

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

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

SEC. _____. REPEAL OF LIMITATION ON USE OF FUNDS BY SECRETARY OF VETERANS AFFAIRS RELATING TO REPORTING OF THOSE ADJUDICATED AS MENTAL DEFECTIVE.

Section 413 of division A of the Consolidated Appropriations Act, 2024 (Public Law 118-42) is hereby repealed.

SA 2117. Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2857. MILITARY INSTALLATION RESILIENCE PROJECT ACCELERATION PROGRAM.

(a) **ESTABLISHMENT OF PROGRAM.**—Subchapter I of chapter 169 of title 10, United States Code, is amended by inserting after section 2815a the following new section:

“§ 2815b. Military Installation Resilience Project Acceleration Program

“(a) **ESTABLISHMENT.**—There is established in the Office of the Secretary of Defense a program to be known as the ‘Military Installation Resilience Project Acceleration Program’ (in this section referred to as the ‘Program’).

“(b) **PURPOSE.**—The Program shall be conducted for the purpose of accelerating the planning for and implementation of projects and other actions on or related to a military installation that are—

“(1) addressed in the military installation resilience component of installation master plans developed in accordance with section 2864(c) of this title;

“(2) identified as current or potential military installation resilience projects under section 2815 of this title;

“(3) identified as current or potential projects for the improvement of stormwater management in accordance with section 2815a of this title;

“(4) identified as suitable to preserve or enhance the climate resilience of defense access roads in accordance with section 210 of title 23;

“(5) identified as related to military installation resilience in a current or potential intergovernmental support agreement under section 2679 of this title;

“(6) identified as related to establishing and supporting—

“(A) resilience coordinators for sentinel landscapes designated in accordance with section 2693 of this title; or

“(B) Interagency Regional Coordinators established under section 2872 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263; 10 U.S.C. 2864 note); or

“(7) identified as related to conducting flood risk management studies or projects on military installations or operational ranges.

“(c) **IDENTIFICATION OF PROJECTS AND OTHER ACTIONS.**—The Secretary of Defense shall establish a merit-based process for identifying projects and other actions suitable for funding through the Program.

“(d) **TRANSFER AUTHORITY.**—(1) To accomplish the purpose under subsection (b),

amounts appropriated for the Program may be transferred by the Secretary of Defense to any of the following accounts of the Department of Defense:

“(A) Operation and maintenance accounts.

“(B) Research, development, test, and evaluation accounts.

“(C) Military construction accounts.

“(D) Minor military construction accounts.

“(2) An amount transferred under paragraph (1) shall be—

“(A) merged with and deemed to increase the amount authorized and appropriated for the account to which the amount was transferred by an amount equal to the amount so transferred; and

“(B) available for the same purposes as amounts in the account to which transferred.

“(3) The transfer authority under this subsection is in addition to any other transfer authority available to the Department of Defense.

“(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to require or enable any official of the Department of Defense to provide funding under this section pursuant to a community project funding request, as defined in the Rules of the House of Representatives, or a congressionally directed spending item, as defined in the Standing Rules of the Senate.

“(f) **ANNUAL REPORTS.**—(1) Not later than March 1 of each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Program.

“(2) Each report under paragraph (1) shall include the following:

“(A) A description of the nature and status of the projects or actions undertaken in whole or part with funds appropriated for the Program.

“(B) An assessment of the effectiveness of such projects or actions as part of a long-term strategy—

“(i) to ensure the resilience of military installations, key supporting civilian infrastructure, and defense access roads; and

“(ii) to improve the management of stormwater on or related to a military installation.

“(C) An evaluation of the methodology and criteria used to select and to establish priorities for projects and actions funded in whole or part with funds appropriated for the Program.

“(D) Such recommendations as the Secretary of Defense considers appropriate for legislative or administrative action to improve the efficiency and effectiveness of the Program.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2815a the following new item:

“2815b. Military Installation Resilience Project Acceleration Program.”.

SA 2118. Mr. COONS (for himself, Mr. GRAHAM, Mr. TILLIS, Mr. KING, Mr. HEINRICH, Mr. WHITEHOUSE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle G—United States Foundation for International Conservation

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “United States Foundation for International Conservation Act of 2024”.

SEC. 1292. DEFINITIONS.

In this subtitle:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) **BOARD.**—The term “Board” means the Board of Directors established pursuant to section 1294(a).

(3) **ELIGIBLE COUNTRY.**—The term “eligible country” means any country described in section 1297(b).

(4) **ELIGIBLE PROJECT.**—The term “eligible project” means any project described in section 1297(a)(2).

