutional affiliation of Venezuelan individuals, or those acting on their behalf, who have engaged in such activities.

(2) A description of any role played by transnational criminal organizations, and an identification of such organizations.

(3) Where relevant, an assessment of whether and how United States citizens and lawful permanent residents have been lured to Venezuela.

(4) An analysis of the motive for the arrest, capture, detainment, or imprisonment of United States citizens and lawful permanent residents.

(5) The total number of United States citizens and lawful permanent residents detained or imprisoned in Venezuela as of the date on which the report is submitted.

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 412. SENSE OF CONGRESS ON PRIORITY OF FENTANYL IN NATIONAL INTELLIGENCE PRIORITIES FRAMEWORK.

It is the sense of Congress that the trafficking of illicit fentanyl, including precursor chemicals and manufacturing equipment associated with illicit fentanyl production and organizations that traffic or finance the trafficking of illicit fentanyl, originating from the People's Republic of China and Mexico should be among the highest priorities in the National Intelligence Priorities Framework of the Office of the Director of National Intelligence.

TITLE V—MATTERS PERTAINING TO UNITED STATES ECONOMIC AND EMERGING TECHNOLOGY COMPETITION WITH UNITED STATES ADVERSARIES

Subtitle A—General Matters

SEC. 501. ASSIGNMENT OF DETAILEES FROM INTELLIGENCE COMMUNITY TO DEPARTMENT OF COMMERCE.

(a) AUTHORITY.—In order to better facilitate the sharing of actionable intelligence on foreign adversary intent, capabilities, threats, and operations that pose a threat to the interests or security of the United States, particularly as they relate to the procurement, development, and use of dual-use and emerging technologies, the Director of National Intelligence may assign or facilitate the assignment of members from across the intelligence community to serve as detailees to the Bureau of Industry and Security of the Department of Commerce.

(b) ASSIGNMENT.—Detailees assigned pursuant to subsection (a) shall be drawn from such elements of the intelligence community as the Director considers appropriate, in consultation with the Secretary of Commerce.

(c) EXPERTISE.—The Director shall ensure that detailees assigned pursuant to subsection (a) have subject matter expertise on countries of concern, including China, Iran, North Korea, and Russia, as well as functional areas such as illicit procurement, counterproliferation, emerging and foundational technology, economic and financial intelligence, information and communications technology systems, supply chain vulnerability, and counterintelligence.

(d) DUTY CREDIT.—The detail of an employee of the intelligence community to the Department of Commerce under subsection (a) shall be without interruption or loss of civil service status or privilege.

Subtitle B—Next-generation Energy, Biotechnology, and Artificial Intelligence

SEC. 511. EXPANDED ANNUAL ASSESSMENT OF ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

Section 6503(c)(3) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by adding at the end the following:

''(I) A detailed assessment, prepared in consultation with all elements of the working group—

''(i) of the investments made by the People's Republic of China in—

''(I) artificial intelligence;

''(II) next-generation energy technologies, especially small modular reactors and advanced batteries; and

''(III) biotechnology; and

''(ii) that identifies—

''(I) competitive practices of the People's Republic of China relating to the technologies described in clause (i);

''(II) opportunities to counter the practices described in subclause (I);

''(III) countries the People's Republic of China is targeting for exports of civil nuclear technology;

''(IV) countries best positioned to utilize civil nuclear technologies from the United States in order to facilitate the commercial export of those technologies;

''(V) United States vulnerabilities in the supply chain of these technologies; and

''(VI) opportunities to counter the export by the People's Republic of China of civil nuclear technologies globally.

''(J) An identification and assessment of any unmet resource or authority needs of the working group that affect the ability of the working group to carry out this section.''.

SEC. 512. ASSESSMENT OF USING CIVIL NUCLEAR ENERGY FOR INTELLIGENCE COMMUNITY CAPABILITIES.

(a) ASSESSMENT REQUIRED.—The Director of National Intelligence shall, in consultation with the heads of such other elements of the intelligence community as the Director considers appropriate, conduct an assessment of capabilities identified by the Intelligence Community Continuity Program established pursuant to section E(3) of Intelligence Community Directive 118, or any successor directive, or such other intelligence community facilities or intelligence community capabilities as may be determined by the Director to be critical to United States national security, that have unique energy needs—

(1) to ascertain the feasibility and advisability of using civil nuclear reactors to meet such needs; and

(2) to identify such additional resources, technologies, infrastructure, or authorities needed, or other potential obstacles, to commence use of a nuclear reactor to meet such needs.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate, and the Committee on Oversight and Accountability and the Committee on Appropriations of the House of Representatives a report, which may be in classified form, on the findings of the Director with respect to the assessment conducted pursuant to subsection (a).

SEC. 513. POLICIES ESTABLISHED BY DIRECTOR OF NATIONAL INTELLIGENCE FOR ARTIFICIAL INTELLIGENCE CAPABILITIES.

(a) IN GENERAL.—Section 6702 of the Intelligence Authorization Act for Fiscal Year 2023 (50 U.S.C. 3334m) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) POLICIES.—

''(1) IN GENERAL.—In carrying out subsection (a)(1), not later than 1 year after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2024, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community, the Director of the Office of Management and Budget, and such other officials as the Director of National Intelligence determines appropriate, shall establish the policies described in paragraph (2).

''(2) POLICIES DESCRIBED.—The policies described in this paragraph are policies for the acquisition, adoption, development, use, coordination, and maintenance of artificial intelligence capabilities that—

''(A) establish a lexicon relating to the use of machine learning and artificial intelligence developed or acquired by elements of the intelligence community;

''(B) establish guidelines for evaluating the performance of models developed or acquired by elements of the intelligence community, such as by—

''(i) specifying conditions for the continuous monitoring of artificial intelligence capabilities for performance, including the conditions for retraining or retiring models based on performance;

''(ii) documenting performance objectives, including specifying how performance objectives shall be developed and contractually enforced for capabilities procured from third parties;

''(iii) specifying the manner in which models should be audited, as necessary, including the types of documentation that should be provided to any auditor; and

''(iv) specifying conditions under which models used by elements of the intelligence community should be subject to testing and evaluation for vulnerabilities to techniques meant to undermine the availability, integrity, or privacy of an artificial intelligence capability;

''(C) establish guidelines for tracking dependencies in adjacent systems, capabilities, or processes impacted by the retraining or sunsetting of any model described in subparagraph (B);

''(D) establish documentation requirements for capabilities procured from third parties, aligning such requirements, as necessary, with existing documentation requirements applicable to capabilities developed by elements of the intelligence community;

''(E) establish standards for the documentation of imputed, augmented, or synthetic data used to train any model developed, procured, or used by an element of the intelligence community; and

''(F) provide guidance on the acquisition and usage of models that have previously been trained by a third party for subsequent modification and usage by such an element.

''(3) POLICY REVIEW AND REVISION.—The Director of National Intelligence shall periodically review and revise each policy established under paragraph (1).''.

(b) CONFORMING AMENDMENT.—Section 6712(b)(1) of such Act (50 U.S.C. 3024 note) is amended by striking ''section 6702(b)'' and inserting ''section 6702(c)''.

TITLE VI—WHISTLEBLOWER MATTERS

SEC. 601. SUBMITTAL TO CONGRESS OF COMPLAINTS AND INFORMATION BY WHISTLEBLOWERS IN THE INTELLIGENCE COMMUNITY.

(a) AMENDMENTS TO CHAPTER 4 OF TITLE 5.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 416 of title 5, United States Code, is amended by adding at the end the following:

''(i) APPOINTMENT OF SECURITY OFFICERS.—Each Inspector General under this section, including the designees of the Inspector General of the Department of Defense pursuant to subsection (b)(3), shall appoint within their offices security officers to provide, on a permanent basis, confidential, security-related guidance and direction to employees and contractors described in subsection (b)(1) who intend to report to Congress complaints or information, so that such employees and contractors can obtain direction on how to report to Congress in accordance with appropriate security practices.''.

(2) PROCEDURES.—Subsection (e) of such section is amended—

(A) in paragraph (1), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the intelligence committees'';

(B) by amending paragraph (2) to read as follows:

''(2) LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the employee may contact an intelligence committee or another committee of jurisdiction directly as described in paragraph (1) of this subsection or in subsection (b)(4) only if the employee—

''(i) before making such a contact, furnishes to the head of the establishment, through the Inspector General (or designee), a statement of the employee's complaint or information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(ii)(I) obtains and follows, from the head of the establishment, through the Inspector General (or designee), procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(II) obtains and follows such procedural direction from the applicable security officer appointed under subsection (i).

''(B) LACK OF PROCEDURAL DIRECTION.—If an employee seeks procedural direction under subparagraph (A)(ii) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subparagraph.''; and

(C) by redesignating paragraph (3) as paragraph (4); and

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

''(3) COMMITTEE MEMBERS AND STAFF.—An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subsection (b) of such section is amended by adding at the end the following:

''(4) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subject to paragraphs (2) and (3) of subsection (e), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress.''.

(b) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 103H(j) of the National Security Act of 1947 (50 U.S.C. 3033(j)) is amended by adding at the end the following:

''(5) The Inspector General shall appoint within the Office of the Inspector General security officers as required by section 416(i) of title 5, United States Code.''.

(2) PROCEDURES.—Subparagraph (D) of section 103H(k)(5) of such Act (50 U.S.C. 3033(k)(5)) is amended—

(A) in clause (i), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the congressional intelligence committees'';

(B) by amending clause (ii) to read as follows:

''(ii)(I) Except as provided in subclause (II), an employee may contact a congressional intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

''(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(bb)(AA) obtains and follows, from the Director, through the Inspector General, procedural direction on how to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 416(i) of title 5, United States Code.

''(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact a congressional intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.'';

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

''(iii) An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting ''(i)'' before ''An employee of''; and

(B) by adding at the end the following:

''(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(I) in lieu of reporting such complaint or information under clause (i); or

''(II) in addition to reporting such complaint or information under clause (i).''.

(c) AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended by adding at the end the following:

''(I) The Inspector General shall appoint within the Office of the Inspector General security officers as required by section 416(i) of title 5, United States Code.''.

(2) PROCEDURES.—Subparagraph (D) of such section is amended—

(A) in clause (i), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the intelligence committees'';

(B) by amending clause (ii) to read as follows:

''(ii)(I) Except as provided in subclause (II), an employee may contact an intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

''(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(bb)(AA) obtains and follows, from the Director, through the Inspector General, procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 416(i) of title 5, United States Code.

''(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.'';

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

''(iii) An employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting ''(i)'' before ''An employee of''; and

(B) by adding at the end the following:

''(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(I) in lieu of reporting such complaint or information under clause (i); or

''(II) in addition to reporting such complaint or information under clause (i).''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall be construed to revoke or diminish any right of an individual provided by section 2303 of title 5, United States Code.

SEC. 602. PROHIBITION AGAINST DISCLOSURE OF WHISTLEBLOWER IDENTITY AS REPRISAL AGAINST WHISTLEBLOWER DISCLOSURE BY EMPLOYEES AND CONTRACTORS IN INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) is amended—

(1) in subsection (a)(3) of such section—

(A) in subparagraph (I), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subparagraph (J) as subparagraph (K); and

(C) by inserting after subparagraph (I) the following:

''(J) a knowing and willful disclosure revealing the identity or other personally identifiable information of an employee or contractor employee so as to identify the employee or contractor employee as an employee or contractor employee who has made a lawful disclosure described in subsection (b) or (c); or'';

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following:

''(f) PERSONNEL ACTIONS INVOLVING DISCLOSURE OF WHISTLEBLOWER IDENTITY.—A personnel action described in subsection (a)(3)(J) shall not be considered to be in violation of subsection (b) or (c) under the following circumstances:

''(1) The personnel action was taken with the express consent of the employee or contractor employee.

''(2) An Inspector General with oversight responsibility for a covered intelligence community element determines that—

''(A) the personnel action was unavoidable under section 103H(g)(3)(A) of this Act (50 U.S.C. 3033(g)(3)(A)), section 17(e)(3)(A) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(3)(A)), section 407(b) of title 5, United States Code, or section 420(b)(2)(B) of such title;

''(B) the personnel action was made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; or

''(C) the personnel action was required by statute or an order from a court of competent jurisdiction.''.

(b) APPLICABILITY TO DETAILEES.—Subsection (a) of section 1104 of such Act (50 U.S.C. 3234) is amended by adding at the end the following:

''(5) EMPLOYEE.—The term 'employee', with respect to an agency or a covered intelligence community element, includes an individual who has been detailed to such agency or covered intelligence community element.''.

(c) HARMONIZATION OF ENFORCEMENT.—Subsection (g) of such section, as redesignated by subsection (a)(2) of this section, is amended to read as follows:

''(g) ENFORCEMENT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the President shall provide for the enforcement of this section.

''(2) HARMONIZATION WITH OTHER ENFORCEMENT.—To the fullest extent possible, the President shall provide for enforcement of this section in a manner that is consistent with the enforcement of section 2302(b)(8) of title 5, United States Code, especially with respect to policies and procedures used to adjudicate alleged violations of such section.''.

