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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Lord, You are our source of hope and salvation. So why should we be afraid? You have been our fortress when evil has seemed to be winning. So why should we tremble? Lord, keep us fearless even when surrounded by predatory evil. Even when there is violence within our Nation, give us confidence that Your purposes will prevail. Today, use our lawmakers as instruments of Your peace.

Hear this prayer, mighty God, for Your faithfulness continues to sustain us.

We pray in our Redeemer's 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 (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 7, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK,

a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK 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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Alex Wagner, of the District of Columbia, to be an Assistant Secretary of the Air Force.

RECOGNITION OF THE MAJORITY LEADER

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

GUN VIOLENCE

Mr. SCHUMER. Mr. President, as the Senate's June work period begins, the American people have one question front of mind: After years and decades of gridlock, will the Senate do something about our Nation's gun violence epidemic?

Democrats are ready to take action, and soon every single Member of this Chamber is going to have to answer that question.

Today is June 7, 2022. It is the 158th day of the year. Already—already—this

year, we have had over 250 mass shootings—over 250. That is more than one a day.

Two weeks ago, we saw the worst school shooting in America since the tragedy at Sandy Hook. An 18-year-old boy bought two assault rifles for his birthday and gunned down 19 children in Uvalde, TX—9-year-olds, 10-year-olds, 11-year-olds. You see the pictures of kids with their sweatshirts, with their awards, with their trophies. Every parent has seen pictures of children that age, and to know that they are no longer—that they were wiped out, that they were brutally murdered—breaks your heart. It just sends shivers down your spine. A few hours later, after it happened, the parents realized and were told they would never see their children again.

Ten days before that, eleven more people were gunned down while grocery shopping in Buffalo, simply because of the color of their skin. I still can't get out of my mind the 3-year-old I met, when I visited Buffalo, who lost his dad because his dad made a quick stop to the Tops Supermarket to get his son a birthday cake. It was his son's birthday. He will never see his dad again and will live with that his whole life—knowing that his dad was killed in order to get him a birthday cake.

And for every tragedy that traumatizes the Nation's collective psyche, there are countless others that take place outside the national spotlight. They happen every single day in homes and communities in every part of this country. Across every neighborhood, every school, every small town, every large city, Americans of all persuasions are wondering the same thing: When is it going to be enough? When will Congress find the will to act? One party has that will and soon will determine whether the other side on the aisle will join. That is the challenge that faces this Chamber as we begin this work period.

Before Memorial Day, I made clear that the Senate will vote on gun safety

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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legislation in the near future. To that end, a handful of my Democratic colleagues, led by Senator MURPHY, including the great work of Senators BLUMENTHAL, SINEMA, MANCHIN, COONS, HEINRICH, and others, have been holding extended and substantive talks with Republicans to see what we can pass in this Chamber that will meaningfully address our Nation's gunfire epidemic.

I am encouraging my Democratic colleagues to keep talking to see if Republicans will work with us to come up with something that will make a meaningful change in the lives of the American people and help stop gun violence. There is virtual unanimity among Senate Democrats that getting something passed through this Chamber is worth pursuing if it will make a tangible difference in preventing gun violence.

We know we are not going to get everything we want. We know the push for even more meaningful gun safety will continue after this debate, but making real progress is very important. Senator MURPHY has asked for some space to have these bipartisan talks continue, and I have given him that space. I look forward to discussing the status of those talks with my colleagues today.

We owe it to American parents. We owe it to American kids. We owe it to every single neighborhood, every single community, every single household that has been ripped apart by gun violence. This is a tough fight. Nevertheless, we have a moral obligation to do everything conceivable to break the cycle of violence.

In the wake of the tragedies in Uvalde and Buffalo, we have a chance to tell the American people that, this time, their anguish will not fall on deaf ears. We have a chance to tell them we hear them; that we, too, are angry and we will do everything we can to make real progress in the Senate, difficult as that is. But it is only going to happen if both sides keep working. Only with that will hope for a compromise translate into real, concrete legislation. We know it is a difficult hurdle to overcome; but, nevertheless, we must do everything we can to try and succeed.

HONORING OUR PACT ACT OF 2021

Mr. President, now onto the PACT Act. Later this morning, the Senate will take the first vote to advance one of the most important veteran healthcare bills that this Chamber has considered in decades.

Memorial Day was a little over a week ago, the day our Nation honors our war dead and rededicates itself for caring for those who sacrificed everything to protect our country. Our veterans deserve endless thanks, not just through words, but through action.

Today, toxic chemical exposure is one of the most devastating health problems impacting our Nation's veterans. Since 2001, as many as 3½ million servicemembers—3½ million—have been exposed to toxic smoke, including toxic burn pits and Agent Orange.

Sadly, many of them are unable to get the care they need because of outdated rules within the Veterans Administration that determine eligibility for benefits.

This is long overdue for a change. It is something I have been advocating for years. And, today, I am thrilled that the Senate will vote to begin consideration of the Honoring our PACT Act, which my colleagues Senator TESTER and Senator MORAN have done a great job putting together. Every single one of us in this Chamber has heard from a military servicemember who has struggled to afford quality healthcare, and this is one of the best steps the Senate can take to improve the lives of those who have given their all for our country.

The Honoring our PACT Act will be one of the largest expansions in healthcare benefits in VA history, and it would make sure no military servicemember exposed to toxic chemicals has to endure the indignity of carrying the burden of sickness and treatment alone.

I expect today's vote will yield strong bipartisan support, and once we are on this bill—because today is just a motion to proceed, not passage of the bill yet—there is no reason we can't pass it quickly and without needless distraction.

Once again, I want to thank Senators TESTER and MORAN for their leadership on this issue. This issue has been important to me. I have encouraged them, and they have worked so well together adroitly so that this bill can pass.

I want to thank every single VSO that has advocated for change. And I want to thank prominent voices like Jon Stewart and John Feal—who I just met in my office—who have fiercely advocated for our veterans.

We are moving forward today on this bill, and it is my hope we can reach final passage very quickly.

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. MCCONNELL. 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.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

BIDEN ADMINISTRATION

Mr. MCCONNELL. Back in 2019, while running for the White House, President Biden made a public promise. Here is what he said:

I guarantee you, we are going to end fossil fuels.

I guarantee you, we are going to end fossil fuels.

Once in office, he wasted no time starting down that path, and now working families are paying the price.

During the previous administration, under Republican policies, our Nation

became a net exporter of oil for the first time literally in decades. We were producing all that we needed and then some. The headlines under this all-Democratic-controlled government are quite different.

Here are two from January 2021, right out of the gate: "Biden halts oil and gas leases [and] permits on US land and water." Here is another: "Biden Order Blocks Keystone XL Pipeline." January 2021.

Here are the headlines more recently. From a few weeks ago: "Biden pulls 3 offshore oil lease sales, curbing new drilling this year." From just this past week: "Biden EPA to make it easier for states to block fossil fuel projects."

So even if oil and gas producers could get past the Biden regulatory gauntlet to actually explore and produce in this country, they likely could not get a pipeline approved to move it to market.

President Biden is delivering the holy war on domestic American energy that he promised on the campaign trail. Meanwhile, energy costs and gas prices for American families have absolutely skyrocketed. Gas prices have literally doubled since his administration took office. The average price at the pump has doubled.

The President's staff try to play this off as "Putin's price hike." How many times have we heard that? But the reality is that prices were already climbing steadily long before—long before—the escalation in Ukraine; up more than \$1 per gallon before—before—Putin's escalation. Prices for natural gas and other home heating sources were likewise elevated all last winter.

Don't count on the warmer months bringing much relief. Here is what the New York Times wrote about a month ago. "Get Ready," the Times said, "for Another Energy Price Spike: High Electric Bills."

Already frustrated and angry about high gasoline prices, many Americans are being hit by rapidly rising electricity bills . . . the biggest annual increase in more than a decade.

According to another report, "the Federal Energy Regulatory Commission predicts electricity prices could rise by as much as 233 percent over last summer's power prices."

And electricity costs aren't the only problem; there is also the question of reliability. According to the North American Electric Reliability Corporation, Americans—particularly in the West and Midwest—should brace for potentially dangerous electricity blackouts this summer.

Once again, you can credit Democrats' war on fossil fuels. It retired too many fossil fuel-powered electricity generators too quickly, while replacing them with big subsidies for less reliable sources of power.

Just a few days ago, President Biden said that soaring gas prices were just part of "an incredible transition that will leave us less reliant on fossil fuels." Did you hear that, American

workers? Democrats say your financial pain is the necessary cost to make America more to the liking of the radical environmental left.

The Secretary of Energy has naively suggested that green energy will leave us in a better strategic position than fossil fuels. Well, maybe she is not aware that more than 80 percent of the world's polysilicon is made in China, and about 80 percent of America's rare earth mineral needs are met by Chinese imports as well.

This is why it is such a joke for the administration to misuse the Defense Production Act to prop up solar panel manufacturers. They will just end up subsidizing Chinese suppliers upstream.

Our stockpiles of actual military requirements, like Javelin missiles and essential munitions, are being depleted. Production of critical inputs, like energetics and solid rocket motors, is backed up months and even years. But instead of using the Defense Production Act for our Nation's defense, the President is using it to indirectly line China's pocket.

Washington Democrats are hostile to the kinds of domestic mining and drilling that we will need to produce any kind of energy here at home, even green energy.

Last year, House Democrats proposed a literal dirt tax—dirt tax—that would crush domestic minerals and rare earth mining. They are so opposed to domestic mining, including for critical and rare earth minerals, Democrats literally tried to tax—listen to this—they wanted to tax dirt. Tax dirt.

So, look, this doesn't have to be this way. The American people know exactly what we need: an all-American domestic energy strategy, crude oil responsibly drilled in America, natural gas responsibly fracked in America, and more minerals and high-tech components responsibly mined in America. Democrats have a different plan: less production and higher prices. And Americans are paying for it literally every day.

UKRAINE

Mr. President, now on a related matter, last month, by an overwhelming bipartisan margin, the Senate approved a package of urgent assistance for Ukraine. Then, over the Memorial Day State work period, our friends on the frontlines marked their 100th day of resisting the latest stab of Russian aggression.

As colleagues and I can attest from our visit with President Zelenskyy and his team in Kyiv, the people of Ukraine continue to display incredible resilience and incredible bravery. Every day, brave Ukrainian soldiers pay the ultimate sacrifice to defend the sovereignty of their democratic country. Every day, innocent Ukrainians are suffering under Russia's brutal and indiscriminate assault.

Over a hundred days of war, Ukraine's resolve has remained quite firm. Can the same be said of the West?

As Russia pumps more combat power to the front, Ukraine's soldiers need

more weapons. They need more powerful weapons, and they need longer range weapons to counter Russia's offensive forces from safety. We should not delay the provision of these life-saving capabilities.

Our objective is not to humiliate Putin but to help Ukraine defend itself. That is what should guide our decisions, not Vladimir Putin's ego. We should not be self-deterred by fears that Putin will escalate. Those most affected by the risk of escalation are the Ukrainians, and they are certainly not deterred. They are fighting for their lives, and Putin is already indiscriminately leveling their cities.

Those concerned with escalation consider what Putin will do to their cities if he is not stopped by Ukraine. But some of Ukraine's supporters here in the West have yet to learn the lesson. Some of our wealthiest NATO members have dragged their feet in greenlighting the sort of military assistance our eastern flank allies have delivered willingly and at a tremendous cost. Some eastern flank partners have also welcomed millions of Ukrainian refugees into their countries. And there is more that wealthy European countries can do to help provide military, economic, and humanitarian relief in this time of crisis.

Here at home, the Biden administration's hemming and hawing and self-deterrence has slowly, incrementally given way to a more competent policy, but it has come attached to utterly incoherent public messaging.

The Biden administration should clarify that it will continue to provide Ukraine with long-range rockets so it can defend itself—defend itself—from massive military barrages that are being fired from Ukrainian territory.

The administration should clarify whether it will provide anti-ship missiles so Ukraine can target Russian threats to Ukraine's Black Sea ports and the critical export of Ukraine's grain harvest. Putin is weaponizing global food shortages, and we can and should help the Ukrainians do something about it. Doing so will send a signal to hesitant partners that they, too, should be providing Ukraine with these critical—critical—capabilities.

But reluctance to get Ukraine what it needs is particularly baffling when you consider what a Russian victory would mean for our own national security interest. Letting a vibrant, Western-facing democracy fall into Russian control would send the price of our own security operations on the continent literally through the roof. It would put America's closest allies and trading partners one border closer to an autocratic bully. And half a world away, it would tell other bullies, like the Chinese Communist Party, that lawless conquest of their neighbors isn't just possible; it is actually permitted.

If America and our allies aren't willing to do everything we can to help Ukraine win before it is too late, we will face costly, outsized consequences quite soon.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. THUNE. 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.

INFLATION

Mr. THUNE. Mr. President, the White House has apparently decided to spend June focusing on the economy.

President Biden kicked things off with an op-ed in the Wall Street Journal entitled "My Plan for Fighting Inflation."

Before he gets to the actual "plan," though, the President spends the first half of the op-ed touting his supposed economic successes. As usual, he takes credit for the economy's recovery from COVID-related woes, even though the recovery was well underway before he became President and was a natural result of the economy reopening after COVID shutdowns.

He touts job creation figures without mentioning the fact that businesses are struggling to find workers to fill jobs. He touts the number of new small business applications in 2021 without mentioning that small business optimism is at its lowest level since April 2020 at the height of the pandemic shutdowns. And he mentions "millions of Americans getting jobs with better pay," while leaving out the fact that inflation continues to outstrip wage growth, meaning that, on average, Americans are experiencing a de facto pay cut.

In all, he spends multiple paragraphs attempting to convince Americans that the economy is thriving, which I have to think feels pretty meaningless to the millions of Americans struggling with massive increases in the cost of gas, groceries, and other everyday goods.

In fact, a poll released yesterday found that just 27 percent of Americans believe they have a good chance of improving their standard of living, and it is no wonder. The President can talk about his supposed economic achievements all he wants, but that means little to Americans who have seen their disposable income eaten up by price hikes or whose raise failed to keep even pace with the increase in the cost of living.

And, of course, the President completely omits the fact that it was his economic plans that helped create our current inflation crisis in the first place. When President Biden took office, inflation was at 1.4 percent, well within the Federal Reserve's target inflation rate of 2 percent. Today, it is at 8.3 percent, near a 40-year high.

And how did we get from there to here? In substantial part, via the President's so-called American Rescue Plan. Democrats' massive partisan spending spree flooded the economy with unnecessary government money, and the

economy overheated as a result. But that is not something the President mentions when he talks about fighting inflation.

So what is the President's so-called plan to fight inflation?

Well, after spending half the op-ed touting his supposed economic successes, the President finally gets to the plan part, and the first part of his three-part plan involves having someone else address inflation. Controlling inflation, the President says, is primarily the job of the Federal Reserve, and he is going to leave them alone to do that job.

The next part of the President's plan involves things like fixing broken supply chains and boosting the productive capacity of our economy over time.

Now, I am a big supporter of improving our supply chains, which is why I have introduced the Ocean Shipping Reform Act, which, hopefully, will pass the House of Representatives and head to the President's desk soon. But given that the President has so far demonstrated little progress in addressing supply chain challenges, I am not holding my breath waiting for the White House to take action.

I am also a big fan of boosting the productive capacity of our economy. My concern is that the President fails to give any examples of how he might actually do that. He mentions high gas prices, but instead of talking about ways to address high energy prices by unleashing American energy production, he pivots to touting his release from the Strategic Petroleum Reserve, a highly temporary band aid that did next to nothing to address the cause of high gas prices, except for briefly causing their rise to what are record highs.

He also claims Congress can help by passing his clean-energy tax credits and investments—which he says would result in a \$500 decrease in utility bills for American families. First, nothing about the President's clean-energy tax credits is likely to drive down energy prices, especially in the near term, and Americans can't afford to wait.

In fact, for Americans to take advantage of some of these credits, they would need to spend more money—on an electric car, for example—which is how the administration suggests Americans deal with these historic gas prices.

And the President's claim that his energy tax credits and investments would decrease utility bills for American families by \$500 is 100 percent false.

And you don't have to take my word for it. The Washington Post Fact Checker column gave the President's claim four—four Pinocchios—a rating that the Post reserves for, and I quote, “whoppers.”

And if the President has the idea that his tax credits can somehow magically move the United States to a place that we can abandon gas and oil overnight, well, he has another thing coming. No matter how much Democrats

might wish it were otherwise, the fact of the matter is that clean energy technology has simply not advanced to the point where we can replace all traditional energy resources with renewables. And pretending—pretending that we don't need gas and oil—or discouraging American oil and gas production will only result in higher energy prices for American consumers.

If the President really wanted to reduce gas prices and “boost the productive capacity of our economy over time,” as he said in his op-ed, he would embrace American energy production, including conventional energy production.

Instead, he is doing the opposite. He continues to discourage domestic production of conventional energy sources that Americans rely on. And the result is likely to be continued high energy prices well into the future.

Finally, the President turns to the third part of his plan to fight inflation, and that is reducing the deficit. Unfortunately, it is a little hard to take the President seriously on this issue. The President touts a Congressional Budget Office prediction that the deficit will fall by \$1.7 trillion this year.

What the President doesn't mention is that the reason this year's projected deficit drop looks so substantial is because Democrats inflated the deficit last year with their American Rescue Plan spending spree. Of course, the deficit will look lower this year without a massive \$1.9 trillion piece of legislation financed entirely with deficit spending.

And I am not getting my hopes up about future deficit drops, since many Democrats still want to use reconciliation rules to force through another big, party-line Democrat spending bill. This one is \$5 trillion. If they come up with a proposal that is anything like their original Build Back Better proposal, we will undoubtedly be looking at more deficit spending.

One news outlet had this to say about President Biden's op-ed and his plan to reduce the deficit:

Is it really a ‘plan’ when the President points fingers? While the president's op-ed purports to lay out a plan for addressing inflation, a close read shows that he actually seems to be pushing the burden off on others . . .

That is a fair assessment. Unfortunately, it is pretty par for the course for President Biden. He is happy to take credit for positive economic numbers even when he had nothing to do with them, but when it comes to taking responsibility for a situation, he is frequently nowhere to be found.

He won't acknowledge that his own economic proposal, the American Rescue Plan, helped create our inflation crisis in the first place. Indeed, he largely ignored the inflation crisis until it started to become absolutely necessary for him to address it, if he wanted to survive politically.

And he has displayed a similar lack of ownership of crises on his watch. The actions he has taken to weaken

border security and immigration enforcement have helped create an unprecedented immigration crisis on the southern border.

But from the President's attitude you barely even know that there is a problem, much less one that he has a particular responsibility to address.

His hostile attitude toward American energy production helped drive up gas prices and left families struggling—struggling—to fill their cars. Yet the President is ready to push off responsibility for conventional energy production to other nations, leaving our Nation less secure and even more vulnerable to price spikes.

The President closes his op-ed by noting:

The economic policy choices we make today will determine whether a sustained recovery that benefits all Americans is possible.

Well, the President is right about that. Unfortunately, it is pretty clear that the economic policy choices that he is making are wrong.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ROSEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FACT ACT OF 2021

Mr. TESTER. Madam President, today is an important day. This is the day that we are going to take up toxic exposure in the U.S. Senate. It is a day that, quite frankly, should have been two decades ago, three decades ago, five decades ago, but we are where we are.

The bill we are going to be considering is the SFC Heath Robinson Honoring Our PACT Act. This bill is the most comprehensive toxic exposure package for veterans Congress has ever considered and hopefully I can say has ever delivered. It has literally been years in the making.

I am especially proud of this bill because it addresses decades of inaction and failure by our government to do the right thing by the men and women who have served this country in uniform and stood in harm's way.

I want to thank my friend and ranking member of the Senate Veterans' Affairs Committee, JERRY MORAN, for being able to work together across the aisle to deliver what is truly a bipartisan bill that will give veterans of all eras the benefits that they have earned but maybe even more importantly, the benefits that they deserve.

As chairman of the Senate Veterans' Affairs Committee, there have been few issues as important as this one is to me. It has been a top priority of mine since I first came to Congress and started hearing from veterans, their families, their advocates, and veterans service organizations about exposures

to chemical, physical, and environmental hazards as they serve this country in the line of duty. So let's talk about military toxic exposures and why we are here today.

In World War I, there was a thing called mustard gas. In World War II, we had radiation. In Vietnam, we had Agent Orange. Now we have burn pits—massive areas used to dispose of plastics, rubber, jet fuel, and other chemicals in Iraq and Afghanistan and other locations around the globe.

Generation after generation, war after war, servicemembers have returned home, only to face yet another battle here at home when seeking the care and the benefits that they have earned and that they desperately need because Washington—we, Congress—has been unwilling, simply unwilling to give the Department of Veterans Affairs the tools they need to take care of our veterans. Our men in uniform answered the call of duty. They held up their end of the bargain, so we need to hold up ours.

I will never forget what I heard from a Vietnam veteran in Montana my very first year on the VA Committee. I was holding a townhall meeting. This gentleman stood up in the back of the room at the townhall, and he said: You are not going to treat this generation of veterans the way you treated us, the Vietnam veterans.

I remember it because it hit home with me. I remember those Vietnam soldiers coming home. I remember the stories of toxic exposure to Agent Orange. I remember how we knew what we needed to do, but, man, it took us a long time to get stuff done. In fact, we still are dealing with Agent Orange, and it is dealt in this bill with hypertension.

But here we are today treating this generation of veterans just like we treated the Vietnam veterans and other generations of veterans who have served this country. As a result of turning a blind eye on the needs of our veterans, they have died, they have died, and they have died due to toxic exposure.

Here are the facts. More than 3½ million post-9/11 veterans may have been exposed to toxic substances overseas during their time in uniform. Seventy-five percent of those men and women report being exposed to burn pits. As a result of these exposures, many veterans suffered from rare, deadly cancers, respiratory conditions, and other illnesses—let me say it again: rare but deadly cancers and respiratory conditions and other illness—sometimes developing years after they served in the military.

Now, it is easy for me to stand up here and talk about cancer—I don't have it; at least I don't think I have it—and talk about respiratory conditions. I don't have to gasp for air. But the truth is, because of these men and women's service to this country in the Middle East and their exposures to toxins, they have developed these illnesses

or if what happens with all the past ones, they will develop them in the future. Because of that, today, hundreds of thousands are going without the care and the benefits they need to treat these conditions.

By the way, we are still not addressing Agent Orange for veterans suffering from conditions like hypertension, where the science is clear, and in the worst cases, folks are paying with their lives.

Veterans and heroes like SFC Heath Robinson, for whom this bill is named—Heath deployed to Kosovo and Iraq with the Ohio National Guard, was exposed to burn pits, and he died. He died in 2020 from toxic exposure. SFC Heath Robinson—he was a son; he was a husband; he was a father. In fact, we heard from his daughter this morning at a press conference that Senator MORAN was at—a beautiful little girl who, in her words, said: I love my dad. But yet we didn't step up. The country failed to deliver for him, and we also failed to deliver for his family. The situation has happened with far, far, far too much regularity, and that is why we are here dealing with this bill.

The SFC Heath Robinson Honoring Our PACT Act will right the wrong for our past, for our present, and for our future veterans. Here is how it is done:

This bill will expand eligibility for VA healthcare to more than 3½ million combat veterans exposed to burn pits since 9/11.

By the way, when I was in Afghanistan and we were flying around with my good friend Jim Webb when he was in this body, we flew to the bases based on the smoke coming out of these burn pits.

The toxic exposure was real, it happened, and it happened to 3.5 million combat veterans exposed to since 9/11.

It will support our post-9/11 and Vietnam-era veterans by removing the burden of proof for 23 presumptive conditions caused by toxic exposure, from cancers to lung disease. It will also establish a framework for the establishment of future presumptions of service connection related to toxic exposures. What does this mean? It means that we have had toxic exposures for over 100 years and maybe even before that, and it has taken an act of Congress to get these folks the benefits they need. Now we are giving the VA the mechanism to deal with toxic exposure.

It will give the VA the tools it needs to bolster its workforce, to establish more healthcare facilities, to improve claims processing, and to better meet the immediate and future needs of every veteran our VA serves.

The bottom line is, this bill is far too important for this country and for those who fought to protect it.

When it comes to our fighting men and women, when it comes to sending our folks off to war, we never talk about money; we just do it because we think it is the right thing to do. They are coming back. This bill is going to cost \$287.6 billion over 10 years, so it is

a big-ticket item. But the fact is, we sent them off to war. We told them we were going to take care of them when they came back home. There shouldn't be a debate about the money.

I would agree that we should try to figure out ways to pay for as much stuff in this body as we can, but the truth is, freedom is not free. There is a price to pay when we send our men and women in uniform to fight wars on our behalf, and you don't have to be a veteran or be exposed to Agent Orange or burn pits to understand that price.

We have been waging war for far too long, and now, right now, veterans across this country are the ones paying for that cost of war, and we can't wait any longer. No more empty promises. We have a unique opportunity to make history with the passage of this comprehensive toxic exposure package that will recognize our veterans' service and their sacrifice. We are too close to fail. It is time for this body to act. It is time we address the true cost of war. Our Nation's veterans and their families are counting on it.

I want to close with one thing. This is a big bill. I have been in this body long enough to know that if there is a big bill, you can always find a reason to vote against it, and you can always find a reason to vote for it. This is more important. If we are going to take into account the future of our fighting men and women, the future of this All-Volunteer military we have, the future of the people who have been hit by toxic exposure, the future of our Vietnam veterans with Agent Orange exposure, this is too important to find a reason to vote against it. This is doing right by our fighting men and women in this country. This is doing right by our military. This is doing right for freedom and democracy.

Our Nation's veterans deserve this, and maybe just as important, our Nation's veterans' families deserve passage of this bill.

With that, I will yield the floor to the ranking member, Senator MORAN.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I ask unanimous consent to speak up to whatever additional minutes necessary for me to complete my remarks before the 11:30 vote.

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

Mr. MORAN. Madam President, I certainly rise this morning, going into this afternoon, in advance of a vote on a motion to proceed, a cloture vote, on the SFC Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022, and I would call upon my colleagues to do the same thing.

I appreciate what I just heard from the chairman of the Senate Committee on Veterans' Affairs and how he made the case for why this is important legislation and why we have little excuse not to see its success here in the next few days.

I mentioned last night when I spoke on the Senate floor that I am not a veteran. I mentioned that my experience in high school in seeing those who are just a year or two older than me returning from their service in Vietnam caused me to reach a conclusion that I would do everything I could in my life to compensate for the ill treatment those men and women returning from service in Southeast Asia received from their fellow Americans. I was going to pay respect. I was going to honor them. I was going to say thank you. That is what a 16-year-old kid thought he should do to make certain that we compensate for those who served our country and deserved something better than what they received.

I never envisioned being a Member of the U.S. Senate, never thought that was something that would happen to me in my life, but because I now serve in this capacity, I have an obligation to do much more than saying thank you. There is nothing wrong—it is a good thing to tell those who served “Thank you. I appreciate your service. I respect you,” but that is just the beginning.

Certainly, as a member of the Senate Veterans’ Affairs Committee and a Member of the U.S. Senate, I and all my colleagues owe those who served in Vietnam and every other battle of our Nation more than just saying thank you.

My guess is that nearly all of us, the 100 of us, probably said these words at services across our States on Memorial Day weekend. We have said it hundreds of times: “Thank you for your service.” I will continue to say “thank you for your service” hundreds and hundreds of times myself.

But this week we have the opportunity to do something significantly more and that is to actually provide the benefits that men and women who served in Vietnam and who served in Iraq and Afghanistan and around the globe—the benefits they are entitled to and the benefits which they desperately need.

We were with a group of veterans—certainly a group of veteran organizations—this morning on the Capitol lawn, and, to my knowledge, every veterans service organization, every organization that represents veterans is asking us to pass this legislation. But I also was surrounded by family members and veterans themselves who have experienced horrendous circumstances in their lives and their families’ lives as a result of exposure to Agent Orange in Vietnam and toxic burn pits in Iraq and Afghanistan.

And you can see the challenge that people face in their lives because of their service. And we no longer have the capability, if we ever did, to say: No, we can’t help you yet; we will wait for—we will wait for more science, more medicine; we will wait until the Department of Veterans Affairs completes another study.

We can’t wait because they can’t wait.

During my time at home over that Memorial Day weekend, a Navy veteran said he and his father were both exposed to toxic exposures in their service to their country and, to their knowledge, they have no consequences, no physical ailments that resulted from that. But they said: Every day we worry about it because we don’t think—we don’t know that if we do develop those symptoms, that the Department of Veterans Affairs and, really, the American people are going to be there to take care of us. So every day of our lives, knowing that we have been exposed to toxic substances during our military service—every day we wonder, if something does develop, what is going to happen to our spouse? what is going to happen to our kids? what is going to happen to me, the person who served, if we don’t know that the VA, the Department of Veterans Affairs, is going to be there with the benefits that we need to care for ourselves, our health, and our family members?

The bill that we take up today is a culmination of years of work, and people across the country have come to their Congress over those years, knocked on our doors, made phone calls, and asked us: Please do something to take care of someone we love who has been exposed to these terrible substances and causing death and ill health in their lives.

So, across the Senate, many of us have introduced legislation over those years, legislation in recent years, and with the leadership of our Senate Veterans’ Affairs Committee, we had begun the process of sorting out bills that our colleagues were asking us to pass to deal with toxic exposure, and now we have combined the best of those pieces of legislation from many Members of our Senate, members of our committee, into the Heath Robinson Act.

We have incorporated important fixes to the House version of this bill. We have worked to make sure the mitigation—this has been one of my concerns from the beginning is how do we take care of a lot more veterans who desperately need to be cared for and not disadvantage other veterans who are already waiting in line for services at the Department? And we have worked to mitigate, to reduce, to eliminate those disruptions in VA operations.

We have streamlined the disability claims process for toxic-exposed veterans. We have prescribed a lasting framework for the future VA decisions that is transparent and driven by scientific evidence, all with the effort and hopefully the consequence of not negatively impacting veterans already in our system. This lasting framework is a win for veterans, requiring the VA to be proactive in evaluating diseases for service connections.

We have had the opportunity, over a long period of time, to say: Well, the VA has the authority to take care of you. That really wasn’t a very good ex-

planation because it never seemed to happen fast enough, and in the process of us waiting on the Department of Veterans Affairs to act, more and more service men and women became ill and too many died waiting for a result.

With this bill before us today, we are called to act for veterans, and we should answer that call. The Heath Robinson Act is a solution for a problem that has plagued veterans for too long and left way too many families either uncertain about whether they would be cared for or actually left them without the care they desperately need. This is a responsible approach to fix a broken system that has been cobbled together through decades of patchwork fixes. As we all tried to do something, we never got enough accomplished. But we tried, and we have put this patchwork system together that has failed those who need our help. This legislation is our chance to make certain that future generations of toxic-exposed veterans can get the healthcare and disability compensation that they deserve without delay.

Every member of the Senate Committee on Veterans’ Affairs has voted for the original bill in front of our committee, now nearly a year ago. The bill was passed out of committee with the understanding that Senator TESTER and I would work to find some fixes to problems that people recognized. In my view, both Republicans and Democrats had concerns about certain aspects of this legislation, and we have now spent the last year and particularly the last several months trying to fine-tune this bill in a way that certainly reduces some damage and fixes the process, increases the assets in personnel and resources that the Department of Veterans Affairs has for determining disability claims and for providing healthcare for those who serve. This is a better bill as a result of our efforts, and I thank Chairman TESTER and my committee colleagues for their partnership and work to get us where we are today.

There was a lady on the Capitol lawn this morning in the group that Senator TESTER and I spoke to, and she was telling me that her husband was exposed to toxic substances in the Middle East, that he is experiencing growing symptoms of challenges as a result of that exposure. He is waiting to see whether this bill passes, and he is hoping that even if he is the last veteran alive to see the legislation passed that he will have accomplished something that is important for him because he will pass knowing that the problems he is creating for his family due to his service are being addressed.

There is sadness in that, that one who is challenged by these conditions wants to know that we have done our job so that he can know he has done his job as a father and a husband. Today begins the day in which we can demonstrate that we are capable of doing our job, and I ask all of my Republican and Democratic colleagues to join me

in supporting this historic bill for our veterans today and for the generations of veterans to come.

I yield the floor.

VOTE ON WAGNER NOMINATION

The PRESIDING OFFICER (Mr. LUJÁN). Under the previous order, the question is, Will the Senate advise and consent to the Wagner nomination?

Mr. TESTER. 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. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Oregon (Mr. MERKLEY), and the Senator from Connecticut (Mr. MURPHY) are necessarily absent.

The result was announced—yeas 76, nays 21, as follows:

[Rollcall Vote No. 214 Ex.]

YEAS—76

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Rounds
Blumenthal	Hirono	Sanders
Blunt	Hoeben	Sasse
Booker	Hyde-Smith	Schatz
Boozman	Inhofe	Schumer
Brown	Kaine	Scott (SC)
Burr	Kelly	Shaheen
Cantwell	Kennedy	Shelby
Capito	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Lujan	Tester
Cassidy	Manchin	Thune
Collins	Markey	Tillis
Coons	McConnell	Tuberville
Cornyn	Menendez	Van Hollen
Cortez Masto	Moran	Warner
Cramer	Murkowski	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Whitehouse
Fischer	Padilla	Wicker
Gillibrand	Peters	Wyden
Graham	Portman	Young
Grassley	Reed	
Hassan	Romney	

NAYS—21

Barrasso	Ernst	Marshall
Blackburn	Hagerty	Paul
Braun	Hawley	Risch
Cotton	Johnson	Rubio
Crapo	Lankford	Scott (FL)
Cruz	Lee	Sullivan
Daines	Lummis	Toomey

NOT VOTING—3

Feinstein	Merkley	Murphy
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's actions.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 mo-

tion to proceed to Calendar No. 388, H.R. 3967, a bill to improve health care and benefits for veterans exposed to toxic substances, and for other purposes.

Charles E. Schumer, Jon Tester, Benjamin L. Cardin, John W. Hickenlooper, Richard Blumenthal, Jack Reed, Bernard Sanders, Brian Schatz, Tim Kaine, Richard J. Durbin, Kirsten E. Gillibrand, Martin Heinrich, Margaret Wood Hassan, Tammy Duckworth, Kyrsten Sinema, Patrick J. Leahy, Robert P. Casey, Jr., Christopher A. Coons.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3967, a bill to improve health care and benefits for veterans exposed to toxic substances, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

The yeas and nays resulted—yeas 86, nays 12, as follows:

[Rollcall Vote No. 215 Ex.]

YEAS—86

Baldwin	Graham	Peters
Barrasso	Grassley	Portman
Bennet	Hagerty	Reed
Blackburn	Hassan	Risch
Blumenthal	Hawley	Rosen
Blunt	Heinrich	Rounds
Booker	Hickenlooper	Rubio
Boozman	Hirono	Sanders
Braun	Hoeben	Sasse
Brown	Hyde-Smith	Schatz
Cantwell	Inhofe	Schumer
Capito	Johnson	Scott (FL)
Cardin	Kaine	Scott (SC)
Carper	Kelly	Shaheen
Casey	King	Shelby
Collins	Klobuchar	Sinema
Coons	Leahy	Smith
Cornyn	Lujan	Stabenow
Cortez Masto	Manchin	Tester
Cotton	Markey	Thune
Cramer	Marshall	Tuberville
Crapo	McConnell	Van Hollen
Cruz	Menendez	Warner
Daines	Moran	Warnock
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Ernst	Murray	Wicker
Fischer	Ossoff	Wyden
Gillibrand	Padilla	

NAYS—12

Burr	Lee	Sullivan
Cassidy	Lummis	Tillis
Kennedy	Paul	Toomey
Lankford	Romney	Young

NOT VOTING—2

Feinstein	Merkley
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The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 86, the nays are 12.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

LEGISLATIVE SESSION

HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2021—MOTION TO PROCEED

The PRESIDING OFFICER. Cloture having been invoked, the Senate will resume legislative session, and the clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.R. 3967, a bill to improve health care and benefits for veterans exposed to toxic substances, and for other purposes.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:17 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2021—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Arizona.

H.R. 3967

Mr. KELLY. Madam President, it is past due for us to address veterans not getting the care they need after suffering an illness caused by toxic exposure. We can do that as soon as this week by passing the PACT Act.

As a retired naval aviator, I know firsthand the sacrifice and hard work it takes to succeed in our military. I knew I wanted to join the military from a young age, and after attending the U.S. Merchant Marine Academy, making that choice was easy for me. That is the case for some but not for everyone. Many more will say that this was the hardest decision that they had to make, putting families, school, careers, or all three through major changes in order to serve.