(5) **EXECUTIVE DIRECTOR.**—The term “Executive Director” means the Executive Director of the Foundation hired pursuant to section 1294(b).

(6) **FOUNDATION.**—The term “Foundation” means the United States Foundation for International Conservation established pursuant to section 1293(a).

(7) **SECRETARY.**—The term “Secretary” means the Secretary of State.

SEC. 1293. UNITED STATES FOUNDATION FOR INTERNATIONAL CONSERVATION.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish the United States Foundation for International Conservation, which shall be operated as a charitable, nonprofit corporation.

(2) **INDEPENDENCE.**—The Foundation is not an agency or instrumentality of the United States Government.

(3) **TAX-EXEMPT STATUS.**—The Board shall take all necessary and appropriate steps to ensure that the Foundation is an organization described in subsection (c) of section 501 of the Internal Revenue Code of 1986, which exempt the organization from taxation under subsection (a) of such section.

(4) **TERMINATION OF OPERATIONS.**—The Foundation shall terminate operations on the date that is 10 years after the date on which the Foundation becomes operational, in accordance with—

(A) a plan for winding down the activities of the Foundation that the Board shall submit to the appropriate congressional committees not later than 180 days before such termination date; and

(B) the bylaws established pursuant to section 1294(b)(13).

(b) **PURPOSES.**—The purposes of the Foundation are—

(1) to provide grants for the responsible management of designated priority primarily protected and conserved areas in eligible countries that have a high degree of biodiversity or species and ecosystems of significant ecological value;

(2) to promote responsible, long-term management of primarily protected and conserved areas and their contiguous buffer zones;

(3) to incentivize, leverage, accept, and effectively administer governmental and non-governmental funds, including donations from the private sector, to increase the availability and predictability of financing for responsible, long-term management of

primarily protected and conserved areas in eligible countries;

(4) to help close critical gaps in public international conservation efforts in eligible countries by—

(A) increasing private sector investment, including investments from philanthropic entities; and

(B) collaborating with partners providing bilateral and multilateral financing to support enhanced coordination, including public and private funders, partner governments, local protected areas authorities, and private and nongovernmental organization partners;

(5) to identify and financially support viable projects that—

(A) promote responsible, long-term management of primarily protected and conserved areas and their contiguous buffer zones in eligible countries, including support for the management of terrestrial, coastal, freshwater, and marine protected areas, parks, community conservancies, Indigenous reserves, conservation easements, and biological reserves; and

(B) provide effective area-based conservation measures, consistent with best practices and standards for environmental and social safeguards; and

(6) to coordinate with, consult, and otherwise support and assist, governments, private sector entities, local communities, Indigenous Peoples, and other stakeholders in eligible countries in undertaking biodiversity conservation activities—

(A) to achieve measurable and enduring biodiversity conservation outcomes; and

(B) to improve local security, governance, food security, and economic opportunities.

(C) PLAN OF ACTION.—

(1) IN GENERAL.—Not later than 6 months after the establishment of the Foundation, the Executive Director shall submit for approval from the Board an initial 3-year Plan of Action to implement the purposes of this subtitle, including—

(A) a description of the priority actions to be undertaken by the Foundation over the proceeding 3-year period, including a timeline for implementation of such priority actions;

(B) descriptions of the processes and criteria by which—

(i) eligible countries, in which eligible projects may be selected to receive assistance under this subtitle, will be identified;

(ii) grant proposals for Foundation activities in eligible countries will be developed, evaluated, and selected; and

(iii) grant implementation will be monitored and evaluated;

(C) the projected staffing and budgetary requirements of the Foundation during the proceeding 3-year period.

(D) a plan to maximize commitments from private sector entities to fund the Foundation.

(2) SUBMISSION.—The Executive Director shall submit the initial Plan of Action to the appropriate congressional committees not later than 5 days after the Plan of Action is approved by the Board.

(3) UPDATES.—The Executive Director shall annually update the Plan of Action and submit each such updated plan to the appropriate congressional committees not later than 5 days after the update plan is approved by the Board.

SEC. 1294. GOVERNANCE OF THE FOUNDATION.

(a) EXECUTIVE DIRECTOR.—There shall be in the Foundation an Executive Director, who shall—

(1) manage the Foundation; and

(2) report to, and be under the direct authority, of the Board.

(b) BOARD OF DIRECTORS.—

(1) GOVERNANCE.—The Foundation shall be governed by a Board of Directors, which—

(A) shall perform the functions specified to be carried out by the Board under this subtitle; and

(B) may prescribe, amend, and repeal bylaws, rules, regulations, and procedures governing the manner in which the business of the Foundation may be conducted and in which the powers granted to it by law may be exercised.