SEC. 603. ESTABLISHING PROCESS PARITY FOR ADVERSE SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) CONTRIBUTING FACTOR.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 604. ELIMINATION OF CAP ON COMPENSATORY DAMAGES FOR RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.

Section 3001(j)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)(B)) is amended, in the second sentence, by striking ''not to exceed $300,000''.

SEC. 605. MODIFICATION AND REPEAL OF REPORTING REQUIREMENTS.

(a) MODIFICATION OF FREQUENCY OF WHISTLEBLOWER NOTIFICATIONS TO INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.—Section 5334(a) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116–92; 50 U.S.C. 3033 note) is amended by striking ''in real time'' and inserting ''monthly''.

(b) REPEAL OF REQUIREMENT FOR INSPECTORS GENERAL REVIEWS OF ENHANCED PERSONNEL SECURITY PROGRAMS.—

(1) IN GENERAL.—Section 11001 of title 5, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) TECHNICAL CORRECTIONS.—Subsection (d) of section 11001 of such title, as redesignated by paragraph (1)(B), is amended—

(A) in paragraph (3), by adding ''and'' after the semicolon at the end; and

(B) in paragraph (4), by striking ''; and'' and inserting a period.

TITLE VII—CLASSIFICATION REFORM

Subtitle A—Classification Reform Act of 2023

SEC. 701. SHORT TITLE.

This subtitle may be cited as the ''Classification Reform Act of 2023''.

SEC. 702. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term ''agency'' means any Executive agency as defined in section 105 of title 5, United States Code, any military department as defined in section 102 of such title, and any other entity in the executive branch of the Federal Government that comes into the possession of classified information.

(2) CLASSIFY, CLASSIFIED, CLASSIFICATION.—The terms ''classify'', ''classified'', and ''classification'' refer to the process by which information is determined to require protection from unauthorized disclosure pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703 in order to protect the national security of the United States.

(3) CLASSIFIED INFORMATION.—The term ''classified information'' means information that has been classified under Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703.

(4) DECLASSIFY, DECLASSIFIED, DECLASSIFICATION.—The terms ''declassify'', ''declassified'', and ''declassification'' refer to the process by which information that has been classified is determined to no longer require protection from unauthorized disclosure pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703.

(5) INFORMATION.—The term ''information'' means any knowledge that can be communicated, or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the United States Government.

SEC. 703. CLASSIFICATION AND DECLASSIFICATION OF INFORMATION.

(a) IN GENERAL.—The President may, in accordance with this section, protect from unauthorized disclosure any information owned by, produced by or for, or under the control of the executive branch of the Federal Government when there is a demonstrable need to do so in order to protect the national security of the United States.

(b) ESTABLISHMENT OF STANDARDS AND PROCEDURES FOR CLASSIFICATION AND DECLASSIFICATION.—

(1) GOVERNMENTWIDE PROCEDURES.—

(A) CLASSIFICATION.—The President shall, to the extent necessary, establish categories of information that may be classified and procedures for classifying information under subsection (a).

(B) DECLASSIFICATION.—At the same time the President establishes categories and procedures under subparagraph (A), the President shall establish procedures for declassifying information that was previously classified.

(C) MINIMUM REQUIREMENTS.—The procedures established pursuant to subparagraphs (A) and (B) shall—

(i) provide that information may be classified under this section, and may remain classified under this section, only if the harm to national security that might reasonably be expected from disclosure of such information outweighs the public interest in disclosure of such information;

(ii) establish standards and criteria for the classification of information;

(iii) establish standards, criteria, and timelines for the declassification of information classified under this section;

(iv) provide for the automatic declassification of classified records with permanent historical value;

(v) provide for the timely review of materials submitted for pre-publication;

(vi) narrow the criteria for classification set forth under section 1.4 of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), as in effect on the day before the date of the enactment of this Act;

(vii) narrow the exemptions from automatic declassification set forth under section 3.3(b) of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), as in effect on the day before the date of the enactment of this Act;

(viii) provide a clear and specific definition of ''harm to national security'' as it pertains to clause (i); and

(ix) provide a clear and specific definition of ''intelligence sources and methods'' as it pertains to the categories and procedures under subparagraph (A).

(2) AGENCY STANDARDS AND PROCEDURES.—

(A) IN GENERAL.—The head of each agency shall establish a single set of consolidated standards and procedures to permit such agency to classify and declassify information created by such agency in accordance with the categories and procedures established by the President under this section and otherwise to carry out this section.

(B) SUBMITTAL TO CONGRESS.—Each agency head shall submit to Congress the standards and procedures established by such agency head under subparagraph (A).

(c) CONFORMING AMENDMENT TO FOIA.—Section 552(b)(1) of title 5, United States Code, is amended to read as follows:

''(1)(A) specifically authorized to be classified under section 703 of the Intelligence Authorization Act for Fiscal Year 2024, or specifically authorized under criteria established by an Executive order to be kept secret in the interest of national security; and

''(B) are in fact properly classified pursuant to that section or Executive order;''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (a) and (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(2) RELATION TO PRESIDENTIAL DIRECTIVES.—Presidential directives regarding classifying, safeguarding, and declassifying national security information, including Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, in effect on the day before the date of the enactment of this Act, as well as procedures issued pursuant to such Presidential directives, shall remain in effect until superseded by procedures issues pursuant to subsection (b).

SEC. 704. TRANSPARENCY OFFICERS.

(a) DESIGNATION.—The Attorney General, the Secretary of Defense, the Secretary of State, the Secretary of the Treasury, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, and the head of any other department, agency, or element of the executive branch of the Federal Government determined by the Privacy and Civil Liberties Oversight Board established by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee) to be appropriate for coverage under this section, shall each designate at least 1 senior officer to serve as the principal advisor to assist such head of a department, agency, or element and other officials of the department, agency, or element of the head in identifying records of significant public interest and prioritizing appropriate review of such records in order to facilitate the public disclosure of such records in redacted or unredacted form.

(b) DETERMINING PUBLIC INTEREST IN DISCLOSURE.—In assisting the head of a department, agency, or element and other officials of such department, agency, or element in identifying records of significant public interest under subsection (a), the senior officer designated by the head under such subsection shall consider whether—

(1) or not disclosure of the information would better enable United States citizens to hold Federal Government officials accountable for their actions and policies;

(2) or not disclosure of the information would assist the United States criminal justice system in holding persons responsible for criminal acts or acts contrary to the Constitution;

(3) or not disclosure of the information would assist Congress or any committee or subcommittee thereof, in carrying out its oversight responsibilities with regard to the executive branch of the Federal Government or in adequately informing itself of executive branch policies and activities in order to carry out its legislative responsibilities;

(4) the disclosure of the information would assist Congress or the public in understanding the interpretation of the Federal Government of a provision of law, including Federal regulations, Presidential directives, statutes, case law, and the Constitution of the United States; or

(5) or not disclosure of the information would bring about any other significant benefit, including an increase in public awareness or understanding of Government activities or an enhancement of Federal Government efficiency.

(c) PERIODIC REPORTS.—

(1) IN GENERAL.—Each senior officer designated under subsection (a) shall periodically, but not less frequently than annually, submit a report on the activities of the officer, including the documents determined to be in the public interest for disclosure under subsection (b), to—

(A) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate;

(B) the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the head of the department, agency, or element of the senior officer.

(2) FORM.—Each report submitted pursuant to paragraph (1) shall be submitted, to the greatest extent possible, in unclassified form, with a classified annex as may be necessary.

Subtitle B—Sensible Classification Act of 2023

SEC. 711. SHORT TITLE.

This subtitle may be cited as the ''Sensible Classification Act of 2023''.

SEC. 712. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term ''agency'' has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code.

(2) CLASSIFICATION.—The term ''classification'' means the act or process by which information is determined to be classified information.

(3) CLASSIFIED INFORMATION.—The term ''classified information'' means information that has been determined pursuant to Executive Order 12958 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

(4) DECLASSIFICATION.—The term ''declassification'' means the authorized change in the status of information from classified information to unclassified information.

(5) DOCUMENT.—The term ''document'' means any recorded information, regardless of the nature of the medium or the method or circumstances of recording.

(6) DOWNGRADE.—The term ''downgrade'' means a determination by a declassification authority that information classified and safeguarded at a specified level shall be classified and safeguarded at a lower level.

(7) INFORMATION.—The term ''information'' means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the United States Government.

(8) ORIGINATE, ORIGINATING, AND ORIGINATED.—The term ''originate'', ''originating'', and ''originated'', with respect to classified information and an authority, means the authority that classified the information in the first instance.

(9) RECORDS.—The term ''records'' means the records of an agency and Presidential papers or Presidential records, as those terms are defined in title 44, United States Code, including those created or maintained by a government contractor, licensee, certificate holder, or grantee that are subject to the sponsoring agency's control under the terms of the contract, license, certificate, or grant.

(10) SECURITY CLEARANCE.—The term ''security clearance'' means an authorization to access classified information.

(11) UNAUTHORIZED DISCLOSURE.—The term ''unauthorized disclosure'' means a communication or physical transfer of classified information to an unauthorized recipient.

(12) UNCLASSIFIED INFORMATION.—The term ''unclassified information'' means information that is not classified information.

SEC. 713. FINDINGS AND SENSE OF THE SENATE.

(a) FINDINGS.—The Senate makes the following findings:

(1) According to a report released by the Office of the Director of Intelligence in 2020 titled ''Fiscal Year 2019 Annual Report on Security Clearance Determinations'', more than 4,000,000 individuals have been granted eligibility for a security clearance.

(2) At least 1,300,000 of such individuals have been granted access to information classified at the Top Secret level.

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

(1) the classification system of the Federal Government is in urgent need of reform;

(2) the number of people with access to classified information is exceedingly high and must be justified or reduced;

(3) reforms are necessary to reestablish trust between the Federal Government and the people of the United States; and

(4) classification should be limited to the minimum necessary to protect national security while balancing the public's interest in disclosure.

SEC. 714. CLASSIFICATION AUTHORITY.

(a) IN GENERAL.—The authority to classify information originally may be exercised only by—

(1) the President and, in the performance of executive duties, the Vice President;

(2) the head of an agency or an official of any agency authorized by the President pursuant to a designation of such authority in the Federal Register; and

(3) an official of the Federal Government to whom authority to classify information originally has been delegated pursuant to subsection (c).

(b) SCOPE OF AUTHORITY.—An individual authorized by this section to classify information originally at a specified level may also classify the information originally at a lower level.

(c) DELEGATION OF ORIGINAL CLASSIFICATION AUTHORITY.—An official of the Federal Government may be delegated original classification authority subject to the following:

(1) Delegation of original classification authority shall be limited to the minimum required to administer this section. Agency heads shall be responsible for ensuring that designated subordinate officials have a demonstrable and continuing need to exercise this authority.

(2) Authority to originally classify information at the level designated as ''Top Secret'' may be delegated only by the President, in the performance of executive duties, the Vice President, or an agency head or official designated pursuant to subsection (a)(2).

(3) Authority to originally classify information at the level designated as ''Secret'' or ''Confidential'' may be delegated only by the President, in the performance of executive duties, the Vice President, or an agency head or official designated pursuant to subsection (a)(2), or the senior agency official described in section 5.4(d) of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, provided that official has been delegated ''Top Secret'' original classification authority by the agency head.

(4) Each delegation of original classification authority shall be in writing and the authority shall not be redelegated except as provided by paragraphs (1), (2), and (3). Each delegation shall identify the official by name or position title.

(d) TRAINING REQUIRED.—

(1) IN GENERAL.—An individual may not be delegated original classification authority under this section unless the individual has first received training described in paragraph (2).

(2) TRAINING DESCRIBED.—Training described in this paragraph is training on original classification that includes instruction on the proper safeguarding of classified information and of the criminal, civil, and administrative sanctions that may be brought against an individual who fails to protect classified information from unauthorized disclosure.

(e) EXCEPTIONAL CASES.—

(1) IN GENERAL.—When an employee, contractor, licensee, certificate holder, or grantee of an agency who does not have original classification authority originates information believed by that employee, contractor, licensee, certificate holder, or grantee to require classification, the information shall be protected in a manner consistent with Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order.

(2) TRANSMITTAL.—An employee, contractor, licensee, certificate holder, or grantee described in paragraph (1), who originates information described in such paragraph, shall promptly transmit such information to—

(A) the agency that has appropriate subject matter interest and classification authority with respect to this information; or

(B) if it is not clear which agency has appropriate subject matter interest and classification authority with respect to the information, the Director of the Information Security Oversight Office.

(3) AGENCY DECISIONS.—An agency that receives information pursuant to paragraph (2)(A) or (4) shall decide within 30 days whether to classify this information.

(4) INFORMATION SECURITY OVERSIGHT OFFICE ACTION.—If the Director of the Information Security Oversight Office receives information under paragraph (2)(B), the Director shall determine the agency having appropriate subject matter interest and classification authority and forward the information, with appropriate recommendations, to that agency for a classification determination.

SEC. 715. PROMOTING EFFICIENT DECLASSIFICATION REVIEW.