This is a sacrifice for so many, and regardless of how someone comes to serving, what follows isn't easy. We spend years training to go to war. For me, that was training to fly off of and land on an aircraft carrier and put bombs on enemy targets. That is what I did during Operation Desert Storm, flying combat missions off the USS *Midway* in the gulf, to deliver weapons on dozens of targets in Iraq and Kuwait.

War is by its very nature dangerous, and flying airplanes in combat or conducting ground combat operations is very complex. You need to focus on completing the mission while also focusing on your safety and that of your team or your crew. There are many opportunities to be killed or injured. We all get that. The public understands

that. But there are also silent killers that affected soldiers, sailors, marines, and airmen who served abroad.

No American soldier goes overseas and expects to be put in grave danger by their own military, but they were. We saw it in Vietnam with Agent Orange. We saw it in the first gulf war with toxic exposures that we are still grappling to fully understand. It happened again starting about 20 years ago when American soldiers in Iraq and Afghanistan were breathing in toxic smoke from American-made burn pits. Clouds of smoke containing plastics, rubber, medical waste, and chemicals billowed, and although the “stink” might have been a nuisance, the true physiological damage would turn out to be much worse.

We sent young, healthy, and highly capable American troops—all of whom volunteered—overseas. When they came home, they got sick, and then they got sicker, just like in the case of SFC Heath Robinson, whose namesake and story are behind the PACT Act.

Our servicemembers had put everything on the line, only to return with severe illnesses due to bad decisions. When those same servicemembers battling rare diseases filed claims with the VA, they were met with a closed door. They were told that it wasn't a service-connected illness, so it wasn't covered. This is shameful, and it is unacceptable. That is why this legislation is so important. Our military made mistakes, and thousands of Americans and more than 6,500 Arizonans have paid or are continuing to pay the price.

We must—we must—live up to our solemn obligation to look after our veterans, and that is what the PACT Act will do. This bill will lower the threshold for veterans to receive benefits, expand access to VA healthcare, strengthen the VA's ability to process claims, create pathways for future presumptions based on developing medical research, and much more.

So, together, let's get this bill across the finish line for our veterans and their families. They deserve better from Washington.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I want to reiterate and underscore and expand on some of the comments made by Senator KELLY from Arizona in support of this legislation.

We know that, as he said, our servicemembers put their lives and health on the line to keep us safe. Even those who come home can face long-term health risks from their service. Too often, we have not provided veterans the care and the benefits they have earned and deserve, particularly those exposed to toxic substances while serving in uniform. We have the opportunity this week, finally, to change that.

This week in the Senate, we are on the verge of passing the most comprehensive expansion of benefits for veterans who faced toxic exposure, in

our Nation's history. Providing healthcare and benefits for veterans who suffer from toxic exposure is a cost of going to war. We are willing to spend a lot of money going to war, as we need to, but we have never, never really stepped up taking care of our veterans—those who return home—because it is also costly, but it is what we need to do.

If you were exposed—fundamentally this—if you were exposed to toxins while serving our country, you deserve the benefits you earned, period, no exceptions. The Senate is finally on the verge of recognizing that.

My office holds roundtables with veterans all over Ohio, and I have heard veterans raise this issue again and again and again. As many as 3½ million servicemembers in this country were potentially exposed to toxic smoke. Time is running out for these veterans.

For years, we have worked to highlight this long-ignored issue and the hurdles veterans faced after burn pits and, before that, exposure to Agent Orange. With Agent Orange, we expanded VA benefits. We had to do it condition by condition and location of service by location of service, and it took way, way, way too long. Far too many Vietnam veterans suffering from toxic exposure to Agent Orange died while Congress continued to slow-walk the kinds of benefits we should have done much more quickly. Too many veterans were left behind. Our veterans deserve better.

This bipartisan bill would guarantee that veterans who suffer because of toxic exposure will get the VA benefits they earned for the first time in our country's history. It would finally extend VA healthcare eligibility to all post-9/11 combat veterans. It would expand presumptions for veterans exposed to Agent Orange. It would add 23 burn pit- and toxic exposure-related conditions to VA's list.

The comprehensive legislation is named in honor of Ohio veteran SFC Heath Robinson, who deployed to Kosovo and Iraq with the Ohio National Guard. He passed away in 2020 from cancer as a result of toxic exposure during that military service.

His widow, Danielle Robinson, has been a determined advocate for this cause. She was the First Lady's guest at the State of the Union this year, to underscore the President's commitment to getting this done.

Her mother, Susan Zeier, and Heath's daughter, Brielle, Susan's granddaughter, are here this week, along with so many advocates from Ohio, like Andrea Neutzling, an Army veteran and advocate from Meigs County. Earlier today, Susan and her granddaughter, Brielle, the daughter of Heath Robinson, and Andrea and Tim and others from Ohio were in the Gallery. They are counting on the Senate to finally do the right thing.

This has been a long time coming. It will mean that more than 3 million

toxic-exposed veterans will finally have the expanded access to healthcare which they deserve and which they earned. It is a good first step. It is late for veterans who have suffered for years.

I ask my colleagues to join me in finally keeping our promise to our veterans. We should never forget the debt we owe our veterans, and we are humbled by their commitment to service. It is time that we ensure that our veterans, after sacrificing so much for our country, receive the full benefits and care that they deserve and that they earned.

The PRESIDING OFFICER. The Senator from Alaska.

BRUCE'S LAW

Ms. MURKOWSKI. Madam President, I have come to the floor this afternoon to speak about a measure that I will be introducing this week with my colleague from California, Senator FEINSTEIN. We have entitled this bill Bruce's Law in memory of a young Alaskan, Robert “Bruce” Snodgrass, who passed away in Anchorage last October.

Bruce is the son of Sandy Snodgrass. Sandy is with us here today in the Senate Gallery.

Bruce and Sandy lived in California when Bruce was younger before moving back to Alaska. Sandy likes to describe Alaska as Bruce's true home.

Bruce was a good kid. He was a good kid, but, like many good kids, he struggled with alcoholism, he struggled with drug addiction, and he and his family were far too familiar with this, as his grandfather and his father died of the same addictions. And despite all of this, Bruce started using drugs as a teenager, and it really sent his life into a downward spiral. But Sandy was always there. Mom was always there providing a safe and a comfortable home, and yet he was arrested repeatedly and ultimately wound up homeless.

But then, last summer—last summer, things turned around. Bruce made the choice to get clean. He wanted to get his life on track, and Sandy was right there, ready to help, as any good mom would be. She got Bruce to a detox facility and then into a local inpatient program for treatment. He graduated from it, and he moved back home. He was able to spend his time at outpatient meetings. He was in counseling. He liked to ride his mountain bike. He received this after he had completed the treatment program.

But then, one day last October, Bruce went out for a bike ride, and Sandy remembers telling him before he went, she said, “Be careful out there.” But Bruce never came back. He never came home.

On October 20, Bruce's body was found in a grocery store parking lot, and just like that—just like that—suddenly, heart-wrenchingly, and after trying so hard to overcome his demons, he was gone—just gone forever.

And so we grieve with Sandy, who lost her only son that day. No parent—

no parent—should have to bear what she is going through.

But the details of Bruce's death are especially tragic because Bruce died from an accidental overdose of fentanyl. Fentanyl is a synthetic opioid that is 50 times more powerful than heroin, 100 times stronger than morphine, and it is relatively cheap, easy to make. It makes it attractive for drug dealers, but it is also just incredibly, incredibly dangerous for those who come into contact with it.

Just 2 milligrams, which would fit on the end of a pencil, can cause a fatal overdose. This is how the Justice Department describes it:

Fentanyl powder has the power to kill with the ingestion, inhalation, or skin absorption of just two milligrams. By comparison, a sweetener packet found on a restaurant tabletop generally contains 1,000 milligrams per packet.

So just to give you an idea of how small a deadly amount can be, a single pill, with just trace amounts of fentanyl, can be fatal to the average person, which has prompted the Drug Enforcement Administration to start a campaign that they call a "One Pill Can Kill." This campaign is designed to raise public awareness here.

Now, there is a form of fentanyl that is carefully and precisely manufactured. It is prescribed for medical patients who may be in extreme pain, like those who are suffering from late-stage cancer. And doctors know—they know that they have to be exceedingly judicious with their prescription of this pharmaceutical fentanyl. But it is this other form—the illegal fentanyl—that is being made in underground labs and sold on the streets.

Illegal fentanyl is often laced into counterfeit pills that are made to look like Oxycodone or other frequently used and abused opioids. The fake pills are difficult to distinguish from the real thing without specialized tests because they are deliberately made to look like them.

According to law enforcement authorities, about 40 percent of those pills—of these counterfeit pills—contain a potentially lethal amount of fentanyl.

So you buy a pill, you think it is a frequently abused opioid that you have taken before, but over 40 percent—about 40 percent of these counterfeit pills can contain a potentially lethal amount of fentanyl.

Some drug traffickers are also adding fentanyl into heroin, into meth, into cocaine; and it makes these drugs even more deadly, since fentanyl is indistinguishable in its powder form. If you look at a picture of heroin and fentanyl, you cannot tell the difference. But fentanyl's presence might be the difference between life and death.

It was an official from New Hampshire who said, a couple years ago: You don't know what you are taking. You are injecting yourself with a loaded gun.

Now, most people would avoid fentanyl if they knew what it was capable of doing to them, but oftentimes they don't even know. They don't know. They have never heard of it or they don't know enough about it or, again, they think that they are buying a name-brand prescription pill, not some deadly knock off.

It is now fueling a nationwide crisis with terrible, terrible impacts in every State in the country.

A few weeks ago, the Wall Street Journal reported that drug overdose deaths likely reached more than 107,000 in America last year, an all-time high and an increase of 15 percent from just 2020. Roughly two-thirds of those deaths were attributable to synthetic opioids, led by fentanyl, with an increase of 23 percent year over year. So we are just seeing this skyrocket.

An official with the CDC is quoted in that Wall Street Journal story as saying, "We've never seen anything like this." "We've never seen anything like this." And he is right; we haven't. Nor are we ready to fight it. Fentanyl is flowing into America largely from China and Mexico, and it is coming in at an unprecedented rate—so much so that it recently became the leading cause of death for Americans aged 18 to 45, and this was in the midst of the pandemic, when we were seeing deaths in other areas, but it became the leading cause of death for young Americans.

And no one—no one—has been spared by this growing epidemic. I wish that I could say in Alaska, we are far enough away, we are remote; but, no. I have shared Bruce's story with you, but he is not the only one. Opioid-related deaths in Alaska, mostly from fentanyl, rose by 71 percent between 2020 and 2021. In my State of Alaska, it rose by 71 percent. It now accounts for about 60 percent of the drug overdose deaths in Alaska.

Our law enforcement authorities routinely are intercepting packages with fentanyl. They are finding it in Anchorage, they are finding it in Ketchikan, in other places in the State.

In April, the Alaska High Intensity Drug Trafficking Area Initiative—this is what we call the HIDTA initiative—had its largest-ever seizure, worth an estimated \$356,000. Our Governor's office has estimated that the 1,244 grams of fentanyl seized in January, February, March of this year, 2022, could kill 622,000 Alaskans—622,000 Alaskans. That is about 84 percent of our State's population. Think about that. In 3 months—in 3 months—the amount of fentanyl seized could kill 622,000 Alaskans or about 84 percent of our State's population. This is awful. This is a tragedy at every level.

This is also an epidemic of the young, and I am looking to the young people on this floor because I want you to hear how frightening, how deadly, fentanyl is. According to the Alaska Department of Health and Human Services, drug overdose deaths rose by

25 percent among Alaskans aged 15 to 24 last year—so, basically, your age category—and by a staggering 200 percent in young Alaskans between the ages of 25 and 34. It is devastating because behind those numbers are real people, like Sandy's son, like Bruce Snodgrass, who should have celebrated his 23rd birthday just last week. We had beautiful, beautiful weather in Anchorage. I saw Sandy. She reminded me of Bruce's birthday. And you look around and you think about that young man lost, gone—gone.

At least six individuals in the Mat-Su Valley who were killed by fentanyl-laced heroin in March made news in the paper—all just in one story. So, so many others killed, gone—gone.

In the wake of Bruce's death, Sandy has said that she was in shock for several months, which is entirely understandable. But since then—since then—she has decided to tell her story, share her heartache, in hopes that other moms won't lose their sons, and so she is an advocate. She is an advocate with every ounce of her being, and it is thanks to her that we are introducing Bruce's law.

Bruce's Law starts with education and awareness, requiring the Federal Government to create a nationwide campaign against fentanyl for school-aged children, young adults, parents, first responders, and care providers. The campaign will help illustrate the extreme dangers of pills and street drugs that could be laced with fentanyl; help prevent drug abuse, including through the safe disposal of prescription medications; and help identify the early-warning signs of addiction.

Bruce's Law also authorizes the Secretary of Health and Human Services to form an interagency working group on fentanyl contamination of illegal drugs. This group would consist of Federal Agencies, State-level HIDTA directors, parents who have lost loved ones to fentanyl overdose deaths, and those with lived experience and recovery. It would consult with experts at all levels to identify strategies, resources, and supports to address the incidence of drug overdoses with fentanyl-contaminated drugs. It will review current Federal strategies to seek improvements to them, particularly when it comes to educating middle and high school students about the profound danger of these drugs.

The final part of Bruce's Law authorizes new community-based coalition enhancement grants to help educate young people about the risks of street drugs laced with fentanyl. This would allow the Drug-Free Communities Coalitions to access new funding focused specifically on fentanyl and to try to curb or eradicate its use.

This is a starting point. It is a starting point. And we have to start because we have such a serious problem on our hands. We know we have it in Anchorage, where Bruce Snodgrass likely never knew that he was taking a drug

laced with fentanyl; where the officer who met Sandy after Bruce's body was found had just come—he had just come from notifying another family of another death caused by another overdose.

We also know that we are not alone. This is a national crisis. We know we must do more—more to prevent fentanyl from coming across our borders; more to prevent fentanyl-laced drugs from being sold on the street; more to educate Americans, especially—especially—young adults, especially youth, about its acute danger; and more to address addiction and to provide support for recovery.

As I close, I want to thank Senator FEINSTEIN for being the lead Democratic sponsor of Bruce's Law, as well as Senator SULLIVAN and Senator HASSAN for agreeing to cosponsor it with us. I would encourage every Member of the Senate to sign on to this legislation.

We acknowledge in Alaska this is a problem in our State, and we have to acknowledge it in all of our 50 States. I urge others to join us in this effort. Send us your input on how we might be able to strengthen this legislation.

Again, I want to thank Sandy. I want to thank Sandy Snodgrass, who is with us today. Joining her are Kim Kovol from the Office of the Governor, as well as Mike Troster, who is the State of Alaska's HIDTA director. Each of them—each of them—they are such important advocates.

We recognize that it is going to take all of us doing a lot more than we are doing now to raise awareness of fentanyl and turn back this deadly tide, but we have to. We have to for our communities, for our kids, and for Bruce.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

H.R. 3967

Mrs. GILLIBRAND. Madam President, I rise to discuss helping our servicemembers exposed to toxic burn pits.

Let me tell you about U.S. Army SFC Heath Robinson. He was a strong, healthy, fit combat medic who served tours in Kosovo and Iraq. When he returned home, however, he began experiencing fatigue. He started bleeding from his ears and nose and completely lost his voice.

After consulting multiple doctors, he and his wife were sitting in the exam room waiting for test results when the doctor came in with tears in his eyes. He explained that Sergeant Robinson had an extremely rare form of stage IV lung cancer and exclaimed: What have you been exposed to? Sergeant Robinson thought back to his tour in Iraq. He remembered seeing and smelling smoke from pits the size of football fields at his base near Baghdad.

While serving in Iraq, Afghanistan, and beyond, millions of U.S. troops have lived and worked near burn pits. They are basically burning trash heaps that the military has used for decades

to dispose of everything from human waste to trash and electronics and jet fuel, and they spew forth many of the same dangerous toxins that were at Ground Zero after 9/11.

The VA estimates that 3.5 million servicemembers were exposed to burn pits around the world, many of them veterans who are now suffering from permanent injuries and illnesses ranging from chronic bronchitis to cancer. But when these veterans seek treatments, they face an often unsurmountable burden of proof.

For SFC Heath Robinson, the VA denied him compensation and prescription medications because it wasn't proven that burn pits were the cause of his illness. Army Sergeant Robinson died in 2020. He was only 39 years old.

I have heard from many veterans, servicemembers, and their families who have also been raising the alarm about burn pits. Gina Cancelino of New York told me about her husband Joseph, who was a Marine Corps veteran, an NYPD sergeant, and a dad of two girls. In 2017, he developed a very rare, very aggressive form of testicular cancer, as well as thyroid cancer. He died in 2019 when he was just 52.

This is simply unacceptable. Our servicemembers risk their lives to keep us safe. All they ask for is care in return, but our government has failed them repeatedly. First, it was Agent Orange. Then, it was the Blue Water Navy vets. Today, it is burn pits.

That is why, nearly 2 years ago, I started working with Jon Stewart, John Feal, and a strong coalition of veterans service organizations to craft the Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act.

This bill forms the centerpiece of the Honoring Our PACT Act, which has now been named in honor of Sergeant Robinson. The bottom line: It would remove the unsurmountable and unreasonable burden of proof for veterans to receive care. No longer would these selfless individuals have to jump through hoops to get the care they actually have already earned. No longer would they have to spend hours upon hours researching the very diseases that are killing them. No longer would they have to spend their own money on biopsies to prove their illnesses are exposure-related and service-related. No longer would they be forced to suffer or even die like Sergeant Robinson, Sergeant Cancelino, and so many others as our Nation and government continue to fail them.

Now we have the opportunity to pass this bill here in this Chamber at this moment in time. While we have incredible momentum, we still have to make sure we get 60 votes on final passage. I have been meeting with many of you to drum up the support we need for this critical bill to get it over the finish line. Its passage will represent an enormous victory for servicemembers and veterans across the country.

I am proud of the enormous progress we have made in this effort, and I hope

that all of my colleagues will join us in passing the PACT Act, not only for Sergeants Robinson and Cancelino but for all of the brave men and women who are still suffering and dying from their exposure to burn pits while serving this country so honorably.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I want to thank my colleagues who have worked with us on a bipartisan basis to bring the SFC Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022 to the floor for a vote. That is a mouthful. The PACT Act is the way it is known more colloquially.

The PACT Act is a profoundly significant measure. It is a milestone in our dealing with the health and benefits that our veterans deserve.

We know that the modern battlefield is filled with toxins and poison that could cause grave injury, and many of the afflictions that result from those toxins or chemicals are manifested only years after a veteran leaves Active-Duty service. In fact, cancer, hypertension, skin disease—the list is long, and so are the number of years when the illnesses can arrive. They are latent. They are hidden. Like many wounds of war, they are invisible at the time. But these brave men and women who serve us on the modern battlefield experience them at higher rates because there are more of those toxins and chemicals.

We have seen them, for example, in the burn pit. One of my sons, a Marine Corps officer in Afghanistan, saw them firsthand, described them to me, and worried about the effects on him. So far he is fine, but the years ahead are an unknown for him and for countless other men and women who may have been exposed. In fact, they may not even know that they have been exposed to these chemicals and toxins.

The fact of the matter is that the Veterans Administration has resisted taking responsibility for these illnesses. It has erected thresholds of proof and barriers of evidence for veterans who suffer the effects of the burn pit and the other sources of toxic chemicals that can inflict such grievous pain and worry on so many of them. That is why this legislation is so significant—because it will begin to right the inaction of the government in helping veterans afflicted by toxic exposure.

We have been here before. We have fought year after year after year for veterans who were afflicted with the results of Agent Orange over the resistance and the opposition of the VA. And even after we passed the measure, righting those wrongs, the VA resisted implementing the law, not under this administration, fortunately, but previous ones.

I am immensely grateful to this VA for its seeming support of this measure, but I am most grateful to the veterans themselves, the veterans service

organizations that have been at our side and have had our back, including the Iraq and Afghanistan veterans, their organization. The IAVA has played an important role; likewise, the VFW—Veterans of Foreign Wars—the American Legion, Disabled American Veterans, and others. They are among the main rulers who deserve predominant thanks.

Chairman TESTER and Ranking Member MORAN and our counterparts in the House Committee on Veterans Affairs have been instrumental in this measure. In fact, I worked with Senator MORAN on this issue when I was the ranking member on the Veterans' Affairs Committee. He saw, along with me, the importance of moving forward on this issue.

This inaction has affected countless families like Sergeant First Class Robinson's family. I received a handwritten note from his young daughter yesterday urging me to vote yes on "my dad's bill." Let there be no mistake, I am going to be voting yes on this bill, and I hope that my colleagues on both sides of the aisle will overwhelmingly join me in voting yes.

I want to say, in particular, how proud I have been to lead legislation, along with colleagues like Senator TILLIS, to advance particular causes of groups of veterans who have been specifically affected. For example, the Palomares nuclear accident in 1966 caused huge suffering and pain to men and women in uniform who were sent to clean up a crash or a release of bombs. They didn't explode, but they were nuclear weapons, and they had to be cleaned up. Their remediation exposed those veterans to radiation, and the PACT Act will provide them with much needed relief.

Similarly, there are an estimated 16,000—that is right; 16,000—U.S. servicemembers deployed to a base in Uzbekistan known as K2. It was an old Soviet base, which became a dumping ground for all kinds of toxic substances, and they were exposed to those substances when they served there.

Now, the old Soviet Union didn't care much about its people—Russia not much more—about its people in uniform, but we should, and we do. That is why the PACT Act would provide care to them.

In the United States at Camp Lejeune, many of our veterans and their families were exposed to toxins in the water supply. They have been left without any real recourse. My friend and colleague Senator TILLIS and I worked together on legislation to help these thousands of veterans and their families impacted by those toxins at Camp Lejeune. It was an uphill battle. We had to overcome a lot of resistance. Again, some of our VA friends didn't see it our way, but my feeling is that we had to fight as tenaciously for those Camp Lejeune families as marines do for us.

The PACT Act essentially regards these kinds of illnesses and afflictions

as part of the cost of war, and it puts the presumption of service-connected cause on the side of the veteran because many of them are making claims after the fact, indeed, well after they have left the battlefield. The proof is much more difficult for them to make and much easier for the VA to resist, so the burden should be on the VA to prove that these illnesses are not service connected, not the other way around. The presumption has to be in favor of the veteran. That is the basic fairness here. It levels the playing field so that veterans have a fair chance at making sure that they receive the healthcare and the benefits that they deserve and need.

I am proud that this measure is bipartisan. It is long overdue, but it moves us in the right direction, and maybe it helps to prove that we can continue to work productively together. Certainly, as to veterans, we need to do the right thing in recognizing these costs of war.

This measure is not only an important milestone as legislation, but it also represents an opportunity to educate our country about invisible wounds, about brave men and women who serve in combat and come home without necessarily a visible wound but experience a different kind of hardship and burden. Their sacrifice must be recognized. They need healthcare, and they deserve it. The benefits that they are receiving as a result of this measure are extraordinarily and deeply well deserved and should be available promptly.

I yield the floor.

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. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Madam President, I have been on the floor quite a few times about an industry which is controversial: for-profit schools. If you want to know about for-profit colleges and universities, you have to remember two numbers, and the numbers are these: 8 and 33. Eight percent of the graduates of high schools go to for-profit colleges and universities; 33 percent of all the student loan defaults are students who started out at for-profit colleges and universities.

They are students who didn't finish or ended up with a worthless degree, couldn't make enough money, and defaulted on their student loans. That is an industry that deserves close scrutiny, because, you see, they operate almost exclusively with Federal taxpayers' dollars.

I believe that they have really posed an unscrupulous threat to unsuspecting students, to taxpayers, and to the solvency of Federal student aid programs.

Corinthian Colleges, sounds great, doesn't it? That was one of them, one of the largest for-profit college companies, and one of the worst.

It operated more than a hundred campuses, including six in my home State of Illinois, under names like Everest Colleges, WyoTech, and Heald Colleges.

At its peak, Corinthian enrolled more than 110,000 students, raking in a \$1.4 billion sum from the Federal Treasury every year, 1.4 billion for Corinthian. How did Corinthian attract its students? It lied. It invested heavily in marketing and advertising. It created a business model that relied heavily on predatory sales practices. It deliberately misled students into taking on more debt than they could ever, ever repay.

They lied to potential students about the school's job placement rates. They lied about the students' future salary prospects. They lied about whether Corinthian credits could be transferred to another college. Most appallingly, Corinthian recruiters were sent out to look for the most vulnerable targets: high school students whose families had no experience with higher education—minority students.

An internal company document described Corinthian's target demographic as "isolated people" with "low self-esteem." People who have "few people in their lives who care about them" and people who are "stuck, unable to see and plan for the future." They preyed on these people.

Single moms living close to poverty were the best targets. In 2013, Vice President KAMALA HARRIS, who was then California's attorney general, sued this company for predatory and deceptive business practices. That lawsuit was followed by investigations by four different Federal agencies and more than 20 State attorneys general for consumer fraud on all of their campuses.

Corinthian's enrollment numbers and stock prices tumbled with these investigations, and on April 26, 2015, the whole Corinthian College house of cards collapsed. The company announced abruptly it would close all of its schools the following day.

The announcement left 16,000 students stunned and worried about how they were ever going to pay off the debts they had incurred and about the degrees that they wouldn't be able to finish.

Back in 2015, I called for widespread relief for borrowers defrauded by Corinthian. And last week, these borrowers finally received some long overdue relief. Seven years after they closed Corinthian, they finally got relief from the student loans they incurred because of the fraud of Corinthian Colleges.

In its largest student loan forgiveness action ever, the Education Department recognized the rot that was at the core of Corinthian Colleges and announced it was going to wipe out \$5.8

billion in student loan debt owed by 560,000 borrowers who attended the company's for-profit schools.

You see, the Federal Government was saying to the students: These schools are OK. You can borrow Federal money going to these schools.

These students said, well, I couldn't get a Federal loan unless it was a real college or university, and, in fact, they were wrong.

For former Corinthian students, this loan forgiveness means finally their credit scores will start to get above sinking, fewer garnished paychecks, and calls from collection agencies may just slow down. I applaud Education Secretary Cardona and President Biden for their leadership on this simple issue of justice.

This is the latest step the Biden administration has taken to ease the crush of student loan debt.

The administration has used relief programs aimed at a variety of borrowers, including public service workers and people with disabilities. It also paused loan repayment during the pandemic.

President Biden reportedly is considering a broader student loan forgiveness program that would benefit more borrowers, such a program—if it is responsibly crafted—would be a boon not only to individual borrowers and their families, but also to our economy. It would make it possible for young people to finally restart their lives, buy a car, maybe even a home, start a business, maybe even a family—the kinds of investments that make America grow the right way.

I also believe we need to rethink the provisions in our Federal bankruptcy laws that make student loan debt one of the few debts that cannot be discharged in bankruptcy proceedings. If you declare bankruptcy, you can basically be discharged from any obligation to pay back your mortgage, even your mortgage on a second home, your car loan, or even money that you borrowed for a boat. You can discharge all those in bankruptcies, but you cannot discharge your student loan, in all practical purposes.

Bankruptcy should be allowed to be used as a last resort for borrowers who have no other place to turn. I expect to have more to say about that in the near future.

America needs more trained nurses, doctors, teachers, engineers, mechanics, and skilled professionals and trade workers than ever before. It is in America's national and economic interest to make sure that student loans are a prudent investment and to protect unsuspecting students from unscrupulous organizations like these for-profit colleges and universities.

We should have learned our lesson as a Nation.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I ask unanimous consent to speak for up

to 15 minutes and Senator STABENOW for 1 minute prior to the scheduled rollcall votes.

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

UKRAINE

Mr. PORTMAN. Madam President, last Friday was a grim milestone. It was the 100th day of the war in Ukraine—a war being waged by Russia against an ally in a democratic country, Ukraine: a hundred days of brutal, unrelenting rocket and missile attacks throughout Ukraine, including attacks on a number of civilian targets like hospitals and churches and apartment buildings, schools. Tens of thousands of Ukrainian citizens and soldiers have been killed and entire cities have been laid to rubble by the Russian barrages.

For the 14th straight week when the Senate has been in session during this war, I come to the Senate floor again today to discuss the status of this unprovoked and bloody invasion and to talk about what our role as Americans ought to be.

First, it can never be emphasized enough that the people of Ukraine, professional soldiers and civilians and volunteers alike, have demonstrated courage, fortitude, and competence in beating all expectations in their existential battle against the odds to preserve their freedom and protect their homeland.

I am not surprised because I have seen the spirit and bravery of the Ukrainian people firsthand. In my seven or eight or nine trips to Ukraine, including meetings with Ukrainian troops on the line of contact before this latest invasion, I have seen the Ukrainian spirit. To have held off Russia this long demonstrates their strength and their resiliency. But at this moment in time there is reason for concern too.

President Zelenskyy just said that Russia now controls 20 percent of Ukraine's territory. Before the war started, Russia controlled just 7 percent of Ukraine, after its illegal annexation of the Crimean Peninsula and the creation of a Russian-backed separatist government in parts of the Donbas region in eastern Ukraine.

If you look at this map, you can see here what Russia took in 2014, Crimea and part of the Donbas here, and look what they have now and look at where the battles are occurring.

I made another trip to the region last week, and what I heard was that thanks to the fierce Ukrainian resistance, Ukrainians have had success in some parts of the country.

Remember, at one point Kyiv was under attack and there were Russian troops coming down from Belarus. They have been repelled, so there have been successes. There is no question about it. But Russia has now consolidated its troops and its firepower in this area, in the south and in the east, and they are making gains—incremental gains, but gains nonetheless.

This is a crucial point in the war, and we have to redouble our efforts and do

that now to help Ukrainians defend themselves, to save Ukrainian lives, and to push the Russian invasion back.

In my trip to the region last week, I also visited with U.S. troops and commanders in Germany and with heads of government, military leaders, and refugee coordinators in Romania and Moldova before traveling to the United Kingdom, one of our staunchest allies. I thank them for their support.

While I was in Moldova, I was able to cross the border into Ukraine, where I met Ukrainian refugees leaving the country, but also Ukrainians who were actually returning to Ukraine, as the place where they lived in this part of Ukraine, closer to Kyiv, was relatively stable.

During my visits with the leaders of Moldova and Romania, I was able to thank each of them for their support in Ukraine and to learn more about what they need to be more effective partners in the region.

In Germany, visiting with the U.S.-European command, I received detailed briefings on the state of the war in Ukraine, as well as what the United States and our allies are doing to support Ukraine's brave defenders with military assistance.

I also met with the senior Ukrainian liaison there from the Ukrainian military who gave me his very frank assessment of the war and what weapons his brothers-in-arms absolutely need to be able to continue their fight. As I mentioned earlier, Russia's recent gains on the eastern side of the country are cause for serious concern.

Russia's mainline effort, again, is here in the Donbas region. By all accounts, the Ukrainians are making the Russians pay dearly for every inch of territory, but they are taking territory, incrementally, and the Ukrainians, both soldiers and civilians, are taking higher casualties.

The primary reason is the Russian artillery has a longer range than the artillery that the Ukrainians possess. They are able to strike Ukrainian positions from safe distances where Ukrainian artillery cannot reach them. This unlevel playing field in eastern Ukraine must be addressed.

This is why I have been urging the administration and our allies to immediately provide Ukraine with the weapons they are asking for to allow them to have a fighting chance against the longer range Russian artillery, specifically longer range advanced rocket artillery systems. These systems which we have are superior or at least on par with the Russian artillery in terms of distance, accuracy, reload speed, and mobility and would help immediately to level the playing field for Ukraine.

I spoke about the need for these weapons in my floor speech on May 24. I have tweeted about it, I think, six or seven times. Finally, after weeks of urging that we listen to the Ukrainians and provide these systems, I was very pleased that the administration announced last Tuesday that they will

provide Ukraine with high-mobility artillery rocket systems or HIMARS. But I am concerned not just by how long it took and continues to take but by how long it will take to get these systems in place in Ukraine while lives are being lost and Ukrainian territory is being taken.

Moreover, the best information that I have is that the administration is only providing four of these HIMARS systems, which will have limited impact on the battlefield. I hope I am wrong about that. I hope there are more on the way. But that is the best information we have.

They are also only providing Ukraine with midrange missiles, meaning that Ukrainian troops will need to fire closer to Russian positions and put themselves at greater risk. That may be OK because that may be comparable or maybe even slightly better than the Russian artillery, but they are not getting the special, longer range missiles.

Lastly, we are being told it will take time to train Ukrainian soldiers on how to operate this advanced system. All told, it will take, we are told, roughly 2 weeks for these systems to arrive in-theater and for Ukrainian troops to be sufficiently trained on them. In the meantime, Russia's brutal advance will proceed, and Ukrainian lives will continue to be lost.

There is some good news on that front from another part of our allied front. Just yesterday, the British announced that they will send several multiple launch rocket systems to Ukraine, which is a larger version of what we are sending. This is very important. I appreciate what the UK is doing, and I also urge other allied countries that have this longer range capacity to step up as well.

In addition, this week we learned that Spain is ready to send Leopard battle tanks and anti-aircraft missiles to Ukraine. This is a big change, and we appreciate the fact that the Spanish military support has been increasing. They will also provide training for Ukrainian Army officials and soldiers on the tanks, according to the report, which cites government sources.

Also, in, Severodonetsk, the city the Russians were overrunning last weekend, reports indicate that the Ukrainians have counterattacked and are putting up a fierce resistance to Russia's assault.

This is this area right here.

Although the battle is far from over, the Ukrainians are, once again, demonstrating their incredible bravery and resolve, showing the world that despite being outgunned, they will not give up without a fight.

After my briefings in Germany, I traveled to Romania, where I met with Prime Minister Ciuca, the Minister of Economy, State Secretary of Foreign Affairs, members of Parliament, and officials and volunteers involved with welcoming Ukrainian refugees.

America could ask for no better friend than Romania. Our interests

align on many issues, including energy security, defense spending, food security, standing against Russian aggression, and blocking malign Chinese investments in critical infrastructure. Our relationship is strengthened by the Romanian community in the United States, including in Ohio, where thousands trace their heritage back to that great country.

Twenty percent of Romania's energy comes from nuclear energy, and the country plans to boost that to 40 percent in coming years, with America as their partner of choice. I urge the Biden administration to do more to support Romania's embrace of nuclear energy, especially with regard to the Export-Import Bank, working with American energy companies. As their production increases, I hope that Romania can become an energy hub that can help wean its neighbors off Russian energy. Romania has been smart. They have cut their ties with both Chinese nuclear energy and telecommunications companies, fully recognizing the threat that these companies pose. And unlike other countries in Europe, they are not dependent on Russian energy.

Romania has also been creative in finding ways to help Ukraine export its grain. This is a huge issue. We all know that Ukraine is a large exporter, whether it is sunflower oil or whether it is corn or whether it is wheat, but particularly with regard to wheat. So many poor countries around the world depend on Ukrainian wheat.

This photograph, unfortunately, is of a bombing attack only about a day and a half ago in the area of the Port of Odessa. And this is the Russians exploding a bomb at a grain bin. So they are destroying wheat and other grains that would be destined for poor countries in the world. This is what is going on today in Ukraine.

There is something else that is very important, and that is the ability of Ukraine to export this wheat that they do have in bins around the country. I discussed this at length with Prime Minister Ciuca of Romania. It is extremely important because he has the ability to help with regard to a port in Romania to get some of this grain out that would normally go out through Odessa, which has been mined and has been—mined by the Russians.

So here we are. The Port of Constanta is here. This is Romania. This is Ukraine. Here is the Port of Odessa. Over here is the Donbas, where we were earlier.

This port is actually the largest port on the Black Sea. It is difficult to get from Odessa to here, but in talking to the Prime Minister, he has some great ideas on how to deal with this. With the blockade of Odessa by Russia, there is an opportunity to use rail, to use a canal system, and to use roads to get the grain to Constanta to be able to export it.

I appreciate the fact the Romanians are willing to work us on that, and it is

incredibly important, again, not just to Ukraine and their economy to have the ability to export, but it is also incredibly important because the dire warnings of global food insecurity and price spikes if this blockade continues concerns all of us. It certainly concerns this Congress and this administration.

These poor countries in Africa depend on Ukrainian wheat to avoid food shortages.

Romanian officials told me they intend to work with Ukraine in this project, and I appreciate that.

Malign actors around the world, by the way, have used food as a weapon over time. The Houthis in Yemen, Assad in Syria, and now Putin in Russia.

President Putin recently suggested that he would only lift his stranglehold on these ports, including Odessa, if the sanctions were lifted on Russia.