(2) MEMBERSHIP.—The Board shall be composed of—

(A) the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of the Interior, the Chief of the United States Forest Service, and the Administrator of the National Oceanic and Atmospheric Administration, or the Senate-confirmed designees of such officials; and

(B) 8 other individuals, who shall be appointed by the Secretary, in consultation with the members of the Board described in subparagraph (A), the Speaker and Minority Leader of the House of Representatives, and the President Pro Tempore and Minority Leader of the Senate, of whom—

(i) 4 members shall be private-sector donors making financial contributions to the Foundation; and

(ii) 4 members shall be independent experts who, in addition to meeting the qualification requirements described in paragraph (3), represent diverse points of view and diverse geographies, to the maximum extent practicable.

(3) QUALIFICATIONS.—Each member of the Board appointed pursuant to paragraph (2)(B) shall be knowledgeable and experienced in matters relating to—

(A) international development;

(B) protected area management and the conservation of global biodiversity, fish and wildlife, ecosystem restoration, adaptation, and resilience; and

(C) grantmaking in support of international conservation.

(4) POLITICAL AFFILIATION.—Not more than 5 of the members appointed to the Board pursuant to paragraph (2)(B) may be affiliated with the same political party.

(5) CONFLICTS OF INTEREST.—Any individual with business interests, financial holdings, or controlling interests in any entity that has sought support, or is receiving support, from the Foundation may not be appointed to the Board during the 5-year period immediately preceding such appointment.

(6) CHAIRPERSON.—The Board shall elect, from among its members, a Chairperson, who shall serve for a 2-year term.

(7) TERMS; VACANCIES.—

(A) TERMS.—

(i) IN GENERAL.—The term of service of each member of the Board appointed pursuant to paragraph (2)(B) shall be not more than 5 years.

(ii) INITIAL APPOINTED DIRECTORS.—Of the initial members of the Board appointed pursuant to paragraph (2)(B)—

(I) 4 members, including at least 2 private-sector donors making financial contributions to the Foundation, shall serve for 4 years; and

(II) 4 members shall serve for 5 years, as determined by the Chairperson of the Board.

(B) VACANCIES.—Any vacancy in the Board—

(i) shall be filled in the manner in which the original appointment was made; and

(ii) shall not affect the power of the remaining appointed members of the Board to execute the duties of the Board.

(8) QUORUM.—A majority of the current membership of the Board, including the Secretary or the Secretary's designee, shall constitute a quorum for the transaction of Foundation business.

(9) MEETINGS.—

(A) IN GENERAL.—The Board shall meet not less frequently than annually at the call of the Chairperson. Such meetings may be in person, virtual, or hybrid.

(B) INITIAL MEETING.—Not later than 60 days after the Board is established pursuant to section 1293(a), the Secretary of State shall convene a meeting of the ex-officio members of the Board and the appointed members of the Board to incorporate the Foundation.

(C) REMOVAL.—Any member of the Board appointed pursuant to paragraph (2)(B) who misses 3 consecutive regularly scheduled meetings may be removed by a majority vote of the Board.

(10) REIMBURSEMENT OF EXPENSES.—

(A) IN GENERAL.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred in the performance of the duties of the Foundation.

(B) LIMITATION.—Expenses incurred outside the United States may be reimbursed under this paragraph if at least 2 members of the Board concurrently incurred such expenses. Such reimbursements—

(i) shall be available exclusively for actual costs incurred by members of the Board up to the published daily per diem rate for lodging, meals, and incidentals; and

(ii) shall not include first-class, business-class, or travel in any class other than economy class or coach class.

(C) OTHER EXPENSES.—All other expenses, including salaries for officers and staff of the Foundation, shall be established by a majority vote of the Board, as proposed by the Executive Director on no less than an annual basis.

(11) NOT FEDERAL EMPLOYEES.—Appointment as a member of the Board and employment by the Foundation does not constitute employment by, or the holding of an office of, the United States for purposes of any Federal law.

(12) DUTIES.—The Board shall—

(A) establish bylaws for the Foundation in accordance with paragraph (13);

(B) provide overall direction for the activities of the Foundation and establish priority activities;

(C) carry out any other necessary activities of the Foundation;

(D) evaluate the performance of the Executive Director;

(E) take steps to limit the administrative expenses of the Foundation; and

(F) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective protected and conserved area management.