(a) IN GENERAL.—Whenever an agency is processing a request pursuant to section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') or the mandatory declassification review provisions of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, and identifies responsive classified records that are more than 25 years of age as of December 31 of the year in which the request is received, the head of the agency shall review the record and process the record for declassification and release by the National Declassification Center of the National Archives and Records Administration.

(b) APPLICATION.—Subsection (a) shall apply—

(1) regardless of whether or not the record described in such subsection is in the legal custody of the National Archives and Records Administration; and

(2) without regard for any other provisions of law or existing agreements or practices between agencies.

SEC. 716. TRAINING TO PROMOTE SENSIBLE CLASSIFICATION.

(a) DEFINITIONS.—In this section:

(1) OVER-CLASSIFICATION.—The term ''over-classification'' means classification at a level that exceeds the minimum level of classification that is sufficient to protect the national security of the United States.

(2) SENSIBLE CLASSIFICATION.—The term ''sensible classification'' means classification at a level that is the minimum level of classification that is sufficient to protect the national security of the United States.

(b) TRAINING REQUIRED.—Each head of an agency with classification authority shall conduct training for employees of the agency with classification authority to discourage over-classification and to promote sensible classification.

SEC. 717. IMPROVEMENTS TO PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 703 of the Public Interest Declassification Act of 2000 (50 U.S.C. 3355a) is amended—

(1) in subsection (c), by adding at the end the following:

''(5) A member of the Board whose term has expired may continue to serve until a successor is appointed and sworn in.''; and

(2) in subsection (f)—

(A) by inserting ''(1)'' before ''Any employee''; and

(B) by adding at the end the following:

''(2)(A) In addition to any employees detailed to the Board under paragraph (1), the Board may hire not more than 12 staff members.

''(B) There are authorized to be appropriated to carry out subparagraph (A) such sums as are necessary for fiscal year 2024 and each fiscal year thereafter.''.

SEC. 718. IMPLEMENTATION OF TECHNOLOGY FOR CLASSIFICATION AND DECLASSIFICATION.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Office of Electronic Government (in this section referred to as the ''Administrator'') shall, in consultation with the Secretary of Defense, the Director of the Central Intelligence Agency, the Director of National Intelligence, the Public Interest Declassification Board, the Director of the Information Security Oversight Office, and the head of the National Declassification Center of the National Archives and Records Administration—

(1) research a technology-based solution—

(A) utilizing machine learning and artificial intelligence to support efficient and effective systems for classification and declassification; and

(B) to be implemented on an interoperable and federated basis across the Federal Government; and

(2) submit to the President a recommendation regarding a technology-based solution described in paragraph (1) that should be adopted by the Federal Government.

(b) STAFF.—The Administrator may hire sufficient staff to carry out subsection (a).

(c) REPORT.—Not later than 540 days after the date of the enactment of this Act, the President shall submit to Congress a classified report on the technology-based solution recommended by the Administrator under subsection (a)(2) and the President's decision regarding its adoption.

SEC. 719. STUDIES AND RECOMMENDATIONS ON NECESSITY OF SECURITY CLEARANCES.

(a) AGENCY STUDIES ON NECESSITY OF SECURITY CLEARANCES.—

(1) STUDIES REQUIRED.—The head of each agency that grants security clearances to personnel of such agency shall conduct a study on the necessity of such clearances.

(2) REPORTS REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, each head of an agency that conducts a study under paragraph (1) shall submit to Congress a report on the findings of the agency head with respect to such study, which the agency head may classify as appropriate.

(B) REQUIRED ELEMENTS.—Each report submitted by the head of an agency under subparagraph (A) shall include, for such agency, the following:

(i) The number of personnel eligible for access to information up to the ''Top Secret'' level.

(ii) The number of personnel eligible for access to information up to the ''Secret'' level.

(iii) Information on any reduction in the number of personnel eligible for access to classified information based on the study conducted under paragraph (1).

(iv) A description of how the agency head will ensure that the number of security clearances granted by such agency will be kept to the minimum required for the conduct of agency functions, commensurate with the size, needs, and mission of the agency.

(3) INDUSTRY.—This subsection shall apply to the Secretary of Defense in the Secretary's capacity as the Executive Agent for the National Industrial Security Program, and the Secretary shall treat contractors, licensees, and grantees as personnel of the Department of Defense for purposes of the studies and reports required by this subsection.

(b) DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF SENSITIVE COMPARTMENTED INFORMATION.—The Director of National Intelligence shall—

(1) review the number of personnel eligible for access to sensitive compartmented information; and

(2) submit to Congress a report on how the Director will ensure that the number of such personnel is limited to the minimum required.

(c) AGENCY REVIEW OF SPECIAL ACCESS PROGRAMS.—Each head of an agency who is authorized to establish a special access program by Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, shall—

(1) review the number of personnel of the agency eligible for access to such special access programs; and

(2) submit to Congress a report on how the agency head will ensure that the number of such personnel is limited to the minimum required.

(d) SECRETARY OF ENERGY REVIEW OF Q AND L CLEARANCES.—The Secretary of Energy shall—

(1) review the number of personnel of the Department of Energy granted Q and L access; and

(2) submit to Congress a report on how the Secretary will ensure that the number of such personnel is limited to the minimum required

(e) INDEPENDENT REVIEWS.—Not later than 180 days after the date on which a study is completed under subsection (a) or a review is completed under subsections (b) through (d), the Director of the Information Security Oversight Office of the National Archives and Records Administration, the Director of National Intelligence, and the Public Interest Declassification Board shall each review the study or review, as the case may be.

TITLE VIII—SECURITY CLEARANCE AND TRUSTED WORKFORCE

SEC. 801. REVIEW OF SHARED INFORMATION TECHNOLOGY SERVICES FOR PERSONNEL VETTING.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a review of the extent to which the intelligence community can use information technology services shared among the intelligence community for purposes of personnel vetting, including with respect to human resources, suitability, and security.

SEC. 802. TIMELINESS STANDARD FOR RENDERING DETERMINATIONS OF TRUST FOR PERSONNEL VETTING.

(a) TIMELINESS STANDARD.—

(1) IN GENERAL.—The President shall, acting through the Security Executive Agent and the Suitability and Credentialing Executive Agent, establish and publish in such public venue as the President considers appropriate, new timeliness performance standards for processing personnel vetting trust determinations in accordance with the Federal personnel vetting performance management standards.

(2) QUINQUENNIAL REVIEWS.—Not less frequently than once every 5 years, the President shall, acting through the Security Executive Agent and the Suitability and Credentialing Executive Agent—

(A) review the standards established pursuant to paragraph (1); and

(B) pursuant to such review—

(i) update such standards as the President considers appropriate; and

(ii) publish in the Federal Register such updates as may be made pursuant to clause (i).

(3) CONFORMING AMENDMENT.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) is amended by striking subsection (g).

(b) QUARTERLY REPORTS ON IMPLEMENTATION.—

(1) IN GENERAL.—Not less frequently than quarterly, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly make available to the public a quarterly report on the compliance of Executive agencies (as defined in section 105 of title 5, United States Code) with the standards established pursuant to subsection (a).

(2) DISAGGREGATION.—Each report made available pursuant to paragraph (1) shall disaggregate, to the greatest extent practicable, data by appropriate category of personnel risk and between Government and contractor personnel.

(c) COMPLEMENTARY STANDARDS FOR INTELLIGENCE COMMUNITY.—The Director of National Intelligence may, in consultation with the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for Government employment, fitness for contractor employees, and eligibility for access to classified national security information) establish for the intelligence community standards complementary to those established pursuant to subsection (a).

SEC. 803. ANNUAL REPORT ON PERSONNEL VETTING TRUST DETERMINATIONS.

(a) DEFINITION OF PERSONNEL VETTING TRUST DETERMINATION.—In this section, the term ''personnel vetting trust determination'' means any determination made by an executive branch agency as to whether an individual can be trusted to perform job functions or to be granted access necessary for a position.

(b) ANNUAL REPORT.—Not later than March 30, 2024, and annually thereafter for 5 years, the Director of National Intelligence, acting as the Security Executive Agent, and the Director of the Office of Personnel Management, acting as the Suitability and Credentialing Executive Agent, in coordination with the Security, Suitability, and Credentialing Performance Accountability Council, shall jointly make available to the public a report on specific types of personnel vetting trust determinations made during the fiscal year preceding the fiscal year in which the report is made available, disaggregated, to the greatest extent possible, by the following:

(1) Determinations of eligibility for national security-sensitive positions, separately noting—

(A) the number of individuals granted access to national security information; and

(B) the number of individuals determined to be eligible for but not granted access to national security information.

(2) Determinations of suitability or fitness for a public trust position.

(3) Status as a Government employee, a contractor employee, or other category.

(c) ELIMINATION OF REPORT REQUIREMENT.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) is amended by striking subsection (h).

SEC. 804. SURVEY TO ASSESS STRENGTHS AND WEAKNESSES OF TRUSTED WORKFORCE 2.0.

Not later than 1 year after the date of the enactment of this Act, and once every 2 years thereafter until 2029, the Comptroller General of the United States shall administer a survey to such sample of Federal agencies, Federal contractors, and other persons that require security clearances to access classified information as the Comptroller General considers appropriate to assess—

(1) the strengths and weaknesses of the implementation of the Trusted Workforce 2.0 initiative; and

(2) the effectiveness of vetting Federal personnel while managing risk during the onboarding of such personnel.

SEC. 805. PROHIBITION ON DENIAL OF ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION SOLELY BECAUSE OF PAST USE OF CANNABIS.

(a) DEFINITIONS.—In this section:

(1) CANNABIS.—The term ''cannabis'' has the meaning given the term ''marihuana'' in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term ''eligibility for access to classified information'' has the meaning given the term in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a)).

(b) PROHIBITION.—Notwithstanding any other provision of law, the head of an element of the intelligence community may not make a determination to deny eligibility for access to classified information to an individual based solely on the use of cannabis by the individual prior to the submission of the application for a security clearance by the individual.

TITLE IX—ANOMALOUS HEALTH INCIDENTS

SEC. 901. IMPROVED FUNDING FLEXIBILITY FOR PAYMENTS MADE BY THE CENTRAL INTELLIGENCE AGENCY FOR QUALIFYING INJURIES TO THE BRAIN.

Section 19A(d) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)) is amended by striking paragraph (3) and inserting the following new paragraph:

''(3) FUNDING.—

''(A) IN GENERAL.—Payment under paragraph (2) in a fiscal year may be made using any funds—

''(i) appropriated in advance specifically for payments under such paragraph; or

''(ii) reprogrammed in accordance with section 504 of the National Security Act of 1947 (50 U.S.C. 3094).

''(B) BUDGET.—For each fiscal year, the Director shall include with the budget justification materials submitted to Congress in support of the budget of the President for that fiscal year pursuant to section 1105(a) of title 31, United States Code, an estimate of the funds required in that fiscal year to make payments under paragraph (2).''.

SEC. 902. CLARIFICATION OF REQUIREMENTS TO SEEK CERTAIN BENEFITS RELATING TO INJURIES TO THE BRAIN.

(a) IN GENERAL.—Section 19A(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(5)) is amended—

(1) by striking ''Payments made'' and inserting the following:

''(A) IN GENERAL.—Payments made''; and

(2) by adding at the end the following:

''(B) RELATION TO CERTAIN FEDERAL WORKERS COMPENSATION LAWS.—Without regard to the requirements in sections (b) and (c), covered employees need not first seek benefits provided under chapter 81 of title 5, United States Code, to be eligible solely for payment authorized under paragraph (2) of this subsection.''.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall—

(1) revise applicable regulations to conform with the amendment made by subsection (a); and

(2) submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives copies of such regulations, as revised pursuant to paragraph (1).

SEC. 903. INTELLIGENCE COMMUNITY IMPLEMENTATION OF HAVANA ACT OF 2021 AUTHORITIES.

(a) REGULATIONS.—Except as provided in subsection (c), not later than 180 days after the date of the enactment of this Act, each head of an element of the intelligence community that has not already done so shall—

(1) issue regulations and procedures to implement the authorities provided by section 19A(d) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)) and section 901(i) of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b(i)) to provide payments under such sections, to the degree that such authorities are applicable to the head of the element; and

(2) submit to the congressional intelligence, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives committees copies of such regulations.

(b) REPORTING.—Not later than 210 days after the date of the enactment of this Act, each head of an element of the intelligence community shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on—

(1) the estimated number of individuals associated with their element that may be eligible for payment under the authorities described in subsection (a)(1);

(2) an estimate of the obligation that the head of the intelligence community element expects to incur in fiscal year 2025 as a result of establishing the regulations pursuant to subsection (a)(1); and

(3) any perceived barriers or concerns in implementing such authorities.

(c) ALTERNATIVE REPORTING.—Not later than 180 days after the date of the enactment of this Act, each head of an element of the intelligence community (other than the Director of the Central Intelligence Agency) who believes that the authorities described in subsection (a)(1) are not currently relevant for individuals associated with their element, or who are not otherwise in position to issue the regulations and procedures required by subsection (a)(1) shall provide written and detailed justification to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives to explain this position.