Let me be clear. Food should never be used as leverage in negotiations. Russia must lift its blockade immediately without any conditions. Millions of lives depend on it. I would expect the administration and allies, including Turkey, to be coming up with contingency plans now, if they don't have them already, to ensure that this wheat can be exported and other grains as well.

When it comes to the administration, President Biden has said recently: "There is going to have to be a negotiated settlement" to end this war.

I urge the administration not to talk about ceding ground in Ukraine. This does not signal resolve or clarity; it signals weakness. It will not help us break the blockade in the Black Sea, and it will not help Ukraine win this war. We should be doing what we can with allies—short of boots on the ground—helping the Ukrainians take back every inch of territory that Russia has taken from them since 2014.

That is fair, just, and what Ukrainian officials themselves have been calling for. Our allies in Eastern Europe know what is at stake here. Romania is a great example. A staunch NATO ally, Romania is committed to the military defense of the alliance and meets NATO's goal of spending 2 percent of its GDP on defense. They actually told me when I was there that they plan to raise it to 2.5 percent in the next few years in response to Russia's invasion of Ukraine.

After Romania, I visited Moldova, where I met with Prime Minister Gavrilita, the Minister of Internal Affairs, and various parliamentarians. I was impressed with what I saw. As I told the Prime Minister, Moldova is a small country that punches way above its weight. Moldova has graciously accepted almost half a million Ukrainian refugees through its border—more per capita than any other Nation.

Unfortunately, the war in Ukraine is far from over, and if Russia continues to gain ground or opens up an assault on Odessa, which many fear, it will send another massive wave of refugees westward into Moldova.

While in Moldova, I traveled to Palanca, a border crossing that is run jointly by Moldovan, Ukrainian, and EU Frontex border security guards. While at the border, I had the opportunity to speak with Ukrainians whose lives have been turned upside down by this war. Some were leaving Moldova, some were coming back into Moldova, but they all expressed to me their fears that Russia will gain ground and expand their brutal assault to other parts of the country, including Odessa, which is only about 30 miles away from where I was.

Now, as the war rages on and we cross 100 days of this brutal invasion, I want to highlight another recent development. I have mentioned on this floor many times the need for stronger sanctions against Russia, particularly with regard to energy but also trade and banking. In particular, I have pointed out that Europe sends Russia roughly \$870 million a day in gas and oil receipts that help fund the Putin war machine.

So I was pleased that late last week the European Union took a positive step in partially banning Russian oil into the EU. Specifically, these phased-in sanctions will prohibit the import of seaborne crude oil from Russia and petroleum products over the next 8 months. This phased-in embargo, I believe, along with countries like Germany that stopped pipeline oil altogether, is expected to impact approximately 90 percent of Russian oil imports into Europe by the end of this year. Combined with the ban on coal imports that Russia has agreed to earlier this year, which will take effect in August, Europe is undoubtedly making progress in cutting off that nearly \$1 billion that goes to Russia to feed the war machine.

Even better, given the situation on the ground in Ukraine today, would be a full embargo against all Russian energy immediately, as the United States has done, but this is progress.

Given their greater dependence on Russian oil and gas, by the way, Europe's energy independence from Russia will require a different kind of leadership from the United States as we establish a new energy world order.

Where the United States can help most is to get more energy on the global market now to help backfill Russia's energy needs and stabilize prices. Instead of looking to countries like Iran and Venezuela to produce more energy, this administration should be pursuing policies to expand our domestic oil and gas production as well as renewables, nuclear, all of the above. And in the longer term for our national security and that of our allies, the United States needs to take steps to lead the world in developing and exporting the next-generation energy technologies like advanced nuclear and hydrogen.

The reality is this: It shouldn't have taken a global energy crisis for us to realize this. Before this administration took office, concerns had been raised

about the prospect about aggressive or idealistic policies that threaten the reliability and security of our energy supplies here in the United States. We need to act, and we need to act now. Providing LNG to Europe is key to Europe being able to wean themselves from Russian gas.

The fact is, we need to unleash American energy. We have the resources here to help our friends and allies. We can help everyone so that they don't need to take another dime and give it to Vladimir Putin's war machine.

Right now, Ukrainians continue to suffer, and the world must not turn a blind eye. According to the United Nations recently, nearly 7 million Ukrainian refugees have fled the country since the war began, and another 8 million Ukrainians are internally displaced. This invasion has flattened beautiful cities in Ukraine, like Mariupol, where, according to local officials, at least 22,000 residents have been killed.

I will close with this. I have now come to this floor every week since just before President Putin put this illegal and unprovoked invasion upon the people of a democratic Ukraine, who just wanted to live in peace with their neighbors—their neighbors, by the way, including Russia.

Some have asked me why a Senator from Ohio should care about this fighting in Ukraine, and I tell them every American should care. This is a fight during our generation where democracy is on the line. Some folks here may not agree with that; I understand. But Ukrainians get it. They know what it is like to live under the thumb of an authoritarian, of Russia, and they broke away from that and toward democracy in 1991 and again, as we all saw, in 2014. I was in Ukraine then in 2014 right after the Revolution of Dignity, where Ukrainians decided for themselves that they wanted to turn to us and to Europe to pursue a hopeful future of freedom and democracy. Now President Putin is trying to extinguish that hope. We must not let him.

I am also motivated by the tens of thousands of Ukrainian-American friends and constituents in my home State of Ohio, some of whom joined me for an update last Friday, where I learned more about the amazing Ohio volunteer efforts to help Ukraine.

But even if I didn't have one constituent of Ukrainian descent or know a single Ukrainian, I would be on this floor condemning Russia's atrocities.

As Russian forces target Ukrainian civilians, people from across the globe are showing their support and encouragement for Ukrainians. In Ohio, we have assured Ukrainians that America has their back.

At the Ohio State University, President Kristina Johnson participated in a call with President Zelenskyy, and she said she asked him how Ohio State could help. President Zelenskyy answered with: How about helping to rebuild our cities that have been flat-

tened? What did President Johnson say? "Count on us." That has been the consistent theme from the Buckeye State—count on us. In fact, student organizations like the Ukrainian Society and Desserts for Donations have held fundraisers around the State selling buttons, pins, desserts—all of which have been donated to the Revived Ukrainian Soldiers, a group that provides medical and humanitarian aid.

I have listed before on this floor a dozen other great causes in Ohio that have been helpful with regard to the humanitarian effort in Ukraine. Ohioans get it. They know that America can't afford to stay on the sidelines and be a spectator.

I commend the administration for the actions taken, but as I have said before, we need to do more and more quickly. At this crucial time in the battle, freedom and democracy are at stake and the ability for countries to have their territorial integrity respected. America cannot afford to be tentative. Instead, we must lead with allies in protecting the post-World War II order. We are being watched by those allies, 41 of whom have joined us in helping Ukraine defend itself. But we are also being watched by our adversaries who must see strength and determination and willingness to lead.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Michigan.

Ms. STABENOW. Mr. President, first I want to thank my friend from Ohio for his passionate leadership on this very, very important issue and the importance of standing with Ukraine. I want to thank him for that.

NOMINATION OF CHAVONDA J. JACOBS-YOUNG

Mr. President, we are about to vote on a very important position in the Department of Agriculture, and I am urging my colleagues to confirm Dr. Chavonda Jacobs-Young as our next Under Secretary for Research, Education, and Economics at the Department of Agriculture.

It is critical to quickly confirm Dr. Jacobs-Young because without Agency leadership and senior staff, the research Agencies at USDA can't do the really essential work that our producers are counting on.

Dr. Jacobs-Young is extremely qualified. She has held leadership roles at multiple research Agencies at the USDA and the White House. She will be the first woman of color to serve in the USDA's highest scientific post.

She was the first African-American woman in the country to receive a Ph.D. in wood and paper science and the first woman of color to serve as the Administrator for the Agriculture Research Service.

She has even got her own statue on the National Mall as part of the IfThenSheCan exhibit to celebrate contemporary women innovators in science, technology, engineering, and math—her own statue on the Mall.

Her commitment to science, research, and education is a true inspiration.

I am excited about the nomination of Dr. Jacobs-Young, and I know that she will help protect scientific integrity at the USDA and build a diverse and resilient scientific workforce. I appreciate the cooperation of my colleague and friend, our Ranking Member Senator BOOZMAN, in moving this nomination forward, and I urge my colleagues to vote to confirm Dr. Jacobs-Young today.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Chavonda J. Jacobs-Young, of Georgia, to be Under Secretary of Agriculture for Research, Education, and Economics.

VOTE ON JACOBS-YOUNG NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Jacobs-Young nomination?

Ms. STABENOW. 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. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) is necessarily absent.

The result was announced—yeas 95, nays 4, as follows:

[Rollcall Vote No. 216 Ex.]

YEAS—95

Baldwin	Graham	Portman
Barrasso	Grassley	Reed
Bennet	Hagerty	Risch
Blackburn	Hassan	Romney
Blumenthal	Heinrich	Rosen
Blunt	Hickenlooper	Rounds
Booker	Hirono	Rubio
Boozman	Hoeven	Sanders
Braun	Hyde-Smith	Sasse
Brown	Inhofe	Schatz
Burr	Johnson	Schumer
Cantwell	Kaine	Scott (FL)
Capito	Kelly	Scott (SC)
Cardin	Kennedy	Shaheen
Carper	King	Shelby
Casey	Klobuchar	Sinema
Cassidy	Lankford	Smith
Collins	Leahy	Stabenow
Coons	Lee	Tester
Cornyn	Lujan	Thune
Cortez Masto	Lummis	Tillis
Cotton	Manchin	Toomey
Cramer	Markey	Tuberville
Crapo	Marshall	Van Hollen
Cruz	McConnell	Warner
Daines	Menendez	Warnock
Duckworth	Moran	Warren
Durbin	Murphy	Whitehouse
Ernst	Murray	Wicker
Feinstein	Ossoff	Young
Fischer	Padilla	
Gillibrand	Peters	

NAYS—4

Hawley	Paul	Sullivan
Murkowski		

NOT VOTING—1

Merkley

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kenneth L. Wainstein, of Virginia, to be Under Secretary for Intelligence and Analysis, Department of Homeland Security.

VOTE ON WAINSTEIN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Wainstein nomination?

Ms. DUCKWORTH. 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. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 63, nays 35, as follows:

[Rollcall Vote No. 217 Ex.]

YEAS—63

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Blunt	Hirono	Rounds
Booker	Kaine	Sanders
Brown	Kelly	Sasse
Burr	King	Schatz
Cantwell	Klobuchar	Schumer
Capito	Leahy	Shaheen
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Tillis
Cornyn	Murkowski	Toomey
Cortez Masto	Murphy	Van Hollen
Duckworth	Murray	Warner
Durbin	Ossoff	Warnock
Feinstein	Padilla	Warren
Gillibrand	Peters	Whitehouse
Graham	Portman	Wyden

NAYS—35

Barrasso	Hagerty	Paul
Blackburn	Hawley	Risch
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Tuberville
Ernst	Lummis	Wicker
Fischer	Marshall	Young
Grassley	Moran	

NOT VOTING—2

Merkley

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MARKEY). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the Presi-

dent will be immediately notified of the Senate's action.

NOMINATION OF SHALANDA H. BAKER

Mr. MANCHIN. Mr. President, I am pleased to support the nomination of Ms. Shalanda Baker to be the Director of the Office of Minority Economic Impact at the Department of Energy.

Congress established the Office of Minority Economic Impact within the Department of Energy in 1978. Congress recognized that the energy shortages and rising energy prices we faced at the time would have an overwhelming impact on the quality of life for our socially or economically disadvantaged citizens.

The Office of Minority Economic Impact was created to provide a mechanism to ensure that the energy needs of minorities were fairly considered and addressed. Its goals were, first, to understand the impacts of our energy policies and programs on the quality of life in minority communities and, second, to ensure that minority business enterprises are afforded an equal opportunity to participate fully in the energy programs of the Department.

The position of Director was created not only to head this office, but also to advise the Secretary of Energy on the effect of the energy policies, regulations, and actions of the Department on minorities and on how to increase minority participation in the Department's programs. The position does not carry with it the policy making or regulatory or adjudicatory powers of many other senior offices in the Department of Energy, but it plays an important role in ensuring that the needs of minority and disadvantaged communities are justly and fairly addressed and that they are treated fairly.

The Director also helps ensure that the Department complies with our civil rights and equal employment laws and that it maintains a diverse workforce and inclusive work environment.

The Department of Energy's commitment to fairness, equality, and diversity has always been important. But it is especially important today, as we face record high fuel prices, come to grips with the global climate crisis, and transform how we fuel our economy. We must ensure that our energy policies do not leave anyone behind or impose an unfair or disproportionate burden on minority or disadvantaged communities.

I believe Ms. Baker is very well qualified for this position. She has spent the past decade studying the impact of the transition from fossil fuels to cleaner energy resources on disadvantaged communities. And she has spent the past 17 months serving as the Deputy Director for Energy Justice and as Secretary Granholm's Advisor on Equity.

I strongly support her nomination, and I urge a favorable vote on her nomination.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant executive clerk read the nomination of Shalanda H. Baker, of Texas, to be Director of the Office of Minority Economic Impact, Department of Energy.

VOTE ON BAKER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Baker nomination?

Ms. STABENOW. 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 executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) is necessarily absent.

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 218 Ex.]

YEAS—54

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Hyde-Smith	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lujan	Stabenow
Collins	Manchin	Tester
Coons	Markey	Tillis
Cortez Masto	Menendez	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wicker
Heinrich	Peters	Wyden

NAYS—45

Barrasso	Fischer	Paul
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rounds
Burr	Hoeven	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Young

NOT VOTING—1

Merkley

The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The Senator from Rhode Island.

250TH ANNIVERSARY OF THE "GASPEE" RAID

Mr. WHITEHOUSE. Mr. President, this week marks the 250th anniversary of the first blow struck in the American Colonies' struggle for independence from the British Crown. I come to the Senate floor every year to commemorate this moment because it took place in Rhode Island at the hands of some brave and bold Rhode Islanders.

Before recounting the tale of those bold Rhode Islanders, I would like to

acknowledge a special guest with us in the Gallery today: Michael Tatham, Deputy Head of Mission for the British Embassy here in Washington. A lot has happened over the last 250 years, and Great Britain is now America's closest ally and great, great friend. It is an honor to have the Deputy Ambassador here today.

So it was 1772, and the Royal Navy's revenue cutter, the HMS *Gaspee*, patrolled Narragansett Bay in the wake of the Seven Years War, where Great Britain had emerged the victor. The Crown owed, by some estimates, between 74 and 133 million pounds. That was a colossal burden on the empire's finances. The *Gaspee*'s mission was to collect taxes from the Colonies to help repay British debt.

I will concede that part of the *Gaspee*'s mission was righteous. Rhode Island's rum distilleries formed a corner of the so-called triangle trade, with enslaved people from Africa and sugar from the Caribbean forming the other legs of this foul business. Rum-running to support the slave trade was repugnant and a worthy target of British authorities.

But Britain's heavy hand reached far beyond that. British customs agents seized Colonial vessels and cargo at whim, leaving rightful owners with no recourse to reclaim their property. One such owner was John Hancock, whose signature would soon become famous. Authorities even pressed Colonial sailors into service on His Majesty's vessels against their will.

The *Gaspee* and her captain, Lieutenant William Dudingston, drew particular ire. One of Dudingston's first acts was to stop the merchant ship *Fortune*. Dudingston and his crew roughed up the *Fortune*'s commander, Rufus Greene, condemned the ship and her cargo, and sent the *Fortune* to Boston for the admiralty to sell.

This did not please the *Fortune*'s owner, Rhode Island's Nathanael Greene, who would go on to become General Washington's aide-de-camp and wartime administrator and then command the southern campaign of the Revolutionary War, which he did so effectively that British General Cornwallis would write:

That damned Greene is more dangerous than Washington.

Dudingston's reputation only worsened from there. British law awarded revenue cutter commanders a share of the cargo they seized. Dudingston seized so much cargo that he was able to nearly double his salary, and he earned, along with that bounty, a well-deserved reputation for arrogance. Soon Rhode Islanders were protesting his conduct formally, but those protests yielded no accommodation.

On June 9, 1772, simmering anger at Dudingston and the *Gaspee* boiled over. Dudingston spotted a small trading ship, the *Hannah*, bound for Providence. The *Gaspee* gave chase, and Dudingston hailed the *Hannah*'s captain, Benjamin Lindsey, and ordered

the *Hannah* to submit to a search. Captain Lindsey declined that invitation and ignored the *Gaspee*'s warning shots and sailed on toward Providence.

Now, the *Hannah* was smaller and lighter than the *Gaspee*, and Captain Lindsey was more familiar than Dudingston with the waters between Newport and Providence. Lindsey steered his *Hannah* across the shallow waters outside Namquid Point. The *Hannah* could sail over the shallows, but the heavier *Gaspee* could not. Dudingston and his crew ran aground on a sandbar off Pawtuxet Cove, stranded, as the Sun was setting in a falling tide. The *Gaspee* would need to wait for the next day's high tides to lift it free.

When the *Hannah* arrived in Providence, Captain Lindsey summoned local patriots to Sabin's Tavern for refreshments and for planning. The result of the plan was that under the leadership of John Brown, later to be famous for Brown University, and Abraham Whipple, a group of men boarded a half dozen longboats to row from Providence down to Pawtuxet. Through the dark night, with oars muffled, the Rhode Islanders descended on the *Gaspee*. Whipple reputedly called out to Dudingston—and I hope the young pages will forgive my language, but this is apparently the language used in that moment:

I am the sheriff of the county of Kent, God damn you. I have got a warrant to apprehend you, God damn you; so surrender, God damn you.

I believe I mentioned that the Rhode Islanders had fortified themselves at Sabin's Tavern, which might explain some of the language. In any event, Lieutenant Dudingston refused that invitation so a brief, sharp battle ensued.

At this moment those 250 years ago, Rhode Islanders drew the first blood of what would become our revolutionary struggle when a musket ball struck Lieutenant Dudingston. The Rhode Island patriots boarded the *Gaspee*. In the melee, Dudingston cried out:

Lord, have mercy upon me—I am done for.

But he was not. The British sailors soon gave up the fight. The Rhode Islanders took the crew prisoner and ferried the captives to shore. A marker still stands at the place where the captive crew was brought ashore. And there, Dudingston received the care of a doctor and, ultimately, recovered from his wounds. Indeed, Dudingston would not only heal, but go on to live a long life. He commanded other vessels. He moved back to his native Scotland and married and raised four children in a coastal town called Elie overlooking the Firth of Fife and the North Sea, but he never patrolled Narragansett Bay again.

A quick side story. A few years ago, a couple from Scotland, Angela and Roddy Innes, visited Pawtuxet during Gaspee Days, our annual celebration of the Gaspee raid, coming up this weekend. The Inneses are connected through

marriage to the Dudingstons, and Angela wanted to see what the Dudingston-Gaspee was all about.

In Pawtuxet, Rhode Islanders welcomed Angela and Roddy with open arms. Local historian Dr. John Concannon invited them to stay. "It was an amazing experience," Angela said. "The people there are incredibly friendly." The trip also helped them grasp the significance of the Gaspee raid on America's road to revolution. And this year, Angela Innes will mark the 250th Gaspee anniversary with a Gaspee Day party of her own in Scotland.

Well, that left the dreaded Gaspee. With the prisoners ashore, the Gaspee raiders returned to the stranded ship and set her afire. When the fire reached her powder magazine, she blew apart, and her remains were lost to time and tides. Rhode Island was rid of the dreaded Gaspee.

New efforts are underway now to find the charred remains of the Gaspee using advanced sonar technology. Dr. Kathy Abbass of the Rhode Island Marine Archaeology Project is on the case. Dr. Abbass is accomplished in her field. Indeed, she may have located Captain Cook's ship, the *Endeavor*, sunk in Newport Harbor. If anyone can find the Gaspee or what is left of her, it is Dr. Abbass.

I should offer special thanks to Peter Abbott, the British Consul General in Boston who, along with representatives of the Royal Navy, came to Rhode Island last month for the announcement that funds had been raised to find the Gaspee. Abbott said:

Being a British consul in New England means you must have broad shoulders. I get invited to events that celebrate the Boston Massacre and Evacuation Day. But what takes the biscuit is commemorating the burning of a British ship!

The Deputy Ambassador should know that if, in fact, we do find the Gaspee, Rhode Island, a colony no more, intends to courteously seize the vessel for further research.

The Gaspee raid represents Rhode Island's spirit of independence, which has lived in us since Rhode Island's founding as a refuge of religious tolerance from the Massachusetts Colony's harsh theocracy. Our celebration of the Gaspee Affair represents Rhode Islanders' pride in that spirit, which we share willingly, even with a Dudingston descendant.

Oh, and by the way, this episode where Rhode Islanders rode down through the night to a British ship that had been stranded by Rhode Island wilds and sacked her and took her crew and set her afire and blew her up, that all took place more than a year before Massachusetts colonists boarded a British ship to push tea bales into Boston Harbor. They pushed tea bales off the ship; more than a year earlier, Rhode Islanders blew the ship up. I am just saying, Mr. President.

So here is to another 250 years of celebrating the Gaspee raiders and to

more people learning about Rhode Island's role as a spark of revolution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and 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.

TRIBUTE TO LIEUTENANT GENERAL GUY C. SWAN III

Mr. REED. Mr. President, on behalf of myself and Senator INHOFE, as chairman and ranking member of the Senate Armed Services Committee and the co-chairs of the Senate Army Caucus, it is our honor to pay tribute to a great leader and exceptional advocate for the U.S. Army, LTG Guy C. Swan III, U.S. Army, Retired, as he retires from his current position as vice president of the Association of the United States Army, AUSA. For the past 10 years, Lieutenant General Swan led education and professional development for AUSA. Lieutenant General Swan exemplifies a lifetime of commitment and service to the Nation and to others.

A 1976 graduate of the U.S. Military Academy at West Point, Lieutenant General Swan was commissioned as a second lieutenant to be an armor officer. Throughout his distinguished career, he was frequently recognized for his exemplary leadership skills, holding command assignments at every level and in many theaters. His career culminated as the commanding general, U.S. Army North/Fifth Army. Along the way, he served in critical staff assignments such as chief of staff and director of operations in Multi-National Forces-Iraq and in high visibility roles including commanding general, Military District of Washington. Placing mission and Nation first, he excelled in every endeavor.

Between assignments leading soldiers, Lieutenant General Swan demonstrated his longstanding commitment to continuous learning. He earned master's degrees in military art and science from the U.S. Army's School of Advanced Military Studies and in national security studies from Georgetown University. Seamlessly stitching his knowledge gained in academia with his military experience,

Lieutenant General Swan made considerable contributions as a thought leader in national security throughout his career. He served as a national security fellow at the John F. Kennedy School of Government at Harvard University and as a member of the Council on Foreign Relations, the Aspen Institute Homeland Security Group, and the Federal Emergency Management Agency—FEMA—National Advisory Council.

Following his retirement in December of 2011 from the U.S. Army, Lieutenant General Swan continued to serve in support of soldiers, their families, Army civilians, and veterans as vice president for education at AUSA. Through his committed leadership, vision, and always positive outlook, Lieutenant General Swan responded to ever-changing interests and needs of the Army by expanding and improving AUSA's support for professional development and education. His work also heightened public interest in the appropriate role of the Army in defense of our Nation. His priority programs to achieve these goals included creating AUSA's world-class "ARMY" magazine, building a family readiness program that reaches out to Army families worldwide, refocusing AUSA-sponsored writing contests to build critical thinking and research skills in the Army, expanding the AUSA book program to include discussions with authors having expert knowledge on the Army and the Nation's security challenges, and establishing an AUSA fellowship program to provide professional development opportunities for mid-level Army officers. In developing and supporting these diverse efforts, he ensured AUSA made the Army, across all of its components, a more professional and capable organization.

He also continued to give back to his alma mater, West Point, serving as a Presidentially appointed member of its Board of Visitors. In this capacity, he contributed to the development of the next generation of academy graduates entrusted with the privilege of leading American soldiers.

Lieutenant General Swan has served the Nation he loves with great distinction and has been an exemplary leader for the servicemembers, families, and civilians of the Armed Forces. His steady leadership, positive outlook, and professionalism have been a sustaining source of strength for those he has led, coached, mentored, and taught through four decades of service.

On behalf of the Senate and the United States of America, we thank Lieutenant General Swan, his wife Melanie, and their entire family for their commitment, sacrifice, and contributions to our Nation. We join our colleagues in wishing him a long and joyful retirement. Well done.

ADDITIONAL STATEMENTS

TRIBUTE TO BRIGADIER GENERAL
LELAND SHEPHERD

• Mr. BOOZMAN. Mr. President, I rise to recognize Colonel Leland “Tony” Shepherd on his selection as Arkansas Army National Guard’s 6th Land Component commander and his promotion to the rank of brigadier general on June 5, 2022.

On June 12, 2022, General Shepherd will assume command of Arkansas Army’s eight land power units with a force size of 6,700 personnel tasked with operational readiness, training, mobilization, and deployments supporting my great State and in defense of an even greater Nation. This historical selection makes him the first African-American man to hold such a prestigious position and only the second African-American man to be promoted as a general officer in the history of the Arkansas National Guard.

General Shepherd began his military career in the U.S. Army Reserve in Philadelphia, PA, on July 23, 1992. He then transitioned to the Arkansas Army National Guard as an enlisted soldier in October 1995 and was commissioned to second lieutenant in August 1998. General Shepherd has served in several positions over the past 27 years, including assignments as a signal officer in the 212th Signal Battalion in Little Rock and as part of the 39th Infantry Brigade Combat Team in Malvern, AR. General Shepherd also deployed twice to Iraq where he oversaw Camp Victory’s post signal capabilities. Prior to this selection for the 6th Land Component Command, he served as the State’s deputy chief of staff G-6 overseeing the planning, strategy, network architecture, and implementation of command, control, communications, and networks for Army operations.

General Shepherd received the Order of Mercury, Bronze for the highest standards of integrity, moral character, professional competence, and selflessness for those who have made significant contributions to the U.S. Army Signal Corps. This award reflects his superior performance and devotion to duty throughout his entire professional career.

I would like to recognize General Shepherd’s wife Zandral and children Anthony, Ryan Wells, Logan, and Lukas for their sacrifice and service. It is their steadfast support of their husband and dad that enabled his continued service, ultimately leading to this historic promotion. As the son of George and Gwendoline Shepherd of Guyana, South America, General Shepherd is the epitome of the American dream which is founded on the belief that we all can attain our own version of success and achieve prosperity through hard work.

General Shepherd, congratulations on this new chapter in your career. I join my colleagues in the Senate and

all Arkansans as we express our appreciation for you and your family’s continued service to our country.●

RECOGNIZING THE HEALTH
WAGON

• Mr. KAINE. Mr. President, as we continue our battle with COVID-19, we must acknowledge the healthcare healers that are serving in our rural communities. In particular, I would like to highlight the work of the Health Wagon in Virginia. The Health Wagon is the oldest mobile clinic in the Nation. Their mission is to provide compassionate, quality healthcare to medically underserved people in Appalachia. The Health Wagon works to mitigate barriers to healthcare access, taking healthcare into the community, into places like grocery stores, food banks, workplaces, and providing communities in southwest Virginia with access to primary, specialty, dental and vision care.

Health Wagon originated 40 years ago with Sister Bernadette Kenny of the Catholic order Medical Missionaries of Mary. Sister Bernie traveled on rural mountain roads in her Volkswagen Beetle to deliver healthcare to individuals in southwest Virginia. Now, the organization employs more than 50 staff members across four clinics and four mobile units. Their average patient is 41 years old, with 100 percent of patients being uninsured or underinsured. Over the last year, the Health Wagon has served 10,857 individual patients and documented 35,250 patient encounters.

The Health Wagon has also been vital in the fight against COVID-19. Since March 2020, the Health Wagon has provided more than 18,000 COVID-19 tests, provided 19,567 COVID-19 vaccinations, and administered over 5,500 monoclonal antibody treatments. They do not bill for services, and their programs are sustained by grants and donations from individuals, corporations, and foundations. The Health Wagon is led by president and CEO, Dr. Teresa Tyson. Dr. Tyson has served with the Health Wagon for 30 years, and under her leadership, the organization has received national recognition for its innovative projects in telehealth space. The Health Wagon was the first to deliver a virtual wound care clinic and conducted the first FAA-approved drone delivery of medications in the United States. Dr. Tyson led the largest health outreach of its kind in the Nation, as well as providing the first telecytology in the world in partnership with University of Virginia. Dr. Tyson leads a group of caring and committed providers.

Rural communities are the backbone of our country, and the Health Wagon has served the Appalachia community admirably. I thank them for their service.●

TRIBUTE TO MARY M. HUNT

• Mr. MANCHIN. Mr. President, I rise today to honor the long-time program director for community and economic development Mary M. Hunt upon her retirement after more than 20 remarkable years of service to the Claude Worthington Benedum Foundation.

I have often said there is no greater accomplishment than to find yourself in a position to give back to the community you love. As a Clarksburg native, Mary Hunt has served the people of her community and beyond with professionalism, compassion, and respect throughout her entire career.

Mary has never taken any position she has held lightly—and has always seen herself primarily as a servant of the people of West Virginia. She worked tirelessly for the Charleston mayor’s office of economic and community development throughout the late ‘80s and early ‘90s. Mary found herself in the capital city at a pivotal time, when major development projects were coming to fruition. It is hard to imagine a Charleston today without such iconic spaces as Haddad Riverfront Park and Capitol Market, but Mary was there when the ideas were conceived and helped bring them to reality.

Mary made her mark in State government, too. In the early 1990s, during Gaston Caperton’s administration, she worked as executive assistant to the cabinet secretary for the West Virginia Department of Commerce for 2 years and then as the chief of administration for the West Virginia Department of Environmental Protection for 5 years, through 1997. Truly, her legacy of civic service is one we should all instill in ourselves.

Throughout her time as program director at the Benedum Foundation, Mary served as an irreplaceable leader by advancing the foundation’s existing programs and starting new initiatives to ensure the organization’s continued viability and positive social impact. Time and time again, Mary has made her devotion to helping others abundantly clear—not only through her philanthropy projects, but by building new partnerships and inviting others into the fold—ultimately bolstering her capacity for good.

Over the last two decades, Mary has helped numerous communities, both internally and externally, to help them make their projects possible. During her tenure, she has helped distribute grants in almost all 55 of West Virginia’s counties, supporting nearly 650 grant projects and touching roughly 200 organizations.

With an unrivaled, strong spirit of optimism and innovation, her commitment to strengthening our communities is something to admire. Her work has undoubtedly advanced the foundation, but more importantly, our entire State. I know she has inspired many young leaders throughout her illustrious career, and I am confident that they will carry the torch to ensure a brighter tomorrow.

I will always be grateful to Mary for her passion for serving the people of West Virginia. While she is retiring and everyone is sure to miss her strong leadership, Mary Hunt's unwavering dedication will leave a lasting legacy on the countless lives she has touched. Again, I congratulate Mary for her remarkable years of service, and I am honored to wish good health and much happiness to Mary and her family in the days and years ahead.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, 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 and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:39 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. BROWN) has signed the following enrolled bills:

H.R. 1298. An act to designate the facility of the United States Postal Service located at 1233 North Cedar Street in Owasso, Oklahoma, as the "Technical Sergeant Marshal Roberts Post Office Building".

H.R. 3579. An act to designate the facility of the United States Postal Service located at 200 East Main Street in Maroa, Illinois, as the "Jeremy L. Ridlen Post Office".

H.R. 3613. An act to designate the facility of the United States Postal Service located at 202 Trumbull Street in Saint Clair, Michigan, as the "Corporal Jeffrey Robert Standfest Post Office Building".

H.R. 4168. An act to designate the facility of the United States Postal Service located at 6223 Maple Street, in Omaha, Nebraska, as the "Petty Officer 1st Class Charles Jackson French Post Office".

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

ENROLLED BILL SIGNED

At 5:24 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3525. An act to establish the Commission to Study the Potential Creation of a National Museum of Asian Pacific American History and Culture, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

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-4251. A communication from the Secretary of the Environmental Protection Agency, transmitting, pursuant to law, the report entitled "Prioritization Framework for Technical Cybersecurity Support to Public Water Systems"; to the Committees on Environment and Public Works; and Homeland Security and Governmental Affairs.

EC-4252. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "NUREG-2159, Revision 1, 'Acceptable Standard Format and Content for the Fundamental Nuclear Material Control Plan Required for Special Nuclear Material of Moderate Strategic Significance'" (NUREG-2159) received in the Office of the President of the Senate on May 25, 2022; to the Committee on Environment and Public Works.

EC-4253. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulatory Guide (RG) 3.54, Revision 3, 'Spent Fuel Heat Generation in an Independent Spent Fuel Storage Installation'" received in the Office of the President of the Senate on May 19, 2022; to the Committee on Environment and Public Works.

EC-4254. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, received in the Office of the President of the Senate on May 23, 2022; to the Committee on Finance.

EC-4255. 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 "Simplified procedures for certain bona fide residents of the Commonwealth of Puerto Rico (Puerto Rico) to claim the child tax credit under section 24" (Rev. Proc. 2022-22) received in the Office of the President of the Senate on May 23, 2022; to the Committee on Finance.

EC-4256. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to Israel in the amount of \$50,000,000 or more (Transmittal No. DDTC 20-077); to the Committee on Foreign Relations.

EC-4257. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to Israel in the amount of \$50,000,000 or more (Transmittal No. DDTC 22-004); to the Committee on Foreign Relations.

EC-4258. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 40A of the Arms Export Control Act, the certification of countries that are not fully cooperating with U.S. Anti-Terrorism Efforts; to the Committee on Foreign Relations.

EC-4259. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the intent to exercise the authorities under section 506(a) (1) of the FAA and 614(a) (1) of the FAA to provide military assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-4260. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Determination Under Sections 506(a) (1) and 614(a) (1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine"; to the Committee on Foreign Relations.

EC-4261. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Indirect Food Additives: Adhesives and Components of Coatings; Paper and Paperboard Components; Polymers; Adjuvants, Production Aids, and Sanitizers" (Docket No. FDA-2018-F-3757) received in the Office of the President of the Senate on May 23, 2022; to the Committee on Health, Education, Labor, and Pensions.

EC-4262. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department's Semi-annual Report of the Inspector General for the period from October 1, 2021 through March 31, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-4263. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the semi-annual report of the Inspector General for the period from October 1, 2021 through March 31, 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC-4264. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Transition to a New Record Keeping System" received in the Office of the President of the Senate on May 19, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-4265. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to applications made to the Foreign Intelligence Surveillance Court during calendar year 2021; to the Committee on the Judiciary.

EC-4266. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the report entitled "2021 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005"; to the Committee on the Judiciary.

EC-4267. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Visa Inadmissibility Determination for Russian National Roman Abramovich"; to the Committee on the Judiciary.

EC-4268. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Standard for Presentation of Nucleotide and Amino Acid Sequence Listings Using eXtensible Markup Language (XML) in Patent Applications to Implement WIPO Standard ST.26; Incorporation by Reference" (RIN0651-AD53) received in the Office of the President of the Senate on May 23, 2022; to the Committee on the Judiciary.

EC-4269. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Exercise of Time-Limited Authority to Increase the Numerical Limitation for Second Half of FY 2022 for the H-2B Temporary Nonagricultural Worker Program and Portability Flexibility for H-2B Workers Seeking To Change Employers" ((RIN1615-AC79) (RIN1205-AC10)) received in the Office of the President of the Senate on May 23, 2022; to the Committee on the Judiciary.

EC-4270. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, two reports entitled, "2021 Annual Report of the Director of the Administrative Office of the United States Courts" and "Judicial Business of the United States Courts"; to the Committee on the Judiciary.

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 Mrs. MURRAY (for herself and Mr. BURR):

S. 4353. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to improve retirement plan provisions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mrs. SHAHEEN, Mr. BLUMENTHAL, and Ms. HIRONO):

S. 4354. A bill to amend title 10, United States Code, regarding restrictions on the use of funds and facilities of the Department of Defense for abortion care; to the Committee on Armed Services.

By Mr. WHITEHOUSE (for himself, Mr. COONS, Mr. SCHATZ, and Mr. HEINRICH):

S. 4355. A bill to amend the Internal Revenue Code of 1986 to create a carbon border adjustment based on carbon intensity, and for other purposes; to the Committee on Finance.

By Ms. LUMMIS (for herself and Mrs. GILLIBRAND):

S. 4356. A bill to provide for responsible financial innovation and to bring digital assets within the regulatory perimeter; to the Committee on Finance.