(13) BYLAWS.—

(A) IN GENERAL.—The bylaws required to be established under paragraph (12)(A) shall include—

(i) the specific duties of the Executive Director;

(ii) policies and procedures for the selection of members of the Board and officers, employees, agents, and contractors of the Foundation;

(iii) policies, including ethical standards, for—

(I) the acceptance, solicitation, and disposition of donations and grants to the Foundation; and

(II) the disposition of assets of the Foundation upon the dissolution of the Foundation;

(iv) policies that subject all implementing partners, employees, fellows, trainees, and other agents of the Foundation (including ex-officio members of the Board and appointed members of the Board) to stringent ethical and conflict of interest standards;

(v) removal and exclusion procedures for implementing partners, employees, fellows,

trainees, and other agents of the Foundation (including ex-officio members of the Board and appointed members of the Board) who fail to uphold the ethical and conflict of interest standards established pursuant to clause (iii);

(vi) policies for winding down the activities of the Foundation upon its dissolution, including a plan—

(I) to return unspent appropriations to the Treasury of the United States; and

(II) to donate unspent private and philanthropic contributions to projects that align with the goals and requirements described in section 1297;

(vii) policies for vetting implementing partners and grantees to ensure the Foundation does not provide grants to for-profit entities whose primary objective is activities other than conservation activities; and

(viii) clawback policies and procedures to be incorporated into grant agreements to ensure compliance with the policies referred to in clause (vii).

(B) REQUIREMENTS.—The Board shall ensure that the bylaws of the Foundation and the activities carried out under such bylaws do not—

(i) reflect unfavorably on the ability of the Foundation to carry out activities in a fair and objective manner; or

(ii) compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee employed by, or involved in, a governmental agency or program.

(c) FOUNDATION STAFF.—Officers and employees of the Foundation—

(1) may not be employees of, or hold any office in, the United States Government;

(2) may not serve in the employ of any nongovernmental organization, project, or person related to or affiliated with any grantee of the Foundation while employed by the Foundation;

(3) may not receive compensation from any other source for work performed in carrying out the duties of the Foundation while employed by the Foundation; and

(4) should not receive a salary at a rate that is greater than the maximum rate of basic pay authorized for positions at level I of the Executive Schedule under section 5312 of title 5, United States Code.

(d) LIMITATION AND CONFLICTS OF INTERESTS.—

(1) POLITICAL PARTICIPATION.—The Foundation may not—

(A) lobby for political or policy issues; or

(B) participate or intervene in any political campaign in any country.

(2) FINANCIAL INTERESTS.—As determined by the Board and set forth in the bylaws established pursuant to subsection (b)(13), and consistent with best practices, any member of the Board or officer or employee of the Foundation shall be prohibited from participating, directly or indirectly, in the consideration or determination of any question before the Foundation affecting—

(A) the financial interests of such member of the Board, or officer or employee of the Foundation, not including such member's Foundation expenses and compensation; and

(B) the interests of any corporation, partnership, entity, or organization in which such member of the Board, officer, or employee has any fiduciary obligation or direct or indirect financial interest.

(3) RECUSALS.—Any member of the Board that has a business, financial, or familial interest in an organization or community seeking support from the Foundation shall recuse himself or herself from all deliberations, meetings, and decisions concerning the consideration and decision relating to such support.

(4) PROJECT INELIGIBILITY.—The Foundation may not provide support to individuals or entities with business, financial, or familial ties to—

(A) a current member of the Board; or

(B) a former member of the Board during the 5-year period immediately following the last day of the former member's term on the Board.

SEC. 1295. CORPORATE POWERS AND OBLIGATIONS OF THE FOUNDATION.

(a) GENERAL AUTHORITY.—

(1) IN GENERAL.—The Foundation—

(A) may conduct business in foreign countries;

(B) shall have its principal offices in the Washington, D.C. metropolitan area; and

(C) shall continuously maintain a designated agent in Washington, D.C. who is authorized to accept notice or service of process on behalf of the Foundation.

(2) NOTICE AND SERVICE OF PROCESS.—The serving of notice to, or service of process upon, the agent referred to in paragraph (1)(C), or mailed to the business address of such agent, shall be deemed as service upon, or notice to, the Foundation.

(3) AUDITS.—The Foundation shall be subject to the general audit authority of the Comptroller General of the United States under section 3523 of title 31, United States Code.

(b) AUTHORITIES.—In addition to powers explicitly authorized under this subtitle, the Foundation, in order to carry out the purposes described in section 1293(b), shall have the usual powers of a corporation headquartered in Washington, D.C., including the authority—

(1) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, or real or personal property or any income derived from such gift or property, or other interest in such gift or property located in the United States;

(2) to acquire by donation, gift, devise, purchase, or exchange any real or personal property or interest in such property located in the United States;

(3) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain, or otherwise dispose of any property or income derived from such property located in the United States;

(4) to complain and defend itself in any court of competent jurisdiction (except that the members of the Board shall not be personally liable, except for gross negligence);

(5) to enter into contracts or other arrangements with public agencies, private organizations, and persons and to make such payments as may be necessary to carry out the purposes of such contracts or arrangements; and

(6) to award grants for eligible projects, in accordance with section 1297.