SEC. 904. REPORT AND BRIEFING ON CENTRAL INTELLIGENCE AGENCY HANDLING OF ANOMALOUS HEALTH INCIDENTS.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''Agency'' means the Central Intelligence Agency.

(2) QUALIFYING INJURY.—The term ''qualifying injury'' has the meaning given such term in section 19A(d)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(1)).

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees a report on the handling of anomalous health incidents by the Agency.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) HAVANA ACT IMPLEMENTATION.—

(A) An explanation of how the Agency determines whether a reported anomalous health incident resulted in a qualifying injury or a qualifying injury to the brain.

(B) The number of participants of the Expanded Care Program of the Central Intelligence Agency who—

(i) have a certified qualifying injury or a certified qualifying injury to the brain; and

(ii) as of September 30, 2023, applied to the Expanded Care Program due to a reported anomalous health incident.

(C) A comparison of the number of anomalous health incidents reported by applicants to the Expanded Care Program that occurred in the United States and that occurred in a foreign country.

(D) The specific reason each applicant was approved or denied for payment under the Expanded Care Program.

(E) The number of applicants who were initially denied payment but were later approved on appeal.

(F) The average length of time, from the time of application, for an applicant to receive a determination from the Expanded Care Program, aggregated by qualifying injuries and qualifying injuries to the brain.

(2) PRIORITY CASES.—

(A) A detailed list of priority cases of anomalous health incidents, including, for each incident, locations, dates, times, and circumstances.

(B) For each priority case listed in accordance with subparagraph (A), a detailed explanation of each credible alternative explanation that the Agency assigned to the incident, including—

(i) how the incident was discovered;

(ii) how the incident was assigned within the Agency; and

(iii) whether an individual affected by the incident is provided an opportunity to appeal the credible alternative explanation.

(C) For each priority case of an anomalous health incident determined to be largely consistent with the definition of ''anomalous health incident'' established by the National Academy of Sciences and for which the Agency does not have a credible alternative explanation, a detailed description of such case.

(3) ANOMALOUS HEALTH INCIDENT SENSORS.—

(A) A list of all types of sensors that the Agency has developed or deployed with respect to reports of anomalous health incidents, including, for each type of sensor, the deployment location, the date and the duration of the employment of such type of sensor, and, if applicable, the reason for removal.

(B) A list of entities to which the Agency has provided unrestricted access to data associated with anomalous health incidents.

(C) A list of requests for support the Agency has received from elements of the Federal Government regarding sensor development, testing, or deployment, and a description of the support provided in each case.

(D) A description of all emitter signatures obtained by sensors associated with anomalous health incidents in Agency holdings since 2016, including—

(i) the identification of any of such emitters that the Agency prioritizes as a threat; and

(ii) an explanation of such prioritization.

(d) ADDITIONAL SUBMISSIONS.—Concurrent with the submission of the report required by subsection (b), the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives—

(1) a template of each form required to apply for the Expanded Care Program, including with respect to payments for a qualifying injury or a qualifying injury to the brain;

(2) copies of internal guidance used by the Agency to adjudicate claims for the Expanded Care Program, including with respect to payments for a qualifying injury to the brain;

(3) the case file of each applicant to the Expanded Care Program who applied due to a reported anomalous health incident, including supporting medical documentation, with name and other identifying information redacted;

(4) copies of all informational and instructional materials provided to employees of and other individuals affiliated with the Agency with respect to applying for the Expanded Care Program; and

(5) copies of Agency guidance provided to employees of and other individuals affiliated with the Agency with respect to reporting and responding to a suspected anomalous health incident, and the roles and responsibilities of each element of the Agency tasked with responding to a report of an anomalous health incident.

(e) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall brief the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives on the report.

TITLE X—ELECTION SECURITY

SEC. 1001. STRENGTHENING ELECTION CYBERSECURITY TO UPHOLD RESPECT FOR ELECTIONS THROUGH INDEPENDENT TESTING ACT OF 2023.

(a) REQUIRING PENETRATION TESTING AS PART OF THE TESTING AND CERTIFICATION OF VOTING SYSTEMS.—Section 231 of the Help America Vote Act of 2002 (52 U.S.C. 20971) is amended by adding at the end the following new subsection:

''(e) REQUIRED PENETRATION TESTING.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Commission shall provide for the conduct of penetration testing as part of the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories under this section.

''(2) ACCREDITATION.—The Director of the National Institute of Standards and Technology shall recommend to the Commission entities the Director proposes be accredited to carry out penetration testing under this subsection and certify compliance with the penetration testing-related guidelines required by this subsection. The Commission shall vote on the accreditation of any entity recommended. The requirements for such accreditation shall be a subset of the requirements for accreditation of laboratories under subsection (b) and shall only be based on consideration of an entity's competence to conduct penetration testing under this subsection.''.

(b) INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS.—

(1) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by adding at the end the following new part:

''PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PILOT PROGRAM FOR ELECTION SYSTEMS

''SEC. 297. INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PILOT PROGRAM FOR ELECTION SYSTEMS.

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—The Commission, in consultation with the Secretary, shall establish an Independent Security Testing and Coordinated Vulnerability Disclosure Pilot Program for Election Systems (VDP–E) (in this section referred to as the 'program') in order to test for and disclose cybersecurity vulnerabilities in election systems.

''(2) DURATION.—The program shall be conducted for a period of 5 years.

''(3) REQUIREMENTS.—In carrying out the program, the Commission, in consultation with the Secretary, shall—

''(A) establish a mechanism by which an election systems vendor may make their election system (including voting machines and source code) available to cybersecurity researchers participating in the program;

''(B) provide for the vetting of cybersecurity researchers prior to their participation in the program, including the conduct of background checks;

''(C) establish terms of participation that—

''(i) describe the scope of testing permitted under the program;

''(ii) require researchers to—

''(I) notify the vendor, the Commission, and the Secretary of any cybersecurity vulnerability they identify with respect to an election system; and

''(II) otherwise keep such vulnerability confidential for 180 days after such notification;

''(iii) require the good faith participation of all participants in the program;

''(iv) require an election system vendor, within 180 days after validating notification of a critical or high vulnerability (as defined by the National Institute of Standards and Technology) in an election system of the vendor, to—

''(I) send a patch or propound some other fix or mitigation for such vulnerability to the appropriate State and local election officials, in consultation with the researcher who discovered it; and

''(II) notify the Commission and the Secretary that such patch has been sent to such officials;

''(D) in the case where a patch or fix to address a vulnerability disclosed under subparagraph (C)(ii)(I) is intended to be applied to a system certified by the Commission, provide—

''(i) for the expedited review of such patch or fix within 90 days after receipt by the Commission; and

''(ii) if such review is not completed by the last day of such 90 day period, that such patch or fix shall be deemed to be certified by the Commission, subject to any subsequent review of such determination by the Commission; and

''(E) 180 days after the disclosure of a vulnerability under subparagraph (C)(ii)(I), notify the Director of the Cybersecurity and Infrastructure Security Agency of the vulnerability for inclusion in the database of Common Vulnerabilities and Exposures.

''(4) VOLUNTARY PARTICIPATION; SAFE HARBOR.—

''(A) VOLUNTARY PARTICIPATION.—Participation in the program shall be voluntary for election systems vendors and researchers.

''(B) SAFE HARBOR.—When conducting research under this program, such research and subsequent publication shall be considered to be:

''(i) Authorized in accordance with section 1030 of title 18, United States Code (commonly known as the 'Computer Fraud and Abuse Act'), (and similar state laws), and the election system vendor will not initiate or support legal action against the researcher for accidental, good faith violations of the program.

''(ii) Exempt from the anti-circumvention rule of section 1201 of title 17, United States Code (commonly known as the 'Digital Millennium Copyright Act'), and the election system vendor will not bring a claim against a researcher for circumvention of technology controls.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to limit or otherwise affect any exception to the general prohibition against the circumvention of technological measures under subparagraph (A) of section 1201(a)(1) of title 17, United States Code, including with respect to any use that is excepted from that general prohibition by the Librarian of Congress under subparagraphs (B) through (D) of such section 1201(a)(1).

''(5) EXEMPT FROM DISCLOSURE.—Cybersecurity vulnerabilities discovered under the program shall be exempt from section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act).

''(6) DEFINITIONS.—In this subsection:

''(A) CYBERSECURITY VULNERABILITY.—The term 'cybersecurity vulnerability' means, with respect to an election system, any security vulnerability that affects the election system.

''(B) ELECTION INFRASTRUCTURE.—The term 'election infrastructure' means—

''(i) storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office; and

''(ii) related information and communications technology, including—

''(I) voter registration databases;

''(II) election management systems;

''(III) voting machines;

''(IV) electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results); and

''(V) other systems used to manage the election process and to report and display election results on behalf of an election agency.

''(C) ELECTION SYSTEM.—The term 'election system' means any information system that is part of an election infrastructure, including any related information and communications technology described in subparagraph (B)(ii).

''(D) ELECTION SYSTEM VENDOR.—The term 'election system vendor' means any person providing, supporting, or maintaining an election system on behalf of a State or local election official.

''(E) INFORMATION SYSTEM.—The term 'information system' has the meaning given the term in section 3502 of title 44, United States Code.

''(F) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(G) SECURITY VULNERABILITY.—The term 'security vulnerability' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS

''Sec. 297. Independent security testing and coordinated cybersecurity vulnerability disclosure program for election systems.''.

TITLE XI—OTHER MATTERS

SEC. 1101. MODIFICATION OF REPORTING REQUIREMENT FOR ALL-DOMAIN ANOMALY RESOLUTION OFFICE.

Section 1683(k)(1) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(k)(1)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended—

(1) in the heading, by striking ''DIRECTOR OF NATIONAL INTELLIGENCE AND SECRETARY OF DEFENSE'' and inserting ''ALL-DOMAIN ANOMALY RESOLUTION OFFICE''; and

(2) in subparagraph (A), by striking ''Director of National Intelligence and the Secretary of Defense shall jointly'' and inserting ''Director of the Office shall''.

SEC. 1102. FUNDING LIMITATIONS RELATING TO UNIDENTIFIED ANOMALOUS PHENOMENA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(3) DIRECTOR.—The term ''Director'' means the Director of the All-domain Anomaly Resolution Office.

(4) UNIDENTIFIED ANOMALOUS PHENOMENA.—The term ''unidentified anomalous phenomena'' has the meaning given such term in section 1683(n) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(n)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(b) SENSE OF CONGRESS.—It is the sense of Congress that, due to the increasing potential for technology surprise from foreign adversaries and to ensure sufficient integration across the United States industrial base and avoid technology and security stovepipes—

(1) the United States industrial base must retain its global lead in critical advanced technologies; and

(2) the Federal Government must expand awareness about any historical exotic technology antecedents previously provided by the Federal Government for research and development purposes.

(c) LIMITATIONS.—No amount authorized to be appropriated by this Act may be obligated or expended, directly or indirectly, in part or in whole, for, on, in relation to, or in support of activities involving unidentified anomalous phenomena protected under any form of special access or restricted access limitations that have not been formally, officially, explicitly, and specifically described, explained, and justified to the appropriate committees of Congress, congressional leadership, and the Director, including for any activities relating to the following:

(1) Recruiting, employing, training, equipping, and operations of, and providing security for, government or contractor personnel with a primary, secondary, or contingency mission of capturing, recovering, and securing unidentified anomalous phenomena craft or pieces and components of such craft.

(2) Analyzing such craft or pieces or components thereof, including for the purpose of determining properties, material composition, method of manufacture, origin, characteristics, usage and application, performance, operational modalities, or reverse engineering of such craft or component technology.

(3) Managing and providing security for protecting activities and information relating to unidentified anomalous phenomena from disclosure or compromise.

(4) Actions relating to reverse engineering or replicating unidentified anomalous phenomena technology or performance based on analysis of materials or sensor and observational information associated with unidentified anomalous phenomena.

(5) The development of propulsion technology, or aerospace craft that uses propulsion technology, systems, or subsystems, that is based on or derived from or inspired by inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena craft or materials.

(6) Any aerospace craft that uses propulsion technology other than chemical propellants, solar power, or electric ion thrust.

(d) NOTIFICATION AND REPORTING.—Any person currently or formerly under contract with the Federal Government that has in their possession material or information provided by or derived from the Federal Government relating to unidentified anomalous phenomena that formerly or currently is protected by any form of special access or restricted access shall—

(1) not later than 60 days after the date of the enactment of this Act, notify the Director of such possession; and

(2) not later than 180 days after the date of the enactment of this Act, make available to the Director for assessment, analysis, and inspection—

(A) all such material and information; and

(B) a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena material.

(e) LIABILITY.—No criminal or civil action may lie or be maintained in any Federal or State court against any person for receiving material or information described in subsection (d) if that person complies with the notification and reporting provisions described in such subsection.

(f) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—Consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), independent research and development funding relating to material or information described in subsection (c) shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the Director in accordance with subsection (d).

(2) EFFECTIVE DATE AND APPLICABILITY.—Paragraph (1) shall take effect on the date that is 60 days after the date of the enactment of this Act and shall apply with respect to funding from amounts appropriated before, on, or after such date.