By Mr. PAUL:

S.J. Res. 52. A joint resolution providing for congressional disapproval of the proposed foreign military sale to the Government of Egypt of certain defense articles and services; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. YOUNG, Mr. KAINE, Mr. HAGERTY, and Mr. COONS):

S. Res. 661. A resolution promoting stronger economic relations between the United States and countries in Latin America and the Caribbean; to the Committee on Foreign Relations.

By Mr. LUJÁN (for himself, Mr. PORTMAN, Ms. STABENOW, and Mr. DAINES):

S. Res. 662. A resolution expressing support for the designation of May 2022 as "Mental

Health Awareness Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 464

At the request of Ms. MURKOWSKI, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 464, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 865

At the request of Mr. MENENDEZ, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 865, a bill to recognize the right of the People of Puerto Rico to call a status convention through which the people would exercise their natural right to self-determination, and to establish a mechanism for congressional consideration of such decision, and for other purposes.

S. 868

At the request of Mrs. GILLIBRAND, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 868, a bill to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title and waive the 24-month waiting period for Medicare eligibility for individuals with Huntington's disease.

S. 1408

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1408, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 1489

At the request of Mr. MENENDEZ, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1489, a bill to amend the Inspector General Act of 1978 to establish an Inspector General of the Office of the United States Trade Representative, and for other purposes.

S. 1548

At the request of Mr. LUJÁN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1548, a bill to amend the Public Health Service Act to improve the diversity of participants in research on Alzheimer's disease, and for other purposes.

S. 1567

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1567, a bill to amend the Pub-

lic Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 1896

At the request of Mr. MARKEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1896, a bill to prohibit the discriminatory use of personal information by online platforms in any algorithmic process, to require transparency in the use of algorithmic processes and content moderation, and for other purposes.

S. 2079

At the request of Mr. TUBERVILLE, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2079, a bill to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes.

S. 2405

At the request of Ms. BALDWIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2405, 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. 2565

At the request of Ms. ROSEN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2565, a bill to amend title XI of the Social Security Act to provide for the testing of a community-based palliative care model.

S. 2702

At the request of Mr. LUJÁN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2702, a bill to protect the voting rights of Native American and Alaska Native voters.

S. 2854

At the request of Mr. KENNEDY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. 2854, a bill to allow for the transfer and redemption of abandoned savings bonds.

S. 2956

At the request of Mr. COONS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2956, a bill to advance targeted, high-impact, and evidence-based inventions for the prevention and treatment of global malnutrition, to improve the coordination of such programs, and for other purposes.

S. 3091

At the request of Mr. OSSOFF, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3091, a bill to amend the Internal Revenue Code of 1986 to establish the advanced solar manufacturing production credit.

S. 3137

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the

Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 3137, a bill to amend title 18, United States Code, to prohibit a foreign official from demanding a bribe, and for other purposes.

S. 3316

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3316, a bill to provide for certain whistleblower incentives and protections.

S. 3357

At the request of Mr. BOOKER, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Michigan (Mr. PETERS), the Senator from New Hampshire (Ms. HASSAN), the Senator from Washington (Ms. CANTWELL) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3357, a bill to substantially restrict the use of animal testing for cosmetics.

S. 3531

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3531, a bill to require the Federal Government to produce a national climate adaptation and resilience strategy, and for other purposes.

S. 3572

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3572, a bill to direct the Federal Trade Commission to require impact assessments of automated decision systems and augmented critical decision processes, and for other purposes.

S. 3702

At the request of Mr. BOOKER, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 3702, a bill to award a Congressional Gold Medal, collectively, to the African Americans who served with Union forces during the Civil War, in recognition of their bravery and outstanding service.

S. 3781

At the request of Ms. DUCKWORTH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3781, a bill to amend the Food and Nutrition Act of 2008 to exclude a basic allowance for housing from income for purposes of eligibility for the supplemental nutrition assistance program.

S. 3909

At the request of Mr. Kaine, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 3909, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 3957

At the request of Mr. CASEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a co-

sponsor of S. 3957, a bill to amend the Infrastructure Investment and Jobs Act to make certain activities eligible for grants from the Abandoned Mine Reclamation Fund, and for other purposes.

S. 4003

At the request of Mr. CORNYN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 4003, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for training on alternatives to use of force, de-escalation, and mental and behavioral health and suicidal crises.

S. 4277

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 4277, a bill to require public institutions of higher education to disseminate information on the rights of, and accommodations and resources for, pregnant students, and for other purposes.

S. 4290

At the request of Mrs. BLACKBURN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 4290, a bill to impose certain requirements relating to the renegotiation or reentry into the Joint Comprehensive Plan of Action or other agreement relating to Iran's nuclear program, and for other purposes.

S. 4317

At the request of Ms. DUCKWORTH, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 4317, a bill to amend title 10, United States Code, to codify certain clean energy targets of the Department of Defense, and for other purposes.

S. 4331

At the request of Ms. DUCKWORTH, the names of the Senator from Iowa (Ms. ERNST), the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 4331, a bill to require a plan on emergency military assistance to Taiwan and other support to Taiwan's defensive capabilities, and for other purposes.

S. 4343

At the request of Mr. JOHNSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 4343, a bill to require any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the World Health Assembly to be subject to Senate ratification.

S. 4347

At the request of Mrs. MURRAY, the names of the Senator from Michigan (Mr. PETERS), the Senator from California (Mr. PADILLA), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. MURPHY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S.

4347, a bill to require group health plans and group or individual health insurance coverage to provide coverage for over-the-counter contraceptives.

S. RES. 629

At the request of Mr. RUBIO, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. Res. 629, a resolution celebrating the 200th anniversary of United States diplomatic relations with Colombia.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 661—PROMOTING STRONGER ECONOMIC RELATIONS BETWEEN THE UNITED STATES AND COUNTRIES IN LATIN AMERICA AND THE CARIBBEAN

Mr. MENENDEZ (for himself, Mr. YOUNG, Mr. KAINE, Mr. HAGERTY, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 661

Whereas, to maintain the role of the United States as a global economic leader and protect the national security interests of the United States, the United States must strengthen economic relations with countries in the Western Hemisphere;

Whereas ongoing supply chain disruptions resulting from the COVID-19 pandemic demonstrate the need for the United States to increase supply chain resiliency through reshoring and nearshoring initiatives;

Whereas, in 2019, the People's Republic of China was the top supplier of goods imported into the United States, providing significant quantities of rare earth minerals, pharmaceutical ingredients, medical equipment, and other goods vital to the economic prosperity and national security of the United States;

Whereas the COVID-19 pandemic and production outages and shipping disruptions in the People's Republic of China have jeopardized worldwide access to critical goods, contributing to an unprecedented, ongoing supply chain crisis that has exposed the severe risks of concentrating global supply chains in the People's Republic of China;

Whereas Congress has raised concerns about the reliance of the United States on global supply chains based in the People's Republic of China;

Whereas the People's Republic of China has shown its willingness to use critical supplies as a political tool to advance the goals of the Chinese Communist Party, including when the People's Republic of China—

(1) threatened to withhold rare earth mineral shipments to Japan; and

(2) utilized personal protective equipment and vaccines as a diplomatic tool;

Whereas findings made pursuant to a supply chain review required by President Joseph R. Biden, Jr., under Executive Order 14017 (86 Fed. Reg. 11849) and released on June 8, 2021, recommended that, in addition to expanding domestic production capacity, the United States Government use diplomatic and financial tools to cooperate with allies to create more diverse, resilient, and secure supply chains;

Whereas 8 of the 13 countries in the world that recognize Taiwan are in Latin America and the Caribbean, and nearshoring initiatives can help decrease the susceptibility of such countries to coercive economic pressure from the People's Republic of China;

Whereas the United States has free trade agreements in effect with 12 countries in Latin America and the Caribbean, more than in any other geographic region, providing significant incentives to relocate international supply chains that cannot be relocated to the United States to Latin America and the Caribbean;

Whereas, in addition to existing free trade agreements and the geographic proximity of countries in Latin America and the Caribbean to the United States, there are several significant advantages for the United States Government and United States entities to relocate supply chains from the People's Republic of China to the Western Hemisphere, including—

(1) reduced distance to markets in the United States, which will lower freight costs, enable quicker adaptability to fluctuating consumer demand, and reduce the energy used to transport goods;

(2) longstanding bilateral ties and shared democratic values, which lessen the risk of geopolitical disruptions to supply chains;

(3) comparative advantages for sourcing and manufacturing key critical goods, including rare earth minerals, pharmaceuticals, medical goods, and semiconductors, when there is a historical inability for such goods to be entirely sourced or manufactured in the United States; and

(4) access to a highly qualified and young working-age population;

Whereas the report entitled “Widening the Aperture: Nearshoring in Our ‘Near Abroad’” released by the Wilson Center in April 2021 provided evidence that increasing and strengthening supply chains regionally, particularly in Colombia, Mexico, and other countries in the Caribbean and Central America, will, on average, create more jobs in the United States than international supply chains located in other geographic regions;

Whereas switching as few as 15 percent of imports into the United States from the top 10 source countries of such imports outside of the Western Hemisphere to countries in Latin America and the Caribbean would increase exports from Latin America and the Caribbean by \$72,000,000,000 annually, helping the region recover from the effects of the COVID-19 pandemic and reducing pressures encouraging migration to the United States;

Whereas, despite existing and growing opportunities for countries in Latin America and the Caribbean to become crucial actors in global supply chains, including technological advances that have diminished the need to produce in countries with a low cost of labor, challenges to nearshoring remain, including—

(1) concerns about the rule of law, corruption, and criminal activities that discourage foreign direct investment or significantly raise the costs of shifting production to the region;

(2) concerns about compliance with and enforcement of international labor and environmental standards;

(3) underdeveloped physical and digital infrastructure; and

(4) regional economic fragmentation;

Whereas the governments of several countries in Latin America and the Caribbean, including Colombia, the Dominican Republic, and Mexico, have sought to strengthen economic relations with the United States and launched initiatives to incentivize nearshoring;

Whereas the Inter-American Development Bank (commonly known as “IDB”) has prioritized efforts to encourage nearshoring in Latin America and the Caribbean, including by—

(1) making economic integration and the strengthening of regional supply chains 1 of

5 core pillars in the agenda outlined in the document entitled “Vision 2025, Reinvest in the Americas”;

(2) including nearshoring as a business line of IDB Invest for the first time in the history of IDB;

(3) hosting a high-level dialogue with more than 500 private sector leaders on December 2, 2020, to assess how to increase production capacity and supply chain resilience in the region; and

(4) launching the largest private sector coalition in the history of the IDB to explore opportunities for reinvesting in countries in the Western Hemisphere, including through nearshoring initiatives and a toolkit to incentivize and finance nearshoring activities in the Western Hemisphere; and

Whereas the United States Government can leverage diplomatic, foreign assistance, and financing tools to strengthen the participation of Latin American and the Caribbean in global supply chains and address challenges to nearshoring, including through the activities of the United States Agency for International Development and the United States International Development Finance Corporation: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that increased tensions between the United States and the People's Republic of China and the COVID-19 pandemic have—

(A) exposed severe vulnerabilities attributable to overreliance by the United States and other countries on supply chains based solely or mainly in the People's Republic of China; and

(B) heightened the importance of the United States diversifying its supply chains through reshoring and nearshoring initiatives to increase resiliency against future disruptions;

(2) emphasizes that reshoring efforts of sufficient scale to increase domestic production capacity and relocate supply chains to the United States remain critical and should be encouraged and implemented;

(3) emphasizes that—

(A) nearshoring efforts should be pursued in a complementary fashion to better achieve more resilient, diverse, and secure supply chains, particularly for goods unlikely to be manufactured in the United States;

(B) nearshoring in Latin America and the Caribbean, relative to relying on supply chains in other geographic regions, has the greatest potential to contribute to the economic prosperity and security of the United States while also advancing the post-pandemic economic recovery of countries in the Western Hemisphere;

(C) nearshoring in Latin America and the Caribbean provides greater opportunities for expanding co-production operations and other cooperative business ventures with United States entities; and

(D) nearshoring in Latin America and the Caribbean can complement and enhance efforts by the United States to support democratic consolidation across the region by strengthening the rule of law, encouraging competitiveness, and raising standards on corruption, labor, and environmental issues;

(4) supports initiatives by the Inter-American Development Bank, governments in Latin America and the Caribbean, and the private sector to finance, incentivize, or otherwise promote nearshoring in Latin America and the Caribbean;

(5) encourages the United States Agency for International Development and the United States International Development Finance Corporation to strengthen programmatic support for initiatives likely to facilitate the relocation of global supply chains to the Western Hemisphere, including

through increased collaboration with each other, the private sector, the Inter-American Development Bank, and countries in Latin America and the Caribbean;

(6) calls for governments in Latin America and the Caribbean to increase opportunities for nearshoring in the region by—

(A) modernizing and consolidating physical and digital infrastructure;

(B) combating corruption, strengthening the rule of law, enhancing labor and environmental standards, and improving democratic governance; and

(C) pursuing other efforts to facilitate the ease of doing business in and attract foreign direct investment to the region, including by leveraging strong relationships with Taiwan; and

(7) urges the Secretary of State, in coordination with the United States Agency for International Development, the United States International Development Finance Corporation, and the heads of all other relevant Federal agencies and departments, to take a leading role in advancing nearshoring in Latin America and the Caribbean, including by—

(A) strengthening support for the activities described in paragraph (6);

(B) engaging with governments in the Western Hemisphere to explore opportunities to lower trade barriers, streamline customs and other regulations, support capacity building programs to strengthen environmental and labor standards, establish incentives for mutually beneficial co-production arrangements, and facilitate economic integration of the region;

(C) strengthening legal regimes and monitoring and enforcement measures relating to labor standards to ensure that—

(i) any enhanced sourcing relationship with a country does not support or abet labor abuse or other human rights abuses, such as those found in the People's Republic of China; and

(ii) any new investment under a nearshoring program has sufficient labor standards and benefits the workers in such country;

(D) ensuring that nearshoring activities are consistent with efforts to improve supply chain energy efficiency, reduce the energy used to transport goods, and advance environmental sustainability; and

(E) working in partnership with multilateral development banks and private investors to create incentives for entities to relocate supply chains from the People's Republic of China to the Western Hemisphere, including by financing the development of regional technology hubs with strong labor and environmental regulations.

SENATE RESOLUTION 662—EX-PRESSING SUPPORT FOR THE DESIGNATION OF MAY 2022 AS “MENTAL HEALTH AWARENESS MONTH”

Mr. LUJÁN (for himself, Mr. PORTMAN, Ms. STABENOW, and Mr. DAINES) submitted the following resolution; which was considered and agreed to:

S. RES. 662

Whereas the COVID-19 public health emergency has taken a toll on the mental well-being of the people of the United States and understandably has been stressful for many of those people;

Whereas, for more than 2 years, the United States has witnessed firsthand how fear and anxiety about a disease can be overwhelming and negatively affect mental health in both adults and children;

Whereas, according to the National Institute of Mental Health, before the COVID-19 pandemic, nearly 1 in 5 adults in the United States lived with a mental illness;

Whereas, according to the Centers for Disease Control and Prevention (referred to in this preamble as the “CDC”), before the COVID-19 pandemic, up to 1 in 5 children who were 3 to 17 years of age reported a mental, emotional, developmental, or behavioral disorder;

Whereas, according to the CDC, the COVID-19 pandemic has been associated with mental health challenges;

Whereas the “Stress in America 2021: Stress and Decision-Making during the Pandemic” poll found that—

(1) 32 percent of adults, including 48 percent of Millennials, have so much stress about the COVID-19 pandemic that they struggle to make basic decisions, such as what to wear or what to eat;

(2) 59 percent of adults experienced behavior changes as a result of stress in the past month; and

(3) 63 percent of adults agreed that uncertainty about what the next few months would be like caused stress for those individuals;

Whereas the April 2, 2021, CDC Morbidity and Mortality Weekly Report found that, during the COVID-19 pandemic, the percentage of adults with symptoms of an anxiety or a depressive disorder during the 7 days preceding the study rose from 36.4 percent in August 2020 to 41.5 percent in February 2021;

Whereas a Household Pulse Survey in December 2021 found that 30.7 percent of adults reported symptoms of anxiety or depressive disorder, which is up from 11 percent in 2019, and, among those adults, 27.8 percent reported an unmet need for counseling or therapy;

Whereas, according to the CDC, nearly 1 in 6 children has a mental, behavioral, or developmental disorder, such as anxiety or depression, attention-deficit/hyperactivity disorder (commonly referred to as “ADHD”), autism spectrum disorder (commonly referred to as “ASD”), disruptive behavior disorder, or Tourette syndrome;

Whereas, according to data collected by the CDC in 2021, 37 percent of high school students reported that they experienced poor mental health during the COVID-19 pandemic, and 44 percent of those students reported they persistently felt sad or hopeless;

Whereas, according to the CDC, mental health disorders are chronic conditions, and, without proper diagnosis and treatment with respect to those disorders, children can face problems at home, in school, and with their development;

Whereas, according to the CDC, children with mental, emotional, or behavioral disorders benefit from early diagnosis and treatment;

Whereas the Federal Government supports a variety of programs aimed at providing behavioral and mental health resources to children and youth;

Whereas, according to the National Institute of Mental Health, 50 percent of all lifetime cases of mental illness begin by 14 years of age, 75 percent of those illnesses begin by 24 years of age, and 20 percent of youth between 13 and 18 years of age live with a mental health condition;

Whereas an August 2021 study published in JAMA Pediatrics found that the prevalence of depression and anxiety symptoms during COVID-19 has doubled from pre-pandemic rates;

Whereas, in December 2021, the Surgeon General of the Public Health Service, Dr. Vivek Murthy, issued a new Surgeon General’s Advisory—

(1) to highlight the urgent need for families, educators and schools, community organizations, media and technology companies, and governments to address the worsening youth mental health crisis in the United States; and

(2) that noted that—

(A) youth mental health challenges have been on the rise, even before the COVID-19 pandemic; and

(B) from 2007 to 2018, the suicide rate among youth between 10 and 24 years of age increased by 57 percent;

Whereas Imperial College London estimates that more than 214,000 children in the United States have lost a parent or primary caregiver to COVID-19, which continues to raise concerns about the emotional well-being of children;

Whereas, according to the Health Resources and Services Administration’s Behavioral Health Workforce Projections, many areas of the United States are currently experiencing a shortage of behavioral health care providers, particularly those with experience in treating children and adolescents;

Whereas a July 2021 survey by the National Council for Mental Wellbeing found that, during the 12-month period preceding the study—

(1) 49 percent of LGBTQ+ adults experienced more stress and mental health challenges, but only 41 percent said they received treatment or care of any kind for their mental health;

(2) 46 percent of Black adults experienced more stress and mental health challenges, but only 21 percent said they received treatment or care of any kind for their mental health;

(3) 45 percent of Native American adults experienced more stress and mental health challenges, but only 24 percent received treatment or care of any kind for their mental health;

(4) 42 percent of Hispanic adults experienced more stress and mental health challenges, but only 26 percent said they received treatment or care of any kind for their mental health;

(5) 40 percent of Asian adults experienced more stress and mental health challenges, but only 11 percent said they received treatment or care of any kind for their mental health; and

(6) 47 percent of all adults surveyed stated that the cost of help or treatment was an obstacle in seeking treatment for their mental health;

Whereas the number of adults reporting suicidal ideation in 2021 increased by 664,000 when compared with the 2020 dataset;

Whereas the 2021 National Veteran Suicide Prevention Annual Report stated that veterans—

(1) account for 13.7 percent of suicides among United States adults; and

(2) have a 52.3 percent greater rate of suicide than the non-veteran United States population;

Whereas individuals between 10 and 24 years of age account for 14 percent of all suicides;

Whereas suicide is the ninth leading cause of death for adults between 35 and 64 years of age, and adults between 35 and 64 years of age account for 47.2 percent of all suicides in the United States;

Whereas, in 2021, adults with disabilities were 3 times more likely to report suicidal ideation, at 30.6 percent in the month preceding the study, compared to individuals without disabilities, at 8.3 percent; and

Whereas it would be appropriate to observe May 2022 as “Mental Health Awareness Month”; Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of May 2022 as “Mental Health Awareness Month” to remove the stigma associated with mental illness and place emphasis on scientific findings regarding mental health recovery;

(2) declares mental health to be a national priority;

(3) recognizes that mental well-being is as important as physical well-being for citizens, communities, schools, businesses, and the economy in the United States;

(4) applauds the coalescing of national, State, local, medical, and faith-based organizations in—

(A) working to promote public awareness of mental health; and

(B) providing critical information and support during the COVID-19 pandemic to individuals and families affected by mental illness; and

(5) encourages all people of the United States to draw on “Mental Health Awareness Month” as an opportunity to promote mental well-being and awareness, ensure access to appropriate coverage and services, and support overall quality of life for those living with mental illness.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5048. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table.

SA 5049. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5050. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5051. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5052. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5053. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5054. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5055. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5056. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5057. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5058. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5059. Mr. SANDERS submitted an amendment intended to be proposed to

amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5060. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5061. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5062. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5063. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

SA 5064. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5048. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, strike lines 4 through 19 and insert the following:

“(b) REMOVAL OF PRESUMPTION.—(1) The Secretary shall—

“(A) issue a regulation to remove an illness from a presumption of service connection previously established pursuant to a regulation issued under subsection (a) if there is a lack of evidence establishing a positive association between the illness and the toxic exposure; and

“(B) issue a regulation to remove a presumption of service connection established pursuant to title IV of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 if there is a lack of evidence establishing a positive association between the disease and the toxic exposure.

SA 5049. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 64, strike line 1 and all that follows through page 65, line 9, and insert the following:

“(1) Chronic asthma that was diagnosed after service of the covered veteran as specified in subsection (c).

“(2) The following types of cancer:

“(A) Squamous cell carcinoma of the larynx.

“(B) Squamous cell carcinoma of the trachea.

“(C) Adenocarcinoma of the trachea.

“(D) Salivary gland-type tumors of the trachea.

“(E) Adenosquamous carcinoma of the lung.

“(F) Large cell carcinoma of the lung.

“(G) Salivary gland-type tumors of the lung.

“(H) Sacromatoid carcinoma of the lung.

“(I) Typical and atypical carcinoid of the lung.

“(3) chronic rhinitis.

“(4) Chronic sinusitis.

SA 5050. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 5, strike line 1 and all that follows through page 67, line 15.

Beginning on page 86, strike line 1 and all that follows through page 150, line 16.

At the appropriate place, insert the following:

SEC. ____ SENSE OF THE SENATE ON PROVISION OF COMPENSATION.

It is the sense of the Senate that, for the purposes of section 1110 of title 38, United States Code, and subject to section 1113 of such title, for disabilities where there is affirmative evidence to establish that a personal injury suffered or disease contracted in line of duty for which there is a recognized cause, or for aggravation of a preexisting disease contracted in line of duty for which there is a recognized cause, in the active military, naval, air, or space service, during a period of war, the United States will pay to any veteran thus disabled and who was discharged or released under conditions other than dishonorable from the period of service in which said injury or disease was incurred, or preexisting injury or disease was aggravated, compensation, but no compensation shall be paid if the disability is a result of the veteran's own willful misconduct or abuse of alcohol or drugs.

SA 5051. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022” or the “Honoring our PACT Act of 2022”.

(b) MATTERS RELATING TO AMENDMENTS TO TITLE 38, UNITED STATES CODE.—

(1) REFERENCES.—Except as otherwise expressly provided, when in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

(2) AMENDMENTS TO TABLES OF CONTENTS.—Except as otherwise expressly provided, when an amendment made by this Act to title 38, United States Code, adds a section or larger organizational unit to that title or amends the designation or heading of a section or larger organizational unit in that title, that amendment also shall have the effect of amending any table of sections in

that title to alter the table to conform to the changes made by the amendment.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; references to title 38, United States Code; table of contents.

TITLE I—EXPANSION OF HEALTH CARE ELIGIBILITY

Subtitle A—Toxic-exposed Veterans

Sec. 101. Short title.

Sec. 102. Definitions relating to toxic-exposed veterans.

Sec. 103. Expansion of health care for specific categories of toxic-exposed veterans and veterans supporting certain overseas contingency operations.

Sec. 104. Assessments of implementation and operation.

Subtitle B—Certain Veterans of Combat Service and Other Matters

Sec. 111. Expansion of period of eligibility for health care for certain veterans of combat service.

TITLE II—TOXIC EXPOSURE PRESUMPTION PROCESS

Sec. 201. Short title.

Sec. 202. Improvements to ability of Department of Veterans Affairs to establish presumptions of service connection based on toxic exposure.

Sec. 203. Outreach to claimants for disability compensation pursuant to changes in presumptions of service connection.

Sec. 204. Reevaluation of claims for dependency and indemnity compensation involving presumptions of service connection.

TITLE III—IMPROVING THE ESTABLISHMENT OF SERVICE CONNECTION PROCESS FOR TOXIC-EXPOSED VETERANS

Sec. 301. Short title.

Sec. 302. Presumptions of toxic exposure.

Sec. 303. Medical nexus examinations for toxic exposure risk activities.

TITLE IV—PRESUMPTIONS OF SERVICE CONNECTION

Sec. 401. Treatment of veterans who participated in cleanup of Enewetak Atoll as radiation-exposed veterans for purposes of presumption of service connection of certain disabilities by Department of Veterans Affairs.

Sec. 402. Treatment of veterans who participated in nuclear response near Palomares, Spain, or Thule, Greenland, as radiation-exposed veterans for purposes of presumption of service connection of certain disabilities by Department of Veterans Affairs.

Sec. 403. Presumptions of service connection for diseases associated with exposures to certain herbicide agents for veterans who served in certain locations.

Sec. 404. Addition of additional diseases associated with exposure to certain herbicide agents for which there is a presumption of service connection for veterans who served in certain locations.

Sec. 405. Improving compensation for disabilities occurring in Persian Gulf War veterans.

Sec. 406. Presumption of service connection for certain diseases associated with exposure to burn pits and other toxins.

Sec. 407. Rule of construction.

TITLE V—RESEARCH MATTERS

- Sec. 501. Interagency working group on toxic exposure research.
- Sec. 502. Analysis and report on treatment of veterans for medical conditions related to toxic exposure.
- Sec. 503. Analysis relating to mortality of veterans who served in Southwest Asia.
- Sec. 504. Study on health trends of post-9/11 veterans.
- Sec. 505. Study on cancer rates among veterans.
- Sec. 506. Study on health effects of waste related to Manhattan Project on certain veterans.
- Sec. 507. Study on toxic exposure and mental health outcomes.
- Sec. 508. Study on veterans in Territories of the United States.
- Sec. 509. Department of Veterans Affairs public website for toxic exposure research.
- Sec. 510. Report on health effects of jet fuels used by Armed Forces.

TITLE VI—IMPROVEMENT OF RESOURCES AND TRAINING REGARDING TOXIC-EXPOSED VETERANS

- Sec. 601. Short title; definitions.
- Sec. 602. Publication of list of resources of Department of Veterans Affairs for toxic-exposed veterans and veterans who report toxic exposures and outreach program for such veterans and caregivers and survivors of such veterans.
- Sec. 603. Incorporation of toxic exposure screening for veterans.
- Sec. 604. Training for personnel of the Department of Veterans Affairs with respect to veterans who report toxic exposures.

TITLE VII—RESOURCING

- Sec. 701. Authority to use appropriations to enhance claims processing capacity and automation.
- Sec. 702. Authorization of major medical facility leases of Department of Veterans Affairs for fiscal year 2023.
- Sec. 703. Treatment of major medical facility leases of the Department of Veterans Affairs.
- Sec. 704. Authority to enter into agreements with academic affiliates and other entities to acquire space for the purpose of providing health-care resources to veterans.
- Sec. 705. Modifications to enhanced-use lease authority of Department of Veterans Affairs.
- Sec. 706. Authority for joint leasing actions of Department of Defense and Department of Veterans Affairs.
- Sec. 707. Appropriation of amounts for major medical facility leases.

TITLE VIII—RECORDS AND OTHER MATTERS

- Sec. 801. Epidemiological study on Fort McClellan veterans.
- Sec. 802. Biennial briefing on Individual Longitudinal Exposure Record.
- Sec. 803. Correction of exposure records by members of the Armed Forces and veterans.
- Sec. 804. Federal cause of action relating to water at Camp Lejeune, North Carolina.
- Sec. 805. Cost of War Toxic Exposures Fund.
- Sec. 806. Appropriation for fiscal year 2022.
- Sec. 807. Authorization of electronic notice in claims under laws administered by the Secretary of Veterans Affairs.
- Sec. 808. Burn pit transparency.

TITLE IX—IMPROVEMENT OF WORKFORCE OF DEPARTMENT OF VETERANS AFFAIRS

- Sec. 901. National rural recruitment and hiring plan for Veterans Health Administration.
- Sec. 902. Authority to buy out service contracts for certain health care professionals in exchange for employment at rural or highly rural facilities of Department of Veterans Affairs.
- Sec. 903. Qualifications for human resources positions within Department of Veterans Affairs and plan to recruit and retain human resources employees.
- Sec. 904. Modification of pay cap for certain employees of Veterans Health Administration.
- Sec. 905. Expansion of opportunities for housekeeping aides.
- Sec. 906. Modification of authority of the Secretary of Veterans Affairs relating to hours, conditions of employment, and pay for certain employees of Veterans Health Administration.
- Sec. 907. Waiver of pay limitation for certain employees of Department of Veterans Affairs.
- Sec. 908. Elimination of limitation on awards and bonus for employees of Department of Veterans Affairs.
- Sec. 909. Additional authority of the Secretary of Veterans Affairs relating to recruitment and retention of personnel.

TITLE I—EXPANSION OF HEALTH CARE ELIGIBILITY

Subtitle A—Toxic-exposed Veterans

SEC. 101. SHORT TITLE.

This title may be cited as the “Conceding Our Veterans’ Exposure Now and Necessitating Training Act of 2022” or the “COVENANT Act of 2022”.

SEC. 102. DEFINITIONS RELATING TO TOXIC-EXPOSED VETERANS.

(a) IN GENERAL.—Section 1710(a)(2)(F) is amended by striking “who was exposed to a toxic substance, radiation, or other conditions, as provided in subsection (e)” and inserting “who is a toxic-exposed veteran, in accordance with subsection (e)”.

(b) DEFINITION OF TOXIC EXPOSURE AND TOXIC-EXPOSED VETERAN.—Section 101 is amended by adding at the end the following new paragraphs:

“(37) The term ‘toxic exposure’ includes the following:

“(A) A toxic exposure risk activity, as defined in section 1710(e)(4) of this title.

“(B) An exposure to a substance, chemical, or airborne hazard identified in the list under section 1119(b)(2) of this title.

“(38) The term ‘toxic-exposed veteran’ means any veteran described in section 1710(e)(1) of this title.”.

(c) DEFINITION OF TOXIC EXPOSURE RISK ACTIVITY.—Section 1710(e)(4) is amended by adding at the end the following new subparagraph:

“(C) The term ‘toxic exposure risk activity’ means any activity—

“(i) that requires a corresponding entry in an exposure tracking record system (as defined in section 1119(c) of this title) for the veteran who carried out the activity; or

“(ii) that the Secretary determines qualifies for purposes of this subsection when taking into account what is reasonably prudent to protect the health of veterans.”.

SEC. 103. EXPANSION OF HEALTH CARE FOR SPECIFIC CATEGORIES OF TOXIC-EXPOSED VETERANS AND VETERANS SUPPORTING CERTAIN OVERSEAS CONTINGENCY OPERATIONS.

(a) IN GENERAL.—

(1) EXPANSION.—Subsection (e) of section 1710, as amended by section 102(c), is further amended—

(A) in paragraph (1), by adding at the end the following new subparagraphs:

“(G) Beginning not later than the applicable date specified in paragraph (6), and subject to paragraph (2), a veteran who participated in a toxic exposure risk activity while serving on active duty, active duty for training, or inactive duty training is eligible for hospital care (including mental health services and counseling), medical services, and nursing home care under subsection (a)(2)(F) for any illness.

“(H) Beginning not later than the applicable date specified in paragraph (6), and subject to paragraph (2), a covered veteran (as defined in section 1119(c) of this title) is eligible for hospital care (including mental health services and counseling), medical services, and nursing home care under subsection (a)(2)(F) for any illness.

“(I)(i) Beginning not later than the applicable date specified in paragraph (6), and subject to paragraph (2), a veteran who deployed in support of a contingency operation specified in clause (ii) is eligible for hospital care (including mental health services and counseling), medical services, and nursing home care under subsection (a)(2)(F) for any illness.

“(ii) A contingency operation specified in this clause is any of the following:

“(I) Operation Enduring Freedom.

“(II) Operation Freedom’s Sentinel.

“(III) Operation Iraqi Freedom.

“(IV) Operation New Dawn.

“(V) Operation Inherent Resolve.

“(VI) Resolute Support Mission.”; and

(B) in paragraph (2)(B)—

(i) by striking “or (F)” and inserting “(F), (G), (H), or (I)”; and

(ii) by striking “service or testing” and inserting “service, testing, or activity”.

(2) PHASE IN.—Such subsection is further amended by adding at the end the following new paragraph:

“(6)(A) The Secretary shall determine the dates in subparagraphs (G), (H), and (I) of paragraph (1) as follows:

“(i) October 1, 2024, with respect to a veteran described in such subparagraph (G) or (H) who was discharged or released from the active military, naval, air, or space service during the period beginning on August 2, 1990, and ending on September 11, 2001.

“(ii) October 1, 2026, with respect to a veteran described in such subparagraph (G) or (H) who was discharged or released from the active military, naval, air, or space service during the period beginning on September 12, 2001, and ending on December 31, 2006.

“(iii) October 1, 2028, with respect to a veteran described in such subparagraph (G) or (H) who was discharged or released from the active military, naval, air, or space service during the period beginning on January 1, 2007, and ending on December 31, 2012.

“(iv) October 1, 2030, with respect to a veteran described in such subparagraph (G) or (H) who was discharged or released from the active military, naval, air, or space service during the period beginning on January 1, 2013, and ending on December 31, 2018.

“(v) October 1, 2032, with respect to a veteran described in such subparagraph (I).

“(B)(i) The Secretary may modify a date specified in subparagraph (A) to an earlier date, as the Secretary determines appropriate based on the number of veterans receiving hospital care, medical services, and nursing home care under subparagraphs (G), (H), and (I) of paragraph (1) and the resources available to the Secretary.

“(ii) If the Secretary determines to modify a date under clause (i), the Secretary shall—

“(I) notify the Committee on Veterans’ Affairs of the Senate and the Committee on

Veterans' Affairs of the House of Representatives of the proposed modification; and

“(II) publish such modified date in the Federal Register.”.

(b) **OUTREACH PLANS.**—With respect to each of clauses (i) through (v) of section 1710(e)(6)(A) of title 38, United States Code (as added by subsection (a)(2)), not later than 180 days before the date specified in the clause (including a date modified pursuant to such section), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a plan to conduct outreach to the veterans described in the clause to notify such veterans of their eligibility for hospital care, medical services, or nursing home care under subparagraph (G), (H), or (I), of section 1710(e)(1) of such title, as the case may be.

SEC. 104. ASSESSMENTS OF IMPLEMENTATION AND OPERATION.

(a) **INITIAL RESOURCE ASSESSMENT AND REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) complete an assessment to determine—
(A) the personnel and material resources necessary to implement section 103 (including the amendments made by such section); and

(B) the total number of covered veterans, as such term is defined in section 1119(c) of title 38, United States Code (as added by section 302), who receive hospital care or medical services furnished by the Secretary under chapter 17 of such title, disaggregated by priority group specified in section 1705(a) of such title; and

(2) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the findings of the assessment completed under paragraph (1), including a specific determination as to whether the Department has the personnel and material resources necessary to implement section 103.

(b) **INFORMATION SYSTEMS.**—Not later than October 1, 2024, the Secretary shall establish information systems to assess the implementation of section 103, including the amendments made by such section, and use the results of assessments under such systems to inform the reports under subsection (c).

(c) **ANNUAL REPORTS.**—

(1) **REPORTS.**—Not later than October 1, 2025, and on an annual basis thereafter until October 1, 2033, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the following:

(A) The effect of the implementation of, and the provision and management of care under, section 103 (including the amendments made by such section) on the demand by veterans described in subparagraphs (G), (H), and (I) of section 1710(e)(1) of title 38, United States Code (as added by such section 103) for health care services furnished by the Secretary.

(B) Any differing patterns of demand for health care services by such veterans, disaggregated by factors such as the relative distance of the veteran from medical facilities of the Department and whether the veteran had previously received hospital care or medical services furnished by the Secretary under chapter 17 of such title.

(C) The extent to which the Secretary has met such demand.