(c) LIMITATION OF PUBLIC LIABILITY.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation. The Federal Government shall be held harmless from any damages or awards ordered by a court against the Foundation.

SEC. 1296. SAFEGUARDS AND ACCOUNTABILITY.

(a) SAFEGUARDS.—The Foundation shall develop, and incorporate into any agreement for support provided by the Foundation, appropriate safeguards, policies, and guidelines, consistent with United States law and best practices and standards for environmental and social safeguards.

(b) INDEPENDENT ACCOUNTABILITY MECHANISM.—

(1) IN GENERAL.—The Secretary, or the Secretary's designee, shall establish a transparent and independent accountability

mechanism, consistent with best practices, which shall provide—

(A) a compliance review function that assesses whether Foundation-supported projects adhere to the requirements developed pursuant to subsection (a);

(B) a dispute resolution function for resolving and remedying concerns between complainants and project implementers regarding the impacts of specific Foundation-supported projects with respect to such standards; and

(C) an advisory function that reports to the Board on projects, policies, and practices.

(2) DUTIES.—The accountability mechanism shall—

(A) report annually to the Board and the appropriate congressional committees regarding the Foundation's compliance with best practices and standards in accordance with paragraph (1)(A) and the nature and resolution of any complaint;

(B)(i) have permanent staff, led by an independent accountability official, to conduct compliance reviews and dispute resolutions and perform advisory functions; and

(ii) maintain a roster of experts to serve such roles, to the extent needed; and

(C) hold a public comment period lasting not fewer than 60 days regarding the initial design of the accountability mechanism.

(c) INTERNAL ACCOUNTABILITY.—The Foundation shall establish an ombudsman position at a senior level of executive staff as a confidential, neutral source of information and assistance to anyone affected by the activities of the Foundation.

(d) ANNUAL REVIEW.—The Secretary shall, periodically, but not less frequent than annually, review assistance provided by the Foundation for the purpose of implementing section 1293(b) to ensure consistency with the provisions under section 620M of Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

SEC. 1297. PROJECTS AND GRANTS.

(a) PROJECT FUNDING REQUIREMENTS.—

(1) IN GENERAL.—The Foundation shall—

(A) provide grants to support eligible projects described in paragraph (3) that advance its mission to enable effective management of primarily protected and conserved areas and their contiguous buffer zones in eligible countries;

(B) advance effective landscape or seascape approaches to conservation that include buffer zones, wildlife dispersal and corridor areas, and other effective area-based conservation measures; and

(C) not purchase, own, or lease land, including conservation easements, in eligible countries.

(2) ELIGIBLE ENTITIES.—Eligible entities shall include—

(A) not-for-profit organizations with demonstrated expertise in protected and conserved area management and economic development;

(B) governments of eligible partner countries, as determined by subsection (b), with the exception of governments and government entities that are prohibited from receiving grants from the Foundation pursuant to section 1298; and

(C) Indigenous and local communities in such eligible countries.

(3) ELIGIBLE PROJECTS.—Eligible projects shall include projects that—

(A) focus on supporting—

(i) transparent and effective long-term management of primarily protected or conserved areas and their contiguous buffer zones in countries described in subsection (b), including terrestrial, coastal, and marine protected or conserved areas, parks, community conservancies, Indigenous reserves, conservation easements, and biological reserves; and

(ii) other effective area-based conservation measures;

(B) are cost-matched at a ratio of not less than \$2 from sources other than the United States for every \$1 made available under this subtitle;

(C) are subject to long-term binding memoranda of understanding with the governments of eligible countries and local communities—

(i) to ensure that local populations have access, resource management responsibilities, and the ability to pursue permissible, sustainable economic activity on affected lands; and

(ii) that may be signed by governments in such eligible countries to ensure free, prior, and informed consent of affected communities;

(D) incorporate a set of key performance and impact indicators;

(E) demonstrate robust local community engagement, with the completion of appropriate environmental and social due diligence, including—

(i) free, prior, and informed consent of Indigenous Peoples and relevant local communities;

(ii) inclusive governance structures; and

(iii) effective grievance mechanisms;

(F) create economic opportunities for local communities, including through—

(i) equity and profit-sharing;

(ii) cooperative management of natural resources;

(iii) employment activities; and

(iv) other related economic growth activities;

(G) leverage stable baseline funding for the effective management of the primarily protected or conserved area project; and

(H) to the extent possible—

(i) are viable and prepared for implementation; and

(ii) demonstrate a plan to strengthen the capacity of, and transfer skills to, local institutions to manage the primarily protected or conserved area before or after grant funding is exhausted.