(g) NOTICE TO CONGRESS.—Not later than 30 days after the date on which the Director has received a notification under paragraph (1) of subsection (d) or information or material under paragraph (2) of such subsection, the Director shall provide written notification of such receipt to the appropriate committees of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Accountability of the House of Representatives, and congressional leadership.

SA 1088. Mr. SCHUMER (for Mr. PETERS) proposed an amendment to the bill S. 1528, to streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes; as follows:

On page 20, strike line 2 and insert ''ance program.

''(4) PROGRAM AUTHORIZATION.—Nothing in this section shall be construed to authorize a program that is not authorized by law as of the date of enactment of this section.''.

SA 1089. Mr. SCHUMER (for Mr. BOOZMAN (for himself, Mr. MANCHIN, Mr. CARPER, Mrs. CAPITO, Mr. KING, and Mr. MARSHALL)) proposed an amendment to the bill S. 788, to amend the Permanent Electronic Duck Stamp Act of 2013 to allow States to issue fully electronic stamps under that Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Duck Stamp Modernization Act of 2023''.

SEC. 2. AUTHORIZING FULLY ELECTRONIC STAMPS.

(a) IN GENERAL.—Section 5 of the Permanent Electronic Duck Stamp Act of 2013 (16 U.S.C. 718r) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''ACTUAL STAMP'' and inserting ''ELECTRONIC STAMP'';

(B) in the matter preceding paragraph (1), by striking ''an actual stamp'' and inserting ''the electronic stamp''; and

(C) by striking paragraph (1) and inserting the following:

''(1) on the date of purchase of the electronic stamp; and'';

(2) in subsection (c), by striking ''actual stamps'' and inserting ''actual stamps under subsection (e)'';

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting after subsection (d) the following:

''(e) DELIVERY OF ACTUAL STAMPS.—The Secretary shall issue an actual stamp after March 10 of each year to each individual that purchased an electronic stamp for the preceding waterfowl season.''.

(b) CONTENTS OF ELECTRONIC STAMP.—Section 2 of the Permanent Electronic Duck Stamp Act of 2013 (16 U.S.C. 718o) is amended—

(1) in paragraph (1), by striking ''Federal'' and all that follows through ''that is printed'' and inserting ''Migratory Bird Hunting and Conservation Stamp required under the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a et seq.) that is printed''; and

(2) in paragraph (3)—

(A) in subparagraph (D), by striking ''and'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) may contain an image of the actual stamp.''.

(c) STAMP VALID THROUGH CLOSE OF HUNTING SEASON.—Section 6 of the Permanent Electronic Duck Stamp Act of 2013 (16 U.S.C. 718s) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''shall, during the effective period of the electronic stamp—'' and inserting ''shall—''; and

(2) in subsection (c), by striking ''for a period agreed to by the State and the Secretary, which shall not exceed 45 days'' and inserting ''through the first June 30 that occurs after the date of issuance of the electronic stamp by the State''.

(d) ELECTRONIC STAMPS AS PERMIT.—Section 1(a)(1) of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a(a)(1)) is amended—

(1) by inserting ''as an electronic stamp (as defined in section 2 of the Permanent Electronic Duck Stamp Act of 2013 (16 U.S.C. 718o)) or'' after ''Conservation Stamp,''; and

(2) by striking ''face of the stamp'' and inserting ''face of the actual stamp (as defined in that section)''.

SA 1090. Mr. SCHUMER (for Mr. CRUZ (for himself, Mr. LUJÁN, Mr. CORNYN, and Mr. HEINRICH)) proposed an amendment to the bill S. 992, to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate the Texas and New Mexico portions of the future Interstate-designated segments of the Port-to-Plains Corridor as Interstate Route 27, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''I–27 Numbering Act of 2023''.

SEC. 2. NUMBERING OF DESIGNATED FUTURE INTERSTATE.

(a) IN GENERAL.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 109 Stat. 598; 133 Stat. 3018) is amended by inserting after the tenth sentence the following: ''The routes referred to in clause (i) (other than subclauses (V)(aa) and (V)(bb) and subclause (IX)(aa) of that clause) and clause (iv) of subsection (c)(38)(A) are designated as Interstate Route I–27. The route referred to in subsection (c)(38)(A)(i)(V)(aa) is designated as Interstate Route I–27E. The route referred to in subsection (c)(38)(A)(i)(V)(bb) is designated as Interstate Route I–27W. The route referred to in subsection (c)(38)(A)(i)(IX)(aa) is designated as Interstate Route I–27N.''.

(b) CONFORMING AMENDMENTS.—Section 1105(c)(38)(A)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2032; 114 Stat. 2763A–201; 116 Stat. 1741) is amended—

(1) in subclause (V)—

(A) by striking ''Lamesa, the Corridor'' and inserting the following: ''Lamesa—

''(aa) the Corridor''; and

(B) in item (aa) (as so redesignated), by striking ''87 and, the Corridor'' and inserting the following: ''87; and

''(bb) the Corridor''; and

(2) in subclause (IX)—

(A) by striking ''(IX) United States Route 287'' and inserting the following:

''(IX)(aa) United States Route 287''; and

(B) in item (aa) (as so redesignated), by striking ''Oklahoma, and also United States Route 87'' and inserting the following: ''Oklahoma; and

''(bb) United States Route 87''.

SA 1091. Mr. SCHUMER (for Mr. PETERS) proposed an amendment to the bill S. 1858, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish a deadline for applying for disaster unemployment assistance; as follows:

At the end, add the following:

SEC. 3. APPLICABILITY.

The amendment made by section 2 shall apply only with respect to amounts appropriated on or after the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have three requests for committees to meet during today's session of the Senate. They have the approval 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet in executive session during the session of the Senate on Thursday, July 27, 2023, at 10 a.m.

SUBCOMMITTEE ON CHEMICAL SAFETY, WASTE MANAGEMENT, ENVIRONMENTAL JUSTICE, AND REGULATORY OVERSIGHT

The Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, July 27, 2023, at 9:45 a.m., to conduct a hearing.

SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME, CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS, AND GLOBAL WOMEN'S ISSUES

The Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, July 27, 2023, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. BARRASSO. Madam President, I ask unanimous consent that Bradley Williams, a detailee in my office, be granted floor privileges for the remainder of the Congress.

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

Mr. MERKLEY. Madam President, I ask unanimous consent that my intern, Marcus Mildenberger, be given privileges of the floor for the balance of the day.

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

Mr. WICKER. Madam President, I ask unanimous consent that the following member of my staff be granted floor privileges until July 28, 2023, Chloe Jackson.

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

Mr. WYDEN. Madam President, in a moment, I will put forward a unanimous consent request to pass the secure the U.S. Oregon procurement and transplant patient network act. Madam President, I ask unanimous consent that the following members of my personal office and Finance Committee team be granted floor privileges for the remainder of this Congress: Joshua Hauser, Aleksandra Czulak, Phoebe Canagarajah, Dylan Irlbeck, Maya Ward, Shreyas Gandlur.

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

APPOINTMENTS AUTHORITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican Leader, pursuant to Public Law 70–770, the appointment of the following individual to the Migratory Bird Conservation Commission: the Honorable JOHN BOOZMAN of Arkansas.

The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 118th Congress: the Honorable ROGER WICKER of Mississippi; the Honorable JOHN BOOZMAN of Arkansas; the Honorable THOM TILLIS of North Carolina; and the Honorable TIM SCOTT of South Carolina.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 96–388, as amended by Public Law 97–84, and further amended by Public Law 106–292, reappoints the following Senators to the United States Holocaust Memorial Council for the 118th Congress: the Honorable MARCO RUBIO of Florida and the Honorable TIM SCOTT of South Carolina.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 106–286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China during the 118th Congress: the Honorable MARCO RUBIO of Florida, the Honorable TOM COTTON of Arkansas, the Honorable STEVE DAINES of Montana, the Honorable DAN SULLIVAN of Alaska.

SIGNING AUTHORITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the junior Senator from Illinois, the senior Senator from Maryland, and the junior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions from July 28, 2023, through September 4, 2023.

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

REPORTING AUTHORITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that on Tuesday, August 22, from 12 noon until 2 p.m., committees be authorized to report legislative and executive matters.

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

UNANIMOUS CONSENT AGREEMENT—S. 2226

Mr. SCHUMER. I ask unanimous consent that S. 2226, as passed by the Senate, be printed.

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

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 323, S. Res. 324, S. Res. 325, and S. Res. 326.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to; that the preambles, where applicable, be agreed to; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions (S. Res. 323, S. Res. 324, and S. Res. 325) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

The resolution (S. Res. 326) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

DISASTER ASSISTANCE SIMPLIFICATION ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 93, S. 1528.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1528) to streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs with amendments, as follows:

(The parts of the bill intended to be stricken are in boldfaced brackets and the parts of the bill intended to be inserted are in italic.)

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Disaster Assistance Simplification Act''.

SEC. 2. FINDINGS AND PURPOSE *S.*

(a) FINDINGS.—Congress finds the following:

(1) The disaster response and recovery framework of the United States relies on a unified, integrated, agile, and adaptable whole-of-community effort by Federal, State, and local disaster assistance agencies, and by voluntary organizations, to respond to any natural and man-made disasters that may strike communities.

(2) Federal disaster assistance agencies must be ready to support States, Indian Tribes, communities, and volunteer agencies immediately after unpredictable catastrophic disasters that occur without notice.

(3) The immediate sharing of information is essential to an efficient and effective delivery of disaster assistance—

(A) when lives and property are at risk; and

(B) as communities seek to recover from disasters as quickly as possible.

(4) Section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), and subchapter I of chapter 35 of

title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), require multiple layers of review, notice, and publication in the Federal Register before Federal disaster assistance agencies can amend or adapt their information sharing practices.

(5) Such extended review processes can have the effect of inhibiting efficiency, innovation, and interoperability among Federal, State, Tribal, territorial, local, private, and volunteer partners in delivering disaster assistance within a whole-of-community disaster assistance effort.

(6) Legal, regulatory, and policy limitations on the interagency sharing of information submitted by applicants for disaster assistance may require those applicants to submit separate applications to multiple Federal, State, Tribal, territorial, and local disaster assistance agencies, which increases the burden on those applicants, reduces the efficiency of disaster assistance programs, and places additional costs on taxpayers.

(b) PURPOSES.—The purposes of this Act are to—

(1) streamline the sharing of information among Federal, State, Tribal, territorial, and local disaster assistance agencies;

(2) modernize the legal safeguards against the unauthorized disclosure or misuse of information about applicants for disaster assistance; and

(3) modernize, streamline, and consolidate the overlapping requirements of section 552a of title 5, United States Code, subchapter I of chapter 35 of title 44, United States Code, and the agency policies that implement those authorities to improve the speed, convenience, efficiency, and effectiveness of disaster relief programs.

SEC. 3. ESTABLISHMENT OF A UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding at the end the following:

''SEC. 707. ESTABLISHMENT OF A UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.

''(2) APPLICANT.—The term 'applicant' means—

''(A) an individual, business, or organization that applies for disaster assistance from a disaster assistance program;

''(B) an individual, business, or organization on behalf of which an individual described in subparagraph (A) applies for disaster assistance from a disaster assistance program; and

''(C) an individual, business, or organization that seeks assistance as a beneficiary of a State, local government, or Indian [Tribe] *tribal government* that received assistance under a disaster assistance program.

''(3) DISASTER ASSISTANCE AGENCY.—The term 'disaster assistance agency' means—

''(A) the Federal Emergency Management Agency; and

''(B) any Federal agency that provides disaster assistance to individuals, businesses, organizations, States, local governments, Indian [Tribes] *tribal governments*, communities, or organizations that the Administrator certifies as a disaster assistance agency in accordance with subsection (f) to carry out the purposes of a disaster assistance program.

''(4) DISASTER ASSISTANCE INFORMATION.—The term 'disaster assistance information' includes any personal, biographical, demographic, geographical, financial, application decision, or other information that a disaster assistance agency, or a recipient of a Federal block grant from a disaster assistance agency, is authorized to collect, maintain, disclose, or use to—

''(A) process an application for disaster assistance from a disaster assistance program; or

''(B) otherwise carry out the purpose of a disaster assistance program.

''(5) DISASTER ASSISTANCE PROGRAM.—The term 'disaster assistance program' means—

''(A) a program that provides disaster assistance to individuals and households under title IV or V in accordance with sections 408 and 502; or

''(B) any other assistance program authorized by a Federal statute or funded with Federal appropriations under which a disaster assistance agency awards or distributes disaster assistance to an individual, household, or organization, or provides a Federal block grant for these purposes, that arises from a major disaster or emergency declared under section 401 or 501, respectively, including—

''(i) disaster assistance;

''(ii) long-term disaster recovery assistance;

''(iii) the post-disaster restoration of infrastructure and housing;

''(iv) post-disaster economic revitalization;

''(v) a loan authorized under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

''(vi) food benefit allotments under section 412 of this Act and section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)).

''(6) RECORD.—The term 'record' has the meaning given the term in section 552a of title 5, United States Code.