(D) Any changes, during the year covered by the report, in the delivery patterns of health care furnished by the Secretary under chapter 17 of such title, and the fiscal impact of such changes.

(2) **MATTERS.**—Each report under paragraph (1) shall include, with respect to the year covered by the report, detailed information on the following:

(A) The total number of veterans enrolled in the patient enrollment system who, during such year, received hospital care or medical services furnished by the Secretary under chapter 17 of title 38, United States Code.

(B) Of the veterans specified in subparagraph (A), the number of such veterans who, during the preceding three fiscal years, had not received such care or services.

(C) With respect to the veterans specified in subparagraph (B), the cost of providing health care to such veterans during the year covered by the report, shown in total and disaggregated by—

(i) the level of care; and
(ii) whether the care was provided through the Veterans Community Care Program.

(D) With respect to the number of veterans described in subparagraphs (G), (H), and (I) of section 1710(e)(1) of title 38, United States Code (as added by section 103), the following (shown in total and disaggregated by medical facility of the Department, as applicable):

(i) The number of such veterans who, during the year covered by the report, enrolled in the patient enrollment system.

(ii) The number of such veterans who applied for, but were denied, such enrollment.

(iii) The number of such veterans who were denied hospital care or a medical service furnished by the Secretary that was considered to be medically necessary but not of an emergency nature.

(E) The numbers and characteristics of, and the type and extent of health care furnished by the Secretary to, veterans enrolled in the patient enrollment system (shown in total and disaggregated by medical facility of the Department).

(F) The numbers and characteristics of, and the type and extent of health care furnished by the Secretary to, veterans not enrolled in the patient enrollment system (disaggregated by each class of eligibility for care under section 1710 of title 38, United States Code, and further shown as a total per class and disaggregated by medical facility of the Department).

(G) The specific fiscal impact (shown in total and disaggregated by geographic health care delivery areas) of changes in the delivery patterns of health care furnished by the Secretary under chapter 17 of such title as a result of the implementation of section 103 (including the amendments made by such section).

(d) **DEFINITIONS.**—In this section:

(1) **PATIENT ENROLLMENT SYSTEM.**—The term “patient enrollment system” means the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.

(2) **VETERANS COMMUNITY CARE PROGRAM.**—The term “Veterans Community Care Program” means the program established under section 1703 of title 38, United States Code.

Subtitle B—Certain Veterans of Combat Service and Other Matters

SEC. 111. EXPANSION OF PERIOD OF ELIGIBILITY FOR HEALTH CARE FOR CERTAIN VETERANS OF COMBAT SERVICE.

(a) **EXPANDED PERIOD.**—Section 1710(e)(3) is amended—

(1) in subparagraph (A)—

(A) by striking “January 27, 2003” and inserting “September 11, 2001”; and

(B) by striking “five-year period” and inserting “10-year period”;

(2) by amending subparagraph (B) to read as follows:

“(B) With respect to a veteran described in paragraph (1)(D) who was discharged or re-

leased from the active military, naval, air, or space service after September 11, 2001, and before October 1, 2013, but did not enroll to receive such hospital care, medical services, or nursing home care under such paragraph pursuant to subparagraph (A) before October 1, 2022, the one-year period beginning on October 1, 2022.”; and

(3) by striking subparagraph (C).

(b) **CLARIFICATION OF COVERAGE.**—Section 1710(e)(1)(D) is amended by inserting after “Persian Gulf War” the following: “(including any veteran who, in connection with service during such period, received the Armed Forces Expeditionary Medal, Service Specific Expeditionary Medal, Combat Era Specific Expeditionary Medal, Campaign Specific Medal, or any other combat theater award established by a Federal statute or an Executive order)”.

(c) **OUTREACH PLAN.**—Not later than December 1, 2022, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a plan to conduct outreach to veterans described in subparagraph (B) of section 1710(e)(3) of title 38, United States Code, as amended by subsection (a)(2), to notify such veterans of their eligibility for hospital care, medical services, or nursing home care pursuant to such subparagraph.

(d) **REPORT ON ENROLLMENTS.**—Not later than January 30, 2024, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report identifying, with respect to the one-year period beginning on October 1, 2022, the number of veterans described in section 1710(e)(3)(B) of title 38, United States Code, as amended by subsection (a)(2), who, during such period, enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705(a) of such title.

(e) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect on October 1, 2022.

TITLE II—TOXIC EXPOSURE PRESUMPTION PROCESS

SEC. 201. SHORT TITLE.

This title may be cited as the “Toxic Exposure in the American Military Act of 2022” or the “TEAM Act of 2022”.

SEC. 202. IMPROVEMENTS TO ABILITY OF DEPARTMENT OF VETERANS AFFAIRS TO ESTABLISH PRESUMPTIONS OF SERVICE CONNECTION BASED ON TOXIC EXPOSURE.

(a) **ADVISORY COMMITTEES, PANELS, AND BOARDS.**—Chapter 11 is amended by adding at the end the following new subchapter:

“**SUBCHAPTER VII—DETERMINATIONS RELATING TO PRESUMPTIONS OF SERVICE CONNECTION BASED ON TOXIC EXPOSURE**

“**§ 1171. Procedures to determine presumptions of service connection based on toxic exposure; definitions**

“(a) **PROCEDURES.**—The Secretary shall determine whether to establish, or to remove, presumptions of service connection based on toxic exposure pursuant to this subchapter, whereby—

“(1) under section 1172 of this title—

“(A) the Secretary provides—

“(i) public notice regarding what formal evaluations the Secretary plans to conduct; and

“(ii) the public an opportunity to comment on the proposed formal evaluations;

“(B) the working group established under subsection (b) of such section provides—

“(i) advice to the Secretary on toxic-exposed veterans and cases in which veterans who, during active military, naval, air, or

space service, may have experienced a toxic exposure or their dependents may have experienced a toxic exposure while the veterans were serving in the active military, naval, air, or space service;

“(ii) recommendations to the Secretary on corrections needed in the Individual Longitudinal Exposure Record to better reflect veterans and dependents described in clause (i); and

“(iii) recommendations to the Secretary regarding which cases of possible toxic exposure should be reviewed;

“(2) the Secretary provides for formal evaluations of such recommendations under section 1173 of this title and takes into account reports received by the Secretary from the National Academies of Sciences, Engineering, and Medicine under section 1176 of this title; and

“(3) the Secretary issues regulations under section 1174 of this title.

“(b) DEFINITIONS.—In this subchapter:

“(1) The term ‘illness’ includes a disease or other condition affecting the health of an individual, including mental and physical health.

“(2) The term ‘Individual Longitudinal Exposure Record’ includes—

“(A) service records;

“(B) any database maintained by the Department of Defense and shared with the Department of Veterans Affairs to serve as a central portal for exposure-related data that compiles, collates, presents, and provides available occupational and environmental exposure information to support the needs of the Department of Defense and the Department of Veterans Affairs; or

“(C) any successor system to a database described in subparagraph (B).

“§ 1172. Annual notice and opportunity for public comment

“(a) NOTICE REQUIRED.—(1)(A) Not less frequently than once each year, the Secretary shall publish in the Federal Register notice of the formal evaluations that the Secretary plans to conduct pursuant to section 1173 of this title.

“(B) Each notice published under subparagraph (A) shall include, for each formal evaluation referred to in the notice, an explanation as to why the military environmental exposures and adverse health outcomes that are the subject of the formal evaluation were chosen by the Secretary for formal evaluation under section 1173 of this title.

“(2)(A) With each notice published under paragraph (1), the Secretary shall seek public comment on the military environmental exposures and adverse health outcomes that are the subject of the formal evaluations referred to in the notice.

“(B) The Secretary shall—

“(i) consider all public comment received under subparagraph (A); and

“(ii) publish in the Federal Register a response to the comments received under subparagraph (A).

“(3)(A) For each notice published under paragraph (1), the Secretary shall hold an open meeting for members of the public to voice their comments in response to the notice.

“(B) To help evaluate presumptions of service connection, the Secretary shall, not less frequently than quarterly, collaborate with, partner with, and give weight to the advice of veterans service organizations and such other stakeholders as the Secretary considers appropriate.

“(4) Failure to include a military environmental exposure or adverse health effect in a Federal Register notice published pursuant to subsection (a) shall not preclude the Secretary from initiating a formal evaluation of such exposure or health effect.

“(b) WORKING GROUP.—(1) The Secretary shall establish a working group within the Department (in this section referred to as the ‘Working Group’).

“(2) The Working Group shall include personnel of the Veterans Health Administration and the Veterans Benefits Administration.

“(3) The Secretary shall consult with, and seek the advice of, the Working Group with respect to cases in which—

“(A) a veteran may have, during active military, naval, air, or space service, experienced a toxic exposure; or

“(B) a dependent of a veteran may have experienced a toxic exposure during the active military, naval, air, or space service of the veteran.

“(c) ASSESSMENTS.—(1) The Working Group shall assess cases of the toxic exposure of veterans and their dependents that occurred during active military, naval, air, or space service, including by conducting ongoing surveillance and reviewing such exposure described in scientific literature, media reports, information from veterans, and information from Congress.

“(2) The assessments under paragraph (1) shall cover suspected and known toxic exposures occurring during active military, naval, air, or space service, including by identifying and evaluating new and emerging toxic exposures that are not recognized under existing presumptions of service connection.

“(3) The Working Group may conduct an assessment under paragraph (1) in response to a comment received under paragraph (2) or (3) of subsection (a).

“(4) The Working Group shall, in consultation with the Secretary of Defense, on a periodic basis, assess the Individual Longitudinal Exposure Record to ensure the accuracy of data collected.

“(d) DEVELOPMENT OF RECOMMENDATIONS.—(1) Following an assessment of a case of the toxic exposure of veterans that occurred during active military, naval, air, or space service under subsection (c), or their dependents, the Working Group may develop a recommendation for formal evaluation under section 1173 of this title to conduct a review of the health effects related to the case of exposure if the Working Group determines that the research may change the current understanding of the relationship between an exposure to an environmental hazard and adverse health outcomes in humans.

“(2) Upon receipt of evidence suggesting that previous findings regarding the periods and locations of exposure covered by an existing presumption of service connection are no longer supported, the Working Group may nominate such evidence for formal evaluation under section 1173 of this title to modify the periods and locations.

“(e) REPORTS BY THE WORKING GROUP.—Not less frequently than once each year, the Working Group shall submit to the Secretary, the Committee on Veterans Affairs of the Senate, and the Committee on Veterans Affairs of the House of Representatives, and make publicly available, a report on—

“(1) recommendations developed under subsection (d), if any; and

“(2) recommendations for such legislative or administrative action as the Working Group considers necessary for the Working Group to be more effective in carrying out the requirements of this section.

“(f) RESPONSES BY SECRETARY.—In response to each report submitted under subsection (e), the Secretary shall, not later than 30 days after receiving the report, initiate a formal evaluation pursuant to section 1173 of this title.

“§ 1173. Formal evaluation of recommendations

“(a) FORMAL EVALUATIONS.—The Secretary shall establish a process to conduct a formal evaluation with respect to each recommendation made by the Working Group under section 1172 of this title.

“(b) EVIDENCE, DATA, AND FACTORS.—The Secretary shall ensure that each formal evaluation under subsection (a) covers the following:

“(1) Scientific evidence, based on the review of available scientific literature, including human, toxicological, animal, and methodological studies, and other factors.

“(2) Claims data, based on the review of claim rate, grant rate, and service connection prevalence, and other factors.

“(3) Other factors the Secretary determines appropriate, such as—

“(A) the level of disability and mortality caused by the health effects related to the case of toxic exposure being evaluated;

“(B) the quantity and quality of the information available and reviewed;

“(C) the feasibility of and period for generating relevant information and evidence;

“(D) whether such health effects are combat- or deployment-related;

“(E) the ubiquity or rarity of the health effects; and

“(F) any time frame during which a health effect must become manifest.

“(c) CONDUCT OF EVALUATIONS.—(1) The Secretary shall ensure that each formal evaluation under subsection (a)—

“(A) reviews scientific evidence in a manner that—

“(i) conforms to principles of scientific and data integrity;

“(ii) is free from suppression or distortion of scientific or technological findings, data, information, conclusions, or technical results; and

“(B)(i) evaluates the likelihood that a positive association exists between an illness and a toxic exposure while serving in the active military, naval, air, or space service; and

“(ii) assesses the toxic exposures and illnesses and determines whether the evidence supports a finding of a positive association between the toxic exposure and the illness.

“(2) In carrying out paragraph (1)(B)(ii), a formal evaluation under subsection (a) shall include reviewing all relevant data to determine the strength of evidence for a positive association based on the following four categories:

“(A) The ‘sufficient’ category, where the evidence is sufficient to conclude that a positive association exists.

“(B) The ‘equipoise and above’ category, where the evidence is sufficient to conclude that a positive association is at least as likely as not, but not sufficient to conclude that a positive association exists.

“(C) The ‘below equipoise’ category, where the evidence is not sufficient to conclude that a positive association is at least as likely as not, or is not sufficient to make a scientifically informed judgment.

“(D) The ‘against’ category, where the evidence suggests the lack of a positive association.

“(d) RECOMMENDATION FOR ESTABLISHING A PRESUMPTION OF SERVICE CONNECTION.—Not later than 120 days after the date on which a formal evaluation is commenced, the element of the Department that conducts the evaluation shall submit to the Secretary a recommendation with respect to establishing a presumption of service connection for the toxic exposure and illness, or modifying an existing presumption of service connection, covered by the evaluation.

“§ 1174. Regulations regarding presumptions of service connection based on toxic exposure

“(a) ACTION UPON RECOMMENDATION.—Not later than 160 days after the date on which the Secretary receives a recommendation to establish or modify a presumption of service connection under section 1173 of this title—

“(1) if the Secretary determines, in the discretion of the Secretary, that the presumption, or modification, is warranted, the Secretary shall—

“(A) commence issuing regulations in accordance with the provisions of subchapter II of chapter 5 of title 5 (commonly referred to as the Administrative Procedures Act) setting forth the presumption or commence revising regulations to carry out such modification; and

“(B) include in such regulations any time frame during which a health effect must become manifest; or

“(2) if the Secretary determines, in the discretion of the Secretary, that the presumption, or modification, is not warranted, the Secretary shall publish in the Federal Register a notice of the determination, including the reasons supporting the determination.

“(b) REMOVAL OF PRESUMPTION.—(1)(A) The Secretary may—

“(i) issue a regulation to remove an illness from a presumption of service connection previously established pursuant to a regulation issued under subsection (a); and

“(ii) issue a regulation to remove a presumption of service connection established pursuant to title IV of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 if the Secretary concludes that evidence suggests the lack of a positive association between the disease and the toxic exposure.

“(B) Under subparagraph (A)(ii), the Secretary shall not consider the lack of evidence as sufficient to support a decision for removal of a presumption.

“(2) Whenever an illness is removed from regulations pursuant to paragraph (1), or the periods and locations of exposure covered by a presumption of service connection are modified under subsection (a)—

“(A) a veteran who was awarded compensation under chapter 11 of this title for such illness on the basis of the presumption provided under such regulations before the effective date of the removal or modification shall continue to be entitled to receive compensation on that basis;

“(B) a survivor of a veteran who was awarded dependency and indemnity compensation under chapter 13 of this title for the death of a veteran resulting from such illness on the basis of such presumption shall continue to be entitled to receive dependency and indemnity compensation on such basis; and

“(C) no veteran or survivor covered under subparagraph (A) or (B) shall have their compensation reduced solely because of the removal of an illness pursuant to paragraph (1).

“§ 1175. Authority to modify process; congressional oversight

“(a) IN GENERAL.—The Secretary may modify the process under which the working group established under subsection (b) of section 1172 of this title conducts assessments under such section, the Secretary conducts formal evaluations under section 1173 of this title, and issues regulations under section 1174 of this title if—

“(1) such evaluations cover the evidence, data, and factors required by subsection (b) of such section 1173; and

“(2) a period of 180 days has elapsed following the date on which the Secretary sub-

mits the notice under subsection (b) regarding the modification.

“(b) NOTICE.—If the Secretary proposes to modify the process under which the working group established under subsection (b) of section 1172 of this title conducts assessments under such section, the process under which the Secretary conducts formal evaluations under section 1173 of this title, or issues regulations under section 1174 of this title, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a notice of the proposed modifications containing the following:

“(1) A description of the proposed modifications.

“(2) A description of any exceptions to the requirements of such sections that are proposed because of limited available scientific evidence, and a description of how such evaluations will be conducted.

“§ 1176. Agreement with National Academies of Sciences, Engineering, and Medicine concerning toxic exposures

“(a) PURPOSE.—The purpose of this section is to provide for the National Academies of Sciences, Engineering, and Medicine (in this section referred to as the ‘Academies’), an independent nonprofit scientific organization with appropriate expertise that is not part of the Federal Government, to review and evaluate the available scientific evidence regarding associations between diseases and toxic exposures.

“(b) AGREEMENT.—(1) The Secretary shall seek to enter into a five-year agreement with the Academies to perform the services covered by this section.

“(2) The Secretary shall seek to enter into an agreement described in paragraph (1) not later than 60 days after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022.

“(3) An agreement under this section may be extended in five-year increments.

“(c) REVIEW OF SCIENTIFIC EVIDENCE.—Under an agreement between the Secretary and the Academies under this section, the Academies shall review and summarize the scientific evidence, and assess the strength thereof, concerning the association between toxic exposures during active military, naval, air, or space service and each disease suspected to be associated with such exposure in the human population.

“(d) SCIENTIFIC DETERMINATIONS CONCERNING DISEASES.—For each disease reviewed under subsection (c), the Academies shall determine, to the extent that available scientific data permit meaningful determinations—

“(1) whether an association exists between toxic exposures and the occurrence of the disease, taking into account the strength of the scientific evidence and the appropriateness of the statistical and epidemiological methods used to detect the association;

“(2) the increased risk of the disease among those reporting toxic exposures during active military, naval, air, or space service;

“(3) whether there exists a plausible biological mechanism or other evidence of a positive association between the toxic exposure and the occurrence of the disease; and

“(4) determine the strength of evidence for a positive association based on categories furnished under section 1173 of this title.

“(e) COOPERATION OF FEDERAL AGENCIES.—The head of each relevant Federal agency, including the Secretary of Defense, shall cooperate fully with the Academies in performing the services covered by this section.

“(f) RECOMMENDATIONS FOR ADDITIONAL SCIENTIFIC STUDIES.—(1) Under an agreement be-

tween the Secretary and the Academies under this section, the Academies shall make any recommendations for additional scientific studies to resolve areas of continuing scientific uncertainty relating to toxic exposures.

“(2) In making recommendations under paragraph (1), the Academies shall consider—

“(A) the scientific information that is available at the time of the recommendation;

“(B) the value and relevance of the information that could result from additional studies; and

“(C) the cost and feasibility of carrying out such additional studies.

“(g) REPORTS.—(1)(A) Under an agreement between the Secretary and the Academies under this section, not later than one year after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, the Academies shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives an initial report on the activities of the Academies under the agreement.

“(B) The report submitted under subparagraph (A) shall include the following:

“(i) The determinations described in subsection (d).

“(ii) A full explanation of the scientific evidence and reasoning that led to such determinations.

“(iii) Any recommendations of the Academies under subsection (f).

“(2) Under an agreement between the Secretary and the Academies under this section, not less frequently than once every two years after the date on which the initial report is submitted under paragraph (1)(A), the Academies shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives an updated report on the activities of the Academies under the agreement.

“(h) ALTERNATIVE CONTRACT SCIENTIFIC ORGANIZATION.—(1) If the Secretary is unable within the time period prescribed in subsection (b)(2) to enter into an agreement with the Academies for the purposes of this section on terms acceptable to the Secretary, the Secretary shall seek to enter into an agreement for the purposes of this section with another appropriate scientific organization that—

“(A) is not part of the Federal Government;

“(B) operates as a not-for-profit entity; and

“(C) has expertise and objectivity comparable to that of the Academies.

“(2) If the Secretary enters into an agreement with another organization as described in paragraph (1), any reference in this subchapter to the Academies shall be treated as a reference to the other organization.”.

(b) REPORTS AND BRIEFINGS.—

(1) REPORT.—

(A) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of, and recommendations for, subchapter VII of chapter 11 of title 38, United States Code, as added by subsection (a).

(B) CONSULTATION.—The Secretary shall develop the report under subparagraph (A) in consultation with organizations recognized by the Secretary for the representation of veterans under section 5902 of such title and any other entity the Secretary determines appropriate.

(2) **BRIEFING.**—On a quarterly basis during the two-year period beginning on the date of the enactment of this Act, the Secretary shall provide to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a briefing on the implementation of subchapter VII of chapter 11 of such title, as added by subsection (a).

(c) **INDEPENDENT ASSESSMENT.**—

(1) **AGREEMENT.**—The Secretary shall seek to enter into an agreement with the National Academies of Science, Engineering, and Medicine (in this subsection referred to as the “Academies”) before the date that is 90 days after the date of the enactment of this Act to perform the services set forth under paragraph (2).

(2) **ASSESSMENT.**—

(A) **IN GENERAL.**—Under an agreement between the Secretary and the Academies under paragraph (1), the Academies shall conduct an assessment of the implementation by the Department of Veterans Affairs of the process established under subchapter VII of chapter 11 of title 38, United States Code, as added by subsection (a).

(B) **ELEMENTS.**—The assessment conducted under subparagraph (A) shall include the following:

(i) An assessment of the Department's implementation of the process established under subsection (a) to determine whether the process is in accordance with current scientific standards for assessing the link between exposure to environmental hazards and the development of health outcomes,

(ii) assess whether the criteria is fair and consistent, and

(iii) provide recommendations for improvements to the process.

(3) **REPORT.**—Not later than one year after the date on which the Secretary enters into an agreement under paragraph (1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the findings of the Academies pursuant to such agreement.

(4) **ALTERNATIVE CONTRACT SCIENTIFIC ORGANIZATION.**—

(A) **IN GENERAL.**—If the Secretary is unable within the time period prescribed in paragraph (1) to enter into an agreement with the Academies for the purposes of this subsection on terms acceptable to the Secretary, the Secretary shall seek to enter into an agreement for the purposes of this subsection with another appropriate scientific organization that—

(i) is not part of the Federal Government;

(ii) operates as a not-for-profit entity; and

(iii) has expertise and objectivity comparable to that of the Academies.

(B) **TREATMENT.**—If the Secretary enters into an agreement with another organization as described in subparagraph (A), any reference in this subsection to the Academies shall be treated as a reference to the other organization.

(d) **CONFORMING AMENDMENTS.**—Chapter 11 is amended—

(1) in section 1116—

(A) by striking subsections (b), (c), (d), and (e);

(B) by inserting after subsection (a) the following new subsection (b):

“(b) The Secretary shall ensure that any determination made on or after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 regarding a presumption of service connection based on exposure to an herbicide agent under this section is made pursuant to subchapter VII of this chapter, including with respect to assessing reports received by the

Secretary from the National Academy of Sciences under section 3 of the Agent Orange Act of 1991 (Public Law 102-4).”; and

(C) by redesignating subsection (f) as subsection (c);

(2) in section 1116B(b)(2)(A), by inserting “pursuant to subchapter VII of this chapter,” before “the Secretary determines”; and

(3) in section 1118—

(A) by striking subsections (b) through (e); and

(B) by inserting after subsection (a) the following new subsection (b):

“(b) The Secretary shall ensure that any determination made on or after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 regarding a presumption of service connection based on a toxic exposure under this section is made pursuant to subchapter VII of this chapter.”.

SEC. 203. OUTREACH TO CLAIMANTS FOR DISABILITY COMPENSATION PURSUANT TO CHANGES IN PRESUMPTIONS OF SERVICE CONNECTION.

(a) **IN GENERAL.**—Subchapter VI of chapter 11 is amended by adding at the end the following new section:

“§ 1167. Outreach pursuant to changes in presumptions of service connection

“(a) **IN GENERAL.**—Whenever a law, including through a regulation or Federal court decision or settlement, establishes or modifies a presumption of service connection, the Secretary shall—

“(1) identify all claims for compensation under this chapter that—

“(A) were submitted to the Secretary;

“(B) were evaluated and denied by the Secretary before the date on which such provision of law went into effect; and

“(C) might have been evaluated differently had the establishment or modification been applicable to the claim; and

“(2) pursuant to subsection (b), conduct outreach to the claimants.

“(b) **OUTREACH.**—(1) The Secretary shall conduct outreach to inform claimants identified under subsection (a) that they may submit a supplemental claim in light of the establishment or modification of a presumption of service connection described in subsection (a).

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

“(A) The Secretary shall publish on the internet website of the Department a notice that such veterans may elect to file a supplemental claim.

“(B) The Secretary shall notify, in writing or by electronic means, veterans service organizations of the ability of such veterans to file a supplemental claim.

“(C) The Secretary shall contact each claimant identified under subsection (a) in the same manner that the Department last provided notice of a decision.”.

(b) **APPLICATION.**—Section 1167 of title 38, United States Code, as added by subsection (a), shall apply with respect to presumptions of service connection established or modified on or after the date of the enactment of this Act, including pursuant to amendments made by this Act.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as—

(1) modifying the obligations of the Department of Veterans Affairs under Federal court decisions or settlements in effect as of the date of the enactment of this Act; or

(2) requiring a retroactively applied effective date of a supplemental claim earlier than the date a presumption of service connection is established or modified.

SEC. 204. REEVALUATION OF CLAIMS FOR DEPENDENCY AND INDEMNITY COMPENSATION INVOLVING PRESUMPTIONS OF SERVICE CONNECTION.

(a) **IN GENERAL.**—Subchapter I of chapter 13 is amended by adding at the end the following new section:

“§ 1305. Reevaluation of dependency and indemnity compensation determinations pursuant to changes in presumptions of service connection

“(a) **REEVALUATION.**—Whenever a law, including through a regulation or Federal court decision or settlement, establishes or modifies a presumption of service connection, the Secretary shall—

“(1) identify all claims for dependency and indemnity compensation under this chapter that—

“(A) were submitted to the Secretary;

“(B) were evaluated and denied by the Secretary before the date on which such provision of law went into effect; and

“(C) might have been evaluated differently had the establishment or modification been applicable to the claim;

“(2) allow for the reevaluation of such claims at the election of the claimant; and

“(3) notwithstanding section 5110 of this title, with respect to claims approved pursuant to such reevaluation, provide compensation under this chapter effective as if the establishment or modification of the presumption of service connection had been in effect on the date of the submission of the original claim described in paragraph (1).

“(b) **OUTREACH.**—(1) The Secretary shall conduct outreach to inform relevant claimants that they may elect to have a claim be reevaluated in light of the establishment or modification of a presumption of service connection described in subsection (a).

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

“(A) The Secretary shall publish on the internet website of the Department a notice that such claimants may elect to have a claim so reevaluated.

“(B) The Secretary shall notify, in writing or by electronic means, veterans service organizations of the ability of such claimants to elect to have a claim so reevaluated.

“(C) The Secretary shall contact each claimant identified under subsection (a) in the same manner that the Department last provided notice of a decision.”.

(b) **APPLICATION.**—Section 1305 of title 38, United States Code, as added by subsection (a), shall apply with respect to presumptions of service connection established or modified on or after the date of the enactment of this Act, including pursuant to amendments made by this Act.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as modifying the obligations of the Department of Veterans Affairs under Federal court decisions or settlements in effect as of the date of the enactment of this Act.

TITLE III—IMPROVING THE ESTABLISHMENT OF SERVICE CONNECTION PROCESS FOR TOXIC-EXPOSED VETERANS

SEC. 301. SHORT TITLE.

This title may be cited as the “Veterans Burn Pits Exposure Recognition Act of 2022”.

SEC. 302. PRESUMPTIONS OF TOXIC EXPOSURE.

Subchapter II of chapter 11 is amended by adding at the end the following new section:

“§ 1119. Presumptions of toxic exposure

“(a) **CONSIDERATION OF RECORDS.**—If a veteran submits to the Secretary a claim for compensation for a service-connected disability under section 1110 of this title with evidence of a disability and a toxic exposure that occurred during active military, naval, air, or space service, the Secretary may, in adjudicating such claim, consider—

“(1) any record of the veteran in an exposure tracking record system; and

“(2) if no record of the veteran in an exposure tracking record system indicates that the veteran was subject to a toxic exposure during active military, naval, air, or space service, the totality of the circumstances of the service of the veteran.

“(b) **PRESUMPTION OF SPECIFIC TOXIC EXPOSURE FOR MEMBERS WHO SERVED IN CERTAIN LOCATIONS.**—(1) The Secretary shall, for purposes of section 1110 and chapter 17 of this title, presume that any covered veteran was exposed to the substances, chemicals, and airborne hazards identified in the list under paragraph (2) during the service of the covered veteran specified in subsection (c)(1), unless there is affirmative evidence to establish that the covered veteran was not exposed to any such substances, chemicals, or hazards in connection with such service.

“(2) The Secretary shall—

“(A) establish and maintain a list that contains an identification of one or more such substances, chemicals, and airborne hazards as the Secretary, in collaboration with the Secretary of Defense, may determine appropriate for purposes of this section; and

“(B) determine, using procedures consistent with section 1172 of this title and through the conduct of a formal evaluation under section 1173 of this title, whether to establish an end date for a covered veteran to qualify for presumptions of exposure under this section, if appropriate, but in no case establish an end date earlier than the last day of the period specified in section 101(33) for the Persian Gulf War.

“(3) Beginning not later than two years after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, and not less frequently than once every two years thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report identifying any additions or removals to the list under paragraph (2) during the period covered by the report.

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘covered veteran’ means any veteran who—

“(A) on or after August 2, 1990, performed active military, naval, air, or space service while assigned to a duty station in, including airspace above—

“(i) Bahrain;

“(ii) Iraq;

“(iii) Kuwait;

“(iv) Oman;

“(v) Qatar;

“(vi) Saudi Arabia;

“(vii) Somalia; or

“(viii) United Arab Emirates; or

“(B) on or after September 11, 2001, performed active military, naval, air, or space service while assigned to a duty station in, including airspace above—

“(i) Afghanistan;

“(ii) Djibouti;

“(iii) Egypt;

“(iv) Jordan;

“(v) Lebanon;

“(vi) Syria;

“(vii) Yemen;

“(viii) Uzbekistan; or

“(ix) any other country determined relevant by the Secretary.

“(2) The term ‘exposure tracking record system’—

“(A) means any system, program, or pilot program used by the Secretary of Veterans Affairs or the Secretary of Defense to track how veterans or members of the Armed Forces have been exposed to various occupational or environmental hazards; and

“(B) includes the Individual Longitudinal Exposure Record, or successor system.

“(3) The term ‘toxic exposure risk activity’ has the meaning given such term in section 1710(e)(4) of this title.”.

SEC. 303. MEDICAL NEXUS EXAMINATIONS FOR TOXIC EXPOSURE RISK ACTIVITIES.

Subchapter VI of chapter 11, as amended by section 203, is further amended by adding at the end the following new section:

“§ 1168. Medical nexus examinations for toxic exposure risk activities

“(a) **MEDICAL EXAMINATIONS AND MEDICAL OPINIONS.**—(1) Except as provided in subsection (b), if a veteran submits to the Secretary a claim for compensation for a service-connected disability under section 1110 of this title with evidence of a disability and evidence of participation in a toxic exposure risk activity during active military, naval, air, or space service, and such evidence is not sufficient to establish a service connection for the disability, the Secretary shall—

“(A) provide the veteran with a medical examination under section 5103A(d) of this title; and

“(B) obtain a medical opinion (to be requested by the Secretary in connection with the medical examination under subparagraph (A)) as to whether it is at least as likely as not that there is a nexus between the disability and the toxic exposure risk activity.

“(2) When providing the Secretary with a medical opinion under paragraph (1)(B) for a veteran, the health care provider shall consider—

“(A) the total potential exposure through all applicable military deployments of the veteran; and

“(B) the synergistic, combined effect of all toxic exposure risk activities of the veteran.

“(3) The requirement under paragraph (2)(B) shall not be construed as requiring a health care provider to consider the synergistic, combined effect of each of the substances, chemicals, and airborne hazards identified in the list under section 1119(b)(2) of this title.

“(b) **EXCEPTION.**—Subsection (a) shall not apply if the Secretary determines there is no indication of an association between the disability claimed by the veteran and the toxic exposure risk activity for which the veteran submitted evidence.

“(c) **TOXIC EXPOSURE RISK ACTIVITY DEFINED.**—In this section, the term ‘toxic exposure risk activity’ has the meaning given that term in section 1710(e)(4) of this title.”.

TITLE IV—PRESUMPTIONS OF SERVICE CONNECTION

SEC. 401. TREATMENT OF VETERANS WHO PARTICIPATED IN CLEANUP OF ENEWETAK ATOLL AS RADIATION-EXPOSED VETERANS FOR PURPOSES OF PRESUMPTION OF SERVICE CONNECTION OF CERTAIN DISABILITIES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) **SHORT TITLE.**—This section may be cited as the “Mark Takai Atomic Veterans Healthcare Parity Act of 2022”.

(b) **ENEWETAK ATOLL.**—Section 1112(c)(3)(B) is amended by adding at the end the following new clause:

“(v) Cleanup of Enewetak Atoll during the period beginning on January 1, 1977, and ending on December 31, 1980.”.

SEC. 402. TREATMENT OF VETERANS WHO PARTICIPATED IN NUCLEAR RESPONSE NEAR PALOMARES, SPAIN, OR THULE, GREENLAND, AS RADIATION-EXPOSED VETERANS FOR PURPOSES OF PRESUMPTION OF SERVICE CONNECTION OF CERTAIN DISABILITIES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) **SHORT TITLE.**—This section may be cited as the “Palomares or Thule Veterans Act of 2022”.

(b) **PALOMARES OR THULE.**—Section 1112(c)(3)(B), as amended by section 401, is further amended by adding at the end the following new clauses:

“(vi) Onsite participation in the response effort following the collision of a United States Air Force B-52 bomber and refueling plane that caused the release of four thermonuclear weapons in the vicinity of Palomares, Spain, during the period beginning January 17, 1966, and ending March 31, 1967.

“(vii) Onsite participation in the response effort following the on-board fire and crash of a United States Air Force B-52 bomber that caused the release of four thermonuclear weapons in the vicinity of Thule Air Force Base, Greenland, during the period beginning January 21, 1968, and ending September 25, 1968.”.

SEC. 403. PRESUMPTIONS OF SERVICE CONNECTION FOR DISEASES ASSOCIATED WITH EXPOSURES TO CERTAIN HERBICIDE AGENTS FOR VETERANS WHO SERVED IN CERTAIN LOCATIONS.

(a) **SHORT TITLE.**—This section may be cited as the “Veterans Agent Orange Exposure Equity Act of 2022”.

(b) **IN GENERAL.**—Section 1116, as amended by section 202, is further amended—

(1) by striking “, during active military, naval, air, or space service, served in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975” each place it appears and inserting “performed covered service”; and

(2) by striking “performed active military, naval, air, or space service in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975” each place it appears and inserting “performed covered service”; and

(3) by adding at the end the following new subsection:

“(d) In this section, the term ‘covered service’ means active military, naval, air, or space service—

“(1) performed in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975;

“(2) performed in Thailand at any United States or Royal Thai base during the period beginning on January 9, 1962, and ending on June 30, 1976, without regard to where on the base the veteran was located or what military job specialty the veteran performed;

“(3) performed in Laos during the period beginning on December 1, 1965, and ending on September 30, 1969;

“(4) performed in Cambodia at Mimot or Krek, Kampong Cham Province during the period beginning on April 16, 1969, and ending on April 30, 1969; or

“(5) performed on Guam or American Samoa, or in the territorial waters thereof, during the period beginning on January 9, 1962, and ending on July 31, 1980, or served on Johnston Atoll or on a ship that called at Johnston Atoll during the period beginning on January 1, 1972, and ending on September 30, 1977.”.

(c) **ELIGIBILITY FOR HOSPITAL CARE AND MEDICAL SERVICES.**—Section 1710(e)(4), as amended by section 102(c), is further amended by striking subparagraph (A) and inserting the following new subparagraph:

“(A) The term ‘Vietnam-era herbicide-exposed veteran’ means a veteran who—

“(i) performed covered service, as defined in section 1116(d) of this title; or

“(ii) the Secretary finds may have been exposed during active military, naval, air, or space service to dioxin during the Vietnam era, regardless of the geographic area of such service, or was exposed during such service to a toxic substance found in a herbicide or defoliant used for military purposes during

such era, regardless of the geographic area of such service.”.

(d) CONFORMING AMENDMENT.—The heading for section 1116 is amended by striking “**the Republic of Vietnam**” and inserting “**certain locations**”.