(b) ELIGIBLE COUNTRIES.—

(1) IN GENERAL.—Pursuant to the Plan of Action required under section 1293(c), and before awarding any grants or entering into any project agreements for any fiscal year, the Board shall conduct a review to identify eligible countries in which the Foundation may fund projects. Such review shall consider countries that—

(A) are low-income, lower middle-income, or upper-middle-income economies (as defined by the International Bank for Reconstruction and Development and the International Development Association);

(B) have—

(i) a high degree of threatened or at-risk biological diversity; or

(ii) species or ecosystems of significant importance, including threatened or endangered species or ecosystems at risk of degradation or destruction;

(C) have demonstrated a commitment to conservation through verifiable actions, such as protecting lands and waters through the gazettement of national parks, community conservancies, marine reserves and protected areas, forest reserves, or other legally recognized forms of place-based conservation; and

(D) are not ineligible to receive United States foreign assistance pursuant to any other provision of law, including laws identified in section 1298.

(2) IDENTIFICATION OF ELIGIBLE COUNTRIES.—Not later than 5 days after the date on which the Board determines which countries are eligible to receive assistance under this subtitle for a fiscal year, the Executive Director shall—

(A) submit a report to the appropriate congressional committees that includes—

(i) a list of all such eligible countries, as determined through the review process described in paragraph (1); and

(ii) a detailed justification for each such eligibility determination, including—

(I) an analysis of why the eligible country would be suitable for partnership;

(II) an evaluation of the eligible partner country's interest in and ability to participate meaningfully in proposed Foundation activities, including an evaluation of such eligible country's prospects to substantially benefit from Foundation assistance;

(III) an estimation of each such eligible partner country's commitment to conservation; and

(IV) an assessment of the capacity and willingness of the eligible country to enact or implement reforms that might be necessary to maximize the impact and effectiveness of Foundation support; and

(B) publish the information contained in the report described in subparagraph (A) in the Federal Register.

(c) GRANTMAKING.—

(1) IN GENERAL.—In order to maximize program effectiveness, the Foundation shall—

(A) coordinate with other international public and private donors to the greatest extent practicable and appropriate;

(B) seek additional financial and non-financial contributions and commitments for its projects from governments in eligible countries;

(C) strive to generate a partnership mentality among all participants, including public and private funders, host governments, local protected areas authorities, and private and nongovernmental organization partners;

(D) prioritize investments in communities with low levels of economic development to the greatest extent practicable and appropriate; and

(E) consider the eligible partner country's planned and dedicated resources to the proposed project and the eligible entity's ability to successfully implement the project.

(2) GRANT CRITERIA.—Foundation grants—

(A) shall fund eligible projects that enhance the management of well-defined primarily protected or conserved areas and the systems of such conservation areas in eligible countries;

(B) should support adequate baseline funding for eligible projects in eligible countries to be sustained for not less than 10 years;

(C) should, during the grant period, demonstrate progress in achieving clearly defined key performance indicators (as defined in the grant agreement), which may include—

(i) the protection of biological diversity;

(ii) the protection of native flora and habitats, such as trees, forests, wetlands, grasslands, mangroves, coral reefs, and sea grass;

(iii) community-based economic growth indicators, such as improved land tenure, increases in beneficiaries participating in related economic growth activities, and sufficient income from conservation activities being directed to communities in project areas;

(iv) improved management of the primarily protected or conserved area covered by the project, as documented through the submission of strategic plans or annual reports to the Foundation; and

(v) the identification of additional revenue sources or sustainable financing mechanisms to meet the recurring costs of management of the primarily protected or conserved areas; and

(D) shall be terminated if the Board determines that the project is not—

(i) meeting applicable requirements under this subtitle; or

(ii) making progress in achieving the key performance indicators defined in the grant agreement.

SEC. 1298. PROHIBITION OF SUPPORT FOR CERTAIN GOVERNMENTS.