''(b) UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.—

''(1) IN GENERAL.—Not later than 360 days after the date of enactment of the Disaster Assistance Simplification Act, the Administrator shall, in consultation with appropriate Federal, State, local, and [Tribal] *Indian tribal* governments and entities, develop and establish a unified intake process and system for applicants for disaster assistance provided by a disaster assistance agency to—

''(A) facilitate a consolidated application for any form of disaster assistance provided by a disaster assistance agency when appropriate to support the nature and purposes of the assistance;

''(B) carry out the purposes of disaster assistance programs swiftly, efficiently, equitably, and in accordance with applicable laws and privacy and data protections; and

''(C) support the detection, prevention, and investigation of waste, fraud, abuse, or discrimination in the administration of disaster assistance programs.

''(2) CAPABILITIES OF THE CONSOLIDATED APPLICATION SYSTEM.—The unified intake [and] process *and* system established under paragraph (1) shall—

''(A) accept applications for disaster assistance programs;

''(B) allow for applicants to receive status updates on applications for disaster assistance programs;

''(C) allow for applicants to update disaster assistance information throughout the recovery journeys of those applicants;

''(D) allow for the distribution of information on additional recovery resources to disaster survivors that may be available in a disaster-stricken jurisdiction, in coordination with appropriate Federal, State, local, and Tribal partners;

''(E) provide disaster survivors with information and documentation on the applications of those disaster survivors for a disaster assistance program;

''(F) allow for the distribution of application data to support faster and more effective distribution of Federal disaster assistance, including block grant assistance, for disaster recovery;

''(G) allow for disaster assistance agencies to communicate directly with disaster survivors; and

''(H) contain other capabilities determined necessary by the heads of disaster assistance agencies.

''(3) UPDATES.—Not later than 30 days after the date on which the Administrator receives a request from a disaster assistance agency to update questions in the consolidated application described in paragraph (1) needed to administer the disaster assistance programs of the disaster assistance agency, the Administrator shall make those updates.

''(c) AUTHORITIES OF ADMINISTRATOR.—The Administrator may—

''(1) collect, maintain, disclose, and use disaster assistance information, including such information received from any disaster assistance agency, with any other disaster assistance agency for purposes of subsection (b)(1); and

''(2) subject to subsection (d), authorize the collection, [sharing] *maintenance, disclosure*, and use of disaster assistance information collected on or after the date of enactment of the Disaster Assistance Simplification Act by publishing a notice on a public website that—

''(A) includes a detailed description of—

''(i) the specific disaster assistance information authorized to be collected, maintained, [and] disclosed, *and used*;

''(ii) why the collection, maintenance, [or] disclosure, *or use* of the disaster assistance information is necessary to carry out the purpose of a disaster assistance program;

''(iii) how the collection, maintenance, [and] disclosure, *and use* of disaster assistance information incorporates fair information practices; and

''(iv) the disaster assistance agencies that will be granted access to the disaster assistance information to carry out the purpose of any disaster assistance program; and

''(B) provides that the submission of an application through a unified disaster application constitutes prior written consent to disclose disaster assistance information to disaster assistance agencies for the purpose of section 552a(b) of title 5, United States Code.

''(d) COLLECTION AND SHARING OF RECORDS AND INFORMATION.—

''(1) EFFECT OF PUBLICATION OF NOTICE ON PUBLIC WEBSITE.—The publication of a notice by the Administrator on a public website of a revision to the system of records of the [uniform] *unified* intake process and system established under subsection (b)(1) prior to any new collection, *maintenance, disclosure*, or use [s,] of records to carry out the purposes of a disaster assistance program with respect to a major disaster or emergency declared by the President under section 401 or 501, respectively, of this Act shall be deemed to satisfy the notice and publication requirements of section 552a(e)(4) of title 5, United States Code, for the entire period of performance for any assistance provided under a disaster assistance program.

''(2) PAPERWORK REDUCTION ACT WAIVER.—

''(A) IN GENERAL.—Upon the declaration of a major disaster or emergency pursuant to section 401 or 501, respectively, of this Act, the Administrator may waive the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act'), with respect to the voluntary collection of information specific to the declared major disaster or emergency needed to carry out the purposes of a disaster assistance program.

''(B) DURATION.—A waiver described in subparagraph (A) shall be in effect for the entire period of performance for any assistance provided under a disaster assistance program with respect to a declared major disaster or emergency.

''(C) TRANSPARENCY.—If the Administrator waives the requirements described in subparagraph (A), the Administrator shall—

''(i) promptly post on a public website—

''(I) a brief justification for the waiver; and

''(II) the agencies and offices to which the waiver shall apply;

''(ii) update the information posted under clause (i), as applicable; and

''(iii) comply with the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act') upon the expiration of the period of performance of any assistance provided under a disaster assistance program if the collection of information may be utilized for the purposes of supporting the disaster assistance program in future major disaster or emergency declarations.

''(D) EFFECTIVENESS OF WAIVER.—Any waiver under subparagraph (A) shall take effect on the date on which the Administrator posts information on the internet website as provided for under subparagraph (C).

''(e) DATA SECURITY.—The Administrator shall facilitate the collection of disaster assistance information into a unified application only after—

''(1) the Administrator certifies that the unified application substantially complies with the data security standards established pursuant to subchapter II of chapter 35 of title 44, United States Code, and any other applicable Federal information security policy;

''(2) the Secretary of Homeland Security publishes a privacy impact assessment for the unified application that is similar to the privacy assessment conducted under section 208(b)(1)(B) of the E-Government Act of 2002 (44 U.S.C. 3501 note); and

''(3) the Administrator, in consultation with disaster assistance agencies, publishes standard rules of behavior for disaster assistance agencies and personnel granted access to disaster assistance information to protect such information from improper disclosure.

''(f) CERTIFICATION OF DISASTER ASSISTANCE AGENCIES.—

''(1) IN GENERAL.—The Administrator may certify a Federal agency as a disaster assistance agency after posting an agreement between the Administrator and the Federal agency on a public website that contains the detailed terms of the agreement.

''(2) CONTENTS OF AGREEMENT.—An agreement between the Administrator and a Federal agency described in paragraph (1) shall state that the Federal Emergency Management Agency and the Federal agency will—

''(A) collect, disclose, maintain, and use disaster assistance information in accordance with—

''(i) this section; and

''(ii) subject to subsection (i)(2), any existing policies of the Federal Emergency Management Agency and the Federal agency for information protection and use;

''(B) train any personnel granted access to disaster assistance information on the rules of behavior established by the Administrator under subsection (e)(3);

''(C) in the event of any unauthorized disclosure of disaster assistance information—

''(i) not later than 24 hours after discovering the unauthorized disclosure—

''(I) in the case of an unauthorized disclosure by the Federal agency, notify the Administrator of the disclosure; and

''(II) in the case of an unauthorized disclosure by the Federal Emergency Management Agency, notify disaster assistance agencies of the disclosure;

''(ii) cooperate fully with the Administrator and disaster assistance agencies in the investigation and remediation of the disclosure; and

''(iii) cooperate fully in the prosecution of a person responsible for the disclosure; and

''(D) assume responsibility for any compensation, civil liability, or other remediation measure awarded by a judgment of a court or agreed upon as a compromise of any potential claim by or on behalf of an applicant, including by obtaining credit monitoring and remediation services, for an improper disclosure of disaster assistance information that is—

''(i) caused, directly or indirectly, by the acts or omissions of an officer, employee, or contractor of the Federal agency; or

''(ii) from any electronic system of records that was created or maintained by the Federal agency pursuant to section 552a(e) of title 5, United States Code.

''(g) REPORTS.—

''(1) FEMA.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 2 years, the Administrator, in coordination with the heads of disaster assistance agencies, shall submit to Congress a report on the implementation of this section, including—

''(A) how disaster assistance agencies are working together to implement the requirements under this section;

''(B) the effect of this section on disaster survivor burden and the speed and efficiency of delivering disaster assistance; and

''(C) a description of any other challenges that require further legislative action.

''(2) GAO.—Not later than 3 years after the date of enactment of this section, the Comptroller General of the United States shall submit to Congress a report on how the implementation of this section has affected the disaster survivor experience, and any recommendations for improvements to the requirements under this section.

''(h) BRIEFINGS.—Not later than 90 days after the date of enactment of this section, and again not later than 180 days after the date of enactment of this section, the Administrator shall brief Congress on—

''(1) the status of the implementation of the requirements under this section; and

''(2) how disaster assistance agencies are working together to implement the requirements under this section.

''(i) RULES OF CONSTRUCTION.—

''(1) INAPPLICABILITY OF MATCHING PROGRAM PROVISIONS.—The disclosure and use of disaster assistance information subject to the requirements of section 552a of title 5, United States Code, among disaster assistance agencies or with State, local, or Tribal governments carrying out disaster assistance programs shall not—

''(A) be construed as a matching program for the purpose of section 552a(a)(8) of title 5, United States Code; or

''(B) be subject to subsection (e)(12), (o), (p)(1)(A)(ii), (q), (r), or (u) of section 552a of title 5, United States Code.

''(2) AUTHORITIES IN OTHER LAWS.—Nothing in this section shall be construed to affect the authority of an entity to share disaster assistance information regarding programs funded or facilitated by the entity in accordance with any other law or agency policy.

''(3) APPLYING TO MULTIPLE PROGRAMS.—Nothing in this section shall be construed to require an applicant to apply to more than 1 disaster assistance program.''.

Mr. SCHUMER. I ask unanimous consent that the committee-reported amendments be considered and agreed to; that the Peters amendment which is at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendments were agreed to.

The amendment (No. 1088) was agreed to as follows:

(Purpose: To improve the bill)

On page 20, strike line 2 and insert ''ance program.

''(4) PROGRAM AUTHORIZATION.—Nothing in this section shall be construed to authorize a program that is not authorized by law as of the date of enactment of this section.''.

The bill (S. 1528), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1528

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Disaster Assistance Simplification Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The disaster response and recovery framework of the United States relies on a unified, integrated, agile, and adaptable whole-of-community effort by Federal, State, and local disaster assistance agencies, and by voluntary organizations, to respond to any natural and man-made disasters that may strike communities.

(2) Federal disaster assistance agencies must be ready to support States, Indian Tribes, communities, and volunteer agencies immediately after unpredictable catastrophic disasters that occur without notice.

(3) The immediate sharing of information is essential to an efficient and effective delivery of disaster assistance—

(A) when lives and property are at risk; and

(B) as communities seek to recover from disasters as quickly as possible.

(4) Section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), and subchapter I of chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), require multiple layers of review, notice, and publication in the Federal Register before Federal disaster assistance agencies can amend or adapt their information sharing practices.

(5) Such extended review processes can have the effect of inhibiting efficiency, innovation, and interoperability among Federal, State, Tribal, territorial, local, private, and volunteer partners in delivering disaster assistance within a whole-of-community disaster assistance effort.

(6) Legal, regulatory, and policy limitations on the interagency sharing of information submitted by applicants for disaster assistance may require those applicants to submit separate applications to multiple Federal, State, Tribal, territorial, and local disaster assistance agencies, which increases the burden on those applicants, reduces the efficiency of disaster assistance programs, and places additional costs on taxpayers.

(b) PURPOSES.—The purposes of this Act are to—

(1) streamline the sharing of information among Federal, State, Tribal, territorial, and local disaster assistance agencies;

(2) modernize the legal safeguards against the unauthorized disclosure or misuse of information about applicants for disaster assistance; and

(3) modernize, streamline, and consolidate the overlapping requirements of section 552a

of title 5, United States Code, subchapter I of chapter 35 of title 44, United States Code, and the agency policies that implement those authorities to improve the speed, convenience, efficiency, and effectiveness of disaster relief programs.

SEC. 3. ESTABLISHMENT OF A UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding at the end the following:

"SEC. 707. ESTABLISHMENT OF A UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.

''(2) APPLICANT.—The term 'applicant' means—

''(A) an individual, business, or organization that applies for disaster assistance from a disaster assistance program;

''(B) an individual, business, or organization on behalf of which an individual described in subparagraph (A) applies for disaster assistance from a disaster assistance program; and

''(C) an individual, business, or organization that seeks assistance as a beneficiary of a State, local government, or Indian tribal government that received assistance under a disaster assistance program.

''(3) DISASTER ASSISTANCE AGENCY.—The term 'disaster assistance agency' means—

''(A) the Federal Emergency Management Agency; and

''(B) any Federal agency that provides disaster assistance to individuals, businesses, organizations, States, local governments, Indian tribal governments, communities, or organizations that the Administrator certifies as a disaster assistance agency in accordance with subsection (f) to carry out the purposes of a disaster assistance program.

''(4) DISASTER ASSISTANCE INFORMATION.—The term 'disaster assistance information' includes any personal, biographical, demographic, geographical, financial, application decision, or other information that a disaster assistance agency, or a recipient of a Federal block grant from a disaster assistance agency, is authorized to collect, maintain, disclose, or use to—

''(A) process an application for disaster assistance from a disaster assistance program; or

''(B) otherwise carry out the purpose of a disaster assistance program.