(e) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply as follows:

(1) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—

- (A) terminally ill;
- (B) homeless;
- (C) under extreme financial hardship;
- (D) more than 85 years old; or
- (E) capable of demonstrating other sufficient cause.

(2) On October 1, 2022, for everyone not described in paragraph (1).

SEC. 404. ADDITION OF ADDITIONAL DISEASES ASSOCIATED WITH EXPOSURE TO CERTAIN HERBICIDE AGENTS FOR WHICH THERE IS A PRESUMPTION OF SERVICE CONNECTION FOR VETERANS WHO SERVED IN CERTAIN LOCATIONS.

(a) SHORT TITLE.—This section may be cited as the “Fair Care for Vietnam Veterans Act of 2022”.

(b) MONOCLONAL GAMMOPATHY OF UNDETERMINED SIGNIFICANCE.—Section 1116(a)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(L) Monoclonal gammopathy of undetermined significance.”.

(c) HYPERTENSION.—Such section, as amended by subsection (b), is further amended by adding at the end the following new subparagraph:

“(M) Hypertension.”.

(d) EFFECTIVE DATES AND APPLICABILITY.—(1) MONOCLONAL GAMMOPATHY OF UNDETERMINED SIGNIFICANCE.—

(A) IN GENERAL.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act and shall apply as follows:

(i) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—

- (I) terminally ill;
- (II) homeless;
- (III) under extreme financial hardship;
- (IV) more than 85 years old; or
- (V) capable of demonstrating other sufficient cause.

(ii) On October 1, 2022, for everyone not described in clause (i).

(B) RETROACTIVE APPLICATION.—Notwithstanding any Federal court decisions or settlements in effect on the day before the date of the enactment of this Act, the Secretary of Veterans Affairs shall award retroactive claims for a condition under section 1116(a)(2)(L) of title 38, United States Code, as added by subsection (b) of this section, only to claimants for dependency and indemnity compensation under chapter 13 of such title described in subparagraph (A)(i) of this paragraph.

(2) HYPERTENSION.—

(A) IN GENERAL.—The amendment made by subsection (c) shall take effect on the date of the enactment of this Act and shall apply as follows:

(i) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and for veterans whom

the Secretary of Veterans Affairs determines are—

- (I) terminally ill;
- (II) homeless;
- (III) under extreme financial hardship;
- (IV) more than 85 years old; or
- (V) capable of demonstrating other sufficient cause.

(ii) On October 1, 2026, for everyone not described in subparagraph (A).

(B) RETROACTIVE APPLICATION.—Notwithstanding any Federal court decisions or settlements in effect on the day before the date of the enactment of this Act, the Secretary of Veterans Affairs shall award retroactive claims for a condition under section 1116(a)(2)(M) of title 38, United States Code, as added by subsection (c) of this section, only to claimants for dependency and indemnity compensation under chapter 13 of such title described in subparagraph (A)(i) of this paragraph.

SEC. 405. IMPROVING COMPENSATION FOR DISABILITIES OCCURRING IN PERSIAN GULF WAR VETERANS.

(a) REDUCTION IN THRESHOLD OF ELIGIBILITY.—Subsection (a)(1) of section 1117 is amended by striking “became manifest—” and all that follows through the period at the end and inserting “became manifest to any degree at any time.”.

(b) PERMANENT EXTENSION OF PERIOD OF ELIGIBILITY.—Such section is further amended—

- (1) by striking subsection (b);
- (2) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and
- (3) in subsection (a)(2)(C), by striking “under subsection (d)” and inserting “under subsection (c)”.

(c) ESTABLISHING SINGULAR DISABILITY-BASED QUESTIONNAIRE.—Such section is further amended by inserting after subsection (c) (as redesignated by subsection (b)) the following new subsection (d):

“(d) If a Persian Gulf veteran at a medical facility of the Department presents with any one symptom associated with Gulf War Illness, the Secretary shall ensure that health care personnel of the Department use a disability benefits questionnaire, or successor questionnaire, designed to identify Gulf War Illness, in addition to any other diagnostic actions the personnel determine appropriate.”.

(d) EXPANSION OF DEFINITION OF PERSIAN GULF VETERAN.—Subsection (f) of such section is amended by inserting “, Afghanistan, Israel, Egypt, Turkey, Syria, or Jordan,” after “operations”.

(e) TRAINING.—Such section is further amended by adding at the end the following new subsection:

“(i)(1) The Secretary shall take such actions as may be necessary to ensure that health care personnel of the Department are appropriately trained to effectively carry out this section.

“(2) Not less frequently than once each year, the Secretary shall submit to Congress a report on the actions taken by the Secretary to carry out paragraph (1).”.

SEC. 406. PRESUMPTION OF SERVICE CONNECTION FOR CERTAIN DISEASES ASSOCIATED WITH EXPOSURE TO BURN PITS AND OTHER TOXINS.

(a) SHORT TITLE.—This section may be cited as the “Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act of 2022”.

(b) IN GENERAL.—Subchapter II of chapter 11, as amended by section 302, is further amended by inserting after section 1119 the following new section:

“§ 1120. Presumption of service connection for certain diseases associated with exposure to burn pits and other toxins

“(a) PRESUMPTION OF SERVICE CONNECTION.—For the purposes of section 1110 of this

title, and subject to section 1113 of this title, a disease specified in subsection (b) becoming manifest in a covered veteran shall be considered to have been incurred in or aggravated during active military, naval, air, or space service, notwithstanding that there is no record of evidence of such disease during the period of such service.

“(b) DISEASES SPECIFIED.—The diseases specified in this subsection are the following:

“(1) Asthma that was diagnosed after service of the covered veteran as specified in subsection (c).

“(2) The following types of cancer:

- “(A) Head cancer of any type.
- “(B) Neck cancer of any type.
- “(C) Respiratory cancer of any type.
- “(D) Gastrointestinal cancer of any type.
- “(E) Reproductive cancer of any type.
- “(F) Lymphoma cancer of any type.
- “(G) Lymphomatic cancer of any type.
- “(H) Kidney cancer.
- “(I) Brain cancer.
- “(J) Melanoma.
- “(K) Pancreatic cancer.
- “(3) Chronic bronchitis.
- “(4) Chronic obstructive pulmonary disease.
- “(5) Constrictive bronchiolitis or obliterative bronchiolitis.
- “(6) Emphysema.
- “(7) Granulomatous disease.
- “(8) Interstitial lung disease.
- “(9) Pleuritis.
- “(10) Pulmonary fibrosis.
- “(11) Sarcoidosis.
- “(12) Chronic sinusitis.
- “(13) Chronic rhinitis.
- “(14) Glioblastoma.
- “(15) Any other disease for which the Secretary determines, pursuant to regulations prescribed under subchapter VII that a presumption of service connection is warranted based on a positive association with a substance, chemical, or airborne hazard identified in the list under section 1119(b)(2) of this title.

“(c) COVERED VETERAN DEFINED.—In this section, the term ‘covered veteran’ has the meaning given that term in section 1119(c) of this title.”.

(c) CONFORMING AMENDMENT.—Section 1113 is amended by striking “or 1118” each place it appears and inserting “1118, or 1120”.

(d) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply as follows:

(1) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and veterans whom the Secretary of Veterans Affairs determines are—

- (A) terminally ill;
- (B) homeless;
- (C) under extreme financial hardship;
- (D) more than 85 years old; or
- (E) capable of demonstrating other sufficient cause.

(2) On the date of the enactment of this Act for everyone not described in paragraph (1), with respect to paragraphs (1), (2)(C), (2)(I), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14), of section 1120(b) of title 38, United States Code, as added by subsection (b).

(3) On October 1, 2023, for everyone not described in paragraph (1), with respect to paragraphs (3) and (4) of section 1120(b) of such title, as so added.

(4) On October 1, 2024, for everyone not described in paragraph (1), with respect to subparagraphs (A), (B), (D), (E), (F), (G), and (K) of section 1120(b)(2) of such title, as so added.

(5) On October 1, 2025, for everyone not described in paragraph (1), with respect to subparagraphs (H) and (J) of section 1120(b)(2) of such title, as so added.

SEC. 407. RULE OF CONSTRUCTION.

(a) **GENERALLY.**—Nothing in this Act shall be construed to prevent the Secretary of Veterans Affairs from processing claims for benefits under title 38, United States Code, for a condition or disease for which this Act establishes a presumption of service connection, as a claim for benefits for a condition or disease with direct service connection.

(b) **EFFECTIVE DATES AND APPLICABILITY.**—The Secretary shall not deny a claim for benefits under title 38, United States Code, for a condition or disease for which this Act establishes a presumption of service connection because the claimant filed the claim prior to the effective date or date of applicability for that particular condition or disease.

TITLE V—RESEARCH MATTERS**SEC. 501. INTERAGENCY WORKING GROUP ON TOXIC EXPOSURE RESEARCH.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, in collaboration with the heads of the entities described in paragraph (2), establish the Toxic Exposure Research Working Group (in this section referred to as the “Working Group”).

(2) **COMPOSITION.**—The Working Group shall consist of employees, selected by the Secretary, of the following:

- (A) The Department of Veterans Affairs.
- (B) The Department of Defense.
- (C) The Department of Health and Human Services.
- (D) The Environmental Protection Agency.
- (E) Other entities of the Federal Government involved in research activities regarding the health consequences of toxic exposures experienced during active military, naval, air, or space service.

(b) **FUNCTIONS.**—The Working Group shall perform the following functions:

(1) Identify collaborative research activities and resources available among entities represented by members of the Working Group to conduct such collaborative research activities.

(2) Develop a five-year strategic plan for such entities to carry out collaborative research activities.

(c) **REPORTING.**—The Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives the following:

(1) Not later than one year after the date of the enactment of this Act, a report on the establishment of the Working Group under subsection (a).

(2) Not later than two years after the date of the enactment of this Act, a report containing the collaborative research activities identified, and the strategic plan developed, by the Working Group under subsection (b).

(3) Not less frequently than annually during the five-year period covered by the strategic plan under subsection (b), a progress report on implementation of the strategic plan.

(d) **TERMINATION.**—The Working Group shall terminate after submitting the final report under subsection (c).

(e) **DEFINITIONS.**—In this section:

(1) **ACTIVE MILITARY, NAVAL, AIR, OR SPACE SERVICE.**—The term “active military, naval, air, or space service” has the meaning given that term in section 101 of title 38, United States Code.

(2) **COLLABORATIVE RESEARCH ACTIVITY.**—The term “collaborative research activity” means a research activity—

- (A) agreed upon by the Working Group;
- (B) conducted by an entity represented by a member of the Working Group;

(C) funded by the Federal Government; and

(D) regarding the health consequences of toxic exposures experienced during active military, naval, air, or space service.

(3) **TOXIC EXPOSURE.**—The term “toxic exposure” has the meaning given such term in section 101 of title 38, United States Code, as amended by section 102(b).

SEC. 502. ANALYSIS AND REPORT ON TREATMENT OF VETERANS FOR MEDICAL CONDITIONS RELATED TO TOXIC EXPOSURE.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall analyze, on a continuous basis, all clinical data that—

(1) is obtained by the Department of Veterans Affairs in connection with hospital care, medical services, and nursing home care furnished under section 1710(a)(2)(F) of title 38, United States Code; and

(2) is likely to be scientifically useful in determining the association, if any, between the medical condition of a veteran and a toxic exposure.

(b) **ANNUAL REPORT.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the following:

- (1) The aggregate data compiled under subsection (a).
- (2) An analysis of such data.
- (3) A description of the types and incidences of medical conditions identified by the Department under such subsection.
- (4) The explanation of the Secretary for the incidence of such medical conditions and other explanations for the incidence of such conditions as the Secretary considers reasonable.
- (5) The views of the Secretary on the scientific validity of drawing conclusions from the incidence of such medical conditions, as evidenced by the data compiled under subsection (a), regarding any association between such conditions and toxic exposures.

(c) **TOXIC EXPOSURE DEFINED.**—In this section, the term “toxic exposure” has the meaning given such term in section 101 of title 38, United States Code, as amended by section 102(b).

SEC. 503. ANALYSIS RELATING TO MORTALITY OF VETERANS WHO SERVED IN SOUTH-WEST ASIA.

(a) **ANALYSIS.**—

(1) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Secretary of Defense, shall conduct an updated analysis of total and respiratory disease mortality in covered veterans.

(2) **ELEMENTS.**—The analysis required by paragraph (1) shall include, to the extent practicable, the following with respect to each covered veteran:

- (A) Metrics of airborne exposures.
- (B) The location and timing of deployments of the veteran.
- (C) The military occupational specialty of the veteran.
- (D) The Armed Force in which the veteran served.
- (E) Pre-existing health status of the veteran, including with respect to asthma.
- (F) Relevant personal information of the veteran, including cigarette and e-cigarette smoking history, diet, sex, gender, age, race, and ethnicity.

(b) **COVERED VETERAN DEFINED.**—In this section, the term “covered veteran” means any veteran who—

- (1) on or after August 2, 1990, served on active duty in—
 - (A) Bahrain;
 - (B) Iraq;

(C) Kuwait;

(D) Oman;

(E) Qatar;

(F) Saudi Arabia;

(G) Somalia; or

(H) the United Arab Emirates; or

(2) on or after September 11, 2001, served on active duty in—

- (A) Afghanistan;
- (B) Djibouti;
- (C) Egypt;
- (D) Jordan;
- (E) Lebanon;
- (F) Syria; or
- (G) Yemen.

SEC. 504. STUDY ON HEALTH TRENDS OF POST-9/11 VETERANS.

The Secretary of Veterans Affairs shall conduct an epidemiological study on the health trends of veterans who served in the Armed Forces after September 11, 2001.

SEC. 505. STUDY ON CANCER RATES AMONG VETERANS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall conduct a study on the incidence of cancer in veterans to determine trends in the rates of the incidence of cancer in veterans.

(b) **ELEMENTS.**—The study required by subsection (a) shall assess, with respect to each veteran included in the study, the following:

- (1) The age of the veteran.
- (2) The period of service and length of service of the veteran in the Armed Forces.
- (3) The military occupational specialty or specialties of the veteran.
- (4) The sex of the veteran.
- (5) The type or types of cancer that the veteran has.

SEC. 506. STUDY ON HEALTH EFFECTS OF WASTE RELATED TO MANHATTAN PROJECT ON CERTAIN VETERANS.

(a) **STUDY.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for the conduct of a study on the health trends of veterans who, while serving in the active military, naval, air, or space service—

(1) participated in activities relating to the Manhattan Project (including activities relating to covered waste) in connection with such service; or

(2) resided at or near, as determined by the Secretary, the locations described in subsection (b).

(b) **COVERED LOCATIONS.**—The locations described in this subsection are the following locations:

- (1) In the county of St. Louis, Missouri, the following:
 - (A) Coldwater Creek, Missouri.
 - (B) The St. Louis Airport Site, Missouri.
 - (C) The West Lake Landfill.
- (2) Oak Ridge, Tennessee.
- (3) Hanford, Washington.

(4) Any other location that is proximate to covered waste, as determined by the Secretary.

(c) **ELEMENTS.**—The study under subsection (a) shall assess, with respect to each veteran included in the study, the following:

- (1) The age, sex, and race of the veteran.
- (2) The period and location of exposure to covered waste.
- (3) Any type of cancer, or other illness associated with toxic exposure, that the veteran has.

(4) A comparison of the overall health condition of the veteran, including any illness of the veteran identified pursuant to paragraph (3), with the overall health condition of past and present civilian populations residing at the same location of exposure, as determined by the Secretary.

(d) **REPORT.**—Not later than three years after the date of the enactment of this Act,

the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the study under subsection (a) and include in such report an analysis of the data available and data reliability.

(e) **DEFINITIONS.**—In this section:

(1) **ACTIVE MILITARY, NAVAL, AIR, OR SPACE SERVICE; TOXIC EXPOSURE.**—The terms “active military, naval, air, or space service” and “toxic exposure” have the meanings given those terms in section 101 of title 38, United States Code, as added by section 102(b).

(2) **COVERED WASTE.**—The term “covered waste” means any waste arising from activities carried out in connection with the Manhattan Project.

(3) **ILLNESS.**—The term “illness” has the meaning given that term in section 1171 of title 38, United States Code, as added by section 202.

(4) **TOXIC EXPOSURE.**—The term “toxic exposure” has the meaning given such term in section 101 of title 38, United States Code, as amended by section 102(b).

SEC. 507. STUDY ON TOXIC EXPOSURE AND MENTAL HEALTH OUTCOMES.

(a) **STUDY REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for the conduct of a study of veterans to assess possible relationships between toxic exposures experienced during service in the Armed Forces and mental health conditions, including chronic multisymptom illness, traumatic brain injury, post-traumatic stress disorder, depression, episodes of psychosis, schizophrenia, bipolar disorder, suicide attempts, and suicide deaths.

(b) **ELEMENTS.**—For each veteran included in the study under subsection (a), the following information shall be collected and assessed:

- (1) Age.
- (2) Sex.
- (3) Race and ethnicity.
- (4) Period and length of service in the Armed Forces.
- (5) The military occupational specialty or specialties of the veteran.
- (6) History of toxic exposure during service in the Armed Forces.
- (7) Any diagnosis of chronic multisymptom illness.
- (8) Any diagnosis of a mental health or cognitive disorder.
- (9) Any history of suicide attempt or suicidality.
- (10) If the veteran died by suicide.
- (11) Any confounding traumatic experiences that could affect a veteran's mental health.

(c) **REPORT.**—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the findings of the National Academies of Sciences, Engineering, and Medicine with respect to the study conducted under subsection (a).

SEC. 508. STUDY ON VETERANS IN TERRITORIES OF THE UNITED STATES.

(a) **GAO STUDY.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study on the state of access and barriers to benefits and services furnished by the Veterans Benefits Administration and the Veterans Health Administration under laws administered by the Secretary of Veterans Affairs to veterans

in Territories and Freely Associated States of the United States, including deficits in the availability and accessibility of such benefits and services compared to veterans elsewhere in the United States.

(2) **ELEMENTS.**—The study under paragraph (1) shall include—

(A) the number of veterans in each Territory and Freely Associated State of the United States;

(B) the number of veterans in each Territory and Freely Associated State who are enrolled in the system of annual patient enrollment of the Department of Veterans Affairs under section 1705(a) of title 38, United States Code;

(C) a description of how the Department estimates the number of veterans in each Territory and Freely Associated State who are eligible for services under section 1710 of such title but who are not enrolled as described in subparagraph (B);

(D) a detailed description of obstacles facing veterans in each Territory and Freely Associated State in accessing health care services, including those involving the availability of such services to veterans in the Territory or Freely Associated State in which the veterans reside, and any distance impediments to receiving services at a regional medical center of the Veterans Health Administration, a community-based outpatient clinic, another full-service medical facility of the Department, or a Vet Center, respectively;

(E) a detailed description of obstacles facing veterans in each Territory and Freely Associated State in accessing readjustment counseling services, including those involving the availability of such services to veterans in the Territory in which the veterans reside, and any distance impediments to receiving services at a readjustment counseling services center of the Department;

(F) a detailed description of obstacles facing veterans in each Territory and Freely Associated State in accessing non-health care veterans benefits, including those involving the availability of benefits and services to veterans in the Territory or Freely Associated State in which the veterans reside, and any distance impediments to accessing the nearest office of the Veterans Benefits Administration;

(G) an analysis of the staffing and quality of the offices of the Veterans Benefits Administration and Veterans Health Administration charged with serving veterans in the Territories and Freely Associated States, including the availability of the full- and part-time staff of each office to the veterans they are charged with serving;

(H) an analysis of the availability of the Veterans Community Care Program established under section 1703 of title 38, United States Code, to veterans in each Territory and Freely Associated State;

(I) an analysis of the economic and health outcomes for veterans in each Territory or Freely Associated State resulting from obstacles to accessing adequate assistance and health care at facilities of the Department;

(J) an analysis of the access to benefit assistance and health care provided to veterans in the aftermath of major disasters declared in each of the Territories and Freely Associated States since September 4, 2017; and

(K) such recommendations as the Comptroller General considers appropriate for improving access of veterans in the Territories and Freely Associated States to benefits and health care services furnished by the Secretary, and reducing barriers and deficits in the availability and accessibility of such benefits and services compared to veterans elsewhere in the United States.

(b) **BRIEFING.**—Not later than one year after the date of the enactment of this Act,

the Comptroller General shall provide to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a briefing setting forth the results of the study conducted under subsection (a), including any recommendations developed under paragraph (2)(K) of such subsection.

(c) **DEFINITIONS.**—In this section:

(1) **FREELY ASSOCIATED STATE.**—The term “Freely Associated State” includes the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

(2) **TERRITORY.**—The term “Territory” includes American Samoa, the Commonwealth of the Northern Marianas Islands, Guam, Puerto Rico, and the Virgin Islands.

(3) **VET CENTER.**—The term “Vet Center” has the meaning given that term in section 1712A(h) of title 38, United States Code.

SEC. 509. DEPARTMENT OF VETERANS AFFAIRS PUBLIC WEBSITE FOR TOXIC EXPOSURE RESEARCH.

(a) **WEBSITE.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish, and maintain thereafter, a publicly accessible internet website of the Department of Veterans Affairs that serves as a clearinghouse for the publication of all toxic exposure research carried out or funded by the executive branch of the Federal Government.

(b) **COORDINATION.**—In carrying out subsection (a), the Secretary shall coordinate with—

(1) the heads of each Federal agency carrying out or funding toxic exposure research;

(2) the War Related Illness and Injury Study Center of the Department of Veterans Affairs, or successor center; and

(3) any working group of the Department of Veterans Affairs or other similar entity responsible for coordinating toxic exposure research.

(c) **DEFINITIONS.**—In this section:

(1) **TOXIC EXPOSURE.**—The term “toxic exposure” has the meaning given that term in section 101 of title 38, United States Code, as added by section 102(b).

(2) **TOXIC EXPOSURE RESEARCH.**—The term “toxic exposure research” means research on the health consequences of toxic exposures experienced during service in the Armed Forces.

SEC. 510. REPORT ON HEALTH EFFECTS OF JET FUELS USED BY ARMED FORCES.

(a) **INITIAL REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives, and make publicly available, a report on health effects of jet fuels used by the Armed Forces.

(b) **CONTENTS.**—The report submitted under subsection (a) shall include the following:

(1) A discussion of the effect of various different types of jet fuels used by the Armed Forces on the health of individuals by length of exposure.

(2) An identification of the immediate symptoms of jet fuel exposure that may indicate future health risks.

(3) A chronology of health safeguards implemented by the Armed Forces intended to reduce the exposure of members of the Armed Forces to jet fuel.

(4) An identification of any areas relating to jet fuel exposure about which new research needs to be conducted.

(c) **FOLLOW-UP REPORT.**—Not later than five years after the date of the submittal of the report under subsection (a), the Secretary shall submit to the committees referred to in such subsection an update to such report.

TITLE VI—IMPROVEMENT OF RESOURCES AND TRAINING REGARDING TOXIC-EXPOSED VETERANS

SEC. 601. SHORT TITLE; DEFINITIONS.

(a) **SHORT TITLE.**—This title may be cited as the “Fairly Assessing Service-related Toxic Exposure Residuals Presumptions Act of 2022” or the “FASTER Presumption Act of 2022”.

(b) **DEFINITIONS.**—In this title, the terms “active military, naval, air, or space service”, “toxic exposure”, and “toxic-exposed veteran” have the meanings given those terms in section 101 of title 38, United States Code, as amended by section 102.

SEC. 602. PUBLICATION OF LIST OF RESOURCES OF DEPARTMENT OF VETERANS AFFAIRS FOR TOXIC-EXPOSED VETERANS AND VETERANS WHO REPORT TOXIC EXPOSURES AND OUTREACH PROGRAM FOR SUCH VETERANS AND CAREGIVERS AND SURVIVORS OF SUCH VETERANS.

(a) **PUBLICATION OF LIST OF RESOURCES.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs shall publish a list of resources of the Department of Veterans Affairs for—

(A) toxic-exposed veterans and veterans who report toxic exposure;

(B) families and caregivers of such veterans; and

(C) survivors of such veterans who are receiving death benefits under the laws administered by the Secretary.

(2) **UPDATE.**—The Secretary shall periodically update the list published under paragraph (1).

(b) **OUTREACH.**—The Secretary shall develop, with input from the community, an informative outreach program for veterans on illnesses that may be related to toxic exposures, including outreach with respect to benefits and support programs.

SEC. 603. INCORPORATION OF TOXIC EXPOSURE SCREENING FOR VETERANS.

(a) **IN GENERAL.**—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall incorporate a screening to help determine potential toxic exposures during active military, naval, air, or space service as part of a health care screening furnished by the Department of Veterans Affairs to veterans enrolled in the system of annual patient enrollment of the Department established and operated under section 1705 of title 38, United States Code, to improve understanding by the Department of toxic exposures while serving in the Armed Forces.

(b) **TIMING.**—The Secretary shall ensure that a veteran described in subsection (a) completes the screening required under such subsection not less frequently than once every five years.

(c) **DETERMINATION OF QUESTIONS.**—

(1) **IN GENERAL.**—The questions included in the screening required under subsection (a) shall be determined by the Secretary with input from medical professionals.

(2) **SPECIFIC QUESTIONS.**—At a minimum, the screening required under subsection (a) shall, with respect to a veteran, include—

(A) a question about the potential exposure of the veteran to an open burn pit; and

(B) a question regarding toxic exposures that are commonly associated with service in the Armed Forces.

(3) **OPEN BURN PIT DEFINED.**—In this subsection, the term “open burn pit” means an area of land that—

(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

(B) does not contain a commercially manufactured incinerator or other equipment spe-

cifically designed and manufactured for the burning of solid waste.

(d) **PRINT MATERIAL.**—In developing the screening established under subsection (a), the Secretary shall ensure that print materials complementary to such screening that outline related resources for veterans are available at each medical center of the Department to veterans who may not have access to the internet.

(e) **SCREENING UPDATES.**—The Secretary shall consider updates to the content of the screening required under subsection (a) not less frequently than biennially to ensure the screening contains the most current information.

SEC. 604. TRAINING FOR PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS WITH RESPECT TO VETERANS WHO REPORT TOXIC EXPOSURES.

(a) **HEALTH CARE PERSONNEL.**—The Secretary of Veterans Affairs shall provide to health care personnel of the Department of Veterans Affairs education and training to identify, treat, and assess the impact on veterans of illnesses related to toxic exposures and inform such personnel of how to ask for additional information from veterans regarding different toxic exposures.

(b) **BENEFITS PERSONNEL.**—

(1) **IN GENERAL.**—The Secretary shall incorporate a training program for processors of claims under the laws administered by the Secretary who review claims for disability benefits relating to service-connected disabilities based on toxic exposures.

(2) **ANNUAL TRAINING.**—Training provided to processors under paragraph (1) shall be provided not less frequently than annually.

TITLE VII—RESOURCING

SEC. 701. AUTHORITY TO USE APPROPRIATIONS TO ENHANCE CLAIMS PROCESSING CAPACITY AND AUTOMATION.

(a) **AUTHORITY.**—The Secretary of Veterans Affairs may use, from amounts appropriated to the Cost of War Toxic Exposures Fund established by section 324 of title 38, United States Code, as added by section 805 of this Act, such amounts as may be necessary to continue the modernization, development, and expansion of capabilities and capacity of information technology systems and infrastructure of the Veterans Benefits Administration, including for claims automation, to support expected increased claims processing for newly eligible veterans pursuant to this Act.

(b) **PLAN FOR MODERNIZATION OF VETERANS BENEFITS ADMINISTRATION INFORMATION TECHNOLOGY SYSTEMS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate congressional committees a plan for the modernization of the information technology systems of the Veterans Benefits Administration. The plan shall cover the first fiscal year that begins after the date of the enactment of this Act and the subsequent four fiscal years and shall include each of the following:

(A) An identification of any information system to be modernized or retired, if applicable, during the period covered by the plan.

(B) A description of how the Secretary intends to incorporate the following principles into the modernization of such information systems:

(i) The purpose of automation should be to increase the speed and accuracy of claims processing decisions.

(ii) Automation should be conducted in a manner that enhances the productivity of employees of the Department of Veterans Affairs.

(iii) Automation should be carried out in a manner that achieves greater consistency in

the processing and rating of claims by relying on patterns of similar evidence in claim files.

(iv) To the greatest extent possible, automation should be carried out by drawing from information in the possession of the Department, other Government agencies, and applicants for benefits.

(v) Automation of any claims analysis or determination process should not be end-to-end or lack intermediation.

(vi) Employees of the Department should continue to make decisions with respect to the approval of claims and the granting of benefits.

(vii) Automation should not be carried out in a manner that reduces or infringes upon the due process rights of applicants for benefits under the laws administered by the Secretary; or the duties of the Secretary to assist and notify claimants.

(viii) Automation should be carried out while taking all necessary measures to protect the privacy of claimants and their personally identifiable information.

(ix) Automation of claims processing should not eliminate or reduce the workforce of the Veterans Benefits Administration.

(C) An identification of targets, for each fiscal year, by which the Secretary intends to complete the modernization of each information system or major component or functionality of such system identified under subparagraph (A).

(D) Cost estimates for the modernization of each information system identified under paragraph (A) for each fiscal year covered by the plan and in total.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term “appropriate congressional committees” means—

(A) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

SEC. 702. AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES OF DEPARTMENT OF VETERANS AFFAIRS FOR FISCAL YEAR 2023.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs may carry out the following major medical facility leases in fiscal year 2023:

(1) Lease for an outpatient clinic in the vicinity of Allentown, Pennsylvania, in an estimated amount of \$31,832,000.

(2) Lease for a facility for member services for the Veterans Health Administration in the vicinity of Atlanta, Georgia, in an estimated amount of \$27,134,000.

(3) Lease for an outpatient clinic in the vicinity of Baltimore, Maryland, in an estimated amount of \$43,041,000.

(4) Lease for an outpatient clinic in the vicinity of Baton Rouge, Louisiana, in an estimated amount of \$29,550,000.

(5) Lease for an outpatient clinic in the vicinity of Beaufort, South Carolina, in an estimated amount of \$24,254,000.

(6) Lease for an outpatient clinic in the vicinity of Beaumont, Texas, in an estimated amount of \$15,632,000.

(7) Lease for an outpatient clinic in the vicinity of Brainerd, Minnesota, in an estimated amount of \$14,669,000.

(8) Lease for a facility for research in the vicinity of Buffalo, New York, in an estimated amount of \$11,106,000.

(9) Lease for an outpatient clinic in the vicinity of Clarksville, Tennessee, in an estimated amount of \$75,135,000.

(10) Lease of a facility for research in the vicinity of Columbia, Missouri, in an estimated amount of \$20,726,000.

(11) Lease for an outpatient clinic in the vicinity of Cookeville, Tennessee, in an estimated amount of \$10,958,000.

(12) Lease for a residential treatment facility in the vicinity of Denver, Colorado, in an estimated amount of \$9,133,000.

(13) Lease for an outpatient clinic in the vicinity of Elizabethtown, Kentucky, in an estimated amount of \$16,671,000.

(14) Lease for an outpatient clinic in the vicinity of Farmington, Missouri, in an estimated amount of \$17,940,000.

(15) Lease for an outpatient clinic in the vicinity of Hampton, Virginia, in an estimated amount of \$63,085,000.

(16) Lease for an outpatient clinic in the vicinity of Jacksonville, North Carolina, in an estimated amount of \$61,450,000.

(17) Lease for an outpatient clinic in the vicinity of Killeen, Texas, in an estimated amount of \$61,030,000.

(18) Lease for an outpatient clinic in the vicinity of Lawrence, Indiana, in an estimated amount of \$15,811,000.

(19) Lease for an outpatient clinic in the vicinity of Lecanto, Florida, in an estimated amount of \$15,373,000.

(20) Lease for an outpatient clinic in the vicinity of Nashville, Tennessee, in an estimated amount of \$58,038,000.

(21) Lease for an outpatient clinic in the vicinity of North Kansas City, Missouri, in an estimated amount of \$40,027,000.

(22) Lease for an outpatient clinic in the vicinity of Pflugerville, Texas, in an estimated amount of \$16,654,000.

(23) Lease for an outpatient clinic in the vicinity of Plano, Texas, in an estimated amount of \$32,796,000.

(24) Lease for an outpatient clinic in the vicinity of Prince George's County, Maryland, in an estimated amount of \$31,754,000.

(25) Lease for an outpatient clinic in the vicinity of Rolla, Missouri, in an estimated amount of \$21,352,000.

(26) Lease for an outpatient clinic in the vicinity of Salt Lake City, Utah, in an estimated amount of \$29,466,000.

(27) Lease for an outpatient clinic in the vicinity of Sarasota, Florida, in an estimated amount of \$36,517,000.

(28) Lease for an outpatient clinic in the vicinity of Springfield, Massachusetts, in an estimated amount of \$30,918,000.

(29) Lease for a community living center in the vicinity of Tampa, Florida, in an estimated amount of \$51,682,000.

(30) Lease for an outpatient clinic in the vicinity of The Villages, Florida, in an estimated amount of \$48,267,000.

(31) Lease for an outpatient clinic in the vicinity of Tri-Cities, Washington, in an estimated amount of \$36,136,000.

(b) TREATMENT OF AUTHORIZATIONS.—The authorization of leases under subsection (a) shall be considered to be a specific authorization by law of the funds for such leases for purposes of section 8104(a)(2) of title 38, United States Code, as in effect on the day before the date of the enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2023, or the year in which funds are appropriated for the Medical Facilities account, \$998,137,000 for the leases authorized in subsection (a).

SEC. 703. TREATMENT OF MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) CONGRESSIONAL APPROVAL OF MAJOR MEDICAL FACILITY LEASES.—Paragraph (2) of subsection (a) of section 8104 of title 38, United States Code, is amended—

(1) by striking “No funds” and inserting “(A) No funds”;

(2) by striking “or any major medical facility lease”;

(3) by striking “or lease”;

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

“(B) No funds may be appropriated for any fiscal year, and the Secretary may not obligate or expend funds (other than for advance planning and design), for any major medical facility lease unless the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives each adopt a resolution approving the lease.”.

(b) MODIFICATION OF DEFINITION OF MAJOR MEDICAL FACILITY LEASE.—Subparagraph (B) of paragraph (3) of such subsection is amended to read as follows:

“(B) The term ‘major medical facility lease’—

“(i) means a lease for space for use as a new medical facility approved through the General Services Administration under section 3307(a) of title 40 at an average annual rent equal to or greater than the appropriate dollar threshold described in such section, which shall be subject to annual adjustment in accordance with section 3307(h) of such title; and

“(ii) does not include a lease for space for use as a shared Federal medical facility for which the Department's estimated share of the lease costs does not exceed such dollar threshold.”.

(c) SEPARATE PROSPECTUS REQUIREMENT FOR MAJOR MEDICAL FACILITY LEASES.—Subsection (b) of such section is amended—

(1) by striking paragraph (7);

(2) in paragraph (1), by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively;

(3) in paragraph (6), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively;

(4) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively;

(5) in the matter preceding subparagraph (A), as redesignated by paragraph (4)—

(A) by striking “Whenever the President” and inserting “(1) Whenever the President”;

(B) by striking “the Congress” and inserting “Congress”;

(C) by striking “or a major medical facility lease (as defined in subsection (a)(3)(B))”;

(6) in subparagraph (A), as redesignated by paragraph (4), by striking “leased”;

(7) in subparagraph (E), as redesignated by paragraph (4)—

(A) by striking “or lease” each place it appears; and

(B) by striking “or leases”;

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

“(2) Whenever the President or the Secretary submit to Congress a request for the funding of a major medical facility lease (as defined in subsection (a)(3)(B)), the Secretary shall submit to each committee, on the same day, a prospectus of the proposed medical facility. Any such prospectus shall include the following:

“(A) A description of the facility to be leased.

“(B) An estimate of the cost to the Federal Government of the facility to be leased.

“(C) An estimate of the energy performance of the proposed lease space, to include a description of anticipated utilization of renewable energy, energy efficient and climate resilient elements, and related matters.

“(D) Current and projected workload and utilization data regarding the facility to be leased, including information on projected changes in workload and utilization over a

five-year period, a ten-year period, and a twenty-year period.

“(E) A detailed analysis of how the lease is expected to comply with Office of Management and Budget Circular A-11 and section 1341 of title 31 (commonly referred to as the ‘Anti-Deficiency Act’). Any such analysis shall include—

“(i) an analysis of the classification of the lease as a ‘lease purchase’, a ‘capital lease’, or an ‘operating lease’ as those terms are defined in Office of Management and Budget Circular A-11;

“(ii) an analysis of the obligation of budgetary resources associated with the lease; and

“(iii) an analysis of the methodology used in determining the asset cost, fair market value, and cancellation costs of the lease.”.