(a) IN GENERAL.—The Foundation may not provide support for any government, or any entity owned or controlled by a government, if the Secretary has determined that such government—

(1) has repeatedly provided support for acts of international terrorism, as determined under—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (22 U.S.C. 4813(c)(1)(A)(i));

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

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

(D) any other relevant provision of law;

(2) has been identified pursuant to section 116(a) or 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a) and 2304(a)(2)) or any other relevant provision of law; or

(3) has failed the “control of corruption” indicator, as determined by the Millennium Challenge Corporation, within any of the preceding 3 years of the intended grant;

(b) PROHIBITION OF SUPPORT FOR SANCTIONED PERSONS.—The Foundation may not engage in any dealing prohibited under United States sanctions laws or regulations, including dealings with persons on the list of specially designated persons and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, except to the extent otherwise authorized by the Secretary or by the Secretary of the Treasury.

(c) PROHIBITION OF SUPPORT FOR ACTIVITIES SUBJECT TO SANCTIONS.—The Foundation shall require any person receiving support to certify that such person, and any entity owned or controlled by such person, is in compliance with all United States sanctions laws and regulations.

SEC. 1299. ANNUAL REPORT.

Not later than 360 days after the date of the enactment of this Act, and annually thereafter while the Foundation continues to operate, the Executive Director of the Foundation shall submit a report to the appropriate congressional committees that describes—

(1) the goals of the Foundation;

(2) the programs, projects, and activities supported by the Foundation;

(3) private and governmental contributions to the Foundation; and

(4) the standardized criteria utilized to determine the programs and activities supported by the Foundation, including baselines, targets, desired outcomes, measurable goals, and extent to which those goals are being achieved for each project.

SEC. 1299A. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—In addition to amounts authorized to be appropriated to carry out international conservation and biodiversity programs under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and subject to the limitations set forth in subsections (b) and (c), there is authorized to be appropriated to the Foundation to carry out the purposes of this subtitle—

(1) \$1,000,000 for fiscal year 2025; and

(2) not more than \$100,000,000 for each of the fiscal years 2026 through 2034.

(b) COST MATCHING REQUIREMENT.—Amounts appropriated pursuant to subsection (a) may only be made available to grantees to the extent the Foundation or such grantees secure funding for an eligible project from sources other than the United

States Government in an amount that is not less than twice the amount received in grants for such project pursuant to section 1297.

(c) ADMINISTRATIVE COSTS.—The administrative costs of the Foundation shall come from sources other than the United States Government.

(d) PROHIBITION ON USE OF GRANT AMOUNTS FOR LOBBYING EXPENSES.—Amounts provided as a grant by the Foundation pursuant to section 1297 may not be used for any activity intended to influence legislation pending before the Congress of the United States.

SA 2119. Ms. HASSAN (for herself, Mr. CASSIDY, Mr. SCHMITT, and Mr. KELLY) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 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 H of title X, add the following:

SEC. 1095. ELIGIBILITY OF SPOUSES FOR SERVICES UNDER THE DISABLED VETERANS' OUTREACH PROGRAM.

Section 4103A of title 38, United States Code, is amended—

(1) in subsection (a)—
(A) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by inserting “and eligible persons” after “eligible veterans”; and
(ii) in subparagraph (C), by inserting “, and eligible persons,” after “Other eligible veterans”;

(B) in paragraph (2), by inserting “and eligible persons” after “veterans” each place it appears; and
(C) in paragraph (3)—
(i) by inserting “or eligible person” after “veteran” each place it appears; and
(ii) by inserting “or eligible person’s” after “veteran’s”;

(2) in subsection (d)(1)—
(A) by inserting “and eligible persons” after “eligible veterans” each place it appears; and
(B) by striking “non-veteran-related”; and
(3) by adding at the end the following new subsection:

“(e) ELIGIBLE PERSON DEFINED.—In this section, the term ‘eligible person’ means—

“(1) any spouse described in section 4101(5) of this title; or
“(2) the spouse of any person who died while a member of the Armed Forces.”.

SA 2120. Mr. MANCHIN (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—COMMISSION ON FISCAL STABILITY AND REFORM

SEC. 5001. SHORT TITLE.

This division may be cited as the “Fiscal Stability Act of 2024”.

SEC. 5002. DEFINITIONS.

In this division:

(1) CO-CHAIR.—The term “co-chair” means an individual appointed to serve as a co-chair of the Fiscal Commission under section 5003(a)(2)(C).

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

(3) DISCRETIONARY APPROPRIATIONS.—The term “discretionary appropriations” has the meaning given that term in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

(4) FISCAL COMMISSION.—The term “Fiscal Commission” means the commission established under section 5003(a)(1).

(5) IMPLEMENTING BILL.—The term “implementing bill” means a bill consisting solely of the text of the implementing bill that the Fiscal Commission approves and submits under subparagraphs (A) and (D), respectively, of section 5003(c)(2).

(6) OUTSIDE EXPERT.—The term “outside expert” means an individual who is not an elected official or an officer or employee of the Federal Government or of any State.