''(5) DISASTER ASSISTANCE PROGRAM.—The term 'disaster assistance program' means—

''(A) a program that provides disaster assistance to individuals and households under title IV or V in accordance with sections 408 and 502; or

''(B) any other assistance program authorized by a Federal statute or funded with Federal appropriations under which a disaster assistance agency awards or distributes disaster assistance to an individual, household, or organization, or provides a Federal block grant for these purposes, that arises from a major disaster or emergency declared under section 401 or 501, respectively, including—

''(i) disaster assistance;

''(ii) long-term disaster recovery assistance;

''(iii) the post-disaster restoration of infrastructure and housing;

''(iv) post-disaster economic revitalization;

''(v) a loan authorized under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

''(vi) food benefit allotments under section 412 of this Act and section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)).

''(6) RECORD.—The term 'record' has the meaning given the term in section 552a of title 5, United States Code.

''(b) UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.—

''(1) IN GENERAL.—Not later than 360 days after the date of enactment of the Disaster Assistance Simplification Act, the Administrator shall, in consultation with appropriate Federal, State, local, and Indian tribal governments and entities, develop and establish a unified intake process and system for applicants for disaster assistance provided by a disaster assistance agency to—

''(A) facilitate a consolidated application for any form of disaster assistance provided by a disaster assistance agency when appropriate to support the nature and purposes of the assistance;

''(B) carry out the purposes of disaster assistance programs swiftly, efficiently, equitably, and in accordance with applicable laws and privacy and data protections; and

''(C) support the detection, prevention, and investigation of waste, fraud, abuse, or discrimination in the administration of disaster assistance programs.

''(2) CAPABILITIES OF THE CONSOLIDATED APPLICATION SYSTEM.—The unified intake process and system established under paragraph (1) shall—

''(A) accept applications for disaster assistance programs;

''(B) allow for applicants to receive status updates on applications for disaster assistance programs;

''(C) allow for applicants to update disaster assistance information throughout the recovery journeys of those applicants;

''(D) allow for the distribution of information on additional recovery resources to disaster survivors that may be available in a disaster-stricken jurisdiction, in coordination with appropriate Federal, State, local, and Tribal partners;

''(E) provide disaster survivors with information and documentation on the applications of those disaster survivors for a disaster assistance program;

''(F) allow for the distribution of application data to support faster and more effective distribution of Federal disaster assistance, including block grant assistance, for disaster recovery;

''(G) allow for disaster assistance agencies to communicate directly with disaster survivors; and

''(H) contain other capabilities determined necessary by the heads of disaster assistance agencies.

''(3) UPDATES.—Not later than 30 days after the date on which the Administrator receives a request from a disaster assistance agency to update questions in the consolidated application described in paragraph (1) needed to administer the disaster assistance programs of the disaster assistance agency, the Administrator shall make those updates.

''(c) AUTHORITIES OF ADMINISTRATOR.—The Administrator may—

''(1) collect, maintain, disclose, and use disaster assistance information, including such information received from any disaster assistance agency, with any other disaster assistance agency for purposes of subsection (b)(1); and

''(2) subject to subsection (d), authorize the collection, maintenance, disclosure, and use of disaster assistance information collected on or after the date of enactment of the Disaster Assistance Simplification Act by publishing a notice on a public website that—

''(A) includes a detailed description of—

''(i) the specific disaster assistance information authorized to be collected, maintained, disclosed, and used;

''(ii) why the collection, maintenance, disclosure, or use of the disaster assistance information is necessary to carry out the purpose of a disaster assistance program;

''(iii) how the collection, maintenance, disclosure, and use of disaster assistance information incorporates fair information practices; and

''(iv) the disaster assistance agencies that will be granted access to the disaster assistance information to carry out the purpose of any disaster assistance program; and

''(B) provides that the submission of an application through a unified disaster application constitutes prior written consent to disclose disaster assistance information to disaster assistance agencies for the purpose of section 552a(b) of title 5, United States Code.

''(d) COLLECTION AND SHARING OF RECORDS AND INFORMATION.—

''(1) EFFECT OF PUBLICATION OF NOTICE ON PUBLIC WEBSITE.—The publication of a notice by the Administrator on a public website of a revision to the system of records of the unified intake process and system established under subsection (b)(1) prior to any new collection, maintenance, disclosure, or use of records to carry out the purposes of a disaster assistance program with respect to a major disaster or emergency declared by the President under section 401 or 501, respectively, of this Act shall be deemed to satisfy the notice and publication requirements of section 552a(e)(4) of title 5, United States Code, for the entire period of performance for any assistance provided under a disaster assistance program.

''(2) PAPERWORK REDUCTION ACT WAIVER.—

''(A) IN GENERAL.—Upon the declaration of a major disaster or emergency pursuant to section 401 or 501, respectively, of this Act, the Administrator may waive the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act'), with respect to the voluntary collection of information specific to the declared major disaster or emergency needed to carry out the purposes of a disaster assistance program.

''(B) DURATION.—A waiver described in subparagraph (A) shall be in effect for the entire period of performance for any assistance provided under a disaster assistance program with respect to a declared major disaster or emergency.

''(C) TRANSPARENCY.—If the Administrator waives the requirements described in subparagraph (A), the Administrator shall—

''(i) promptly post on a public website—

''(I) a brief justification for the waiver; and

''(II) the agencies and offices to which the waiver shall apply;

''(ii) update the information posted under clause (i), as applicable; and

''(iii) comply with the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act') upon the expiration of the period of performance of any assistance provided under a disaster assistance program if the collection of information may be utilized for the purposes of supporting the disaster assistance program in future major disaster or emergency declarations.

''(D) EFFECTIVENESS OF WAIVER.—Any waiver under subparagraph (A) shall take effect on the date on which the Administrator posts information on the internet website as provided for under subparagraph (C).

''(e) DATA SECURITY.—The Administrator shall facilitate the collection of disaster assistance information into a unified application only after—

''(1) the Administrator certifies that the unified application substantially complies with the data security standards established pursuant to subchapter II of chapter 35 of title 44, United States Code, and any other applicable Federal information security policy;

''(2) the Secretary of Homeland Security publishes a privacy impact assessment for the unified application that is similar to the privacy assessment conducted under section 208(b)(1)(B) of the E-Government Act of 2002 (44 U.S.C. 3501 note); and

''(3) the Administrator, in consultation with disaster assistance agencies, publishes standard rules of behavior for disaster assistance agencies and personnel granted access to disaster assistance information to protect such information from improper disclosure.

''(f) CERTIFICATION OF DISASTER ASSISTANCE AGENCIES.—

''(1) IN GENERAL.—The Administrator may certify a Federal agency as a disaster assistance agency after posting an agreement between the Administrator and the Federal agency on a public website that contains the detailed terms of the agreement.

''(2) CONTENTS OF AGREEMENT.—An agreement between the Administrator and a Federal agency described in paragraph (1) shall state that the Federal Emergency Management Agency and the Federal agency will—

''(A) collect, disclose, maintain, and use disaster assistance information in accordance with—

''(i) this section; and

''(ii) subject to subsection (i)(2), any existing policies of the Federal Emergency Management Agency and the Federal agency for information protection and use;

''(B) train any personnel granted access to disaster assistance information on the rules of behavior established by the Administrator under subsection (e)(3);

''(C) in the event of any unauthorized disclosure of disaster assistance information—

''(i) not later than 24 hours after discovering the unauthorized disclosure—

''(I) in the case of an unauthorized disclosure by the Federal agency, notify the Administrator of the disclosure; and

''(II) in the case of an unauthorized disclosure by the Federal Emergency Management Agency, notify disaster assistance agencies of the disclosure;

''(ii) cooperate fully with the Administrator and disaster assistance agencies in the investigation and remediation of the disclosure; and

''(iii) cooperate fully in the prosecution of a person responsible for the disclosure; and

''(D) assume responsibility for any compensation, civil liability, or other remediation measure awarded by a judgment of a court or agreed upon as a compromise of any potential claim by or on behalf of an applicant, including by obtaining credit monitoring and remediation services, for an improper disclosure of disaster assistance information that is—

''(i) caused, directly or indirectly, by the acts or omissions of an officer, employee, or contractor of the Federal agency; or

''(ii) from any electronic system of records that was created or maintained by the Federal agency pursuant to section 552a(e) of title 5, United States Code.

''(g) REPORTS.—

''(1) FEMA.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 2 years, the Administrator, in coordination with the heads of disaster assistance agencies, shall submit to Congress a report on the implementation of this section, including—

''(A) how disaster assistance agencies are working together to implement the requirements under this section;

''(B) the effect of this section on disaster survivor burden and the speed and efficiency of delivering disaster assistance; and

''(C) a description of any other challenges that require further legislative action.

''(2) GAO.—Not later than 3 years after the date of enactment of this section, the Comptroller General of the United States shall submit to Congress a report on how the implementation of this section has affected the disaster survivor experience, and any recommendations for improvements to the requirements under this section.

''(h) BRIEFINGS.—Not later than 90 days after the date of enactment of this section, and again not later than 180 days after the date of enactment of this section, the Administrator shall brief Congress on—

''(1) the status of the implementation of the requirements under this section; and

''(2) how disaster assistance agencies are working together to implement the requirements under this section.

''(i) RULES OF CONSTRUCTION.—

''(1) INAPPLICABILITY OF MATCHING PROGRAM PROVISIONS.—The disclosure and use of disaster assistance information subject to the requirements of section 552a of title 5, United States Code, among disaster assistance agencies or with State, local, or Tribal governments carrying out disaster assistance programs shall not—

''(A) be construed as a matching program for the purpose of section 552a(a)(8) of title 5, United States Code; or

''(B) be subject to subsection (e)(12), (o), (p)(1)(A)(ii), (q), (r), or (u) of section 552a of title 5, United States Code.

''(2) AUTHORITIES IN OTHER LAWS.—Nothing in this section shall be construed to affect the authority of an entity to share disaster assistance information regarding programs funded or facilitated by the entity in accordance with any other law or agency policy.

''(3) APPLYING TO MULTIPLE PROGRAMS.—Nothing in this section shall be construed to require an applicant to apply to more than 1 disaster assistance program.''.

''(4) PROGRAM AUTHORIZATION.—Nothing in this section shall be construed to authorize a program that is not authorized by law as of the date of enactment of this section.''.

DISASTER ASSISTANCE DEADLINES ALIGNMENT ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 157, S. 1858.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1858) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish a deadline for applying for disaster unemployment assistance.

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

Mr. SCHUMER. I further ask that the Peters amendment, which is at the desk, be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1091) was agreed to as follows:

(Purpose: To add an applicability provision)

At the end, add the following:

SEC. 3. APPLICABILITY.

The amendment made by section 2 shall apply only with respect to amounts appropriated on or after the date of enactment of this Act.

The bill (S. 1858), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1858

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Disaster Assistance Deadlines Alignment Act''.

SEC. 2. DISASTER UNEMPLOYMENT ASSISTANCE APPLICATION DEADLINE.

Section 410 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177) is amended by adding at the end the following:

''(c) APPLICATION DEADLINE.—

''(1) IN GENERAL.—With respect to a major disaster for which assistance is provided under this section and section 408, the application deadline for an individual seeking assistance under this section shall match the application deadline for individuals and households seeking assistance under section 408.

''(2) EXTENSION.—The President may accept an application from an individual described in paragraph (1) that is submitted after the deadline described in paragraph (1) if—

''(A) the individual has good cause for the late submission; and

''(B) the individual submits the application before the date on which the period during which assistance is provided under this section for the applicable major disaster expires.''.

SEC. 3. APPLICABILITY.

The amendment made by section 2 shall apply only with respect to amounts appropriated on or after the date of enactment of this Act.

DUCK STAMP MODERNIZATION ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 788 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 788) to amend the Permanent Electronic Duck Stamp Act of 2013 to allow States to issue fully electronic stamps under that Act, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the Boozman substitute amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1089), in the nature of a substitute, was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Duck Stamp Modernization Act of 2023''.

SEC. 2. AUTHORIZING FULLY ELECTRONIC STAMPS.

(a) IN GENERAL.—Section 5 of the Permanent Electronic Duck Stamp Act of 2013 (16 U.S.C. 718r) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''ACTUAL STAMP'' and inserting ''ELECTRONIC STAMP'';

(B) in the matter preceding paragraph (1), by striking ''an actual stamp'' and inserting ''the electronic stamp''; and

(C) by striking paragraph (1) and inserting the following:

''(1) on the date of purchase of the electronic stamp; and'';

(2) in subsection (c), by striking ''actual stamps'' and inserting ''actual stamps under subsection (e)'';

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting after subsection (d) the following:

''(e) DELIVERY OF ACTUAL STAMPS.—The Secretary shall issue an actual stamp after March 10 of each year to each individual that purchased an electronic stamp for the preceding waterfowl season.''.

(b) CONTENTS OF ELECTRONIC STAMP.—Section 2 of the Permanent Electronic Duck Stamp Act of 2013 (16 U.S.C. 718o) is amended—

(1) in paragraph (1), by striking ''Federal'' and all that follows through ''that is printed'' and inserting ''Migratory Bird Hunting and Conservation Stamp required under the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a et seq.) that is printed''; and

(2) in paragraph (3)—

(A) in subparagraph (D), by striking ''and'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) may contain an image of the actual stamp.''.