(d) INTERIM LEASING ACTIONS.—Such section is further amended by adding at the end the following new subsection:

“(i)(1) Notwithstanding subsection (a)(2)(B), the Secretary may carry out interim leasing actions as the Secretary considers necessary for the following leases:

“(A) Major medical facility leases (as defined in subsection (a)(3)(B)) approved pursuant to this section and for which a prospectus for a replacement lease has been submitted to Congress pursuant to subsection (b)(2).

“(B) Replacement leases that do not require approval under this section and for which a prospectus has been submitted to Congress pursuant to subsection (b)(2).

“(2) In this subsection, the term ‘interim leasing actions’ has the meaning given that term by the Administrator of the General Services Administration.”.

(e) PURCHASE OPTIONS.—Such section is further amended by adding at the end the following new subsection:

“(j) The Secretary may obligate and expend funds to exercise a purchase option included in any major medical facility lease (as defined in subsection (a)(3)(B)).”.

(f) APPLICABILITY.—The amendments made by this section shall apply with respect to any lease that has not been specifically authorized by law on or before the date of the enactment of this Act.

SEC. 704. AUTHORITY TO ENTER INTO AGREEMENTS WITH ACADEMIC AFFILIATES AND OTHER ENTITIES TO ACQUIRE SPACE FOR THE PURPOSE OF PROVIDING HEALTH-CARE RESOURCES TO VETERANS.

Section 8103 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(h)(1) Notwithstanding any other provision of law requiring the use of competitive procedures, including section 2304 of title 10, when the Secretary determines it to be in the best interest of the Department, the Secretary may enter into a lease with an academic affiliate or covered entity to acquire space for the purpose of providing health-care resources to veterans.

“(2) In this subsection:

“(A) The term ‘academic affiliate’ means an institution or organization described in section 7302(d) of this title.

“(B) The term ‘covered entity’ means a unit or subdivision of a State, local, or municipal government, public or nonprofit agency, institution, or organization, or other institution or organization as the Secretary considers appropriate that owns property controlled by an academic affiliate to be leased under this subsection.

“(C) The term ‘health -care resource’ has the meaning given that term in section 8152(1) of this title.

“(D) The term ‘space’ means any room, unit, floor, wing, building, parking facility, or other subdivision of a building or facility

owned or controlled by an academic affiliate.”.

SEC. 705. MODIFICATIONS TO ENHANCED-USE LEASE AUTHORITY OF DEPARTMENT OF VETERANS AFFAIRS.

(a) MODIFICATIONS TO AUTHORITY.—Paragraph (2) of section 8162(a) of title 38, United States Code, is amended to read as follows:

“(2)(A) The Secretary may enter into an enhanced-use lease on or after the date of the enactment of this paragraph only if the Secretary determines—

“(i) that the lease will not be inconsistent with, and will not adversely affect—

“(I) the mission of the Department; or

“(II) the operation of facilities, programs, and services of the Department in the area of the leased property; and

“(ii) that—

“(I) the lease will enhance the use of the leased property by directly or indirectly benefiting veterans; or

“(II) the leased property will provide supportive housing.

“(B) The Secretary shall give priority to enhanced-use leases that, on the leased property—

“(i) provide supportive housing for veterans;

“(ii) provide direct services or benefits targeted to veterans; or

“(iii) provide services or benefits that indirectly support veterans.”.

(b) EXTENSION OF MAXIMUM TERM OF ENHANCED-USE LEASE.—Section 8162(b)(2) of such title is amended by striking “75 years” and inserting “99 years”.

(c) MODIFICATION OF USE OF PROCEEDS.—Section 8165(a)(1) of such title is amended by striking “shall be deposited in the Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of this title.” and inserting “shall, at the discretion of the Secretary, be deposited in—

“(A) the Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of this title; or

“(B) the Medical Facilities or Construction, Minor Projects account of the Department to be used to defray the costs of administration, maintenance, repair, and related expenses incurred by the Department with respect to property that is owned by or under the jurisdiction or control of the Department.”.

(d) REPEAL OF SUNSET.—Section 8169 of such title is repealed.

(e) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any funds in the Treasury not otherwise appropriated, \$922,000,000 for an additional amount for the Department of Veterans Affairs, to remain available until expended, to enter into enhanced-use leases pursuant to section 8162 of title 38, United States Code, as amended by this section.

SEC. 706. AUTHORITY FOR JOINT LEASING ACTIONS OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) DEPARTMENT OF DEFENSE.—Section 1104A of title 10, United States Code, is amended—

(1) by inserting “, or the leasing,” after “design, and construction” each place it appears; and

(2) in subsection (c)(2), by inserting “, or the leasing,” after “design”.

(b) DEPARTMENT OF VETERANS AFFAIRS.—Section 8111B of title 38, United States Code, is amended—

(1) in subsection (a), by inserting “, or the leasing,” after “design, and construction”;

(2) in subsection (b), by adding at the end the following new paragraph:

“(3) The Secretary of Veterans Affairs may transfer to the Department of Defense

amounts appropriated to the ‘Medical Facilities’ account of the Department of Veterans Affairs for the purpose of leasing space for a shared medical facility if the estimated share of the Department of Veterans Affairs for the lease costs does not exceed the amount specified in section 8104(a)(3)(B) of this title.”; and

(3) in subsection (c), by adding at the end the following new paragraph:

“(3) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for the purpose of leasing space for a shared medical facility may be credited to the ‘Medical Facilities’ account of the Department of Veterans Affairs and may be used for such purpose.”.

SEC. 707. APPROPRIATION OF AMOUNTS FOR MAJOR MEDICAL FACILITY LEASES.

(a) FISCAL YEAR 2023.—In addition to amounts otherwise available, there is appropriated for fiscal year 2023, out of any funds in the Treasury not otherwise appropriated, \$1,880,000,000 for an additional amount for the Medical Facilities account of the Department of Veterans Affairs, to remain available until expended, for major medical facility leases authorized by section 702.

(b) ADDITIONAL YEARS.—In addition to amounts otherwise available, there is appropriated, out of any funds in the Treasury not otherwise appropriated, for an additional amount for the Medical Facilities account of the Department of Veterans Affairs, to remain available until expended, for major medical facility leases authorized by section 702 or approved pursuant to subchapter I of chapter 81 of title 38, United States Code, as amended by section 703—

(1) \$100,000,000 for fiscal year 2024;

(2) \$200,000,000 for fiscal year 2025;

(3) \$400,000,000 for fiscal year 2026;

(4) \$450,000,000 for fiscal year 2027;

(5) \$600,000,000 for fiscal year 2028;

(6) \$610,000,000 for fiscal year 2029;

(7) \$620,000,000 for fiscal year 2030; and

(8) \$650,000,000 for fiscal year 2031.

TITLE VIII—RECORDS AND OTHER MATTERS

SEC. 801. EPIDEMIOLOGICAL STUDY ON FORT MCCLELLAN VETERANS.

The Secretary of Veterans Affairs shall conduct an epidemiological study on the health trends of veterans who served in the Armed Forces at Fort McClellan at any time during the period beginning January 1, 1935, and ending on May 20, 1999.

SEC. 802. BIENNIAL BRIEFING ON INDIVIDUAL LONGITUDINAL EXPOSURE RECORD.

(a) IN GENERAL.—Not later than one year after the date on which the Individual Longitudinal Exposure Record achieves full operational capability, as determined by the Secretary of Defense, and every two years thereafter, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall provide the appropriate committees of Congress a briefing on—

(1) the quality of the databases of the Department of Defense that provide the information presented in such Individual Longitudinal Exposure Record; and

(2) the usefulness of such Individual Longitudinal Exposure Record or system in supporting members of the Armed Forces and veterans in receiving health care and benefits from the Department of Defense and the Department of Veterans Affairs.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include, for the period covered by the report, the following:

(1) An identification of potential exposures to occupational or environmental hazards captured by the current systems of the Department of Defense for environmental, occupational, and health monitoring, and recommendations for how to improve those systems.

(2) An analysis of the quality and accuracy of the location data used by the Department of Defense in determining potential exposures to occupational or environmental hazards by members of the Armed Forces and veterans, and recommendations for how to improve the quality of such data if necessary.

(c) 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) INDIVIDUAL LONGITUDINAL EXPOSURE RECORD.—The term “Individual Longitudinal Exposure Record” has the meaning given such term in section 1171 of title 38, United States Code, as added by section 202.

SEC. 803. CORRECTION OF EXPOSURE RECORDS BY MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall coordinate with the Secretary of Defense to provide a means for veterans to update their records as necessary to reflect exposures to occupational or environmental hazards by such member or veteran in the Individual Longitudinal Exposure Record.

(b) EVIDENCE.—

(1) PROVISION OF EVIDENCE.—To update a record under subsection (a), a veteran shall provide such evidence as the Secretary of Veterans Affairs considers necessary.

(2) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe by regulation the evidence considered necessary under paragraph (1).

(c) DEFINITIONS.—In this section:

(1) INDIVIDUAL LONGITUDINAL EXPOSURE RECORD.—The term “Individual Longitudinal Exposure Record” has the meaning given such term in section 1171 of title 38, United States Code, as added by section 202.

(2) TOXIC EXPOSURE.—The term “toxic exposure” has the meaning given such term in section 101 of title 38, United States Code, as amended by section 102(b).

SEC. 804. FEDERAL CAUSE OF ACTION RELATING TO WATER AT CAMP LEJEUNE, NORTH CAROLINA.

(a) SHORT TITLE.—This section may be cited as the “Camp Lejeune Justice Act of 2022”.

(b) IN GENERAL.—An individual, including a veteran (as defined in section 101 of title 38, United States Code), or the legal representative of such an individual, who resided, worked, or was otherwise exposed (including in utero exposure) for not less than 30 days during the period beginning on August 1, 1953, and ending on December 31, 1987, to water at Camp Lejeune, North Carolina, that was supplied by, or on behalf of, the United States may bring an action in the United States District Court for the Eastern District of North Carolina to obtain appropriate relief for harm that was caused by exposure to the water at Camp Lejeune.

(c) BURDENS AND STANDARD OF PROOF.—

(1) IN GENERAL.—The burden of proof shall be on the party filing the action to show one or more relationships between the water at Camp Lejeune and the harm.

(2) STANDARDS.—To meet the burden of proof described in paragraph (1), a party shall produce evidence showing that the relationship between exposure to the water at Camp Lejeune and the harm is—

(A) sufficient to conclude that a causal relationship exists; or

(B) sufficient to conclude that a causal relationship is at least as likely as not.

(d) **EXCLUSIVE JURISDICTION AND VENUE.**—The United States District Court for the Eastern District of North Carolina shall have exclusive jurisdiction over any action filed under subsection (b), and shall be the exclusive venue for such an action. Nothing in this subsection shall impair the right of any party to a trial by jury.

(e) **EXCLUSIVE REMEDY.**—

(1) **IN GENERAL.**—An individual, or legal representative of an individual, who brings an action under this section for a harm described in subsection (b), including a latent disease, may not thereafter bring a tort action against the United States for such harm pursuant to any other law.

(2) **HEALTH AND DISABILITY BENEFITS RELATING TO WATER EXPOSURE.**—Any award made to an individual, or legal representative of an individual, under this section shall be offset by the amount of any disability award, payment, or benefit provided to the individual, or legal representative—

(A) under—

(i) any program under the laws administered by the Secretary of Veterans Affairs;

(ii) the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

(iii) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(B) in connection with health care or a disability relating to exposure to the water at Camp Lejeune.

(f) **IMMUNITY LIMITATION.**—The United States may not assert any claim to immunity in an action under this section that would otherwise be available under section 2680(a) of title 28, United States Code.

(g) **NO PUNITIVE DAMAGES.**—Punitive damages may not be awarded in any action under this section.

(h) **DISPOSITION BY FEDERAL AGENCY REQUIRED.**—An individual may not bring an action under this section before complying with section 2675 of title 28, United States Code.

(i) **EXCEPTION FOR COMBATANT ACTIVITIES.**—This section does not apply to any claim or action arising out of the combatant activities of the Armed Forces.

(j) **APPLICABILITY; PERIOD FOR FILING.**—

(1) **APPLICABILITY.**—This section shall apply only to a claim accruing before the date of enactment of this Act.

(2) **STATUTE OF LIMITATIONS.**—A claim in an action under this section may not be commenced after the later of—

(A) the date that is two years after the date of enactment of this Act; or

(B) the date that is 180 days after the date on which the claim is denied under section 2675 of title 28, United States Code.

(3) **INAPPLICABILITY OF OTHER LIMITATIONS.**—Any applicable statute of repose or statute of limitations, other than under paragraph (2), shall not apply to a claim under this section.

SEC. 805. COST OF WAR TOXIC EXPOSURES FUND.
(a) **IN GENERAL.**—Chapter 3 is amended by adding at the end the following new section:

“§ 324. Cost of War Toxic Exposures Fund

“(a) **ESTABLISHMENT.**—There is hereby established in the Treasury of the United States an account to be known as the ‘Cost of War Toxic Exposures Fund’ (the ‘Fund’), to be administered by the Secretary.

“(b) **DEPOSITS.**—There shall be deposited in the Fund such amounts as may be appropriated to the Fund pursuant to subsection (c).

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Fund for fiscal year 2023 and each subsequent fiscal year such sums as are necessary to increase funding, over the fiscal year 2021 level, for investment in—

“(1) the delivery of veterans’ health care associated with exposure to environmental hazards in the active military, naval, air, or space service in programs administered by the Under Secretary for Health;

“(2) any expenses incident to the delivery of veterans’ health care and benefits associated with exposure to environmental hazards in the active military, naval, air, or space service, including administrative expenses, such as information technology and claims processing and appeals, and excluding leases as authorized or approved under section 8104 of this title; and

“(3) medical and other research relating to exposure to environmental hazards.

“(d) **BUDGET SCOREKEEPING.**—(1) Immediately upon enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, expenses authorized to be appropriated to the Fund in subsection (c) shall be estimated for fiscal year 2023 and each subsequent fiscal year and treated as budget authority that is considered to be direct spending—

“(A) in the baseline for purposes of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907);

“(B) by the Chairman of the Committee on the Budget of the Senate and the Chair of the Committee on the Budget of the House of Representatives, as appropriate, for purposes of budget enforcement in the Senate and the House of Representatives;

“(C) under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), including in the reports required by section 308(b) of such Act (2 U.S.C. 639); and

“(D) for purposes of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.).

“(2) No amount appropriated to the Fund in fiscal year 2023 or any subsequent fiscal year pursuant to this section shall be counted as discretionary budget authority and outlays or as direct spending for any estimate of an appropriation Act under the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) and any other Act.

“(3) Notwithstanding the Budget Scorekeeping Guidelines and the accompanying list of programs and accounts set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, and for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) and the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the Fund shall be treated as if it were an account designated as ‘Appropriated Entitlements and Mandatories for Fiscal Year 1997’ in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217.

“(e) **ESTIMATES FOR CONGRESSIONAL CONSIDERATION.**—The Secretary shall include in documents submitted to Congress in support of the President’s budget submitted pursuant to section 1105 of title 31 detailed estimates of the sums described in subsection (c) for the applicable fiscal year.

“(f) **PROCEDURES FOR ESTIMATES.**—The Secretary may, after consultation with the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, establish policies and procedures for developing the annual detailed estimates required by subsection (e).”

(b) **SEQUESTRATION.**—Section 256(h)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(h)(4)) is amended by adding at the end the following new subparagraph:

“(G) Cost of War Toxic Exposures Fund.”

SEC. 806. APPROPRIATION FOR FISCAL YEAR 2022.

(a) **APPROPRIATION.**—In addition to amounts otherwise available, there is appro-

priated for fiscal year 2022, out of any funds in the Treasury not otherwise appropriated, \$500,000,000 for the Cost of War Toxic Exposures Fund, established by section 324 of title 38, United States Code, as added by section 805 of this Act, to remain available until September 30, 2024.

(b) **SPEND PLAN.**—Not later than 30 days after enactment of this Act, the Secretary of Veterans Affairs shall submit a plan for expending amounts made available by subsection (a) by program, project or activity to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives. Funds may not be obligated until such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

SEC. 807. AUTHORIZATION OF ELECTRONIC NOTICE IN CLAIMS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—Title 38, United States Code, is amended as follows:

(1) By striking section 5100 and inserting the following:

“§ 5100. Definitions

“In this chapter:

“(1) The term ‘claimant’ means any individual applying for, or submitting a claim for, any benefit under the laws administered by the Secretary.

“(2) The term ‘notice’ means a communication issued through means (including electronic means) prescribed by the Secretary.”

(2) In section 5104, by adding at the end the following new subsection:

“(c) The Secretary may provide notice under subsection (a) electronically if a claimant (or the claimant’s representative) elects to receive such notice electronically. A claimant (or the claimant’s representative) may revoke such an election at any time, by means prescribed by the Secretary.

“(d) The Secretary shall annually—

“(1) solicit recommendations from stakeholders on how to improve notice under this section; and

“(2) publish such recommendations on a publicly available website of the Department.”

(3) In section 5104B(c), in the matter preceding paragraph (1) by striking “in writing” and inserting “to the claimant (and any representative of such claimant)”.

(4) In section 5112(b)(6), by striking “(at the payee’s last address of record)”.

(5) In section 7104—

(A) in the heading, by adding “; **decisions; notice**” at the end; and

(B) by striking subsection (e) and inserting the following:

“(e) After reaching a decision on an appeal, the Board shall promptly issue notice (as that term is defined in section 5100 of this title) of such decision to the following:

“(1) The appellant.

“(2) Any other party with a right to notice of such decision.

“(3) Any authorized representative of the appellant or party described in paragraph (2).

“(f)(1) The Secretary may provide notice under subsection (e) electronically if a claimant (or the claimant’s representative) elects to receive such notice electronically.

“(2) A claimant (or the claimant’s representative) may revoke such an election at any time, by means prescribed by the Secretary.”

(6) In section 7105(b)(1)(A), by striking “mailing” and inserting “issuance”.

(7) In section 7105A(a), by striking “mailed” and inserting “issued”.

(8) In section 7266(a), by striking “mailed” and inserting “issued”.

(b) **RULE OF CONSTRUCTION.**—None of the amendments made by this section shall be

construed to apply section 5104(a) of such title to decisions of the Board of Veterans' Appeals under chapter 71 of such title.

SEC. 808. BURN PIT TRANSPARENCY.

(a) ANNUAL REPORT ON DISABILITY CLAIMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs shall submit to the appropriate congressional committees a report detailing the following:

(A) The total number of covered veterans.
(B) The total number of claimed issues for disability compensation under chapter 11 of title 38, United States Code, approved and the total number denied by the Secretary of Veterans Affairs with respect to a covered veteran, and a breakdown of the reasons for the denials.

(C) A comprehensive list of the top 10 conditions from each body system for which the Secretary awarded service connection for covered veterans.

(D) Any updates or trends with respect to the information described in subparagraphs (A), (B), and (C), that the Secretary determines appropriate.

(2) COVERED VETERAN DEFINED.—In this subsection, the term “covered veteran” means a veteran who deployed to the Southwest Asia theater of operations any time after August 1990, or Afghanistan, Syria, Djibouti, or Uzbekistan after September 19, 2001, and who submits a claim for disability compensation under chapter 11 of title 38, United States Code.

(b) INFORMATION REGARDING THE AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—

(1) NOTICE.—The Secretary of Veterans Affairs shall ensure that a medical professional of the Department of Veterans Affairs informs a veteran of the Airborne Hazards and Open Burn Pit Registry if the veteran presents at a medical facility of the Department for treatment that the veteran describes as being related to, or ancillary to, the exposure of the veteran to toxic airborne chemicals and fumes caused by open burn pits.

(2) DISPLAY.—In making information public regarding the number of participants in the Airborne Hazards and Open Burn Pit Registry, the Secretary shall display such numbers by both State and by congressional district.

(c) DEFINITIONS.—In this section:

(1) AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—The term “Airborne Hazards and Open Burn Pit Registry” means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

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

(A) the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate; and

(B) The Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives.

(3) OPEN BURN PIT.—The term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

TITLE IX—IMPROVEMENT OF WORK-FORCE OF DEPARTMENT OF VETERANS AFFAIRS

SEC. 901. NATIONAL RURAL RECRUITMENT AND HIRING PLAN FOR VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs, in collabora-

tion with the directors of each community-based outpatient clinic and medical center of the Department of Veterans Affairs, shall develop and implement a national rural recruitment and hiring plan for the Veterans Health Administration to—

(1) recruit health care professionals for rural and highly rural community-based outpatient clinics and rural and highly rural medical centers of the Department;

(2) determine which such clinics or centers have a staffing shortage of health care professionals;

(3) develop best practices and techniques for recruiting health care professionals for such clinics and centers;

(4) not less frequently than annually, provide virtually based, on-demand training to human resources professionals of the Veterans Health Administration on the best practices and techniques developed under paragraph (3); and

(5) provide recruitment resources, such as pamphlets and marketing material to—

(A) Veterans Integrated Service Networks of the Department;

(B) rural and highly rural community-based outpatient clinics of the Department; and

(C) rural and highly rural medical centers of the Department.

(b) ANNUAL REPORT.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that includes—

(1) the plan developed and implemented under subsection (a); and

(2) an assessment of the outcomes related to recruitment and retention of employees of the Veterans Health Administration at rural and highly rural facilities of the Department.

(c) DEFINITIONS.—In this section, the terms “rural” and “highly rural” have the meanings given those terms under the rural-urban commuting areas coding system of the Department of Agriculture.

SEC. 902. AUTHORITY TO BUY OUT SERVICE CONTRACTS FOR CERTAIN HEALTH CARE PROFESSIONALS IN EXCHANGE FOR EMPLOYMENT AT RURAL OR HIGHLY RURAL FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—For any covered health care professional to whom the Secretary of Veterans Affairs has offered employment with the Department of Veterans Affairs, the Secretary may buy out the non-Department service contract of such individual in exchange for such individual agreeing to be employed at a rural or highly rural facility of the Department for a period of obligated service specified in subsection (c).

(b) PAYMENT OF AMOUNTS.—

(1) IN GENERAL.—Payment of any amounts for a buy out of a service contract for a covered health care professional under subsection (a) shall be made directly to the individual or entity with respect to which the covered health care professional has a service obligation under such contract.

(2) LIMITATION ON TOTAL AMOUNT.—The total amount paid by the Department under this section shall not exceed \$40,000,000 per fiscal year.

(c) OBLIGATED SERVICE.—In exchange for a contract buy out under subsection (a), a covered health care professional shall agree to be employed for not less than four years at a rural or highly rural facility of the Department.

(d) LIABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), if a covered health care profes-

sional fails for any reason to complete the period of obligated service of the individual under subsection (c), the United States shall be entitled to recover from the individual an amount equal to—

(A) the total amount paid under subsection (a) to buy out the non-Department service contract of the individual; multiplied by

(B) a fraction—

(i) the numerator of which is—

(I) the total number of months in the period of obligated service of the individual; minus

(II) the number of months served by the individual; and

(ii) the denominator of which is the total number of months in the period of obligated service of the individual.

(2) EXCEPTION.—Liability shall not arise under paragraph (1) in the case of an individual covered by that paragraph if the individual does not obtain, or fails to maintain, employment as an employee of the Department due to staffing changes approved by the Under Secretary for Health.

(e) NOT A TAXABLE BENEFIT.—A contract buy out for a covered health care professional under subsection (a) shall not be considered a taxable benefit or event for the covered health care professional.

(f) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the use by the Secretary of the authority under this section.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) The number of health care professionals for whom a service contract buyout payment was made under subsection (a) in the previous fiscal year, disaggregated by occupation or specialty.

(B) The average, highest, and lowest amount of the service contract buyout payments made under subsection (a) for each occupation or specialty in the previous fiscal year.

(C) Each location where contract buyout authority under subsection (a) was utilized and the number of covered health care professionals who agreed to be employed at such location in the previous fiscal year.

(g) DEFINITIONS.—In this section:

(1) COVERED HEALTH CARE PROFESSIONAL.—The term “covered health care professional” means a physician, nurse anesthetist, physician assistant, or nurse practitioner offered employment with the Department regardless of the authority under which such employment is offered.

(2) RURAL; HIGHLY RURAL.—The terms “rural” and “highly rural” have the meanings given those terms under the rural-urban commuting areas coding system of the Department of Agriculture.

(h) SUNSET.—This section shall terminate on September 30, 2027.

SEC. 903. QUALIFICATIONS FOR HUMAN RESOURCES POSITIONS WITHIN DEPARTMENT OF VETERANS AFFAIRS AND PLAN TO RECRUIT AND RETAIN HUMAN RESOURCES EMPLOYEES.

(a) ESTABLISHMENT OF QUALIFICATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) establish qualifications for each human resources position within the Department of Veterans Affairs in coordination with the Office of Personnel Management;

(2) establish standardized performance metrics for each such position; and

(3) submit to the Committee on Veterans' Affairs of the Senate and the Committee on

Veterans' Affairs of the House of Representatives a report containing the qualifications and standardized performance metrics established under paragraphs (1) and (2).

(b) **IMPROVEMENT OF HUMAN RESOURCES ACTIONS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish or enhance systems of the Department to monitor the hiring and other human resources actions that occur at the local, regional, and national levels of the Department to improve the performance of those actions.

(c) **REPORT.**—Not later than one year after the establishment of the qualifications and performance metrics under subsection (a), the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing—

(1) a description of the implementation of such qualifications and performance metrics;

(2) an assessment of the quality of such qualifications and performance metrics;

(3) an assessment of performance and outcomes based on such metrics; and

(4) such other matters as the Comptroller General considers appropriate.

(d) **PLAN TO RECRUIT AND RETAIN HUMAN RESOURCES EMPLOYEES.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a plan for the recruitment and retention of human resources employees within the Department of Veterans Affairs.

SEC. 904. MODIFICATION OF PAY CAP FOR CERTAIN EMPLOYEES OF VETERANS HEALTH ADMINISTRATION.

(a) **IN GENERAL.**—Section 7455(c) is amended—

(1) in paragraph (1), by striking “30 percent” inserting “50 percent”;

(2) in paragraph (2), by striking “level IV” inserting “level II”;

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

“(3)(A) Notwithstanding section 5304 of title 5 or any other provision of law, but subject to the limitation under paragraph (2), pursuant to an increase under subsection (a), the Secretary may pay a special rate or an adjusted rate of basic pay in excess of the rate of basic pay payable for level IV of the Executive Schedule.

“(B) If an employee is in receipt of a special rate of pay under subparagraph (A) in excess of the rate of basic pay payable for level IV of the Executive Schedule with an established special rate supplement of greater value than a supplement based on the applicable locality-based comparability payment percentage under section 5304 of title 5, but a pay adjustment would cause such established special rate supplement to be of lesser value, the special rate supplement shall be converted to a supplement based on the applicable locality-based comparability percentage unless the Secretary determines that some other action is appropriate.”.

(b) **PAY FOR CRITICAL POSITIONS.**—Section 7404(a)(1)(B) is amended by inserting “7306 or” before “7401(4)”.

SEC. 905. EXPANSION OF OPPORTUNITIES FOR HOUSEKEEPING AIDES.

Section 3310 of title 5, United States Code, is amended by inserting “(other than for positions of housekeeping aides in the Department of Veterans Affairs)” after “competitive service”.

SEC. 906. MODIFICATION OF AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS RELATING TO HOURS, CONDITIONS OF EMPLOYMENT, AND PAY FOR CERTAIN EMPLOYEES OF VETERANS HEALTH ADMINISTRATION.

(a) **EXPANSION OF ELIGIBILITY OF EMPLOYEES FOR CERTAIN AWARDS.**—Section 7404(c) is amended—

(1) by striking “Notwithstanding” and inserting “(1) Notwithstanding”;

(2) by inserting “or 7401(4)” after “section 7306”;

(3) by striking “who is not eligible for pay under subchapter III” and inserting “or in a covered executive position under section 7401(1) of this title”;

(4) by striking “sections 4507 and 5384” and inserting “section 4507”; and

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

“(2) In this subsection, the term ‘covered executive position’ means a position that the Secretary has determined is of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5) and is subject to an agency performance management system.”.

(b) **AUTHORITY FOR AWARDS PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.**—

(1) **IN GENERAL.**—Subchapter I of chapter 74 is amended by inserting after section 7404 the following new section:

“§ 7404A. Awards

“(a) **SUPERIOR ACCOMPLISHMENTS AND PERFORMANCE AWARDS PROGRAM.**—The Secretary may establish an awards program for personnel listed in section 7421(b) of this title consistent with chapter 45 of title 5, to the extent practicable.

“(b) **EXECUTIVE PERFORMANCE AWARDS PROGRAM.**—Notwithstanding section 7425 of this title or any other provision of law, the Secretary may establish a performance awards program consistent with section 5384 of title 5 for—

(1) personnel appointed under section 7401(1) of this title for a position that the Secretary has determined is of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5) and is subject to an agency performance management system; and

(2) personnel appointed under section 7306 or 7401(4) of this title.

“(c) **PAYMENT OF AWARDS.**—Awards under this section may be paid based on criteria established by the Secretary and shall not be considered in calculating the limitation under section 7431(e)(4) of this title.

“(d) **NOT CONSIDERED BASIC PAY.**—Awards under this section shall not be considered basic pay for any purpose.

“(e) **REGULATIONS.**—The Secretary may prescribe regulations for the administration of this section.”.

(2) **LIMITATION ON PAST AWARDS.**—Notwithstanding any other provision of law, awards made by the Secretary of Veterans Affairs for any period on or after January 1, 2017, and before the date of the enactment of this Act for an employee under section 7306 or 7401(4) of title 38, United States Code, or for a position described in section 7401(1) of such title that the Secretary has determined is of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5, United States Code), may be subject to section 7404A of title 38, United States Code, as added by paragraph (1).

(c) **MODIFICATION OF EMPLOYEES SUBJECT TO REGULATION BY SECRETARY OF VETERANS AFFAIRS OF HOURS AND CONDITIONS OF EMPLOYMENT AND LEAVES OF ABSENCE.**—

(1) **IN GENERAL.**—Section 7421 is amended—

(A) in subsection (a), by striking “chapter” and inserting “title”; and

(B) in subsection (b), by adding at the end the following new paragraph:

“(9) Any position for which the employee is appointed under section 7306 or 7401(4) of this title.”.

(2) **ADMINISTRATION OF FULL-TIME EMPLOYEES.**—Section 7423 is amended—

(A) in subsection (a)(2), by adding at the end the following new subparagraph:

“(D) The Secretary may exclude from the requirements of paragraph (1) employees hired under section 7306 or 7401(4) of this title or for a position described in section 7401(1) of this title that the Secretary has determined is of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5).”; and

(B) in subsection (e)(1), by striking “7401(1)” and inserting “7421(b)”.

(3) **ADDITIONAL PAY AUTHORITIES.**—Section 7410(a) is amended—

(A) by striking “The Secretary” and inserting “(1) The Secretary”;

(B) by striking “the personnel described in paragraph (1) of section 7401 of this title” and inserting “personnel appointed under section 7306 of this title or section 7401(4) of this title, or personnel described in section 7401(1) of this title.”; and

(C) by striking “in the same manner, and subject to the same limitations, as in the case of” and inserting “in a manner consistent with”; and

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

“(2) Payments under paragraph (1) shall not be considered in calculating the limitation under section 7431(e)(4) of this title.”.

(4) **TREATMENT OF PAY AUTHORITY CHANGES.**—For the purposes of the amendments made by paragraph (3), the Secretary of Veterans Affairs shall treat any award or payment made by the Secretary between January 1, 2017, and the date of the enactment of this Act to employees appointed under sections 7306, 7401(1), and 7401(4) of title 38, United States Code, that the Secretary has determined are of equivalent rank to a Senior Executive Service position (as such term is defined in section 3132(a) of title 5, United States Code), as if such amendments had been in effect at the time of such award or payment.

(5) **TREATMENT OF PRIOR LEAVE BALANCES.**—Notwithstanding any other provision of law, the Secretary may adjust the leave balance and carryover leave balance of any employee described in section 7421(b)(9) of title 38, United States Code, as amended by paragraph (1)(B), to ensure any leave accrued or carried over before the date of the enactment of this Act remains available to such employee.

(d) **TREATMENT OF CERTAIN EMPLOYEES AS APPOINTED UNDER SECTION 7306.**—Section 7306 is amended—

(1) in subsection (a), by redesignating the second paragraph (11) as paragraph (12); and

(2) by adding at the end the following new subsection:

“(g) For purposes of applying any provision of chapter 74 of this title, including sections 7404, 7410, and 7421, or any other provision of law, the Secretary may treat any appointment for a position under this chapter to be an appointment under this section.”.

(e) **CONFORMING AMENDMENT.**—Section 7431(e)(4) is amended by striking “In no case” and inserting “Except as provided in sections 7404A(c) and 7410(a)(2) of this title, in no case”.

SEC. 907. WAIVER OF PAY LIMITATION FOR CERTAIN EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

Subchapter I of chapter 7 is amended by inserting after section 703 the following new section:

“§ 704. Waiver of pay limitation for certain employees

“(a) EMPLOYEES OF VETERANS HEALTH ADMINISTRATION IMPACTED BY CLOSURE OR REALIGNMENT.—Notwithstanding any other provision of law, the Secretary may waive any annual premium or aggregate limitation on pay for an employee of the Veterans Health Administration for the calendar year during which—

“(1) the official duty station of the employee is closed; or

“(2) the office, facility, activity, or organization of the employee is realigned.

“(b) EMPLOYEES PROVIDING CARE TO VETERANS EXPOSED TO OPEN BURN PITS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may waive any annual premium or aggregate limitation on pay for an employee of the Department whose primary duties include providing expanded care for veterans exposed to open burn pits.

“(2) OPEN BURN PIT DEFINED.—In this subsection, the term ‘open burn pit’ has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(c) COORDINATION WITH OFFICE OF PERSONNEL MANAGEMENT.—In implementing this section, the Secretary shall coordinate with the Director of the Office of Personnel Management.

“(d) REPORTS.—

“(1) IN GENERAL.—For each quarter that the Secretary waives a limitation under this section, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate, the Committee on Veterans’ Affairs of the House of Representatives, and the Office of Personnel Management a report on the waiver or waivers.

“(2) CONTENTS.—Each report submitted under paragraph (1) with respect to a waiver or waivers shall include the following:

“(A) Where the waiver or waivers were used, including in which component of the Department and, as the case may be, which medical center of the Department.

“(B) For how many employees the waiver or waivers were used, disaggregated by component of the Department and, if applicable, medical center of the Department.

“(C) The average amount by which each payment exceeded the pay limitation that was waived, disaggregated by component of the Department and, if applicable, medical center of the Department.

“(e) EMPLOYEE DEFINED.—In this section, the term ‘employee’ means any employee regardless of the authority under which the employee was hired.

“(f) TERMINATION.—This section shall terminate on September 30, 2027.”.

SEC. 908. ELIMINATION OF LIMITATION ON AWARDS AND BONUS FOR EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 705(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 703 note) is amended by striking paragraph (3).

(b) APPLICABILITY.—Subsection (a) shall take effect on the date of the enactment of this Act and apply as if such subsection had been enacted on September 30, 2021.

SEC. 909. ADDITIONAL AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS RELATING TO RECRUITMENT AND RETENTION OF PERSONNEL.

Subchapter I of chapter 7 is amended by inserting after section 705 the following new section:

“§ 706. Additional authority relating to recruitment and retention of personnel

“(a) RECRUITMENT AND RELOCATION BONUSES.—The Secretary may pay a recruit-

ment or relocation bonus under section 5753(e) of title 5 without regard to any requirements for certification or approval under that section.

“(b) RETENTION BONUSES.—(1) The Secretary may pay a retention bonus under section 5754(f) of title 5 without regard to any requirement for certification or approval under that subsection.

“(2) The Secretary may pay a retention bonus as specified in subsection (e)(2) of section 5754 of title 5 and may pay the bonus as a single lump-sum payment at the beginning of the full period of service required by an agreement under subsection (d) of such section.

“(c) MERIT AWARDS.—The Secretary may grant a cash award under section 4502(b) of title 5 without regard to any requirement for certification or approval under that section.

“(d) INCENTIVES FOR CRITICAL SKILLS.—(1) Subject to the provisions of this paragraph, the Secretary may provide a critical skill incentive to an employee in a case in which the Secretary determines—

“(A) the employee possesses a high-demand skill or skill that is at a shortage;

“(B) such skill is directly related to the duties and responsibilities of the employee’s position; and

“(C) employment of an individual with such skill in such position serves a critical mission-related need of the Department.