SEC. 5003. ESTABLISHMENT OF FISCAL COMMISSION.

(a) ESTABLISHMENT OF FISCAL COMMISSION.—

(1) ESTABLISHMENT.—There is established in the legislative branch a Fiscal Commission.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Fiscal Commission shall be composed of 16 members appointed in accordance with subparagraph (B) and with due consideration to chairs and ranking members of the committees and subcommittees of subject matter jurisdiction, if applicable.

(B) APPOINTMENT.—Not later than 14 days after the date of enactment of this Act—

(i) the majority leader of the Senate shall appoint 3 individuals from among the Members of the Senate, and 1 outside expert, who shall serve as members of the Fiscal Commission;

(ii) the minority leader of the Senate shall appoint 3 individuals from among the Members of the Senate, and 1 outside expert who shall serve as members of the Fiscal Commission;

(iii) the Speaker of the House of Representatives shall appoint 3 individuals from among the Members of the House of Representatives, and 1 outside expert, who shall serve as members of the Fiscal Commission; and
(iv) the minority leader of the House of Representatives shall appoint 3 individuals from among the Members of the House of Representatives, and 1 outside expert, who shall serve as members of the Fiscal Commission.

(C) CO-CHAIRS.—Not later than 14 days after the date of enactment of this Act—
(i) the leadership of the Senate and House of Representatives who caucus with the same political party as the President shall appoint 1 individual from among the members of the Fiscal Commission who shall serve as a co-chair of the Fiscal Commission; and
(ii) the leadership of the Senate and House of Representatives who caucus with the opposite political party as the President, shall appoint 1 individual from among the members of the Fiscal Commission who shall serve as a co-chair of the Fiscal Commission.

(D) PERIOD OF APPOINTMENT.—

(i) IN GENERAL.—The members of the Fiscal Commission shall be appointed for the life of the Fiscal Commission.
(ii) VACANCY.—

(I) IN GENERAL.—Any vacancy in the Fiscal Commission shall not affect the powers of the Fiscal Commission, but shall be filled

not later than 14 days after the date on which the vacancy occurs, in the same manner as the original appointment was made.

(II) INELIGIBLE MEMBERS.—If a member of the Fiscal Commission who was appointed as a Member of the Senate or the House Representatives ceases to be a Member of the Senate or the House of Representatives, as applicable—

(aa) the member shall no longer be a member of the Fiscal Commission; and

(bb) a vacancy in the Fiscal Commission exists.

(E) MEMBER PERSONNEL ISSUES.—

(i) OUTSIDE EXPERT.—Any outside expert appointed as a member of the Fiscal Commission—

(I) shall not be considered to be a Federal employee for any purpose by reason of service on the Fiscal Commission;

(II) shall serve without compensation; and

(III) shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Fiscal Commission.

(ii) MEMBERS OF CONGRESS.—Each member of the Fiscal Commission who is a Member of the Senate or the House of Representatives shall serve without compensation in addition to the compensation received for the services of the member as a Member of the Senate or the House of Representatives.

(3) ADMINISTRATION.—

(A) IN GENERAL.—To enable the Fiscal Commission to exercise the powers, functions, and duties of the Fiscal Commission, there are authorized to be disbursed by the Senate the actual and necessary expenses of the Fiscal Commission approved by the staff director of the Fiscal Commission, subject to the rules and regulations of the Senate.

(B) QUORUM.—A majority of the members of the Fiscal Commission who are Members of the Senate or the House of Representatives, not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with same political party as the President and not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with the opposite political party as the President, shall constitute a quorum.

(C) VOTING.—

(i) IN GENERAL.—Only members of the Fiscal Commission who are Members of the Senate or the House of Representatives may vote on any matter. An outside expert serving as a member of the Fiscal Commission shall be a nonvoting member.

(ii) PROXY VOTING.—No proxy voting shall be allowed on behalf of any member of the Fiscal Commission on any matter.

(iii) CONGRESSIONAL BUDGET OFFICE ESTIMATES.—

(I) IN GENERAL.—The Director of the Congressional Budget Office shall, with respect to the implementing bill of the Fiscal Commission described in subsection (c)(2)(A)(i)(II), provide to the Fiscal Commission—

(aa) estimates of the implementing bill in accordance with sections 308(a) and 201(f) of the Congressional Budget Act of 1974 (2 U.S.C. 639(a), 601(f)); and

(bb) information on the budgetary effect of the implementing bill on the long-term fiscal outlook.

(II) LIMITATION.—The Fiscal Commission may not vote on any version of the report, recommendations, or implementation bill of the Fiscal Commission under subsection