(c) STAMP VALID THROUGH CLOSE OF HUNTING SEASON.—Section 6 of the Permanent Electronic Duck Stamp Act of 2013 (16 U.S.C. 718s) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''shall, during the effective period of the electronic stamp—'' and inserting ''shall—''; and

(2) in subsection (c), by striking ''for a period agreed to by the State and the Secretary, which shall not exceed 45 days'' and inserting ''through the first June 30 that occurs after the date of issuance of the electronic stamp by the State''.

(d) ELECTRONIC STAMPS AS PERMIT.—Section 1(a)(1) of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a(a)(1)) is amended—

(1) by inserting ''as an electronic stamp (as defined in section 2 of the Permanent Electronic Duck Stamp Act of 2013 (16 U.S.C. 718o)) or'' after ''Conservation Stamp,''; and

(2) by striking ''face of the stamp'' and inserting ''face of the actual stamp (as defined in that section)''.

The bill (S. 788), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

I–27 NUMBERING ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 992 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 992) to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate the Texas and New Mexico portions of the future Interstate-designated segments of the Port-to-Plains Corridor as Interstate Route 27, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the Cruz substitute amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1090), in the nature of a substitute, was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''I–27 Numbering Act of 2023''.

SEC. 2. NUMBERING OF DESIGNATED FUTURE INTERSTATE.

(a) IN GENERAL.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 109 Stat. 598; 133 Stat. 3018) is amended by inserting after the tenth sentence the following: ''The routes referred to in clause (i) (other than subclauses (V)(aa) and (V)(bb) and subclause (IX)(aa) of that clause) and clause (iv) of subsection (c)(38)(A) are designated as Interstate Route I–27. The route referred to in subsection (c)(38)(A)(i)(V)(aa) is designated as Interstate Route I–27E. The route referred to in subsection (c)(38)(A)(i)(V)(bb) is designated as Interstate Route I–27W. The route referred to in subsection (c)(38)(A)(i)(IX)(aa) is designated as Interstate Route I–27N.''.

(b) CONFORMING AMENDMENTS.—Section 1105(c)(38)(A)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2032; 114 Stat. 2763A–201; 116 Stat. 1741) is amended—

(1) in subclause (V)—

(A) by striking ''Lamesa, the Corridor'' and inserting the following: ''Lamesa—

''(aa) the Corridor''; and

(B) in item (aa) (as so redesignated), by striking ''87 and, the Corridor'' and inserting the following: ''87; and

''(bb) the Corridor''; and

(2) in subclause (IX)—

(A) by striking ''(IX) United States Route 287'' and inserting the following:

''(IX)(aa) United States Route 287''; and

(B) in item (aa) (as so redesignated), by striking ''Oklahoma, and also United States Route 87'' and inserting the following: ''Oklahoma; and

''(bb) United States Route 87''.

The bill (S. 992), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

STARR-CAMARGO BRIDGE EXPANSION ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 1608, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1608) to provide for the expansion of the Starr-Camargo Bridge near Rio Grande City, Texas, and for other purposes.

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

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

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

The bill (S. 1608) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1608

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Starr–Camargo Bridge Expansion Act''.

SEC. 2. STARR–CAMARGO BRIDGE.

(a) AUTHORIZATION.—The first section of Public Law 87–532 (76 Stat. 153; 130 Stat. 411) is amended—

(1) in subsection (a)(2)—

(A) by inserting ''and expand'' after ''construct'';

(B) by inserting '', including the expansion and addition of adjacent spans to the existing international bridge,'' after ''thereto'';

(C) by inserting ''multimodal toll'' after ''14'';

(D) by striking ''to maintain'' and inserting ''and to maintain, control,''; and

(E) by striking ''such bridge'' and inserting ''those bridges''; and

(2) in subsection (b), in the matter preceding paragraph (1), by inserting ''expansion,'' after ''construction,''.

(b) RIGHTS OF STARR–CAMARGO BRIDGE COMPANY AND SUCCESSORS AND ASSIGNS.—Section 3(a) of Public Law 87–532 (76 Stat. 153; 130 Stat. 411) is amended by inserting '', as needed for the location, construction, expansion, control, operation, and maintenance of the bridges referred to in subsection (a)(2) at or near Rio Grande City, Texas'' after ''chapter 466)''.

(c) SUNSET.—Section 5 of Public Law 87–532 (76 Stat. 153; 130 Stat. 411) is amended—

(1) by inserting ''by the Starr–Camargo Bridge Company and its successors and assigns'' after ''constructed'';

(2) by striking ''three'' and inserting ''60'';

(3) by striking ''five'' and inserting ''65''; and

(4) by striking ''date of enactment of this Act'' and inserting ''date of enactment of the Starr–Camargo Bridge Expansion Act''.

(d) SAVINGS PROVISION.—Nothing in this section or the amendments made by this section—

(1) grants new rights or duties to the San Benito International Bridge Company (known as the ''Free Trade International Bridge'' as of the date of enactment of this Act); or

(2) alters, repeals, or voids any rights or duties held by the San Benito International Bridge Company (known as the ''Free Trade International Bridge'' as of the date of enactment of this Act) under Public Law 87–532 (76 Stat. 153; 130 Stat. 411), as in effect on the day before the date of enactment of this Act.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDERS FOR FRIDAY, JULY 28, 2023, THROUGH TUESDAY, SEPTEMBER 5, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, July 28, at 11:45 a.m.; Tuesday, August 1, at 12:15 p.m.; Friday, August 4, at 12 noon; Tuesday, August 8, at 10 a.m.; Friday, August 11, at 9 a.m.; Tuesday, August 15, at 12 noon; Friday, August 18, at 1 p.m.; Tuesday, August 22, at 2 p.m.; Friday, August 25, at 12 noon; Tuesday, August 29, at 11:45 a.m.; and Friday, September 1, at 11:45 a.m.; further, that when the Senate adjourns on Friday, September 1, it stand adjourned until 3 p.m. on Tuesday, September 5; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Jefferson nomination; further, that the cloture motions filed during today's session ripen at 5:30 p.m.

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

ADJOURNMENT UNTIL 11:45 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 11:05 p.m., adjourned until Friday, July 28, 2023, at 11:45 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JEFFREY M. BRYAN, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA, VICE JOHN R. TUNHEIM, RETIRING.

RICHARD E.N. FEDERICO, OF KANSAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE MARY BECK BRISCOE, RETIRED.

JOSHUA PAUL KOLAR, OF INDIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE MICHAEL S. KANNE, DECEASED.

EUMI K. LEE, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE WILLIAM H. ORRICK III, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

COLE–CHRISTIAN L. HOLINATY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

VINCENT W. FLORY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JASON S. HAWKSWORTH

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

PAUL A. BARNETT, JR.
RICHARD COUCH
JONATHAN W. GOCKE
MATTHEW C. LEWIS
ROBERT P. MASON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 7433(B) AND 7436(A):

To be colonel

MATTHEW F. DABKOWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 7433(B) AND 7436(A):

To be colonel

ARCHIE L. BATES III

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DOUGLAS E. COLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SCHADAQ TORRES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

AUGUSTINE R. WILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

HANEY D. HONG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DYLAN S. MAYA

CONFIRMATIONS

Executive nominations confirmed by the Senate July 27, 2023:

DEPARTMENT OF STATE

ERIC W. KNEEDLER, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF RWANDA.

HUGO YUE–HO YON, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

KATHLEEN A. FITZGIBBON, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER.

MARTINA ANNA TKADLEC STRONG, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED ARAB EMIRATES.

ROBIN DUNNIGAN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GEORGIA.

NICOLE D. THERIOT, OF LOUISIANA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CO–OPERATIVE REPUBLIC OF GUYANA.

ERVIN JOSE MASSINGA, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA.

YAEL LEMPERT, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE HASHEMITE KINGDOM OF JORDAN.

JULIE TURNER, OF MARYLAND, TO BE SPECIAL ENVOY ON NORTH KOREAN HUMAN RIGHTS ISSUES, WITH THE RANK OF AMBASSADOR.

WILLIAM W. POPP, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF UGANDA.

MATTHEW D. MURRAY, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES SENIOR OFFICIAL FOR THE ASIA–PACIFIC ECONOMIC COOPERATION (APEC).

JENNIFER L. JOHNSON, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATED STATES OF MICRONESIA.

BRYAN DAVID HUNT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SIERRA LEONE.

JOEL EHRENDREICH, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU.

JACK A. MARKELL, OF DELAWARE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ITALIAN REPUBLIC, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SAN MARINO.

INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA

GERALD H. ACKER, OF MICHIGAN, TO BE A COMMISSIONER ON THE PART OF THE UNITED STATES ON THE INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA.

UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

NISHA DESAI BISWAL, OF VIRGINIA, TO BE DEPUTY CHIEF EXECUTIVE OFFICER OF THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JULIE L. AIRHART AND ENDING WITH TERRI L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2023.

AIR FORCE NOMINATIONS BEGINNING WITH JUSTIN V. AHRENS AND ENDING WITH RYAN E. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 30, 2023.

AIR FORCE NOMINATION OF OLIVER E. BARFIELD, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ASHLEY L. SHULL AND ENDING WITH SEAN M. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2023.

AIR FORCE NOMINATIONS BEGINNING WITH RONALD MARK ALLIGOOD AND ENDING WITH MATTHEW DAVID WOOLUMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2023.

AIR FORCE NOMINATIONS BEGINNING WITH BRIAN CHARLES ANDERSON AND ENDING WITH JERRY WAYNE ZOLLMAN, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2023.

AIR FORCE NOMINATION OF RYAN C. BOYLE, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH FEYSEL A. ABDULKAF AND ENDING WITH NANCY M. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

AIR FORCE NOMINATIONS BEGINNING WITH SCOTT A. ABUSO AND ENDING WITH ROBERT ZAVALA, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

AIR FORCE NOMINATIONS BEGINNING WITH NANLISHA T. ABDULLAI AND ENDING WITH STEVEN ZIMMER, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

AIR FORCE NOMINATIONS BEGINNING WITH MATTHEW N. ALOMBRO AND ENDING WITH GARRETT C. ZUPAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

AIR FORCE NOMINATIONS BEGINNING WITH KEVIN B. ABBOTT AND ENDING WITH KAITLIN E. ZITO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

AIR FORCE NOMINATION OF JAMES H. GUTZMAN, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH DANIELLE N. ANDERSON AND ENDING WITH BRIAN J. WELCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

AIR FORCE NOMINATION OF RYAN C. CAGUILLO, TO BE MAJOR.

AIR FORCE NOMINATION OF MARY M. GUTIERREZ, TO BE COLONEL.

AIR FORCE NOMINATION OF EDWARD W. HALE, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATION OF PAUL A. STELZER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ANDREW R. UPDIKE, TO BE MAJOR.

ARMY NOMINATION OF ERICA L. KANE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JOSHUA T. ADE AND ENDING WITH EVERETT E. ZACHARY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 21, 2023.

ARMY NOMINATION OF CHARLES K. DJOU, TO BE COLONEL.

ARMY NOMINATION OF NICHOLAS C. MOLCZYK, TO BE MAJOR.

ARMY NOMINATION OF DAVID HERNANDEZ, TO BE MAJOR.

ARMY NOMINATION OF CLYDELLIA S. PRICHARD-ALLEN, TO BE COLONEL.

ARMY NOMINATION OF ESPADA J. RUIZ, TO BE COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF LERON E. LANE, TO BE COLONEL.

MARINE CORPS NOMINATION OF WILLIAM M. SCHWEITZER, TO BE MAJOR.

IN THE NAVY

NAVY NOMINATION OF ANDRES S. PISCOYA, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH MARY M. AYRES AND ENDING WITH REBECCA M. RIEGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

NAVY NOMINATION OF DANIEL I. MORRISON, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF ALAN A. GUTBERLET, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF GUILLERMO M. ARGUELLO, TO BE COMMANDER.

NAVY NOMINATION OF CHRISTOPHER S. WILLIAMS, TO BE CAPTAIN.

NAVY NOMINATION OF KRISTOPHER M. BRAZIL, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH JOSHUA P. CORBIN AND ENDING WITH NATHAN S. WEMETT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

NAVY NOMINATIONS BEGINNING WITH NICHOLAS B. ARTABAZON AND ENDING WITH SARA A. ZANITSCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

NAVY NOMINATIONS BEGINNING WITH MARY H. BAKER AND ENDING WITH TRENT A. WARNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 12, 2023.

NAVY NOMINATION OF PETER J. MACULAN, TO BE CAPTAIN.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MICHAEL J. FITZPATRICK AND ENDING WITH THOMAS LASZLO VAJDA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CHRISTOPHER M. CUSHING AND ENDING WITH RYAN G. WASHBURN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MAURA E. BARRY BOYLE AND ENDING WITH JAIDEV SINGH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2023.

FOREIGN SERVICE NOMINATION OF ALI ABDI.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MARK PETRY AND ENDING WITH KIMBERLY SAWATZKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 30, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH IHUOMA A. AKAMIRO AND ENDING WITH JEFFREY PAUL LODINSKY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 30, 2023.