“(2) An incentive provided to an employee under paragraph (1) may not exceed 25 percent of the basic pay of the employee.

“(3) Provision of an incentive under paragraph (1) shall be contingent on the employee entering into a written agreement to complete a period of employment with the Department.

“(4) An incentive provided under paragraph (1) shall not be considered basic pay for any purpose.

“(5) The Secretary may prescribe conditions, including with respect to eligibility, and limitations on provision of incentive under paragraph (1).

“(6) Incentive provided under paragraph (1) shall not be included in the calculation of total amount of compensation under section 7431(e)(4) of this title.

“(e) STUDENT LOAN REPAYMENTS.—(1) Subject to the provisions of this subsection, the Secretary may repay a student loan pursuant to section 5379(b) of title 5.

“(2) Paragraph (2) of such section shall not apply to payment under this subsection.

“(3) Payment under this subsection shall be made subject to such terms, limitations, or conditions as may be mutually agreed to by the Secretary and the employee concerned, except that the amount paid by the Secretary under this subsection may not exceed—

“(A) \$40,000 for any employee in any calendar year; or

“(B) a total of \$100,000 in the case of any employee.

“(f) EXPEDITED HIRING AUTHORITY FOR COLLEGE GRADUATES; COMPETITIVE SERVICE.—(1) Subject to paragraph (2) of this subsection, the Secretary may expedite hiring for college graduates under section 3115 of title 5 without regard to subsection (e) of such section or any regulations prescribed by the Office of Personnel Management for administration of such subsection.

“(2) The number of employees the Secretary may appoint under section 3115 of title 5 may not exceed the number equal to 25 percent of individuals that the Secretary appointed during the previous fiscal year to a position in the competitive service classified in a professional or administrative occupational category, at the GS-11 level, or an equivalent level, or below, under a competitive examining procedure.

“(g) EXPEDITED HIRING AUTHORITY FOR POST-SECONDARY STUDENTS; COMPETITIVE SERVICE.—(1) Subject to paragraph (2) of this subsection, the Secretary may expedite hiring of post-secondary students under section 3116 of title 5, without regard to subsection (d) of such section or any regulations prescribed by the Office of Personnel Management for administration of such subsection.

“(2) The number of employees the Secretary may appoint under section 3116 of title 5 may not exceed the number equal to 25 percent of the number of students that the Secretary appointed during the previous fiscal year to a position at the GS-11 level, or an equivalent level, or below.

“(h) PAY AUTHORITY FOR CRITICAL POSITIONS.—(1) Subject to the provisions of this subsection, the Secretary may authorize the fixing of the rate of pay for a critical position in the Department consistent with the authorities and requirements of section 5377 of title 5 that apply to the Office of Personnel Management.

“(2) The Secretary may fix the rate of pay for a critical position under this subsection in excess of the limitation set forth by section 5377(d)(2) of such title.

“(3) Basic pay may not be fixed under this subsection at a rate greater than the rate payable for the Vice President of the United States established under section 104 of title 3, except upon written approval of the President.

“(4) Notwithstanding section 5377(f) of title 5, the Secretary may authorize the exercise of authority under this subsection with respect to up to 200 positions at any time.

“(i) RATES OF SPECIAL PAY.—(1) The Secretary may establish a rate for special pay under section 5305(a)(1) of title 5.

“(2) In applying such section to the Secretary’s authority under paragraph (1)—

“(A) ‘50 percent’ shall be substituted for ‘30 percent’; and

“(B) ‘level II of the Executive Schedule’ shall be substituted for ‘level IV of the Executive Schedule’.

“(j) WAIVER OF LIMITATIONS ON CERTAIN PAYMENTS UNDER PAY COMPARABILITY SYSTEM.—The Secretary may waive the limitation in section 5307 of title 5 for an employee or a payment.

“(k) TERMINATION.—The authorities under this section shall terminate on September 30, 2027.”.

SA 5052. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, strike lines 17 through 20 and insert the following:

SEC. 201. SHORT TITLE.

This title may be cited as the “Toxic Exposure in the American Military Act” or the “TEAM Act”.

SA 5053. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, strike lines 5 through 7 and insert the following:

SEC. 301. SHORT TITLE.

This title may be cited as the “Veterans Burn Pits Exposure Recognition Act”.

SA 5054. Mr. TESTER submitted an amendment intended to be proposed by

him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

(a) **SHORT TITLE.**—This section may be cited as the “Fair Care for Vietnam Veterans Act”.

SA 5055. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XI—OTHER MATTERS

SEC. 1101. OFFSET OF COSTS USING UNOBLIGATED FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021.

Effective on the date of the enactment of this Act, of the unobligated balances made available under the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4), or an amendment made by such Act, there is rescinded, on a pro rata basis, \$270,000,000,000.

SA 5056. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Health Care Matters

SEC. 121. REQUIREMENT OF DENTAL CLINIC OF DEPARTMENT OF VETERANS AFFAIRS IN EACH STATE.

The Secretary of Veterans Affairs shall ensure that each State has a dental clinic of the Department of Veterans Affairs to service the needs of the veterans within that State by not later than September 30, 2024.

SA 5057. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Expansion of Dental Care for Veterans

SEC. 121. PILOT PROGRAM TO FURNISH DENTAL CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS IN THE SAME MANNER AS ANY OTHER MEDICAL SERVICE.

(a) **IN GENERAL.**—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of furnishing dental care in the same manner as medical services furnished by the Department, notwithstanding the limitations on the provision of dental care under sections 1710(c) and 1712 of title 38, United States Code.

(b) **MEDICAL SERVICES DEFINED.**—In this section, the term “medical services” has the meaning given that term in section 1701(6) of title 38, United States Code.

SEC. 122. PILOT PROGRAM ON EXPANSION OF FURNISHING BY DEPARTMENT OF VETERANS AFFAIRS OF DENTAL CARE TO CERTAIN ENROLLED VETERANS.

(a) **IN GENERAL.**—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program under which the Secretary shall furnish dental care to all covered veterans who are not eligible for dental services and treatment and related dental appliances under the laws administered by the Secretary as of the date of the enactment of this Act.

(b) **DURATION.**—The pilot program shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(c) **LOCATIONS.**—

(1) **IN GENERAL.**—The Secretary shall carry out the pilot program at the following locations:

(A) Each medical center of the Department with an established dental clinic.

(B) Not fewer than four military medical treatment facilities of the Department of Defense with the capacity to furnish dental care, which shall be selected in consultation with the Secretary of Defense.

(C) Not fewer than four community-based outpatient clinics with space available for the furnishing of dental care under the pilot program.

(D) Not fewer than four Federally Qualified Health Centers.

(E) Not fewer than four facilities of the Indian Health Service with established dental clinics, which shall be selected in consultation with the Secretary of Health and Human Services.

(2) **CONSIDERATIONS.**—In selecting locations for the pilot program, the Secretary shall consider the feasibility and advisability of selecting locations in each of the following:

(A) Rural areas.

(B) Areas that are not in close proximity to an active duty military installation.

(C) Areas representing different geographic locations, such as census tracts established by the Bureau of the Census.

(3) **MOBILE DENTAL CLINICS.**—In carrying out the pilot program, the Secretary shall test the efficacy of mobile dental clinics to service rural areas that do not have a population base to warrant a full-time clinic but where there are covered veterans in need of dental care.

(4) **HOME BASED DENTAL CARE.**—In carrying out the pilot program, the Secretary shall test the efficacy of portable dental care units to service rural veteran in their homes, as the Secretary considers medically appropriate.

(d) **SERVICES.**—

(1) **SCOPE.**—The dental care furnished to covered veterans under the pilot program shall be consistent with the dental services and treatment furnished by the Secretary to veterans with service-connected disabilities rated 100 percent disabling under the laws administered by the Secretary.

(2) **DENTAL THERAPISTS AND TELE-DENTISTRY.**—

(A) **IN GENERAL.**—In carrying out the pilot program, the Secretary shall test the efficacy of the use of dental therapists and tele-dentistry to service the dental care needs of covered veterans.

(B) **USE OF TELE-DENTISTRY.**—When providing tele-dentistry under subparagraph (A), the Secretary shall use Federal employees to the maximum extent possible.

(e) **VOLUNTARY PARTICIPATION.**—The participation of a covered veteran in the pilot

program shall be at the election of the veteran.

(f) **ADMINISTRATION.**—

(1) **NOTICE TO COVERED VETERANS.**—In carrying out the pilot program, the Secretary shall inform all covered veterans of the services and treatment available under the pilot program.

(2) **COPAYMENTS.**—The Secretary may collect copayments for dental care furnished under the pilot program in accordance with authorities on the collection of copayments for medical care of veterans under chapter 17 of title 38, United States Code.

(3) **CONTRACTS.**—

(A) **IN GENERAL.**—Subject to subparagraph (C), in carrying out the pilot program, the Secretary may enter into contracts with appropriate entities for the provision of dental care under the pilot program.

(B) **PERFORMANCE STANDARDS AND METRICS.**—Each contract entered into under subparagraph (A) shall specify performance standards and metrics and processes for ensuring compliance of the contractor concerned with such performance standards.

(C) **LIMITATION.**—The Secretary may only enter into contracts under subparagraph (A) if the Secretary determines that the Department does not employ, and cannot recruit and retain, qualified dentists, dental hygienists, and oral surgeons in the applicable location.

(g) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 90 days before the completion of the pilot program, and not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives a report on the pilot program.

(2) **CONTENTS.**—Each report under paragraph (1) shall include the following:

(A) A description of the implementation and operation of the pilot program.

(B) The number of covered veterans receiving dental care under the pilot program and a description of the dental care furnished to such veterans.

(C) An analysis of the costs and benefits of the pilot program, including a comparison of costs and benefits by location type.

(D) An assessment of the impact of the pilot program on appointments for care, prescriptions, hospitalizations, emergency room visits, wellness, employability, and satisfaction of patients, and perceived quality of life of covered veterans.

(E) An analysis and assessment of the efficacy of mobile clinics and home based dental care to service the dental needs of covered veterans under the pilot program.

(F) An analysis and assessment of the efficacy of dental therapists and tele-dentistry to service the dental needs of covered veterans under the pilot program, to include a cost benefit analysis of such services.

(G) The findings and conclusions of the Secretary with respect to the pilot program.

(H) A comparison of the costs for private sector dental care with cost of furnishing dental care from the Department, broken down by each locality included in the pilot program.

(I) Such recommendations as the Secretary considers appropriate for the expansion of dental care to all veterans eligible for health care from the Department.

(h) **DEFINITIONS.**—In this section:

(1) **COVERED VETERAN.**—The term “covered veteran” means a veteran enrolled in the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38,

United States Code, pursuant to paragraph (1) or (2) of such section.

(2) **FEDERALLY QUALIFIED HEALTH CENTER.**—The term “Federally Qualified Health Center” means a federally-qualified health center as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B)).

SEC. 123. REQUIREMENT OF DENTAL CLINIC OF DEPARTMENT OF VETERANS AFFAIRS IN EACH STATE.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall ensure that each State has a dental clinic of the Department of Veterans Affairs to service the needs of the veterans within that State.

(b) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 124. PROGRAM ON EDUCATION TO PROMOTE DENTAL HEALTH IN VETERANS.

(a) **PROGRAM REQUIRED.**—The Secretary of Veterans Affairs shall carry out a program of education to promote dental health for veterans who are enrolled in the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.

(b) **ELEMENTS.**—The program required by subsection (a) shall provide education for veterans on the following:

(1) The association between dental health and overall health and well-being.

(2) Proper techniques for dental care.

(3) Signs and symptoms of commonly occurring dental conditions.

(4) Treatment options for commonly occurring dental issues.

(5) Options for obtaining access to dental care, including information on eligibility for dental care through the Department.

(6) Available and accessible options for obtaining low or no-cost dental care, including through dental schools and Federally Qualified Health Centers.

(7) Such other matters relating to dental health as the Secretary considers appropriate.

(c) DELIVERY OF EDUCATIONAL MATERIALS.

(1) **IN GENERAL.**—The Secretary shall provide educational materials to veterans under the program required by subsection (a) through a variety of mechanisms, including the following:

(A) The availability and distribution of print materials at facilities of the Department (including at medical centers, clinics, Vet Centers, and readjustment counseling centers) and to providers (including members of Patient Aligned Care Teams).

(B) The availability and distribution of materials over the Internet, including through webinars, My HealtheVet, and VA.gov.

(C) Presentations by the dental program office of the Department of information, including both small group and large group presentations, and distribution of such information to all locations in which the program is being carried out.

(2) **SELECTION OF MECHANISMS.**—In selecting mechanisms under paragraph (1), the Secretary shall select mechanisms designed to maximize the number of veterans who receive education under the program.

(d) **CONSTRUCTION.**—Nothing in this section shall be construed to alter or revise the eligibility of any veteran for dental care under the laws administered by the Secretary.

(e) **DEFINITIONS.**—In this section

(1) **FEDERALLY QUALIFIED HEALTH CENTER.**—The term “Federally Qualified Health Center” means a federally-qualified health center as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B)).

(2) **VET CENTER.**—The term “Vet Center” has the meaning given that term in section 1712A(h) of title 38, United States Code.

(f) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 125. STUDENT LOAN REPAYMENT PROGRAM TO INCENTIVIZE DENTAL TRAINING AND ENSURE THE DENTAL WORKFORCE OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **PROGRAM REQUIRED.**—The Secretary of Veterans Affairs, to ensure that the Department of Veterans Affairs has sufficient staff to provide dental service to veterans, shall implement a loan reimbursement program for qualified dentists, dental therapists, dental hygienists, and oral surgeons who agree—

(1) to be appointed by the Secretary as a dentist, dental therapist, dental hygienist, or oral surgeon, as the case may be, under section 7401 of title 38, United States Code; and

(2) to serve as a dentist, dental therapist, dental hygienist, or oral surgeon, as the case may be, of the Department pursuant to such appointment at a dental clinic of the Department for a period of not less than five years.

(b) **MAXIMUM AMOUNT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary may reimburse not more than—

(A) \$75,000 for each dentist participating in the program under subsection (a);

(B) \$20,000 for each dental therapist participating in such program;

(C) \$10,000 for each dental hygienist participating in such program; and

(D) \$20,000 for each credentialed doctor of medicine in dentistry serving as an oral surgeon and participating in such program.

(2) **DUAL ELIGIBILITY.**—The Secretary may reimburse an individual serving in multiple positions described in subparagraphs (A) through (D) of paragraph (1) not more than \$95,000.

(c) **SELECTION OF LOCATIONS.**—The Secretary shall monitor demand among veterans for dental care and require participants in the program under subsection (a) to choose from dental clinics of the Department with the greatest need for dentists, dental hygienists, or oral surgeons, as the case may be, according to facility enrollment and patient demand.

SEC. 126. EDUCATIONAL AND TRAINING PARTNERSHIPS FOR DENTISTS, DENTAL THERAPISTS, DENTAL HYGIENISTS AND ORAL SURGEONS.

The Secretary of Veterans Affairs shall enter into educational and training partnerships with dental schools to provide training and employment opportunities for dentists, dental therapists, dental hygienists, and oral surgeons.

SEC. 127. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated for the Department of Veterans Affairs for fiscal year 2023 such sums as may be necessary to carry out this subtitle.

(b) **AVAILABILITY.**—The amount authorized to be appropriated under subsection (a) shall be available for obligation for the eight-year period beginning on the date that is one year after the date of the enactment of this Act.

SA 5058. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Health Care Matters

SEC. 121. EXPANSION OF HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES WHO ARE NOT ON ACTIVE ORDERS.

(a) **EXPANSION OF CARE.**—

(1) **IN GENERAL.**—Section 1789 of title 38, United States Code, is amended to read as follows:

“§ 1789. Health care for members of the reserve components of the Armed Forces

“(a) **IN GENERAL.**—The Secretary (subject to subsection (c)) shall furnish hospital care and medical services to any member of the reserve components of the Armed Forces during any period in which the member is not entitled to health care furnished by the Secretary of Defense.

“(b) **MENTAL HEALTH CARE.**—The Secretary may furnish mental health services to members of the reserve components of the Armed Forces.

“(c) **LIMITATION.**—The requirement in subsection (a) shall be effective in any fiscal year only to the extent and in the amount provided in advance in appropriations Acts for such purpose.

“(d) **CONSULTATION WITH SECRETARY OF DEFENSE.**—The Secretary shall carry out this section in consultation with the Secretary of Defense.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter VIII of chapter 17 of such title is amended by striking the item relating to section 1789 and inserting the following new item:

“1789. Health care for members of the reserve components of the Armed Forces.”.

(b) **ENROLLMENT IN PATIENT ENROLLMENT SYSTEM.**—

(1) **PRIORITY FOR ENROLLMENT.**—Section 1705(a) of title 38, United States Code, is amended—

(A) in the matter preceding paragraph (1), by striking “enrollment of veterans” and inserting “enrollment of individuals under such system”; and

(B) in paragraph (7)—

(i) by striking “Veterans” and inserting “(A) Veterans”; and

(ii) by adding at the end the following new subparagraph:

“(B) Members of the reserve components of the Armed Forces for purposes of furnishing hospital care and medical services under section 1789(a) of this title.”.

(2) **INITIAL ENROLLMENT.**—The Secretary of Veterans Affairs shall enroll all members of the reserve components of the Armed Forces in the patient enrollment system by not later than December 31, 2022.

(3) **ONGOING ENROLLMENT.**—After December 31, 2022, the Secretary shall automatically enroll in the patient enrollment system all new members of the reserve components of the Armed Forces upon those members joining the reserve components.

(4) **CONSULTATION WITH SECRETARY OF DEFENSE.**—The Secretary shall carry out this subsection and the amendments made by this subsection in consultation with the Secretary of Defense.

(5) **PATIENT ENROLLMENT SYSTEM DEFINED.**—In this subsection, the term “patient enrollment system” means the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.

SA 5059. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN)

and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Health Care Matters

SEC. 121. MODIFICATION OF DETERMINATION OF ELIGIBILITY OF VETERANS FOR TREATMENT AS A LOW-INCOME FAMILY FOR PURPOSES OF ENROLLMENT IN THE PATIENT ENROLLMENT SYSTEM OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **AREAS OF RESIDENCE.**—The Secretary of Veterans Affairs shall modify the areas in which veterans reside as specified for purposes of determining whether veterans qualify for treatment as low-income families for enrollment in the patient enrollment system of the Department of Veterans Affairs under section 1705(a)(7) of title 38, United States Code, to meet the requirements as follows:

(1) Any area so specified shall be within only one State.

(2) Any area so specified shall be coextensive with one or more counties (or similar political subdivisions) in the State concerned.

(b) **VARIABLE INCOME THRESHOLDS.**—The Secretary shall modify the thresholds for income as specified for purposes of determining whether veterans qualify for treatment as low-income families for enrollment in the patient enrollment system referred to in subsection (a) to meet the requirements as follows:

(1) There shall be one income threshold for each State, equal to 100 percent of the highest income threshold among—

(A) the counties or metropolitan statistical areas within such State; and

(B) any metropolitan statistical area that encompasses territory of such State and one or more other States.

(2) The calculation of the highest income threshold of a county or metropolitan statistical area shall be consistent with the calculation used for purposes of section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(3) The timing and methodology for implementing any modifications in geographic income thresholds pursuant to paragraph (1) shall be determined by the Secretary in such a manner as to permit the Department to build capacity for enrolling such additional veterans in the patient enrollment system of the Department as become eligible for enrollment as a result of such modifications, except that all required modifications shall be completed not later than five years after date of the enactment of this Act.

(c) **METROPOLITAN STATISTICAL AREA.**—In this section, the term “metropolitan statistical area” has the meaning given that term by the Office of Management and Budget.

SEC. 122. GUARANTEE OF HEALTH CARE BENEFITS FOR ENROLLED VETERANS.

The Secretary of Veterans Affairs shall ensure that all veterans, once enrolled in the patient enrollment system of the Department of Veterans Affairs under section 1705(a) of title 38, United States Code, remain enrolled in such system and may continue receiving health care furnished by the Department if they choose, subject to such cost-sharing requirements as may apply to the veteran under existing provisions of law.

SA 5060. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill

H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. OFFSET THROUGH TEMPORARY REDUCTION IN FOREIGN ASSISTANCE PROGRAMS.

During the 10-year period beginning on October 1, 2022, no Federal funds may be expended by the United States Agency for International Development other than funds that have been appropriated for Israel.

SA 5061. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 58, strike line 19 and all that follows through page 61, line 11, and insert the following:

(c) **EFFECTIVE DATES AND APPLICABILITY.**—

(1) **IN GENERAL.**—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act and shall apply as follows:

(A) On the date of the enactment of this Act for claimants for dependency and indemnity compensation under chapter 13 of title 38, United States Code, and for veterans whom the Secretary of Veterans Affairs determines are—

- (i) terminally ill;
- (ii) homeless;
- (iii) under extreme financial hardship;
- (iv) more than 85 years old; or
- (v) capable of demonstrating other sufficient cause.

(B) On October 1, 2022, for everyone not described in subparagraph (A).

(2) **RETROACTIVE APPLICATION.**—Notwithstanding any Federal court decisions or settlements in effect on the day before the date of the enactment of this Act, the Secretary of Veterans Affairs shall award retroactive claims for a condition under section 1116(a)(2)(L) of title 38, United States Code, as added by subsection (b) of this section, only to claimants for dependency and indemnity compensation under chapter 13 of such title described in paragraph (1)(A) of this subsection.

SA 5062. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 58, strike line 5 and all that follows through page 61, line 11.

SA 5063. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 117, strike line 22 and all that follows through page 121, line 12.

SA 5064. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 5051 submitted by Mr. TESTER (for himself and Mr. MORAN) and intended to be proposed to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Health Care Matters

SEC. 121. MODIFICATION TO STANDARDS FOR ACCESS TO HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) **IN GENERAL.**—Section 1703B of title 38, United States Code, is amended—

(1) by striking subsections (a) through (e) and inserting the following new subsections: “(a) **THRESHOLD ELIGIBILITY STANDARDS FOR ACCESS TO COMMUNITY CARE.**—(1) A covered veteran may elect to receive non-Department hospital care, medical services, or extended care services through the Veterans Community Care Program under section 1703 of this title pursuant to subsection (d)(1)(D) of such section using the following eligibility access standards:

“(A) With respect to primary care, mental health care, or non-institutional extended care services, if the Department cannot schedule an appointment for the covered veteran with a health care provider of the Department—

“(i) within 30 minutes average driving time from the residence of the veteran; and

“(ii) within 20 days of the date of request for such an appointment unless a later date has been agreed to by the veteran in consultation with the health care provider.

“(B) With respect to specialty care or specialty services, if the Department cannot schedule an appointment for the covered veteran with a health care provider of the Department—

“(i) within 60 minutes average driving time from the residence of the veteran; and

“(ii) within 28 days of the date of request for such an appointment unless a later date has been agreed to by the veteran in consultation with the health care provider.

“(2) For the purposes of determining the eligibility of a covered veteran for care or services under paragraph (1), the Secretary shall not take into consideration the availability of telehealth appointments from the Department when determining whether the Department is able to furnish such care or services in a manner that complies with the eligibility access standards under such paragraph.

“(b) **ACCESS TO CARE STANDARDS FOR COMMUNITY CARE.**—(1) Subject to subsection (c), the Secretary shall meet the following access to care standards when furnishing non-Department hospital care, medical services, or extended care services to a covered veteran through the Veterans Community Care Program under section 1703 of this title:

“(A) With respect to an appointment for primary care, mental health care, or non-institutional extended care services—

“(i) within 30 minutes average driving time from the residence of the veteran unless a longer driving time has been agreed to by the veteran; and

“(ii) within 20 days of the date of request for such an appointment unless a later date has been agreed to by the veteran.

“(B) With respect to an appointment for specialty care or specialty services—

“(i) within 60 minutes average driving time from the residence of the veteran unless a

longer driving time has been agreed to by the veteran; and

“(ii) within 28 days of the date of request for such an appointment unless a later date has been agreed to by the veteran.

“(2) The Secretary shall ensure that—

“(A) health care providers specified under section 1703(c) of this title are able to comply with the applicable access to care standards under paragraph (1) for such providers; and

“(B) meeting such standards is reflected in the contractual requirements of third-party administrators.

“(C) **WAIVERS TO ACCESS TO CARE STANDARDS FOR COMMUNITY CARE PROVIDERS.**—(1) A third-party administrator may request a waiver to the requirement to meet the access to care standards under subsection (b) if—

“(A)(i) the scarcity of available providers or facilities in the region precludes the third-party administrator from meeting those access standards; or

“(ii) the landscape of providers or facilities has changed and certain providers or facilities are not available such that the third-party administrator is not able to meet those access standards; and

“(B) to address the scarcity of available providers or the change in the provider or facility landscape, as the case may be, the third-party administrator has contracted with other providers or facilities that may not meet those access standards, but are the currently available providers or facilities most accessible to veterans within the region of responsibility of the third-party administrator.

“(2) Any waiver requested by a third-party administrator under paragraph (1) must be requested in writing and submitted to the Office of Community Care of the Department for approval by that office.

“(3) As part of any waiver request under paragraph (1), a third-party administrator must include conclusive evidence and documentation that the access to care standards under subsection (b) cannot be met because of scarcity of available providers or changes to the landscape of providers or facilities.

“(4) In evaluating a waiver request under paragraph (1), the Secretary shall consider the following:

“(A) The number and geographic distribution of eligible health care providers available within the geographic area and specialty referenced in the waiver request.

“(B) The prevailing market conditions within the geographic area and specialty referenced in the waiver request, which shall include the number and distribution of health care providers contracting with other health care plans (including commercial plans and the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)) operating in the geographic area and specialty referenced in the waiver request.

“(C) Whether the service area is comprised of highly rural, rural, or urban areas or some combination of such areas.

“(D) How significantly the waiver request differs from the access to care standards under subsection (b).

“(E) The rates offered to providers in the geographic area covered by the waiver.

“(5) The Secretary shall not consider inability to contract as a valid sole rationale for granting a waiver under paragraph (1).

“(d) **CALCULATION OF DRIVING TIMES AND WAIT TIMES.**—(1) For purposes of calculating average driving time from the residence of the veteran under subsections (a) and (b), the Secretary shall use geographic information system software.

“(2) For purposes of calculating the wait time for a veteran to schedule an appointment with the Department under subsection

(a), the Secretary shall measure from the date of request for the appointment unless a later date has been agreed to by the veteran in consultation with a health care provider of the Department to the first next available appointment date in the clinic schedule relevant to the requested medical service.

“(e) **PERIODIC REVIEW OF ACCESS STANDARDS.**—Not later than three years after the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, and not less frequently than once every three years thereafter, the Secretary shall—

“(1) conduct a review of the eligibility access standards under subsection (a) and the access to care standards under subsection (b) in consultation with—

“(A) such Federal entities as the Secretary considers appropriate, including the Department of Defense, the Department of Health and Human Services, and the Centers for Medicare & Medicaid Services;

“(B) entities in the private sector; and

“(C) other entities that are not part of the Federal Government; and

“(2) submit to the appropriate committees of Congress a report on—

“(A) the findings of the Secretary with respect to the review conducted under paragraph (1); and

“(B) such recommendations as the Secretary may have with respect to the eligibility access standards under subsection (a) and the access to care standards under subsection (b).”;

(2) in subsection (f), by striking “The Secretary” and inserting “COMPLIANCE BY COMMUNITY CARE PROVIDERS.—The Secretary”;

(3) by striking subsection (g) and inserting the following new subsection (g):

“(g) **PUBLICATION OF ACCESS STANDARDS.**—The Secretary shall publish in the Federal Register and on a publicly available internet website of the Department—

“(1) the eligibility access standards established under subsection (a); and

“(2) the access to care standards established under subsection (b).”;

(4) in subsection (h)(1), by striking “(1) Consistent with” and inserting “REQUESTS FOR DETERMINATIONS.—(1) Consistent with”; and

(5) in subsection (i)—

(A) by striking “In this section” and inserting “DEFINITIONS.—In this section”; and

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

“(3) The term ‘inability to contract’, with respect to a third-party administrator, means the inability of the third-party administrator to successfully negotiate and establish a community care network contract with a provider or facility.

“(4) The term ‘third-party administrator’ means an entity that manages a provider network and performs administrative services related to such network within the Veterans Community Care Program under section 1703 of this title.”.

(b) **PREVENTION OF SUSPENSION OF VETERANS COMMUNITY CARE PROGRAM.**—Section 1703(a) of such title is amended by adding at the end the following new paragraph:

“(4) Nothing in this section shall be construed to authorize the Secretary to suspend the program established under paragraph (1).”.

(c) **ESTABLISHMENT OF REQUIREMENTS FOR DOCUMENTATION OF POSTPONEMENT OF APPOINTMENT DATE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a process and requirements for facilities of the Department of Veterans Affairs to document the agreement of a veteran to postpone an appointment as specified under section 1703B of title 38, United States Code, as amended by subsection (a).

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have eight requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

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

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a closed briefing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 3 p.m., to conduct a hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

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

SUBCOMMITTEE ON CONSERVATION, CLIMATE, FORESTRY, AND NATURAL RESOURCES

The Subcommittee on Conservation, Climate, Forestry, and Natural Resources of the Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON TOURISM, TRADE, AND EXPORT PROMOTION

The Subcommittee on Tourism, Trade, and Export Promotion of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, June 7, 2022, at 3 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that privileges of the floor be granted to my first session summer interns for the month of June; that is Harold Monroe, Gracelyn Gohr, Charlee Korthuis, Dustin Lozano,

Calvin Ureda, Jenna Walker, and Braxton Zink.

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

Mr. PORTMAN. Mr. President, I ask unanimous consent that Clara Smith, an intern with Senator BOOZMAN's staff, be granted floor privileges until July 29, 2022.

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

Mr. PORTMAN. Mr. President, I ask unanimous consent that Karen Fletcher, a detail with Senator BOOZMAN's staff, be granted floor privileges for the remainder of this Congress.

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

ORDER OF PROCEDURE

Ms. HASSAN. Mr. President, I ask unanimous consent that following leader remarks tomorrow, June 8, all postcloture time on the motion to proceed to H.R. 3967 be expired and that if the motion to proceed is agreed to, that following reporting of the measure, Senator TESTER or his designee be recognized to offer substitute amendment No. 5051; further, that after Senator SCHUMER yields the floor following Senator TESTER's offering of his amendment and any remarks he may make, the Senate proceed to executive session to consider Executive Calendar No. 670, Lisa Gomez, to be an Assistant Secretary of Labor, and that at 11:30 a.m. the Senate vote on the confirmation of the Gomez and Morrison nominations in the order listed.

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

EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2022 AS "MENTAL HEALTH AWARENESS MONTH"

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 662, submitted earlier today.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 662) expressing support for the designation of May 2022 as "Mental Health Awareness Month".

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

Ms. HASSAN. I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

Hearing no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 662) was agreed to.

Ms. HASSAN. I ask unanimous consent that 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 preamble was agreed to.

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

AMENDING THE POST-KATRINA EMERGENCY MANAGEMENT REFORM ACT OF 2006

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 364, S. 3499.

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

The clerk will report the bill by title. The bill clerk read as follows:

A bill (S. 3499) to amend the Post-Katrina Emergency Management Reform Act of 2006 to repeal certain obsolete requirements, 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.

Ms. HASSAN. I further ask 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 with no intervening action or debate.

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

The bill (S. 3499) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF OBSOLETE DHS CONTRACTING REQUIREMENTS.

The Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295; 120 Stat. 1394) is amended by striking section 692 (6 U.S.C. 792).

APPOINTMENT

The PRESIDING OFFICER. The Chair, pursuant to Public Law 115-123, on behalf of the Majority Leader of the Senate, reappoints the following individual as a member of the Commission on Social Impact Partnerships: Carol B. Kellermann of New York.

ORDERS FOR WEDNESDAY, JUNE 8, 2022

Ms. HASSAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Wednesday, June 8; and that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to proceed to H.R. 3967, as provided under the previous order; further, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon

the table and the President be immediately notified of the Senate's action.

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

RECESS UNTIL 10 A.M. TOMORROW

Ms. HASSAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 6:59 p.m., recessed until Wednesday, June 8, 2022, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

TENNESSEE VALLEY AUTHORITY

WILLIAM J. RENICK, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2027, VICE JEFFREY SMITH, TERM EXPIRED.

ADAM WADE WHITE, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2027, VICE A. D. FRAZIER, TERM EXPIRED.

DEPARTMENT OF THE TREASURY

RICHARD K. DELMAR, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF THE TREASURY, VICE ERIC M. THORSON.

DEPARTMENT OF STATE

DANIEL N. ROSENBLUM, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KAZAKHSTAN.

KATHLEEN ANN KAVALEC, 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 ROMANIA.

NATHANIEL PICK, OF MAINE, TO BE AMBASSADOR AT LARGE FOR CYBERSPACE AND DIGITAL POLICY. (NEW POSITION)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

KARLA ANN GILBRIDE, OF MARYLAND, TO BE GENERAL COUNSEL OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM OF FOUR YEARS, VICE SHARON FAST GUSTAFSON.

DEPARTMENT OF DEFENSE

TERRENCE EDWARDS, OF MARYLAND, TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE, VICE SUSAN S. GIBSON.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

RICHARD E. DIZINNO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 29, 2023, VICE JANE NITZE, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. TONY D. BAUERNFEIND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JAMES B. HECKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. ANTHONY J. COTTON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MICHAEL J. DEEGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARK W. SIEKMAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. STUART B. MUNSCH

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

MARC A. DAIGLE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PHILIP J. BOTWINK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ARTHUR R. MOSEL, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BINHMINH T. NGUYEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL R. HANNEKEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be lieutenant colonel

ROBERT J. BELTON
WILLIAM A. BRECKENRIDGE
MATTHEW S. CANADA
ROBERT A. CARGEL III
BRYANT J. CASTEEL
DANIEL A. CHASE
HWA S. CHUNG
TIMOTHY S. CRAWLEY
KEVIN M. DAUL
DAVID S. DENNIS
JOHNNIE W. ELDER
BENJAMIN F. ELLINGTON

JONATHAN P. ENTREKIN
BILL E. KIM
ERIC L. LIGHT
MATTHEW D. MADISON
DAVID MVONDO
WILLIAM M. OLIVER
MARK J. OLSON
JOEL S. PANZER
ERIC D. PARK
COLT L. RANGLES
PHILLIP P. RITTERMEYER
WILLIAM J. SHEETS
RONALDO O. SILVA
STEVEN D. SMITH
JOHN C. SNEED
MICHAEL D. TURPIN, JR.
GEORGE A. TYGER
RICKIE E. WAMBLES, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHNATHAN D. REED

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

CYNTHIA L. KANE

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

STEVEN D. SIDERI, JR.

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be colonel

ANDREW S. MENSCHNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

PAUL A. KARSTEN III
ERIC J. PEREZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID A. BEAUMONT
MICHAEL F. BICKNESE
JONATHAN J. BRIGGS
WILLIAM F. CARRIGG
RICHARD L. COLVIN III
BRIAN C. FRAUSTO
CHRISTINE V. JACKSON
STEPHEN N. PERANTEAU

CEASAR A. RAMOS
NICOL R. STROUD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WENDY M. DELACRUZ
STEPHANIE K. FLOWERS
DANIEL C. GROLLER
MICHELLE L. HAINES
ALEXANDER L. JEHLE
JEREMY E. PARR
DANIEL S. ROBINSON
ERIC S. SCHLIEBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CRAIG E. FRANK
EDWARD M. GUTIERREZ
DORIAN C. HATCHER
ERICA M. MITCHELL
DAVID A. PHEASANT

CONFIRMATIONS

Executive nominations confirmed by the Senate June 7, 2022:

DEPARTMENT OF DEFENSE

ALEX WAGNER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE.

DEPARTMENT OF AGRICULTURE

CHAVONDA J. JACOBS-YOUNG, OF GEORGIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS.

DEPARTMENT OF ENERGY

SHALANDA H. BAKER, OF TEXAS, TO BE DIRECTOR OF THE OFFICE OF MINORITY ECONOMIC IMPACT, DEPARTMENT OF ENERGY.

DEPARTMENT OF HOMELAND SECURITY

KENNETH L. WAINSTEIN, OF VIRGINIA, TO BE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 7, 2022 withdrawing from further Senate consideration the following nomination:

BINIAM GEBRE, OF VIRGINIA, TO BE ADMINISTRATOR FOR FEDERAL PROCUREMENT POLICY, VICE MICHAEL ERIC WOOTEN, WHICH WAS SENT TO THE SENATE ON AUGUST 9, 2021.